

ORDINANCE NO. 20-15-c5

AN ORDINANCE AMENDING AND CLARIFYING ORDINANCE NO. 97-7 AS MAY HAVE BEEN AMENDED, DECLARING AN EMERGENCY AND FOR OTHER PURPOSES

WHEREAS, the City Council of the City of Central City, Arkansas, has determined that Ordinance No. 97-7 is in need of clarification through amendment, to clarify the boundaries of the City; and

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CENTRAL CITY, ARKANSAS; THAT

Section 1: Ordinance Number 97-7 as may have be amended, is hereby amended to include a Section 10 which shall provide as follows:

Section 10: The incorporated boundaries of the City of Central City lying in the Greenwood District of Sebastian County, Arkansas are hereby described as follows:

“See legal description attached as Exhibit A”.

Section 2: All other provisions of Ordinance 97-7 as may have been amended shall remain in full force and effect except modified herein.

Section 3: This Ordinance being necessary for the preservation of the public, peach and welfare, an emergency is hereby declared to exist and this Ordinance shall be full force and affect from and after it’s passage and publication.

PASSED AND APPROVED BY Athe MAJORITY OF THE CITY COUNCIL OF CENTRAL CITY, ARKANSAS ON THIS 20th DAY OF ~~JANUARY~~, 2018.

Clerk:

Yera Combs

Mayor:

Chris Wallace

Central City Description

Part of Section 1 of Twonship 7 North. Part of Section 36, Township 8 North, both in Range 31 West, part of Sections 30, 31 and 32 of Township 8 North, and part of Sections 5 and 6 of Township 7 North, all in Range 30 West, all in Sebastian County, Arkansas, and more particularly described as follows:

Beginning at the center of Section 1, Township 7 North, Range 31 West, said point being located on the North boundary of Ft. Chaffee Military Reservation (Monument Number 136) : thence North 88 degrees, 14 minutes West, 1,321.85 feet along said North boundary to Monument Number 137 : thence North 02 degrees 54 minutes East, 963.32 feet along the said Military Reservation boundary to Monument No. 138, said point being the South right-of-way of Arkansas State Highway 22: thence South 77 degrees 21 minutes West, 601.0 feet along the said Military Reservation boundary and South right-of-way of Arkansas State Highway 22 right-of-way to Monument Number 139; thence North 00 degrees 03 minutes East, 827.0 feet more or less to a point on the South right-of-way of the Missouri Pacific Railroad right-of-way; thence North Easterly along the South right-of-way of the Missouri Pacific Railroad right-of-way to its intersection with the township line between township 8 North ; Range 31 West and Township 8 North, Range 30 West; thence North along said township line to a point on the right bank of the Arkansas River ; thence Easterly along the right bank of the Arkansas River to the center of Vache Grasse Creek : thence Southerly along the center line of Vache Grasse Creek to a point on the South right-of-way of the Arkansas State Highway 22 and the North boundary of Ft Chaffee Military Reservation : thence Westerly along the North boundary of Ft. Chaffee Military Reservation and South right-of-way of Arkansas State Highway Number 22 right-of-way to Ft. Chaffee Monument Number 133, 315.0 feet East of the North-South one quarter line: thence South 01 degrees thirty minutes West, 420 feet along the Ft. Chaffee Military Reservation boundary to Monument Number 134 : thence North 88 degrees 30 minutes West, 315 feet along the said military reservation boundary to Monument Number 135 : thence South 01 degrees 29 minutes West, 907.35 feet along the said military reservation boundary to the point of beginning.

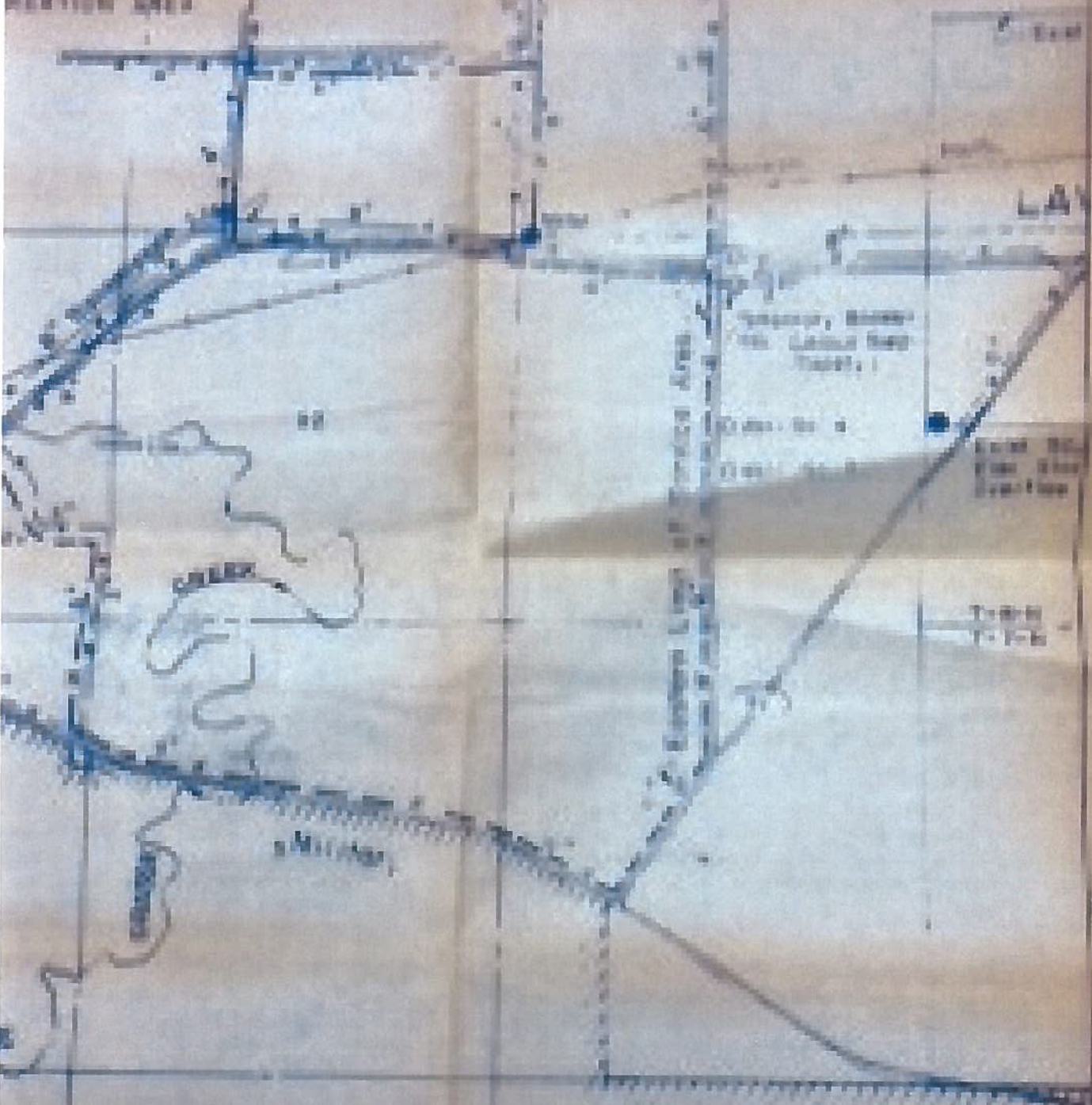
Central City Description

Part of Section 1 of Twonship 7 North. Part of Section 36, Township 8 North, both in Range 31 West, part of Sections 30, 31 and 32 of Township 8 North, and part of Sections 5 and 6 of Township 7 North, all in Range 30 West, all in Sebastian County, Arkansas, and more particularly described as follows:

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NO BRUSH
PORTION USED

SECTION 36
SECTION 37



Reservoir

FEDERAL BUREAU OF SURVEY 1944 CENTRAL SECTION 36 SECTION 37
--

ARKANSAS

RIVER



This map was prepared by the
 U.S. Geological Survey, St. Louis,
 Missouri, under the direction of
 the Chief of the Survey, and
 is published by authority of the
 Secretary of the Interior.
 Washington, D.C., 1882.

RESERVATION

RESERVED COMPANATE LIMITS MAP

CENTRAL

RESERVATION COMPANY, INC.

RESERVATION COMPANY, INC.
RESERVATION COMPANY, INC.
RESERVATION COMPANY, INC.

RESERVATION COMPANY, INC.	RESERVATION COMPANY, INC.
RESERVATION COMPANY, INC.	RESERVATION COMPANY, INC.
RESERVATION COMPANY, INC.	RESERVATION COMPANY, INC.
RESERVATION COMPANY, INC.	RESERVATION COMPANY, INC.



GRAND JURORS, County and Probate Court in and for Sebastian County, Arkansas, hereby certify that the above and foregoing is a true and complete copy of the

Copy of Proposed Reorganization

to the best of my knowledge and belief in the office of

Witness my hand and seal this 4th day of *April*, 1925

Fritz Cassie
County and Probate Clerk

Thomas C. Suggs
County Clerk

JOHN PAUL HAMMERSCHMIDT
THIRD DISTRICT, ARKANSAS

HOME ADDRESS:
HARRISON, ARKANSAS

WASHINGTON ADDRESS:
409 CANNON BUILDING
WASHINGTON, D.C. 20515
PHONE: 225-4301

Congress of the United States
House of Representatives
Washington, D.C. 20515

January 2, 1974

COMMITTEES:
PUBLIC WORKS
SUBCOMMITTEES:
ECONOMIC DEVELOPMENT
INVESTIGATIONS AND REVIEW
TRANSPORTATION
WATER RESOURCES
VETERANS' AFFAIRS
SUBCOMMITTEES:
COMPENSATION AND PENSION
HOSPITALS
HOUSING

Mr. Fines F. Batchelor, Jr.
Law Offices of Batchelor & Batchelor
411 Main Street
Post Office Box "L"
Van Buren, Arkansas 72956

Dear Mr. Batchelor:

Thank you for keeping me further advised of the develop-
ments with regard to the incorporation of Central City, Arkansas.

I believe that this must be an interesting and exciting
time for the residents of the area, particularly with the first
election only a short time away.

Please be assured of my interest in this coming new
Incorporated City.

With best wishes for the New Year,

Sincerely yours,

JOHN PAUL HAMMERSCHMIDT
Member of Congress

JPH/egs

cc: Reverend James Simons

Dictated from District Office

December 27, 1973

Hon. John Paul Hammerschmidt
Congressman from Arkansas
409 Cannon Building
Washington D. C. 20515

RE: Central City, Arkansas

Dear Congressman Hammerschmidt:

We want to thank you for your kind consideration in the above matter. The County Judge has signed Order incorporating Central City, Transcript has been furnished to the Secretary of State, and while we do not have verification from the Secretary of State, as of this date, we have had no opposition on this matter, and look forward to holding first election around the 15th of February.

Again we want to thank you for your kind consideration and cooperation.

Sincerely yours,

BATCHELOR & BATCHELOR

BY:

FINES F. BATCHELOR, JR.

FFBjr/db

cc. Mr. James Simons
Central City, Arkansas
Rt. 1, Box 198
Lavaca, Arkansas 72941

December 27, 1973

Mr. John Nick Rogers, Jr.
Sebastian County Election Commission
5026 Old Greenwood Road
Ft. Smith, Arkansas 72901

RE: Incorporated Town of Central City
Arkansas

Dear Nick:

I believe that everything has been completed with reference to incorporation of Central City, except verification from the Secretary of State's Office and the holding of an election.

We would like to work with you concerning the setting of an election for the election of first officers of Central City sometime around the middle of February, determine the approximate amount of costs involved and make arrangements for the printing of ballots.

We believe that, if desired, Central City can probably furnish election officials without costs, and representatives will be made available to the County Clerk to help in determining qualified voters in the area for having poll book available.

We will work with Central officials in preparing form petitions for getting names on the ballot for election and will be happy to work with you in preparing ballots.

Thank you for your kind consideration and cooperation.

Sincerely yours,

BATCHELOR & BATCHELOR

BY:

FINES F. BATCHELOR, JR.

FFBjr/db

cc. County Clerk
County Courthouse
Greenwood, Arkansas 72936

Mr. James Simons
Central City, Arkansas
Rt. 1, Box 198
Lavaca, Arkansas 72941

SPRINGFIELD, MISSOURI

THE COURT OF COMMONS OF THE DISTRICT OF COLUMBIA
BY SEBASTIAN C. CITY, ATTORNEY
IN CHIEF, DISTRICT OF COLUMBIA

SECTION 1

Some the undersigned petitioners and constituents of the hereinafter described portion of the second district of Sebastian County, Arkansas, which area is not embraced within the limits of any city or incorporated town and are desiring to organize into a city or town to be known as "Central City, Arkansas" and constituting more than 20 qualified voters in said County and territory propose to be embraced in such incorporation of hereby petition said Court to incorporate, as central city, Arkansas, the following described real estate and parcels of land in the Greenwood District of Sebastian County, Arkansas, to-wit:

Part of Township 7 North, part of Section 37, Township 7 North, Range 21 East, part of Sections 16, 17 and 18 of Township 7 North, and part of Sections 5 and 6 of Township 8 North, all in Range 21 East, all in Sebastian County, Arkansas, and more particularly described as follows:

Beginning at the center of Section 1, Township 7 North, Range 21 East, said point being located on the North boundary of Ft. Chaffee Military Reservation (Monument Number 136); thence North 22 degrees 14 minutes west, 1,321.80 feet along said North boundary to Monument Number 137; thence North 02 degrees 34 minutes east, 983.32 feet along the east Military Reservation boundary to Monument No. 138, said point being on the north right-of-way of Arkansas State Highway 22; thence South 77 degrees 21 minutes west, 601.0 feet along the said Military Reservation boundary and north right-of-way of Arkansas State Highway 22 right-of-way to Monument Number 139; thence South 03 degrees 03 minutes east, 427.0 feet more or less to a point on the South right-of-way of the Missouri Pacific Railroad right-of-way; thence North easterly along the South right-of-way of the Missouri Pacific Railroad right-of-way to its intersection with the township line between Township 7 North, Range 21 East and Township 8 North, Range 21 East; thence North along said township line to a point on the right bank of the Arkansas River; thence easterly along the right bank of the Arkansas River to the center of Vache Grassy Creek; thence southerly along the center line of Vache Grassy Creek to a point on the north right-of-way of Arkansas State Highway 22 and the north boundary of Ft. Chaffee Military Reservation.

CENTRAL CITY, ARKANSAS

ORDER OF INCORPORATION

On the 17th day of October, 1973, the above styled cause comes on for hearing and the petitioners appear by their duly designated agents, James Simons, Myrle Smithson, Riley Brown, and William Jenkins, and by their attorney, Batchelor & Batchelor by Fines F. Batchelor, Jr. and others of said petitioners appeared in person, and this matter proceeded to hearing upon the petition herein filed, the notice herein and proof of publication thereof, the entire file in this matter and other matters before the Court, the Court being well and sufficiently advised doth find:

This Court has jurisdiction of the parties and subject matter of this litigation.

On or about the 29th day of August, 1973, there was filed with this Court a petition for the Incorporation of Central City, Arkansas, hearing was set for 1:30 p.m. on October 17, 1973 notice of the time and place of said hearing was published for three consecutive weeks in the Greenwood Democrat, a newspaper of general circulation in this County and District, legally qualified to publish legal notices, and proof of such publication has been filed herein.

This hearing was commenced at 1:30 p.m. on October 17, 1973, in the County Courthouse at Greenwood, Arkansas, as set out in notice for this hearing.

Petitions were filed herein for such Incorporation signed by fifty persons who purported to be residents of the area to be Incorporated, and said petitions contained the signatures of twenty or more qualified voters who reside in the area requested to be incorporated; the limits of said Corporation have been accurately described and an accurate map and plat thereof made and filed; the name proposed for said town is Central City, is proper and sufficient to distinguish

and proof presented in open court, it is right and proper that such petition be granted.

IT IS, THEREFORE, BY THE COURT, CONSIDERED, ORDERED, AND ADJUDGED that the Incorporated Town of Central City, Arkansas, be and is hereby Incorporated as an Incorporated Town, of the State of Arkansas, consisting of the following described real estate located in the Greenwood District of Sebastian County, Arkansas, to-wit:

Part of Section 1 of Township 7 North, Part of Section 36, township 8 North, both in Range 31 West, part of Sections 30, 31 and 32 of Township 8 North, and part of Sections 5 and 6 of Township 7 North, all in Range 30 West, all in Sebastian County, Arkansas, and more particularly described as follows:

Beginning at the center of Section 1, Township 7 North, Range 31 West, said point being located on the North boundary of Ft. Chaffee Military Reservation (Monument Number 136); thence North 88 degrees 14 minutes West, 1,321.85 feet along said North boundary to Monument Number 137; thence North 02 degrees 54 minutes East, 963.32 feet along the said Military Reservation boundary to Monument No. 138, said point being on the South right-of-way of Arkansas State Highway 22; thence South 77 degrees 21 minutes West, 601.0 feet along the said Military Reservation boundary and South right-of-way of Arkansas State Highway 22 right-of-way to Monument Number 139; thence North 00 degrees 03 minutes East, 827.0 feet more or less to a point on the South right-of-way of the Missouri Pacific Railroad right-of-way; thence North easterly along the South right-of-way of the Missouri Pacific Railroad right-of-way to its intersection with the township line between township 8 North, Range 31 West and Township 8 North, Range 30 West; thence North along said township line to a point on the right bank of the Arkansas River; thence Easterly along the right bank of the Arkansas River to the center of Vache Grasse Creek; thence Southerly along the center line of Vache Grasse Creek to a point on the South right-of-way of Arkansas State Highway 22 and the North boundary of Ft. Chaffee Military Reservation; thence Westerly along the North boundary of Ft. Chaffee Military Reservation and South right-of-way of Arkansas State Highway Number 22 right-of-way to Ft. Chaffee Monument Number 133, 315.0 feet East of the North-South one quarter line; thence South 01 degrees thirty minutes West, 420 feet along the Ft. Chaffee Military Reservation boundary to Monument Number 134; thence North 88 degrees 30 minutes West, 315 feet along the said military reservation boundary to Monument Number 135; thence south 01 degrees 29 minutes West, 907.35 feet along the said military reservation boundary to the point of beginning.

of the inhabitants of the above described area, the clerk of this Court is hereby directed to attach this order to and make it a part of the petition herein filed and prepare two transcripts of this record containing the petition herein filed, the plat of the area to be Incorporated, attach thereto and made a part thereof as Exhibit "A" thereto a copy of the Notice of Hearing herein, a copy of the proof of publication of said Notice, a copy of this order, and the entire record of this Incorporation, duly certified under the official seal of said clerk, and forward one copy thereof to the Secretary of State of the State of Arkansas, and the other transcript shall be delivered to agents for the petitioners, duly certified as a record for said town.

The Incorporated Town of Central City, Arkansas, composed of the above described territory and with above described corporate limits shall, upon delivery of said certified copies be and become an Incorporated Town subject only to statutory rights to contest said Incorporation within the time and in the manner prescribed by law, and shall be organized and governed under the provisions of the laws of the State of Arkansas, and shall organize by election of its officers as provided by the laws of the State of Arkansas, at which time notice of its existence as such shall be taken in all judicial proceedings in this State.



GLENN THAMES, COUNTY JUDGE

ORDINANCE NO. 97-7

AN ORDINANCE HAVING FOR IT'S PURPOSE THE ORGANIZATION OF THE TOWN OF CENTRAL CITY, ARKANSAS, INTO A CITY OF THE SECOND CLASS; PROVIDING THAT THE OFFICES OF CITY RECORDER AND TREASURER BE COMBINED; PROVIDING FOR THE DUTIES AND POWERS OF THE MAYOR, RECORDER-TREASURER, AND ALDERMEN; PROVIDING THAT THE CITY ATTORNEY AND THE CITY MARSHAL NOT BE ELECTED BUT APPOINTED BY THE MAYOR WITH THE CONSENT OF THE CITY COUNCIL; DIVIDING THE CITY INTO WARDS; AND FOR OTHER PURPOSES.

WHEREAS, the Board of Municipal Corporations of the State of Arkansas, has officially declared the Town of Central City to be a City of the Second Class; and,

WHEREAS, the Statutes of the State of Arkansas provide that when an Incorporated Town becomes a City of the Second Class, the town officials become the City officials of the City of the Second Class, to serve as such for the full term of their office, or until their successors are elected and qualified; and,

WHEREAS, the Statutes of the State of Arkansas require a City of the Second Class to be divided into at least three wards,

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CENTRAL CITY, ARKANSAS;

SECTION 1. That the City of Central City is hereby declared to be a City of the Second Class.

SECTION 2. The offices of City Recorder and City Treasurer shall be combined and said office shall be termed "City Recorder-Treasurer", and one person shall hold said office.

SECTION 3. The duties of the Mayor, City Recorder-Treasurer and the City Aldermen shall be those duties prescribed by the Statutes of the State of Arkansas and the Ordinances of the City of Central City for such officials.

SECTION 4. As permitted and authorized by Section 14-44-111 of the Statutes of the State of Arkansas and the Ordinances of the City of Central City, the City Marshal shall be appointed by the Mayor with the approval of the City Council. Such appointment shall be upon such terms,

The **FIRST WARD** shall embrace and comprise the following territory in the City of central City to-wit; All west of Biggs Street (within the corporate lines) all west of Butler Street (within the corporate lines) from Highway 22 north to corporation line.

The **SECOND WARD** shall embrace and comprise the following territory in the City of Central City to-wit; All east of Butler Street (within the corporate lines) from Highway 22 north to corporation line.

The **THIRD WARD** shall embrace and comprise the following territory in the City of Central City to-wit; All east of Pierce-Newman Street (within the corporate lines) from Highway 22 north to corporation line.

SECTION 7. At the next election for officials of the City of Central City to be held on the date provided for by the Statutes of the State of Arkansas, the qualified electors of the City of Central City shall elect one Mayor, one Recorder-Treasurer, and two Aldermen from each ward to serve for the terms prescribed by the Statutes of the State of Arkansas for such officers of Cities of the Second Class, or until their successors are elected and qualified for said offices.

SECTION 8. All Ordinances or parts of Ordinances in conflict herewith are hereby repealed.

SECTION 9. Whereas it is necessary for the efficient administration of the municipal government of the City of Central City that the provisions of this Ordinances become effective immediately, therefore, an emergency is declared to exist, and this Ordinance being necessary for the preservation of the public peace, health and safety, the same shall be in full force and effect from and after it's passage and publication.

APPROVED: *Yves Combes*
Mayor

PASSED: October 21, 1997

ATTEST: *Pat Combes*

ORDINANCE NO. 97-8

AN ORDINANCE SUBMITTING TO THE QUALIFIED ELECTORS OF THE TOWN OF CENTRAL CITY THE QUESTION OF WHETHER THE CLASSIFICATION OF CENTRAL CITY SHOULD BE RAISED TO CITY OF THE SECOND CLASS, AND FOR OTHER PURPOSES.

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF CENTRAL CITY, ARKANSAS:

SECTION 1. There is hereby submitted to the qualified electors of the Town of Central City at a Special Call Election to be held on December 2, 1997 the following question:

FOR raising the Classification of the Town of Central City to City of the Second Class



AGAINST raising the Classification of the Town of Central City to City of the Second Class



SECTION 2. The Town Recorder shall submit a certified copy of this Ordinance to the Sebastian County Election Commissioners so that this question may be place on the Special Call Election Ballot to be held on December 2, 1997.

SECTION 3. All Ordinances, or parts of Ordinances in conflict herewith are hereby repealed.

APPROVED: _____

Yra Combs
MAYOR

PASSED: October 21, 1997

ATTEST: _____

Pat Combs
RECORDER

ORDINANCE NO. 20-15-05

AN ORDINANCE AMENDING AND CLARIFYING ORDINANCE NO. 97-7 AS MAY HAVE BEEN AMENDED, DECLARING AN EMERGENCY AND FOR OTHER PURPOSES

WHEREAS, the City Council of the City of Central City, Arkansas, has determined that Ordinance No. 97-7 is in need of clarification through amendment, to clarify the boundaries of the City; and

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CENTRAL CITY, ARKANSAS; THAT

Section 1: Ordinance Number 97-7 as may have be amended, is hereby amended to include a Section 10 which shall provide as follows:

Section 10: The incorporated boundaries of the City of Central City lying in the Greenwood District of Sebastian County, Arkansas are hereby described as follows:

“See legal description attached as Exhibit A”.

Section 2: All other provisions of Ordinance 97-7 as may have been amended shall remain in full force and effect except modified herein.

Section 3: This Ordinance being necessary for the preservation of the public, peach and welfare, an emergency is hereby declared to exist and this Ordinance shall be full force and affect from and after it’s passage and publication.

PASSED AND APPROVED BY Athe MAJORITY OF THE CITY COUNCIL OF CENTRAL CITY, ARKANSAS ON THIS 20th DAY OF ~~DECEMBER~~ JANUARY, 2015.

Clerk:

Yera Combs

Mayor:

Charles Wallace

Central City Description

Part of Section 1 of Township 7 North. Part of Section 36, Township 8 North, both in Range 31 West, part of Sections 30, 31 and 32 of Township 8 North, and part of Sections 5 and 6 of Township 7 North, all in Range 30 West, all in Sebastian County, Arkansas, and more particularly described as follows:

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Ordinances

It has become apparent recently that a written explanation of my actions in regards to the recent questions as to the correct city limits of Central City and the questions as to the boundaries of the election wards, should be made. I will approach this in a chronological order so as the events will be clear.

City Limits:

After being asked by you to look into a problem with a local resident being told that she did not live in the city limits and could not vote in the city limits I started to look for the original city limits definitions.

- I was able to locate Central City Ordinance 97-7 in which there were continual references made to “corporate limits” but there was no true indication of what the “corporate limits” were.
- I started gathering available maps and found that there were several different versions of what the city limits were.
- I checked with *the Sebastian County Clerk’s Office* and they advised that they did not have a current map other than those provided by WAPDD (*Western Arkansas Planning and Development*), and these appeared to be inaccurate. It was noted that there were parts of the trailer park on the West end of the city and a large area of the East end of the city that effected several homes had been mapped as outside the city limits. It was apparent that in order to go to WAPDD and ask them to correct and upgrade their maps it would require more than just me saying that the city limits were what I believed they were.
- I made contact with *the Arkansas Secretary of State Office* and obtained a copy of the original Order of Incorporation that contained a *geographical description* of the outer boundaries of Central City. I was also able to obtain photographs of the map that had been submitted at the time of incorporation.
- I assembled a packet with all the information that I had gathered and the facts supporting the correct city limits and provided a copy to *you, Vera Combs, Recorder/Treasurer, the Greenwood Office and the Ft Smith office of the Sebastian County Clerk’s Office*. I sat down with each office and explained my actions and findings and was advised that they felt that this would satisfy their needs as to certain residents being within the city limits and being able to vote again in city elections.
- I made contact with WAPDD and was advised that they felt that there was a problem but had not been able to make contact with anyone within the city to assist with correcting the problem. They were very appreciative in my providing a packet and what information I had. They quickly created a new boundary map, which you approved. They also stated that they would contact *HTD Data* in Little Rock, that does the statewide mapping, and get the limits corrected.
- I was advised that they would provide a map yearly and send it to Central City for the Mayor’s approval and once it had the Mayor’s signature it would be placed in their files as a validation of their mapping. I did find one of these maps posted in the hallway that was not signed or returned.

Voting Wards:

I was at city hall on the afternoon of the July City Council meeting and a subject came in to city hall asking for a packet as he intended to run for an Alderman position. When he asked exactly what ward he was in and who he would be running against I referenced the ward map that had been provided during the last election and found that it was very vague and did not specifically identify the information he was asking. I located Central City Ordinance 97-7 which was to provide three (3) wards within the city and was to have set the boundaries for those wards. In reading the ordinance I found that the second ward was not clearly defined and felt that action should be taken so as to prevent any problems in the upcoming election. When I arrived at the City Council Meeting that night I was told that you would not be present so I approached Vera Combs with it immediately upon going into the meeting room. While I was explaining the problem to her. Mike Hamby came in and I started explaining the situation to him. I also provided him a copy of the ordinance and map that I had. During this conversation I started advising him that we had also resolved the question as to the proper city limits but that there was still action that needed to be taken in that something would need to be done along the lines of a further explanation of the proper city limit description by geological terms and not just corporate limits as no one could show factually what the corporate limits were. There were other Aldermen present during this time that were listening to the conversation and a couple of them had participated in the conversation. There was no further conversation that I was involved in regarding the two ordinances that night.

As a result of identifying the shortcomings of the ordinance pertaining to the wards, a special city council meeting was called and an amendment to Ordinance 97-7 was passed to set a proper boundary on the election wards.

As a result of the July 15, 2014 City Council Meeting the following was noted:

- A copy of the unapproved minutes was provided to a local newspaper who then printed a version of events that was flagrantly false. It is not understood why the minutes were released when they had not been approved by the council. The account of events appeared as though there was arguing going during the conversation, which was not true. It also indicated that I waited to bring this matter up until after the meeting which was also not true.
- A special meeting was held and Ordinance 97-7 was updated to give proper boundary definitions of the wards only.
- It is unknown as to why the problems that were found took so long to surface. In the first situation I was simply doing as you instructed. In the second situation I did not find out until late in the afternoon and was going to provide the information to you at the meeting but instead presented it to Vera Combs, so she could present it to the council immediately, as she was in charge of the meeting that night. She did not pursue it any further in the meeting.
- There **STILL** needs to be an amendment or some other action made to correct the problem with the *vague ordinance* which sets out the city limits when Central City was changed to a City of the Second Class. This could potentially affect taxes, public services and other civil benefits. Failure to act on this could present problems in the future.

Memo

To: Mayor Chuck Wallace
From: J.Hamilton
CC:
Date: 8-6-2014
Re: **Ordinance discrepancies**

Ordinances

It has become apparent recently that a written explanation of my actions in regards to the recent questions as to the correct city limits of Central City and the questions as to the boundaries of the election wards, should be made. I will approach this in a chronological order so as the events will be clear.

City Limits:

After being asked by you to look into a problem with a local resident being told that she did not live in the city limits and could not vote in the city limits I started to look for the original city limits definitions.

- I was able to locate Central City Ordinance 97-7 in which there were continual references made to “corporate limits” but there was no true indication of what the “corporate limits” were.
- I started gathering available maps and found that there were several different versions of what the city limits were.
- I checked with *the Sebastian County Clerk’s Office* and they advised that they did not have a current map other than those provided by WAPDD (*Western Arkansas Planning and Development*), and these appeared to be inaccurate. It was noted that there were parts of the trailer park on the West end of the city and a large area of the East end of the city that effected several homes had been mapped as outside the city limits. It was apparent that in order to go to WAPDD and ask them to correct and upgrade their maps it would require more than just me saying that the city limits were what I believed they were.
- I made contact with *the Arkansas Secretary of State Office* and obtained a copy of the original Order of Incorporation that contained a *geographical description*

of the outer boundaries of Central City. I was also able to obtain photographs of the map that had been submitted at the time of incorporation.

- I assembled a packet with all the information that I had gathered and the facts supporting the correct city limits and provided a copy to *you, Vera Combs, Recorder/Treasurer, the Greenwood Office and the Ft Smith office of the Sebastian County Clerk's Office*. I sat down with each office and explained my actions and findings and was advised that they felt that this would satisfy their needs as to certain residents being within the city limits and being able to vote again in city elections.
- I made contact with *WAPDD* and was advised that they felt that there was a problem but had not been able to make contact with anyone within the city to assist with correcting the problem. They were very appreciative in my providing a packet and what information I had. They quickly created a new boundary map, which you approved. They also stated that they would contact *HTD Data* in Little Rock, that does the statewide mapping, and get the limits corrected.
- I was advised that they would provide a map yearly and send it to Central City for the Mayor's approval and once it had the Mayor's signature it would be placed in their files as a validation of their mapping. I did find one of these maps posted in the hallway that was not signed or returned.

Voting Wards:

I was at city hall on the afternoon of the July City Council meeting and a subject came in to city hall asking for a packet as he intended to run for an Alderman position. When he asked exactly what ward he was in and who he would be running against I referenced the ward map that had been provided during the last election and found that it was very vague and did not specifically identify the information he was asking. I located Central City Ordinance 97-7 which was to provide three (3) wards within the city and was to have set the boundaries for those wards. In reading the ordinance I found that the second ward was not clearly defined and felt that action should be taken so as to prevent any problems in the upcoming election. When I arrived at the City Council Meeting that night I was told that you would not be present so I approached Vera Combs with it immediately upon going into the meeting room. While I was explaining the problem to her, Mike Hamby came in and I started explaining the situation to him. I also provided him a copy of the ordinance and map that I had. During this conversation I started advising him that we had also resolved the question as to the proper city limits but that there was still action that needed to be taken in that something would need to be done along the lines of a further explanation of the proper city limit description by geological terms and not just corporate limits as no one could show factually what the corporate limits were. There were other Aldermen present during this time that were listening to the conversation and a couple of them had participated in the conversation. There was no further conversation that I was involved in regarding the two ordinances that night.

As a result of identifying the shortcomings of the ordinance pertaining to the wards, a special city council meeting was called and an amendment to Ordinance 97-7 was passed to set a proper boundary on the election wards.

As a result of the July 15, 2014 City Council Meeting the following was noted:

- A copy of the unapproved minutes was provided to a local newspaper who then printed a version of events that was flagrantly false. It is not understood why the minutes were released when they had not been approved by the council. The account of events appeared as though there was arguing going on during the conversation, which was **not true**. It also indicated that I waited to bring this matter up until after the meeting which was also not true.
- A special meeting was held and Ordinance 97-7 was updated to give proper boundary definitions of the wards only.
- It is unknown as to why the problems that were found took so long to surface. In the first situation I was simply doing as you instructed. In the second situation I did not find out until late in the afternoon and was going to provide the information to you at the meeting but instead presented it to Vera Combs, so she could present it to the council immediately, as she was in charge of the meeting that night. She did not pursue it any further in the meeting.
- There **STILL** needs to be an amendment or some other action made to correct the problem with the *vague ordinance* which sets out the city limits when Central City was changed to a City of the Second Class. *This could potentially affect taxes, public services and other civil benefits. Failure to act on this could present problems in the future.*

FILED

IN THE COUNTY COURT OF SEBASTIAN COUNTY, ARKANSAS
is inhabited and built GREENWOOD DISTRICT

AM 24 1974
KELLY BRYANT
SECRETARY OF STATE

IN THE MATTER OF THE INCORPORATION OF
CENTRAL CITY, ARKANSAS
ORDER OF INCORPORATION

On the 17th day of October, 1973, the above styled cause came on for hearing and the petitioners appear by their duly designated agents, James Simons, Myrie Smithson, Riley Brown, and William Jenkins, and by their attorney, Bachelor & Bachelor, by Fines F. Bachelor, Jr. and others of said petitioners appeared in person, and this matter proceeded to hearing upon the petition herein filed, the notice hereinafter in and proof of publication thereof, the entire file in this matter and other matters before the Court, the Court being well and sufficiently advised doth find:

This Court has jurisdiction of the parties and subject matter of this litigation.
On or about the 29th day of August, 1973, there was filed with this Court a petition for the incorporation of Central City, Arkansas, hearing was set for 1:30 p.m. on October 17, 1973, notice of the time and place of said hearing was published for three consecutive weeks in the Greenwood Democrat, a newspaper of general circulation in this County and District, legally qualified to publish legal notices, and proof of such publication has been filed herein.
This hearing was commenced at 1:30 p.m. on October 17, 1973, in the County Courthouse at Greenwood, Arkansas, as set out in notice for this hearing of Ft. Chaffin Military Reservation; the two petitions were filed herein for such incorporation signed by fifty persons who purported to be residents of the area to be incorporated, and said petitions contained the signatures of twenty or more qualified voters who reside in the area requested to be incorporated; the limits of said Corporation have been accurately described and an accurate map and plat thereof made and filed; the name proposed for said town is Central City, is proper and sufficient to distinguish

it from others of like kind in the State; the area to be incorporated is inhabited and built up with a sufficient density of population to make such Incorporation desirable, and based upon said petition, and proof presented in open court, it is right and proper that such petition be granted.

IT IS, THEREFORE, BY THE COURT, CONSIDERED, ORDERED, AND ADJUDGED that the Incorporated Town of Central City, Arkansas, be and is hereby Incorporated as an Incorporated Town, of the State of Arkansas, consisting of the following described real estate located in the Greenwood District of Sebastian County, Arkansas, to-wit:

Part of Section 1 of Township 7 North, Part of Section 36, township 8 North, both in Range 31 West, part of Sections 30, 31 and 32 of Township 8 North, and part of Sections 5 and 6 of Township 7 North, all in Range 30 West, all in Sebastian County, Arkansas, and more particularly described as follows:

Beginning at the center of Section 1, Township 7 North, Range 31 West, said point being located on the North boundary of Ft. Chaffee Military Reservation (Monument Number 136); thence North 88 degrees 14 minutes West, 1,321.85 feet along said North boundary to Monument Number 137; thence North 02 degrees 54 minutes East, 963.32 feet along the said Military Reservation boundary to Monument No. 138, said point being on the South right-of-way of Arkansas State Highway 22; thence South 77 degrees 21 minutes West, 601.0 feet along the said Military Reservation boundary and South right-of-way of Arkansas State Highway 22 right-of-way to Monument Number 139; thence North 00 degrees 03 minutes East, 827.0 feet more or less to a point on the South right-of-way of the Missouri Pacific Railroad right-of-way; thence North easterly along the South right-of-way of the Missouri Pacific Railroad right-of-way to its intersection with the township line between township 8 North, Range 31 West and Township 8 North, Range 30 West; thence North along said township line to a point on the right bank of the Arkansas River; thence Easterly along the right bank of the Arkansas River to the center of Vache Grasse Creek; thence Southerly along the center line of Vache Grasse Creek to a point on the South right-of-way of Arkansas State Highway 22 and the North boundary of Ft. Chaffee Military Reservation; thence Westerly along the North boundary of Ft. Chaffee Military Reservation and South right-of-way of Arkansas State Highway Number 22 right-of-way to Ft. Chaffee Monument Number 133, 315.0 feet East of the North-South one quarter line; thence South 01 degrees thirty minutes West, 420 feet along the Ft. Chaffee Military Reservation boundary to Monument Number 134; thence North 88 degrees 30 minutes West, 315 feet along the said military reservation boundary to Monument Number 135; thence south 01 degrees 29 minutes West, 907.35 feet along the said military reservation boundary to the point of beginning.

and more than thirty days having elapsed since the publication of notice herein, and it being determined to be to the best interest of the inhabitants of the above described area, the clerk of this Court is hereby directed to attach this order to and make it a part of the petition herein filed and prepare two transcripts of this record containing the petition herein filed, the plat of the area to be incorporated, attach thereto and made a part thereof as Exhibit "A" thereto a copy of the Notice of Hearing herein, a copy of the proof of publication of said Notice, a copy of this order, and the entire record of this Incorporation, duly certified under the official seal of said clerk, and forward one copy thereof to the Secretary of State of the State of Arkansas, and the other transcript shall be delivered to agents for the petitioners, duly certified as a record for said town.

The Incorporated Town of Central City, Arkansas, composed of the above described territory and with above described corporate limits shall, upon delivery of said certified copies be and become an Incorporated Town, subject only to statutory rights to contest said Incorporation within the time and in the manner prescribed by law, and shall be organized and governed under the provisions of the laws of the State of Arkansas, and shall organize by election of its officers as provided by the laws of the State of Arkansas, at which time notice of its existence as such shall be taken in all judicial proceedings in this State.


DEWAIN THOMAS, COUNTY JUDGE

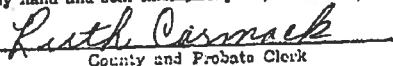
I, RUTH CARMACK, County and Probate Clerk in and for Sebastian County, Arkansas, hereby certify that the above and foregoing is a true and complete copy of the

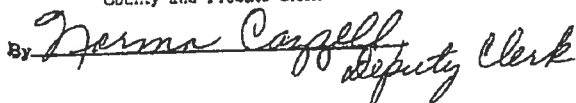
Order of Incorporation

as the same appears of record in this office in

Book 8 Page 256

Witness my hand and seal this 4th day of Dec. 1973


Ruth Carmack
County and Probate Clerk

By 
Norma Caspell
Deputy Clerk

IN THE COUNTY COURT OF SEBASTIAN COUNTY, ARKANSAS
GREENWOOD DISTRICT

IN THE MATTER OF THE INCORPORATION OF
CENTRAL CITY, ARKANSAS

St. James Simons
CHAIRMAN

Notice is hereby given that a petition purporting to contain
50 signatures, and purporting to contain signatures of more than
20 qualified voters and residents of the area hereinafter described,
has been filed for the incorporation of Central City, Arkansas, the
land and territory hereinafter described and being located in the
Greenwood District of Sebastian County, Arkansas, to-wit:

Pt. of Sec. 1, T7N, & Pt. Sec. 36, T8N, all in R31W; Pt. Secs.
1 & 6, T7N & Pt. Secs. 30, 31 & 32, T8N, all in R30W described
as:

Begin at C. Sec. 1, T7N, R 31 W, on N boundary of Ft. Chaffee
Military Reservation, Monument # 135; N 822.74' W, 1321.85 ft.
along said boundary to Monument # 137; N 022.941' E, 963.32 ft.
along said boundary to Monument # 138, an S & W of Ark. Hwy.
22; S 77.021' N, 601.0 ft. along said boundary and N W to
Monument No. 139; N 00.005' East, 227.0 ft. to S & W of Missouri
Pacific Railroad; N Ely along said S & W to its intersection with
Twp. T8N, R31W and T8N, R30W; N along said Twp. line to right
bank of Arkansas River; Easterly along right bank of said river
to center of Veeho Graded Creek; Southerly along center of Veeho
Graded Creek to S & W of Ark. Hwy. # 22 and N boundary of said
Ft. Chaffee reservation; Westerly along said North boundary and
S & W to Monument # 133, 315.0 ft. E of N-S 1/4 line; S 01.931'
W, 449.0 feet along said reservation boundary to Monument # 134;
N 88.50' W, 315.0 ft. along said boundary to Monument # 135;
& 01.80' W, 907.25 ft. along said boundary to point of beginning.
(Monument numbers hereinafter set out being Ft. Chaffee Military
Reservation Boundary Monuments).

said Petition designating James Simons, Chairman, Route 1, Box 196, Lavaca
Arkansas, Myrlo Saitheon, Route 1, Lavaca, Arkansas, Hilley Brown,
Route 1, Lavaca, Arkansas, *James W. Jenkins*, Route 1, Lavaca, Arkansas
as agents for said Petitioners.

Said Petition is set for hearing as follows:

Hour: 1:30 PM
Date: OCTOBER 17, 1973
Location: COUNTY COURTHOUSE
City: GREENWOOD, ARKANSAS

to be heard at said time and place or at such time and place as possible,

[Lined area for text, mostly illegible due to scan quality]

I, RUTH CARMACK, County and Probate Clerk in and for Sebastian County, Arkansas, hereby certify that the above and foregoing is a true and complete copy of the

Petition & List of Signatures

as the same appears of record in this office.

Book _____ Page _____

Witness my hand and seal this 4 day of Dec 1973

Ruth Carmack
County and Probate Clerk

By *James Cogell, Deputy Clerk*

and if necessary continued from day to day.

All who desire to be heard upon said petition are hereby given Notice to be present at the above time and place for such hearing.

Notice dated this 30th day of ^{AUGUST} ~~September~~, 1973.

S/ JAMES SIMONS
JAMES SIMONS, CHAIRMAN

S/ MYRLE SMITHSON
MYRLE SMITHSON

Subscribed and sworn to before the undersigned clerk
day of S/ RILEY BROWN

RILEY BROWN

S/ WILLIAM JENKINS
WILLIAM JENKINS

I, RUTH CARMACK, County and Probate Clerk in and for Sebastian County, Arkansas, hereby certify that the above and foregoing is a true and complete copy of the

Notice

as the same appears of record in this office in

Book _____ Page _____

Witness my hand and seal this 4 day of Dec., 1973

Ruth Carmack
County and Probate Clerk

By Berna Cazell, Deputy Clerk

53

Central City
Sebastian Co.

FILED

JAN 24 1974

KELLY BRYANT
SECRETARY OF STATE

BY

CERTIFIED COPY

CASE NO. _____

SEBASTIAN _____ COURT

GREENWOOD DISTRICT

COUNTY and PROBATE CLERK
Sebastian County
GREENWOOD, ARKANSAS

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	ADDRESS
L. J. Smith	Rt #1, Box 215, Lawrence, Ark
J. L. ...	Rt. 1, Lawrence
J. L. ...	Rt. 1, Lawrence
W. J. ...	Rt. 1, Lawrence
R. J. ...	Rt. 1, Lawrence
R. J. ...	Rt. 1, Lawrence
J. L. ...	Rt. 1, Lawrence
J. L. ...	Rt. 1, Lawrence
J. L. ...	Rt. 1, Lawrence
J. L. ...	Rt. 1, Lawrence
J. L. ...	Rt. #1, Box 227, Lawrence, Ark
J. L. ...	Rt. #1, Box 227, Lawrence, Ark
J. L. ...	Lawrence, Ark. Rt. 1, Box 221
J. L. ...	Rt. 1, Box 220, Lawrence, Ark

In The Matter Of The incorporation Of Central City, Arkansas.

NOTICE

Notice is hereby given that a Petition purporting to contain 50 signatures, and purporting to contain signatures of more than 25 qualified voters and residents of the area hereinafter described, has been filed for the incorporation of Central City, Arkansas, the land and territory hereinafter described and being located in the Greenwood District of Sebastian County, Arkansas, to-wit:

Pt. of Sec. 1, T7N, & Pt. Sec. 5, T8N, all in R31W; Pt. Secs 5 & 6 T7N & Pt. Secs. 20, 21 & 22, T8N, all in R30W described as:

Begin at C-Sec. 1, T7N, R 31 W, on N boundary of Ft. Chaffee Military Reservation, Monument No. 136; N 88 degrees 14' W, 1321.85 ft. along said boundary to Monument No. 137; N 02 degrees 54' E, 963.32 ft. along said boundary to Monument No. 138, on S R-W of Missouri Monument No. 139; N 00 degrees 03' East, 227.0 ft. to S R-W of Missouri Pacific Railroad; NEly along said S R-W to its intersection with Twp. T8N, R31W and T8N, R30W; N along said Twp. line to right bank of Arkansas River; Easterly along right bank of said river to center of Vache Grasse Creek; Southerly along center of Vache Grasse Creek to S R-W of Ark. Hwy. No. 22 and N boundary of said Ft. Chaffee reservation; Westerly along said North boundary and S R-W to Monument No. 133; 315.0 ft. E of N-S 1/4 line; S 01 degrees 31' W, 420.0 feet along said reservation boundary to Monument No. 134; N 88 degrees 30' W, 315.0 ft. along said boundary to Monument No. 135; S 01 degrees 29' W, 907.35 ft. along said boundary to point of beginning. (Monument numbers hereinbefore set out being Ft. Chaffee Military Reservation Boundary Monuments).

said Petition designating James Simons, Chairman, Route 1, Box 198, Lavaca, Arkansas, Myrle Smithson, Route 1, Lavaca, Arkansas, Riley Brown, Route 1, Lavaca, Arkansas, and William Jenkins, Route 1, Lavaca, Arkansas as agents for said Petitioners.

Said Petition is set for hearing as follows:

Hour: 1:30 P.M.
Date: October 17, 1972
Location: County Courthouse City, Greenwood, Arkansas to be heard at said time and place or as soon thereafter as possible, and if necessary continued from day to day.

All who desire to be heard upon said Petition are hereby given Notice to be present at the above time and place for such hearing.

Notice dated this 20th day of August, 1973.

James Simons, Chairman
Myrle Smithson
Riley Brown

I, Pymall Blane

of The Greenwood Democrat, a weekly newspaper published at Greenwood, Arkansas, and having a bona fide circulation in Sebastian County, Arkansas, for one year next preceding first insertion of, and during the publication of the Notice hereto attached, do solemnly swear that said Notice was published in the above named paper 3 issues consecutively bearing dates of 8-30-72, 9-6-72, 9-13-72

Printer's Fee \$ 60.97

Subscribed and sworn to before the undersigned, this 16 day of Oct, 19 73

My commission expires Sept. 29, 1976

Mac Hill
JUSTICE OF THE PEACE — NOTARY PUBLIC

RUTH CARMACK, County and Probate Clerk in and for Sebastian County, Arkansas, hereby certify that the above and foregoing is a true and complete copy of the

Proof of Publication

as the same appears of record in this office in

Book _____ Page _____
Witness my hand and seal this 4 day of Dec, 19 73

Ruth Carmack
County and Probate Clerk

Deanna Caspell, Deputy Clerk

RESERVATION

PROPOSED CORPORATE LIMITS MAP

CENTRAL
ASSOCIATION OF REALTORS, INC.

REAL ESTATE ASSOCIATION
MEMBER SINCE 1954
1000 17TH AVENUE, SUITE 1000
DENVER, COLORADO 80202

DATE	BY	DATE	BY