



## ARKANSAS SECRETARY OF STATE

**MARK MARTIN**

April 03, 2018

The Honorable De Anna Schmalz  
Franklin County Clerk  
607 E. Main St  
Charleston, AR 72933

Re: City of Charleston Annexation Ordinance 14-01

Dear Ms. Schmalz,

This letter acknowledges receipt and filing of the following notice of municipal boundary change by the Office of the Secretary of State:

Filing Type: Annexation pursuant to A.C.A § 14-40-609 (petition by 100% of the landowners)

Effective Date: 10/11/2014

County: Franklin

City: Charleston

City Ordinance: 14-01

Dated: 09/11/2014

County Court Order: unknown

Date Filed: 07/16/2014 Honorable Janet Powell, Franklin County Judge

A file marked copy of the ordinance, Court Order and exhibits submitted to our Office are enclosed. By copy of this letter (and its enclosures), the Secretary of State hereby notifies the appropriate mapping authorities for Arkansas. Please retain these copies as official record of the filing of the municipal boundary change by the Arkansas Secretary of State.

If you have any questions or concerns regarding this pending filing, please contact our office at 501-682-3401.

Sincerely,

A handwritten signature in cursive script that reads "Cynthia Fisher".

Cynthia Fisher  
Arkansas Secretary of State Legal Division  
500 Woodlane St, Room 256  
Little Rock, AR 72201  
501-682-3401

cc: Arkansas Geographic Information Systems Office (w/ encl)  
Arkansas Highway and Transportation Department Mapping Department (w/ encl)  
Department of Finance and Administration (w/encl)  
Arkansas Public Service Commission (w.encl)  
UALR Institution for Economic Advancement (w/encl)  
Tom-Tom (w/encl)  
Ms. Peggy Neal, Charleston City Clerk & Treasurer (w/encl)  
Mr. John P. Verkamp, Charleston City Attorney (w/encl)





# Arkansas Secretary of State

**Mark Martin** Arkansas Secretary of State, 500 Woodlane Ave, Little Rock, AR 72201-1094

## Municipal Boundary Change Checklist

County: Franklin City/Town: Charleston

City Ordinance/Resolution No: 14-01 Date approved: 09/11/2014

County Court Case No: \_\_\_\_\_ Date Order Filed: 07/16/2014

Type: Annexation by Petition of all Landowners A.C.A §14-40-609

Date Change Effective: 10/11/2014 Set by:  Municipal Ordinance  Emergency Clause  Court  Default  
*(Required by Act 653 of 2017)*

For Circuit Court Challenge: Date Order Filed: \_\_\_\_\_  Upheld  Overturned  Other *(attach explanation)*

**Initiating party:**

All Landowners  Majority Landowners  Municipal Governing Body  State  Other \_\_\_\_\_

**Supporting Documentation attached** *(check all that apply):*

- File marked copy of City Ordinance/Resolution *(required)*
- File marked copy of County Court Order or certified annexation election results *(required except for island annexation)*
- Copy of Arkansas GIS Office approved printed map and certification letter *(required)*
- Proof of Publication for all Legal Notices *(include Hearing, Election, and City Ordinance/Resolution notices)*
- File marked copy of Petition Part *(if applicable)*
- File marked copy of Complaint and final Circuit Court Order *(Court Challenge only)*

**Municipal Contact:**

Name: Ms. Peggy Neal Title: Charleston City Clerk & Treasurer

Street Address: P.O. Box 426

City: Charleston St: AR Zip code: 72933

*Complete one form per ordinance/resolution, attach it as a cover page to the supporting document set and submit to the County Clerk's Office within 45 days of the Effective Date as required by Act 655 of 2017*

**County Official:**

Signature: \_\_\_\_\_ Title: Franklin County Clerk

Date: \_\_\_\_\_

*Pursuant to Act 655 of 2017, County Officials must submit a file-marked copy of municipal boundary change documentation within 30 days of receipt to: Arkansas Secretary of State, Attn: Municipal Boundary Filing, 500 Woodlane Ave Suite 256, Little Rock, AR 72201-1094*

*Office of the Arkansas Secretary of State use only*

Received by: *Cynthia Fisher*

**FILED**

**APR 03 2018**

**Arkansas Secretary of State**



*Miesner*

STATE OF ARKANSAS, COUNTY OF FRANKLIN  
CHARLESTON DISTRICT  
FILED FOR RECORD THE 13<sup>th</sup> DAY OF September  
20 14 AT 10:35 O'CLOCK A M. AND RECORDED  
IN BOOK C-68 PAGE 112  
WILMA GRAGG - BRUSHWOOD  
CIRCUIT CLERK AND RECORDER  
*Brona Wagon* D.C.

ORDINANCE NO. 14-4

**AN ORDINANCE ACCEPTING THE ANNEXATION OF CERTAIN TERRITORY TO THE CITY OF CHARLESTON, ARKANSAS, AND MAKING SAME A PART OF THE CITY OF CHARLESTON, AND ASSIGNING SAME TO WARDS**

WHEREAS, Petition was filed with the County Clerk of Franklin County, Arkansas, by the only real estate owner of the hereinafter described territory praying that said territory be annexed to, and made a part of the City of Charleston, Arkansas; and

WHEREAS, on the 16th day of July, 2014, the County Court of Franklin County, Arkansas, found that the Petition was signed by the only real estate owner in said territory; that said territory was contiguous and adjoining the present corporate limits of the City of Charleston, Arkansas; that an accurate plat or map of said territory had been filed with and made a part of said Petition; that proper notice had been given for the time and in the manner prescribed by law, and that all thing pertaining thereto had been done in the manner prescribed by law, and that said land and territory should be annexed to and made a part of the City of Charleston, Arkansas, subject to the acceptance of same by the City Council of said City at the proper time, as provided by law; and

WHEREAS, the time affixed by law for appealing from said Order of Annexation made by the County Court has expired and no appeal has been taken from said Order.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHARLESTON, ARKANSAS:

SECTION 1: That the following described lands and territory contiguous and adjoining the City of Charleston, Arkansas, be and the same is hereby accepted as part of and annexed to and made a part of the City of Charleston:

*Part of the Northwest Quarter of the Southeast Quarter of Section 7, Township 7 North, Range 28 West, described as follows: Commencing at the Northwest corner of the Northwest Quarter of the Southeast Quarter of Section 7, Township 7 North, Range 28 West, and running thence East 804.20 feet to the point of beginning, thence South 01 degrees 34 minutes West 1302.70 feet, thence North 89 degrees 52 minutes East 201.00 feet; thence North*

**FILED**

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Arkansas  
Secretary of State

0 degrees 41 minutes East 1301.75 feet, thence West 181.0 feet to the point of beginning, containing 5.71 acres, more or less.

AND

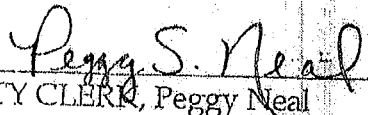
Part of the Northwest Quarter of the Southeast Quarter of Section 7, Township 7 North, Range 28 West, described as follows: Commencing at the Northwest corner of the Northwest Quarter of the Southeast Quarter of Section 7, Township 7 North, Range 28 West, and running thence East 985.20 feet; to the point of beginning; thence East 334.80 feet, thence South 0 degrees 41 minutes West 1300.50 feet, thence South 89 degrees 52 minutes West 334.80 feet, thence North 0 degrees 41 minutes East 1301.75 feet to the point of beginning, containing 10 acres, more or less.

SECTION 2: That the above described territory shall be annexed to and made a part of Ward 1 of the City of Charleston, and same shall henceforth be a part of said ward as fully existing of said ward.

PASSED AND APPROVED THIS 11 DAY OF Sept, 2014.

  
MAYOR, Sherman Hiatt

ATTESTED:

  
CITY CLERK, Peggy Neal

JPV:afa



FILED  
FOR RECORD  
AT 9 O'CLOCK A.M.

JULY 16 2014

RECORDED IN BOOK PAGE  
DBANNA SCHMALZ  
FRANKLIN COUNTY PROBATE CLERK  
BY S. Schmalz D.C.

IN THE FRANKLIN COUNTY COURT IN THE MATTER OF ANNEXING TO THE  
CITY OF CHARLESTON, ARKANSAS, CERTAIN TERRITORY CONTIGUOUS TO  
THE SAID CITY OF CHARLESTON, ARKANSAS.

DECREE OF ANNEXATION

On this regular day of a regular term of the County Court of Franklin County,  
Arkansas, there is presented to the court by James R. Miesner and Charlotte K. Miesner,  
a Petition for Annexation of certain territory, hereinafter more particularly described, to  
the City of Charleston, Arkansas, and the Court being fully advised of the facts and the  
law, doth hereby find,  
judge and decree as follows:

The Court finds the Petition was filed more than thirty (30) days prior to this  
date and that in said Petition, the said James R. Miesner and Charlotte K. Miesner were  
elected by themselves to present the Petition.

The court doth find that James R. Miesner and Charlotte K. Miesner are the only  
persons owning real estate in the area affected by this Petition.

The Court further finds that the territory sought to be annexed was accurately  
described in said Petition and that said territory is contiguous to the boundaries of the  
City of Charleston, Arkansas.

The Court further finds that attached to and made a part of said Petition is an  
accurate map of the territory sought to be annexed to the City of Charleston, Arkansas.

FILED

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Secretary of State

The Court further finds that the prayer of the Petition is right and proper.

Therefore, the Court doth hereby ORDER, ADJUDGE AND DECREE that the following described territory be and the same is hereby annexed to and made a part of the City of Charleston, Arkansas, to-wit:

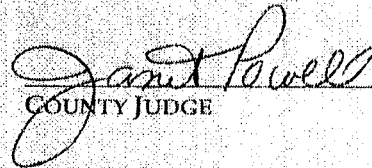
*Part of the Northwest Quarter of the Southeast Quarter of Section 7, Township 7 North, Range 28 West, described as follows: Commencing at the Northwest corner of the Northwest Quarter of the Southeast Quarter of Section 7, Township 7 North, Range 28 West, and running thence East 804.20 feet to the point of beginning, thence South 01 degrees 34 minutes West 1302.70 feet, thence North 89 degrees 52 minutes East 201.00 feet; thence North 0 degrees 41 minutes East 1301.75 feet, thence West 181.0 feet to the point of beginning, containing 5.71 acres, more or less.*

AND

*Part of the Northwest Quarter of the Southeast Quarter of Section 7, Township 7 North, Range 28 West, described as follows: Commencing at the Northwest corner of the Northwest Quarter of the Southeast Quarter of Section 7, Township 7 North, Range 28 West, and running thence East 985.20 feet; to the point of beginning; thence East 334.80 feet, thence South 0 degrees 41 minutes West 1303.50 feet, thence South 89 degrees 52 minutes West 334.80 feet, thence North 0 degrees 41 minutes East 1301.75 feet to the point of beginning, containing 10 acres, more or less.*

The Court doth further order that the original papers in this case be delivered to the Clerk of Franklin County, Arkansas, same to be properly recorded upon the records of Franklin County, Arkansas, and the Clerk, after properly recording and filing the original papers, prepare transcripts of same; that one of the certified transcripts be delivered to the City of Charleston, Arkansas, one copy to the Secretary of State and one copy to the Director of the Tax Division of the Arkansas Public Service Commission.

JPV:afa

  
COUNTY JUDGE

### Franklin County Report

#### Property Owner

Name: MIESNER TRUST JAMES & KAY

#### Property Information

Physical Address:

Mailing Address: 2921 MAIN ST  
 CHARLESTON, AR 72933

Subdivision: CITY OF CHARLESTON

Block / Lot: N/A / N/A

Type: (AV) Agri Use/Vacant

S-T-R: 07-07-28

Tax Dist: (09C) CHARLESTON CITY

Size (Acres): 5.710

Millage Rate: 52.40

Extended Legal: PT NW SE 68-112

#### Market and Assessed Values

#### Taxes

	Estimated Market Value	Full Assessed (20% Mkt Value)	Taxable Value	Estimated Taxes:	
Land:	\$1,300	\$260	\$260	Homestead Credit:	\$0
Building:	0	0	0		
<b>Total:</b>	<b>\$1,300</b>	<b>\$260</b>	<b>\$260</b>		\$14

Note: Tax amounts are estimates only. Contact the county/parish tax collector for exact amounts.

#### Land

Land Use	Size	Units
Pasture(13)	3,310	Acres
Pasture(12)	2,400	Acres
<b>Total</b>	<b>5,710</b>	

#### Deed Transfers

Date	Book	Page	Deed Type	Stamps	Est. Sale	Grantee	Code	Type
9/26/2014	68	112	AN			MIESNER TRUST JAMES & KAY	N/A	N/A
10/19/2000	74	467	Quit Claim			MIESNER TRUST JAMES & KAY	N/A	N/A

#### Reappraisal Value History

Tax Year	Total Value	Total Assessed
2015	\$1,250.00	\$250.00
2016	\$1,300.00	\$260.00
2017	\$1,300.00	\$260.00

Not a Legal Document.  
 Subject to terms and conditions.  
[www.aclDataScout.com](http://www.aclDataScout.com)

### Franklin County Report

#### Property Owner

Name: MIESNER TRUST JAMES & KAY

#### Property Information

Physical Address: 2921 E MAIN ST

Mailing Address: 2921 E MAIN ST  
 CHARLESTON, AR 72933

Subdivision: CITY OF CHARLESTON

Block / Lot: N/A / N/A

Type: (AI) Agri Improved

S-T-R: 07-07-28

Tax Dist: (09C) CHARLESTON CITY

Size (Acres): 10.000

Millage Rate: 52.40

Extended Legal: PT NW SE 68-112

#### Market and Assessed Values

#### Taxes

	Estimated Market Value	Full Assessed (20% Mkt Value)	Taxable Value	Estimated Taxes:	
Land:	\$11,950	\$2,390	\$1,590	Homestead Credit:	\$851
Building:	218000	43600	21331		\$350
<b>Total:</b>	<b>\$229,950</b>	<b>\$45,990</b>	<b>\$22,921</b>		

Note: Tax amounts are estimates only. Contact the county/parish tax collector for exact amounts.

#### Land

Land Use	Size	Units
HOUSE LOT	1.000	Acres
Pasture(12)	3.600	Acres
Pasture(13)	2.600	Acres
Pasture(14)	2.300	Acres
Pasture(15)	0.500	Acres
<b>Total</b>	<b>10.000</b>	

#### Deed Transfers

Date	Book	Page	Deed Type	Stamps	Est. Sale	Grantee	Code	Type
9/12/2014	68	112	AN			MIESNER TRUST JAMES & KAY	N/A	N/A
10/19/2000	74	467	Quit Claim			MIESNER TRUST JAMES & KAY	N/A	N/A

#### Reappraisal Value History

Tax Year	Total Value	Total Assessed
2015	\$213,450.00	\$22,807.00
2016	\$229,950.00	\$22,845.00
2017	\$229,950.00	\$22,883.00

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[www.actDataScout.com](http://www.actDataScout.com)



**Details for Residential Card 1**

Occupancy	Story	Construction	Total Liv	Grade	Year Built	Age	Condition	Beds
Single Family	ONE	Masonry Veneer	2,822	3	1996	20	Average	

Exterior Wall: MASONVEN  
 Foundation: Slab  
 Floor Struct: ElevSlab  
 Floor Cover: Carpet & Tile  
 Insulation: Ceilings Walls  
 Roof Cover: Fiberglass Shingle  
 Roof Type: Gable

Plumbing: Full: 2  
 Fireplace: Type: 1s Sgl. Qty: 1  
 Heat / Cool: Central  
 Basement: N/A  
 Basement Area:  
 Year Remodeled:  
 Style:

**Base Structure**

Item	Label	Description	Area
A	DWG	Dwelling	2822
B	MFA	Garage - masonry finished, att	440
C	OP	Porch, open	24
D	PS	Patio slab	399
E	QP	Porch, open	126

**Outbuildings and Yard Improvements**

Item	Type	Size/Dim	Unit Multi.	Quality	Age
Garage - frame unfinished, detach		30x40			2001
Porch, open		30x10			2001
General Purpose Barn		30x50			2005
Aggregate concrete		20x20			2001
Driveway, concrete		30x47			2001
Carport, Dirt Floor		12x30			

**Not a Legal Document.**  
 Subject to terms and conditions.  
[www.actDataScout.com](http://www.actDataScout.com)

**VERKAMP & LADD, P.A.**  
**ATTORNEYS AT LAW**  
*John P. Verkamp*  
*Dianna Hewitt Ladd*

1811 East Main Street  
Charleston, AR 72933  
(479) 965-2224, telephone  
(479) 965-2229, facsimile

4937 Old Greenwood Road  
Fort Smith, AR 72903  
(479) 649-6700, telephone  
(479) 649-6709, facsimile

March 19, 2018

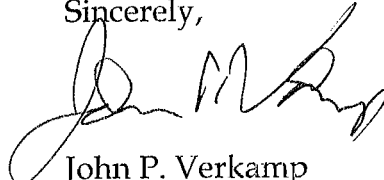
Secretary of State  
Legal Division  
500 Woodlane Suite 256  
Little Rock, AR 72201

Greetings:

Cynthia Fisher with your office contacted me as an Election Commissioner for Franklin County. There were some Annexation Ordinances and county Court Orders which were needed and requested. Those documents are enclosed. If anything further is needed, please let me know.

Kindest regards.

Sincerely,



John P. Verkamp

JPV:sdp



**ARKANSAS  
GIS OFFICE**

April 2, 2018

Ms. Cynthia Fisher  
Special Projects Manager  
Arkansas Secretary of State – Legal Division  
500 Woodlane St, Suite 256  
Little Rock, AR 72201

RE: City of Charleston Annexation Coordination Requirement – Ordinance 2014-04

Ms. Fisher,

Thank you for working with our office as we seek to file annexation ordinance 2014-04 for the City of Charleston, AR located in Section 7, Township 7 North, Range 28 West. This letter represents confirmation that you have properly coordinated with our office (Arkansas GIS Office) as specified in § 14-40-101 (Act 914 of 2015) of the 90<sup>th</sup> General Assembly.

Our office will wait completion of any additional steps necessary for the proposed boundary change, which normally comes from the Arkansas Secretary of State Elections Division after any appropriate filing by your County Clerk.

Thank you,

Jennifer Wheeler, GIS Analyst  
/jjw

Attachments:  
GIS Office Map of Proposed Annexation  
Legal Description (Included in Ordinance)  
Secretary of State Municipal Change Checklist

**F I L E D**

**APR 03 2018**

**Arkansas  
Secretary of State**

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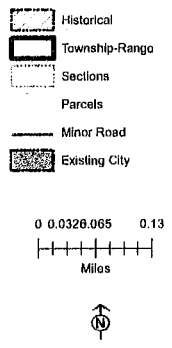
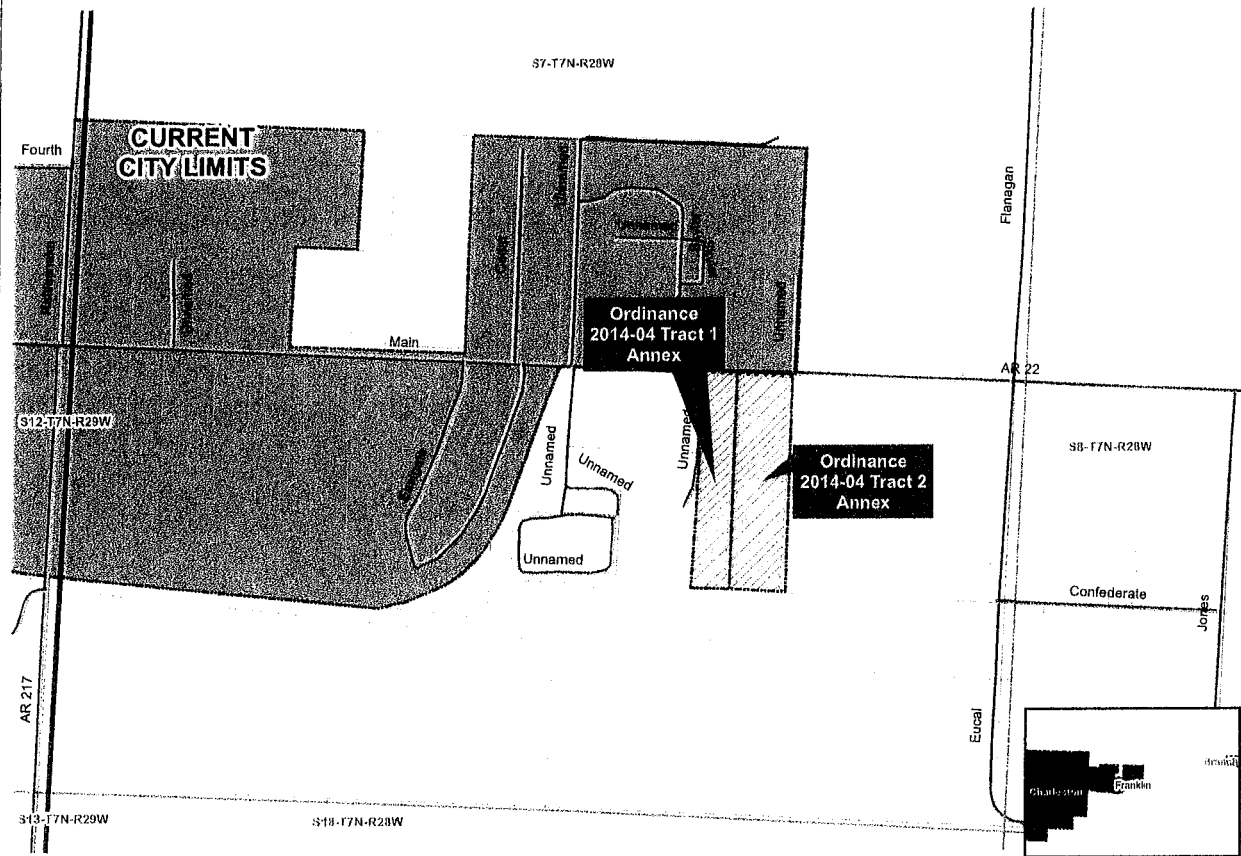
**ARKANSAS GIS OFFICE · 1 CAPITOL MALL SUITE 6D · LITTLE ROCK · ARKANSAS · 72201**

**PHONE (501) 682-2767 · www.gis.arkansas.gov · FAX (501) 682-6077**

Boundary Review: City of Charleston Ordinance 2014-04  
April 2018

City: Charleston  
Mayor: Sherman Hiatt

Arkansas Code 14-40-101  
Before an entity undertakes an annexation, consolidation, or detachment proceeding under this chapter, the entity shall coordinate with the Arkansas Geographic Information Systems Office for preparation of legal descriptions and digital mapping for the relevant annexation, consolidation, and detachment areas.  
The map contained herein, in evidence, the entity has not requirements of Act 914 of 2015



ARKANSAS GIS OFFICE

\*\*C:\City\_Annexation\Cities\Charleston\001803141

**F I L E D**

APR 03 2018

Arkansas  
Secretary of State