

## JOHN THURSTON

### **ARKANSAS SECRETARY OF STATE**

February 23, 2021

The Hon. Betsy Harrell Benton County Clerk 215 East Central, Suite 217 Bentonville, AR 72712-5373

Re:

City of Centerton Annexation Ordinance 2021-03

Dear Ms. Harrell,

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

Filing Type: Annexation pursuant to A.C.A \$14-40-609 (annexation by petition of all landowners)

Effective Date: 01/12/2021

County: Benton
City Ordinance: 2021-03
County Court Order: 2020-26

Dated: 1/12/2021 0-26 Date Filed: 1/14/2021

City: Centerton

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 change by the Arkansas Secretary of State.

If you have any questions or concerns regarding this filing, please do not hesitate to contact our Office at 501-683-3717.

Sincerely,

Shantell McGraw Elections Division

cc: A

Arkansas Geographic Information Systems Office (w/encl)

Arkansas Department of Transportation Mapping Department (w/encl)

Department of Finance and Administration (w/encl)

Arkansas Public Service Commission (w/encl)

Arkansas Economic Development Institute (w/encl)

The Hon. Bill Edwards, Mayor of Centerton (w/encl)



# Arkansas Secretary of State John Thurston Arkansas Secretary of State, 500 Woodlane Ave, Little Rock, AR 72201-1094

## **Municipal Boundary Change Checklist**

Act 655 of 2017 and A.C.A. §14-40-103

County: Benton	City/Town: Centerton
City Ordinance/Resolution No: 2021-03	Date approved: 1/12/2021
County Court Case No: 2020-14 BLP COUNType: Annexation by Petition of all Landowne	Date Order Filed: 01/14/2021
Date Change Effective: 01/12/2021 Set by: (Required by Act 655 of 2017)	Municipal Ordinance O Emergency Clause O Court O Default
For Circuit Court Challenge: Date Order Filed:	OUpheld Overturned Other (attach explanation
Please indicate which ward(s) the territory will be a Initiating party:	(See A.C.A § 14-40-203)
All Landowners	unicipal Governing Body OState OOther
Supporting Documentation attached (check all that ap	
Copy of Arkansas GIS approved printed map and Proof of Publication for all Legal Notices (include File marked copy of Petition Part (if applicable) File marked copy of Complaint and final Circuit Commicipal Contact: Name: Bill Edwards Street Address: PO Box 208 (290 Main) City: Centerton  Complete one form per ordinance/resolution, attach it as a committed committee.	led annexation election results (required except for A.C.A. §14-40-501) I certification letter (required) Hearing, Election, and City Ordinance/Resolution notices)
County Official:  Signature: 15121  Pursuant to Act 655 of 2017, County Officials must submit a file to: Arkansas Secretary of State, Attn: Municipal Bou	Title: Deputy Clerk  -marked copy of municipal boundary change documents within 30 days of receipted and any Filing, 500 Woodlane Ave Suite 256, Little Rock, AR 72201-1094
Office of the Arkansas Secretary of State use only	FILED
Received by: Share the Received by:	FEB <b>2</b> 3 2021

Arkansas Secretary of State

# Bengon Country

STATE OF ARKANSAS MURICIPALITY

### **BETSY HARRELL**

### COUNTY CLERK & VOTER REGISTRAR

215 EAST CENTRAL, SUITE 217
BENTONVILLE, AR 72712-5373
479-271-1013
Fax: 479-271-1019

January 15, 2021

PROBATE COURT CLERK

Courthouse, 102 N.E. "A" Street Bentonville, AR 72712-5350 479-271-5727

Fax: 479-271-1712

Honorable John Thurston Secretary of State Room 256 State Capitol Little Rock, AR 72201-1094

RE: The City of Centeron
Car Crazy Carwash LLC, Annexation
Benton County Court Case No. CC# 2020-26

Dear Secretary Thurston:

In accordance with the law, I am enclosing a certified copy of each of the following:

- 1. Map (survey and vicinity map) of the affected area
- 2. Order Authorizing Annexation entered on 01/04/2021
- 3. Ordinance 2021-03 adopted on January 12, 2021, by the City of Centerton

If you have any questions regarding this matter, please do not hesitate to call my office.

Sincerely,

Betsy Harrell

BH/cno Enclosures

cc:

Roderick Grieve

Benton County Assessor

NW Arkansas Regional Planning Commission

1311 Clayton Street Springdale, AR 72765

Benton County 9-1-1 Administration

ROGERS OFFICE 2111 W. WALNUT (479) 636-3727 Fax (479) 636-4922 ROGERS ARCHIVES 2111 W. WALNUT (479) 636-1037 FAX (479) 636-1053

SILOAM SPRINGS OFFICE 707 S. LINCOLN 479-271-1013 FAX (479) 524-8534

FIL.ED

2021 JAN 13 PM 12: 10

BETSY HARRELL CO & PRIDATE CLERK BENTON IN TYPE

### CITY OF CENTERTON ORDINANCE NO. 2021-03

AN ORDINANCE ACCEPTING THE ANNEXATION OF CERTAIN TERRITORY BELONGING TO THE CAR CRAZY CARWASH LLC AND ROBERT W. AND TERI J. STONE TO THE CITY OF CENTERTON; APPROVING THE SCHEDULE OF SERVICES TO BE EXTENDED TO SAID AREA; ASSIGNING SUCH AREA TO WARD 1; AND ZONING AS AGRICULTURAL (A-1).

WHEREAS, a Petition was filed on December 23, 2020 in the County Court of Benton County, Arkansas, pursuant to Arkansas Code Annotated section 14-40-609, County Court Case No. CC2020-26, for the annexation of certain territory belonging to the Car Crazy Carwash LLC and Robert W. and Teri J. Stone as current owners; hereinafter described, lying adjacent and contiguous to the City of Centerton, Arkansas, be annexed to, and made a part of the City of Centerton, Arkansas; and,

WHEREAS, the Benton County Assessor and the Benton County Clerk have verified that the petition: (A) is in writing; (B) contains an attestation signed before a notary by the property owner of the relevant property confirming the desire to be annexed; (C) contains an accurate description of the relevant property; (D) contains a letter or title opinion from a certified abstractor or title company verifying that the petitioner is the owner of record of the relevant property; (E) contains a letter or verification from a certified surveyor or engineer verifying that the relevant property is contiguous with the annexing city and that no enclaves will be created if the property or properties are accepted by the city; and (F) includes a schedule of services of the annexing city that will be extended to the area within three (3) years after the date the annexation becomes final; and presented the petition and records of the matter to the Benton County Judge; and

WHEREAS, on January 4, 2021, the Benton County Judge has (A) reviewed the petition and verifications for completeness and accuracy; (B) determined that no enclaves will be created by the annexation; (C) confirmed that the petition contains a schedule of services; (D) found that the land to be annexed complies with the standards for lands qualifying for annexation as set forth in A.C.A. 14-40-302(b) and (E) issued an order articulating these findings and forwarded the petition and order to the contiguous City of Centerton for consideration; and

WHEREAS it is the desire of the Mayor and City Council of Centerton that said territory be annexed.

Centerton Ord 2021-03 Annex Stone/Car Crazy Page 2 2021 JAN 13 PM 12: 10



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

Section 1: That the following described territory, contiguous to the City of Centerton, be and the same is hereby accepted as part of, and annexed to and made a part of the City of Centerton, Arkansas to wit: All of the NE ¼ of the NW ¼ lying west of the east R-O-W of S. H. 72, in Benton County, AR.

Section 2: A map of said described lands is attached and made a part of this ordinance as Exhibit "A".

Section 3: That the above-described territory shall be annexed to and made a part of <u>Ward 1</u> of the City of Centerton, and the same shall henceforth be a part of said ward as fully as existing parts of said ward.

Section 4: That the above-described property is hereby zoned as **Agricultural** (A-1).

Section 5: That the following schedule of services shall be extended to the area by the City of Centerton within the statutorily required three (3) year period after the date the annexation becomes final, as follows:

- A. Fire Immediately
- B. Police Immediately
- C. Water Immediately
- D. Trash Immediately

Section 6: The annexation shall be final as of the date of acceptance and approval of this ordinance and the property shall be within the corporate limits of the City of Centerton, except as otherwise ordered by the Circuit Court pursuant to a cause of action filed within a thirty (30) day period after approval of this ordinance.

PASSED AND APPROVED this 12th day of JANUARY 2021.

APPROVED:

BILL EDWARDS, Mayor

ATTEST:

TODD WRIGHT, City Clerk

2021 JAN 14 PM 2:43

SUITE WITH THEEL

CONTROL WE CLEAK
SEMICH CASHIY, AR

IN THE MATTER OF ANNEXING TO THE CITY OF CENTERTON, ARKANSAS CERTAIN TERRITORY CONTIGUOUS TO SAID CITY OF CENTERTON, ARKANSAS

CC 2020-26

### **ORDER CONFIRMING ANNEXATION**

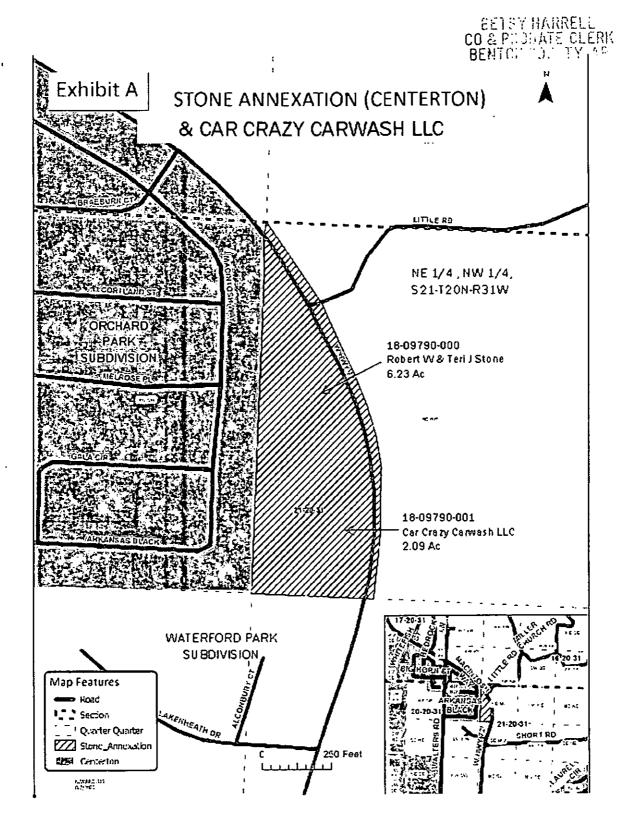
Now on this day is presented to the Court the complete file for the annexation of certain land to the City of CENTERTON, Benton County, Arkansas, under this file number, including specifically a copy of the plat of the annexed property and a copy of the resolution or ordinance of the governing body of the city or town accepting the property for annexation, and having reviewed the file and all things considered, the Court finds that all the requirements of § 14-40-609 of the Arkansas Code have been complied with and further that the annexation is in all respects proper, including if applicable, that the annexing city or town has included in the legal description included with its resolution or ordinance accepting the property for annexation certain dedicated public roads and rights of way abutting or traversing the property to be annexed if required by the Court's previous order entered in this file.

IT IS THEREFORE CONSIDERED AND ORDERED that the annexation of the above described lands to the City of CENTERTON, Benton County, Arkansas, is hereby confirmed and that the same is and shall hence forth comprise a part of the City of CENTERTON, Benton County, Arkansas.

HON. BARRY MOEHRING, County Judge

Date

2021 JAN 13 PM 12: 10



STATE OF ARKANSAS

### BETSY HARRELL

### COUNTY CLERK & VOTER REGISTRAR

215 East Central, Suite 217 BENTONVILLE, AR 72712-5373 479-271-1013 Fax: 479-271-1019

January 7, 2021

PROBATE COURT CLERK

COURTHOUSE, 102 N.E. "A" STREET BENTONVILLE, AR 72712-5350 479-271-5727

FAX: 479-271-1712

Honorable Bill Edwards City of Centerton PO Box 208 Centerton, AR 72719

> Re: In the Matter of Annexing to the City of Centerton, Arkansas Certain Territory Contiguous To Said City of Centerton, Arkansas

Dear Mayor Edwards:

The County has received and processed a proposed annexation pursuant to ACA § 14-40-609 related to annexations by 100% of the property owners. I am transmitting to you a copy of the documents relating to the proposed annexation for consideration by the Centerton City Council.

If your council and you approve the annexation, please ask your clerk or recorder to return to me one (1) certified copy of the plat of the annexed property and one (1) certified copy of the ordinance or resolution approving the annexation so that I can send those on to the Secretary of State as required by the statute.

Please feel free to contact me if you have questions.

Sincerely,

BETSY HARRELL, County Clerk J. W. Wood

enc

ROGERS OFFICE 2111 W. WALNUT (479) 636-3727 Fax (479) 636-4922

ROGERS ARCHIVES 2111 W. WALNUT (479) 636-1037 Fax (479) 636-1053 SILOAM SPRINGS OFFICE 707 S. LINCOLN 479-271-1013 Fax (479) 524-8534

2021 JAN -4 PM 3: 12

DOLLARDSANE LER

IN THE MATTER OF ANNEXING TO THE
CITY OF CENTERTON, ARKANSAS
CERTAIN TERRITORY CONTIGUOUS TO SAID
CITY OF CENTERTON, ARKANSAS

### COUNTY COURT CASE NO. CC 2020-26

### ORDER AUTHORIZING ANNEXATION PURSUANT TO ACA § 14-40-609

- I, Barry Moehring, County Judge of Benton County, having reviewed the attached petition for annexation and verification of petition, hereby find that the petition:
- 1) is in writing:
- 2) contains an attestation signed before a notary or notaries by the property owner or owners of the relevant property or properties confirming their desire to be annexed;
- 3) contains an accurate description of the relevant property or properties;
- 4) contains a letter or title opinion from a certified abstractor or title company verifying that the petitioners are all owners of record of the relevant property or properties;
- 5) contains a letter or verification from a certified surveyor or engineer verifying that the relevant property or properties are contiguous with the annexing city or town and that no enclaves will be created if the property or properties are accepted by the city or town additionally a copy of the letter from the State of Arkansas GIS office approving the legal description for the annexation was provided; and
- 6) includes a schedule of services of the annexing city or town that will be extended to the area within three (3) years after the date the annexation becomes final.

The County Clerk is directed to forward a copy of this order and the related Petition to the Mayor of the City of CENTERTON.

HON. BARRY MOEHRING, County Judge

1.4. 2021

Date

HILL

IN THE MATTER OF ANNEXING TO THE CITY OF CENTERTON, ARKANSAS CERTAIN TERRITORY CONTIGUOUS TO SAID CITY OF CENTERTON, ARKANSAS

2020 DEC 31 AM 9: 06

## VERIFICATION OF PETITION FOR ANNEXATION PURSUANT TO ACA § 14-40-609

We, Betsy Harrell, County Clerk of Benton County, and Roderick Grieve, County Assessor of Benton County, attest as follows:

Our offices have received the attached petition seeking annexation. The petition has been reviewed and we hereby verify that the petition:

- (A) is in writing;
- (B) contains an attestation signed before a notary or notaries by the property owner or owners of the relevant property or properties confirming the desire to be annexed;
- (C) contains an accurate description of the relevant property or properties;
- (D) contains a letter or title opinion from a certified abstractor or title company verifying that the petitioners are all owners of record of the relevant property or properties;
- (E) contains a letter or verification from a certified surveyor or engineer verifying that the relevant property or properties are contiguous with the annexing city or town and that no enclaves will be created if the property or properties are accepted by the city or town; and
- (F) include a schedule of services of the annexing city or town that will be extended to the area within three (3) years after the date the annexation becomes final.

HON BETSY HARRELL, County Clerk

HON. RODERICK GRIEVE, County Assessor



2020 DEC 31 AM 9: 06

Date: December 28, 2020

Subject: Proposed Annexation Checklist

CC 2020-26 Siloam Springs, AR

$\checkmark$ (A)	is	in	writing
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- (B) contains an attestation signed before a notary or notaries by the property owner or owners of the relevant property or properties confirming the desire to be annexed;
- (C) contains an accurate description of the relevant property or properties;
- (D) contains a letter or title opinion from a certified abstractor or title company verifying that the petitioners are all owners of record of the relevant property or properties;
- (E) contains a letter or verification from a certified surveyor or engineer verifying that the relevant property or properties are contiguous with the annexing city or town and that no enclaves will be created if the property or properties are accepted by the city or town; and
- (F) include a schedule of services of the annexing city or town that will be extended to the area within three (3) years after the date the annexation becomes final.
- [Additionally, we note that the legal description in (B) does not include in its description certain dedicated public roads and rights of way abutting or traversing the property to be annexed, the legal descriptions for which are included on the attached Exhibit "A"]

flease contact me if you have any questions.

Michael D. Million

Manager - GIS-Mapping Dept.

Benton County Assessor's Office

Phone: 479-271-1037, ext. 7004

Email: michael.million@bentoncountyar.gov

7020 QEC 23 PM 3: 26

### PETITION FOR ANNEXATION

IN THE MATTER OF ANNEXING TO THE CITY OF CENTERTON, ARKANSAS CERTAIN TERRITORY CONTIGUOUS TO SAID CITY OF CENTERTON, ARKANSAS DATE: December 23, 2020

Petitioners: Car Crazy Carwash LLC Robert W. Stone and Teri J. Stone Cc 2020-26

Comes now the undersigned petitioners, and state as follows:

That we, owning 100% of the property in the following described territory, in Benton County, Arkansas, do hereby petition, pursuant to A.C.A. 14-40-609, the City Council of Centerton, Arkansas, to annex the following lands to the City of Centerton, Arkansas:

All of the NE ¼ of the NW ¼ lying west of the east R-O-W of S. H. 72, in S21-T20N-R31W, Benton County, AR.

- 1. We further state that this petition is signed by100% of the real estate owners owning 100% of the acreage in said area.
- 2. That said property described herein is contiguous to and adjoining the present Centerton city limits, as shown on the map attached hereto as Exhibit A.
- 3. That no enclaves will be created if this petition is accepted and the territory annexed into the City of Centerton.
- 4. That the following schedule of services shall be extended to the area by the City of Centerton within three (3) years after the date the annexation becomes final: police and fire protection immediately; public street maintenance immediately; and solid waste collection and disposal immediately.
- 5. That a letter or title opinion from a certified abstractor or title company verifying the petitioner is the owner of record of the relevant property is attached hereto as Exhibit B, and is made part of this petition.

- 6. That a letter or verification from a certified surveyor or engineer verifying that the relevant property is contiguous with the city limits of Centerton and that no 23 11 3: 25 enclaves will be created if the property is accepted for annexation into the City of Centerton is attached hereto as Exhibit C, and is made part of this petition.
- 7. That the undersigned person(s) executing this petition have confirmed by their signature below a desire that his property, which is described above, be annexed into the City of Centerton.

PID 18-09790-000 11673 W AR 72 HWY Bentonville, AR 72712 6.23 Acres

Robert	W.	Stone	

Printed Name of Property Owner/Petitioner

Signature of Property Owner/Petitioner

Arkansas - Benton County
Notary Public - Comm# 12394220
My Commission Expires Jul 13, 2023

Teri J. Stone

Printed Name of Property Owner/Petitioner

Signature of property Owner/Petitioner

My Commission Expires: 1-13-2123

### **ACKNOWLEDGMENT**

State of Arkansas )	
County of Benton ) ss.	
On this the 26th day of Cherry personally appeared Robert W. St	me and Teri . Strue
known to me (or satisfactorily proven	) to be the persons whose names are subscribed
<del>-</del>	d that it was executed for the purposes thereir
apparent.	Darue Gran
DADOUT PUMB	NOTARY PUBLIC
DARCIÉ EVANS	

ille,

2020 DEC 23 PM 3: 26

CO'À, NCBAT CLERK CENTAL COUNTY, AR

PID 18-09790-001 11657 W AR 72 HWY Bentonville, AR 72712 2.09 Acres

Randy Roth for Car Crazy Carwash LLC Printed Name of Property Owner/Petitioner

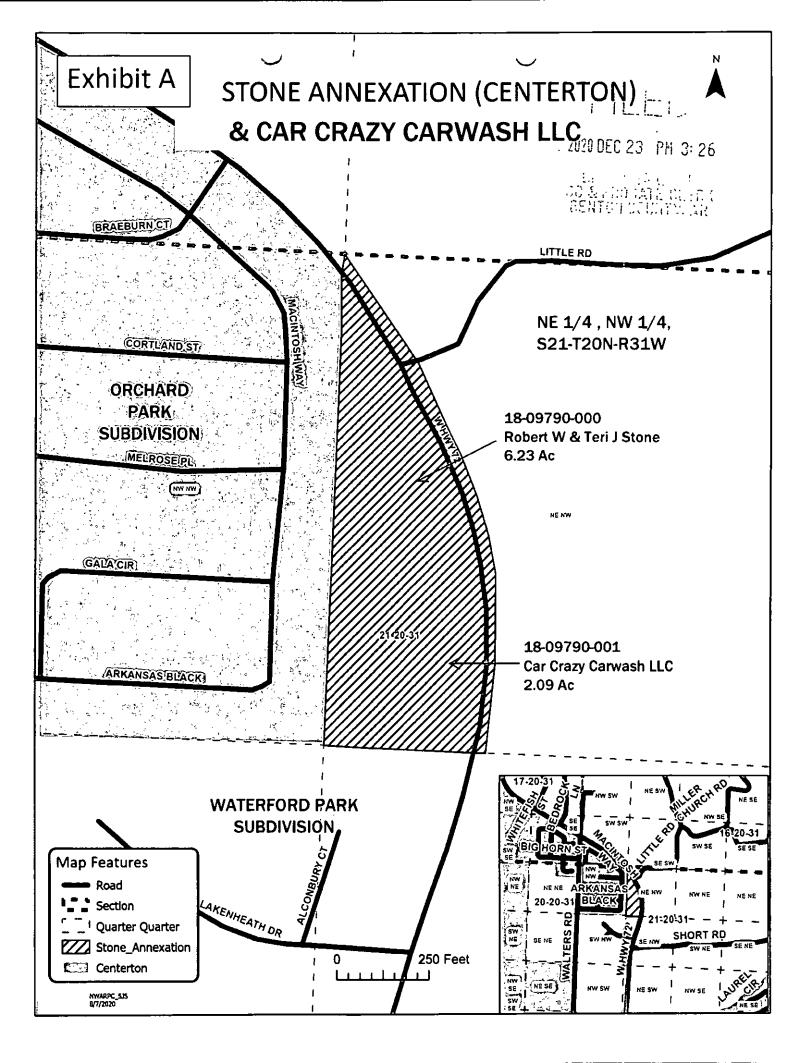
Signature of Property Owner/Petitioner

### **ACKNOWLEDGMENT**

State of Arkansas	)		
County of POLYTTM	) ss. )		
On this the Day of personally appeared	) CADIOUR, 2	•	ne undersigned officer, of Car Crazy Carwash
LLC, known to me (or s	atisfactorily prove	<del></del>	•
subscribed above and acknowledge	owledged and atte	sted that it was exc	ecuted for the purposes
therein apparent.		. 7 –	Λ
	$\sim$	1. LANS	Parall IIIa.

KRISTEN LACEY MIZE
Notary Public Arkansas
Washington County
My commission expires May 21, 2022
Commission #12088021

My Commission Expires:



WACO

2592 S. 48th St. Springdale, AR 72762 Phone: 479-770-6700 Fax: (479) 770-6876 2020 DEC 23 PH 3: 26

Date: 12/21/20

Greetings:

This letter is given in connection with what is understood to be an effort to voluntarily annex certain real property into the City of Centerton. Based on our review, we verify that Robert W. Stone and Teri J. Stone (Benton County Parcel #18-09790-000), and Car Crazy Carwash LLC (Benton County Parcel #18-09790-001) are the owners of record of the real property described as follows:

All of the NE ¼ of the NW ¼ lying west of the R-O-W of S. H. 72, in in Section 21, Township 20 North, Range 31 West, Benton County, AR.

Sincerely,

WACO TITLE INSURANCE COMPANY

y:

Paul Fellers, Title Agent, Authorized Signatory

Signing Agent No.: 9905475 Title Agency No.: 100113373



2020 DEC 23 PH 3: 26

7230 S. Pleasant Ridge Dr / Fayetteville, AR 72704 PH: 479-442-9350 \* FAX: 479-521-9350

November 23, 2020

Re: Exhibit C

Greetings:

This letter is given in connection with what is understood to be an effort to voluntarily annex certain real property into the City of Centerton. I am a licensed Professional Engineer in the State of Arkansas. Based on my review I verify that the real property described as follows, and as shown on the map labeled Exhibit A in the Robert W. & Teri J. Stone and Car Crazy Carwash LLC annexation petition of which this letter is a part, is contiguous with the City of Centerton and that no enclaves will be created if the described property is accepted by the City of Centerton:

All of the NE ¼ of the NW ¼ lying west of the east R-O-W of S. H. 72, in Section 21, Township 20 North, Range 31 West, Benton County, AR.

Should you have any questions or require any additional information, please feel free to contact us at your convenience.

Sincerely,

**Bates & Associates, Inc** 

Deoffrey Buts

Geoffrey H. Bates, P.E.

President of Engineering

Stone Annexation (Centerton)

2020 DEC 23 PM 3: 26

Parcels 18-09790-000 and 18-09790-001 with adjacent ROW same being:

CO & PROBAIL GLERK BERT IN COUNTY, AR

All of the NE 1/4 of the NW 1/4 of S21, T20N, R31W lying West of the East R-O-W of AR  $\,$  72, in Benton County, AR



Department of Transformation and Shared Services
Governor Asa Hutchinson
Secretary Amy Fecher
2020 DEC 20 rector Shellby Johnson

DO SENDOÀNE CLERK BENTON COUNTY AR

August 10, 2020

Ms. Lorene Burns Planning Director City of Centerton 290 Main St. Centerton, AR 72719

RE: City of Centerton Annexation Coordination Requirement

Ms. Burns,

Thank you for coordinating with our office as you seek to annex property into the City of Centerton, AR described as the "Stone Annexation" and located in Section 21, Township 20 North, Range 31 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

Attachments: GIS Office Map of Proposed Annexation Legal Description Secretary of State Municipal Change Checklist

 $H:\City\_Annexations\Cities\Centerton\20200810\Doc\20200810\_Centerton\_Annexation\_Coordination\_Letter.docx$ 



