



JOHN THURSTON

ARKANSAS SECRETARY OF STATE

March 26, 2021

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

Re: City of Centerton Annexation Ordinance 2021-10

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: 03/11/2021

County: Benton

City: Centerton

City Ordinance: 2021-10

Dated: 2/9/2021

County Court Order: 2021-05

Date Filed: 2/1/2021

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,

A handwritten signature in cursive script that reads "Shantell McGraw".

Shantell McGraw
Elections Division

cc: 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: 2021-10 Date approved: 2/9/2021

County Court Case No: 2021-05 Date Order Filed: 2/1/2021

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

Date Change Effective: 03/11/2021 Set by: Municipal Ordinance Emergency Clause Court Default
(Required by Act 655 of 2017)

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

Please indicate which ward(s) the territory will be assigned to: _____
(See A.C.A § 14-40-203)

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 A.C.A. §14-40-501)*
- Copy of Arkansas GIS 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: Bill Edwards Title: Mayor

Street Address: PO Box 208 (290 Main St)

City: Centerton St: AR Zip code: 72719

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: [Handwritten Signature] Title: deputy clerk

Date: 2/24/21

Pursuant to Act 655 of 2017, County Officials must submit a file-marked copy of municipal boundary change documents 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: [Handwritten Signature]

FILED

MAR 26 2021

Rev. 2/2019

Arkansas Secretary of State

BENTON COUNTY

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

February 24, 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

RECEIVED

FEB 24 2021

**Arkansas
Secretary of State**

RE: The City of Centerton
Patsy R. White Revocable Trust
Benton County Court Case No. CC# 2021-05

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 02/1/2021
3. Ordinance 2021-10 adopted on February 9, 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 by *ckemasters*

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

FILED

2021 FEB -1 PM 2:54

CLERK OF THE CLERK
BENTON COUNTY, AR

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 2021-05

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

2.1.2021

Date

FILED

2021 FEB 22 PM 2:38

CITY CLERK
CO. & P.M. OFFICE
BENTON COUNTY, ARKANSAS

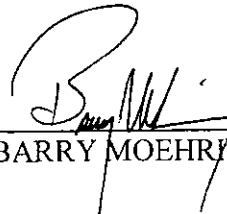
IN THE MATTER OF ANNEXING TO THE
CITY OF CENTERTON, ARKANSAS
CERTAIN TERRITORY CONTIGUOUS TO SAID
CITY OF CENTERTON, ARKANSAS

CC 2021-05

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

2.22.2021

Date

2021 1276

2021 FEB 19 AM 10:05

**CITY OF CENTERTON
ORDINANCE NO. 2021-10**

**AN ORDINANCE ACCEPTING THE ANNEXATION
OF CERTAIN TERRITORY BELONGING TO THE
PATSY WHITE REVOCABLE TRUST 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 January 20, 2021 in the County Court of Benton County, Arkansas; pursuant to Arkansas Code Annotated section 14-40-609, County Court Case No. CC2021-05, for the annexation of certain territory belonging to the Patsy White Revocable Trust as current owner; 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 February 1, 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.

**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: Part of the SE/4 of S 36 T20N R 32W, Benton County, Arkansas, Described as beginning at a point 660 feet S 00°43'11" E of the NE corner of the SE/4 of said Section 36; thence S 00°43'11" E 990 feet; thence S 89°38'48" W 1760 feet; thence N 00°43'11" W 990 feet; thence N 89°38'48" E 1760 feet to the point of beginning, including all adjacent Right-Of-Way on the North and East sides.

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 **Ward 1** 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 9th day of February 2021.

APPROVED:



BILL EDWARDS, Mayor

ATTEST:

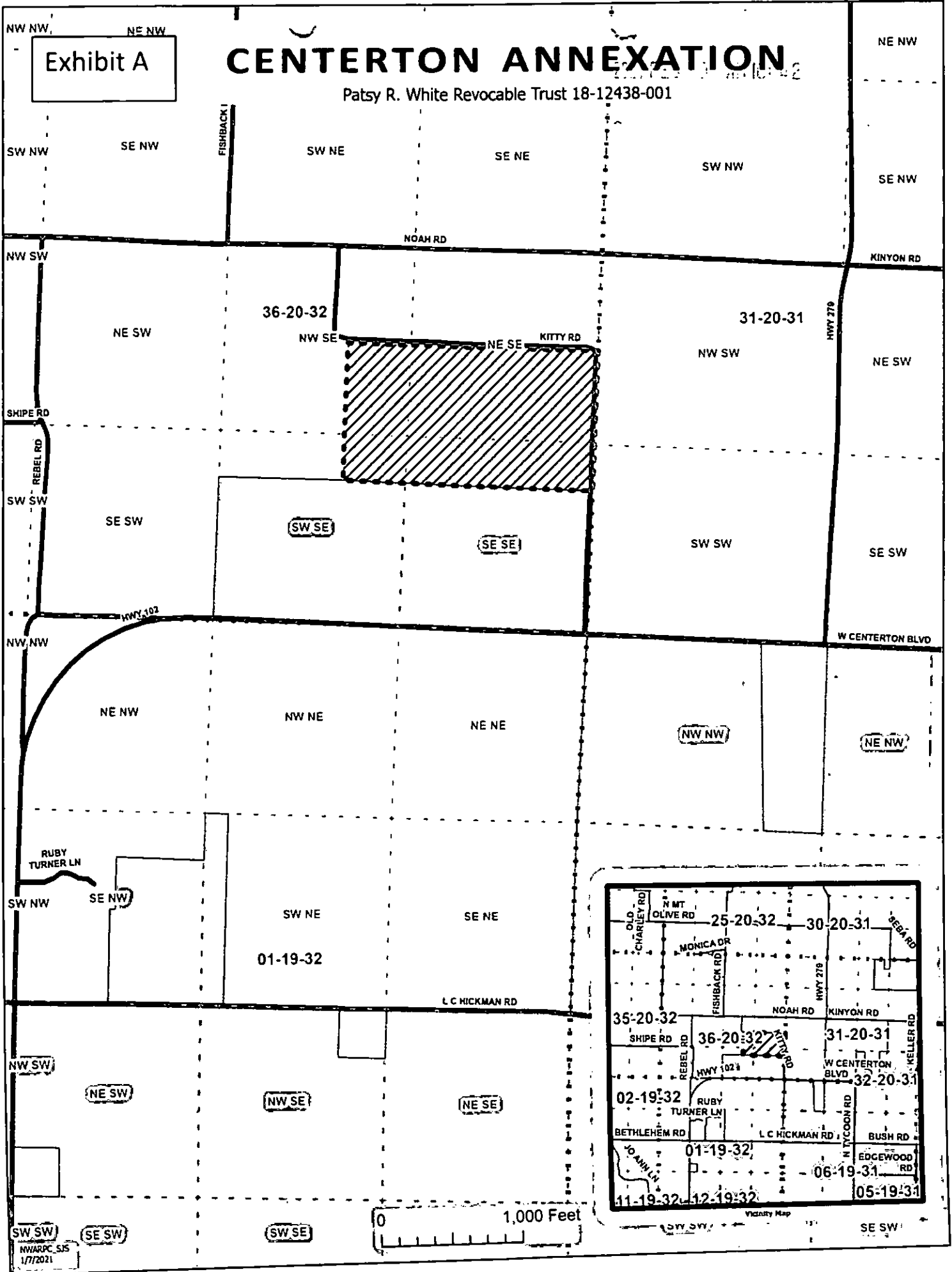


TODD WRIGHT, City Clerk

Exhibit A

CENTERTON ANNEXATION

Patsy R. White Revocable Trust 18-12438-001



NWARPC SIS
1/7/2021

BENTON COUNTY

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

February 9, 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 by *Cleomaster*

BETSY HARRELL, County Clerk

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

FILED

2021 JAN 28 PM 2:27

WILLIAM J. JANELL
CO. & PROCLAM. CLERK
BENTON COUNTY, AR



Date: January 22, 2021
Subject: Proposed Annexation Checklist
CC 2021-05 Centerton, AR

(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.

NA [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"]

Please 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

FILED

2021 JAN 28 PM 2:27

BETSY HARRELL
COUNTY CLERK
BENTON COUNTY, AR

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

CC 2021-05

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

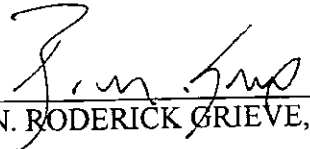
We, Betsy Harrell, County Clerk of Benton County, and Roderick Grieve, County Assessor of Benton County, attest as follows:

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

FILED

2021 JAN 20 PM 3:21

PETITION FOR ANNEXATION

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

DATE: 1-15-21

CC 2021-05

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: Part of the SE/4 of S 36 T20N R 32W, Benton County, Arkansas, Described as beginning at a point 660 feet S 00°43'11" E of the NE corner of the SE/4 of said Section 36; thence S 00°43'11" E 990 feet; thence S 89°38'48" W 1760 feet; thence N 00°43'11" W 990 feet; thence N 89°38'48" E 1760 feet to the point of beginning, including all adjacent Right-Of-Way on the North and East sides.

1. We further state that this petition is signed by 100% 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 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.

FILED

2021 JAN 20 PM 3:21

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.

Patsy White
Printed Name of Property Owner/Petitioner

Printed Name of Property Owner/Petitioner

Patsy White
Signature of Property Owner/Petitioner

Signature of property Owner/Petitioner

ACKNOWLEDGMENT

State of Arkansas)
County of Benton) ss.

On this the 15th day of January, 2021, before me, the undersigned officer, personally appeared Patsy White, known to me (or satisfactorily proven) to be the persons whose names are subscribed above and acknowledged and attested that it was executed for the purposes therein apparent.

[Signature]
NOTARY PUBLIC

My Commission Expires:
10/29/2030

NET WHEELLESS
Notary Public-Arkansas
Benton County
My Commission Expires 10-29-2030
Commission # 12712346



FILED
2021 JAN 20 PM 3:22
3866 W. Sunset
Springdale, AR 72762
479-582-9383
www.realtytitleinc.com

Date: January 15, 2021

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 Patsy R. White Revocable Trust is the owner of record of Benton County Parcel #18-12438-001. We further understand that the description of the property sought to be annexed is as follows:

Part of the SE/4 of S 36 T20N R 32W, Benton County, Arkansas, Described as beginning at a point 660 feet S 00°43'11" E of the NE corner of the SE/4 of said Section 36; thence S 00°43'11" E 990 feet; thence S 89°38'48" W 1760 feet; thence N 00°43'11" W 990 feet; thence N 89°38'48" E 1760 feet to the point of beginning, including all adjacent Right-Of-Way on the North and East sides.

Issued Through the Office of
Realty Title & Closing Services, LLC
Arkansas Title Agency License No.: 100102353
3866 W. Sunset
Springdale, AR 72762
479-582-9383 fax 479-582-2925

Dennis C. McDonald

By:

Authorized Signatory

Dennis C. McDonald

FILED

Date: 1/19/21

2021 JAN 20 PM 3:22

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 (or licensed Surveyor) 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 Patsy R. White Revocable Trust 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:

Part of the SE/4 of S 36 T20N R 32W, Benton County, Arkansas, Described as beginning at a point 660 feet S 00°43'11" E of the NE corner of the SE/4 of said Section 36; thence S 00°43'11" E 990 feet; thence S 89°38'48" W 1760 feet; thence N 00°43'11" W 990 feet; thence N 89°38'48" E 1760 feet to the point of beginning, including all adjacent Right-Of-Way on the North and East sides.

Sincerely,



Micheal E. James
Benton County Surveyor
AR RLS 985 - OK RLS 1210 - LA RLS 4480

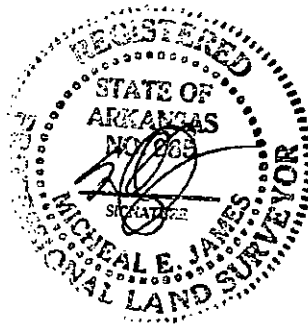
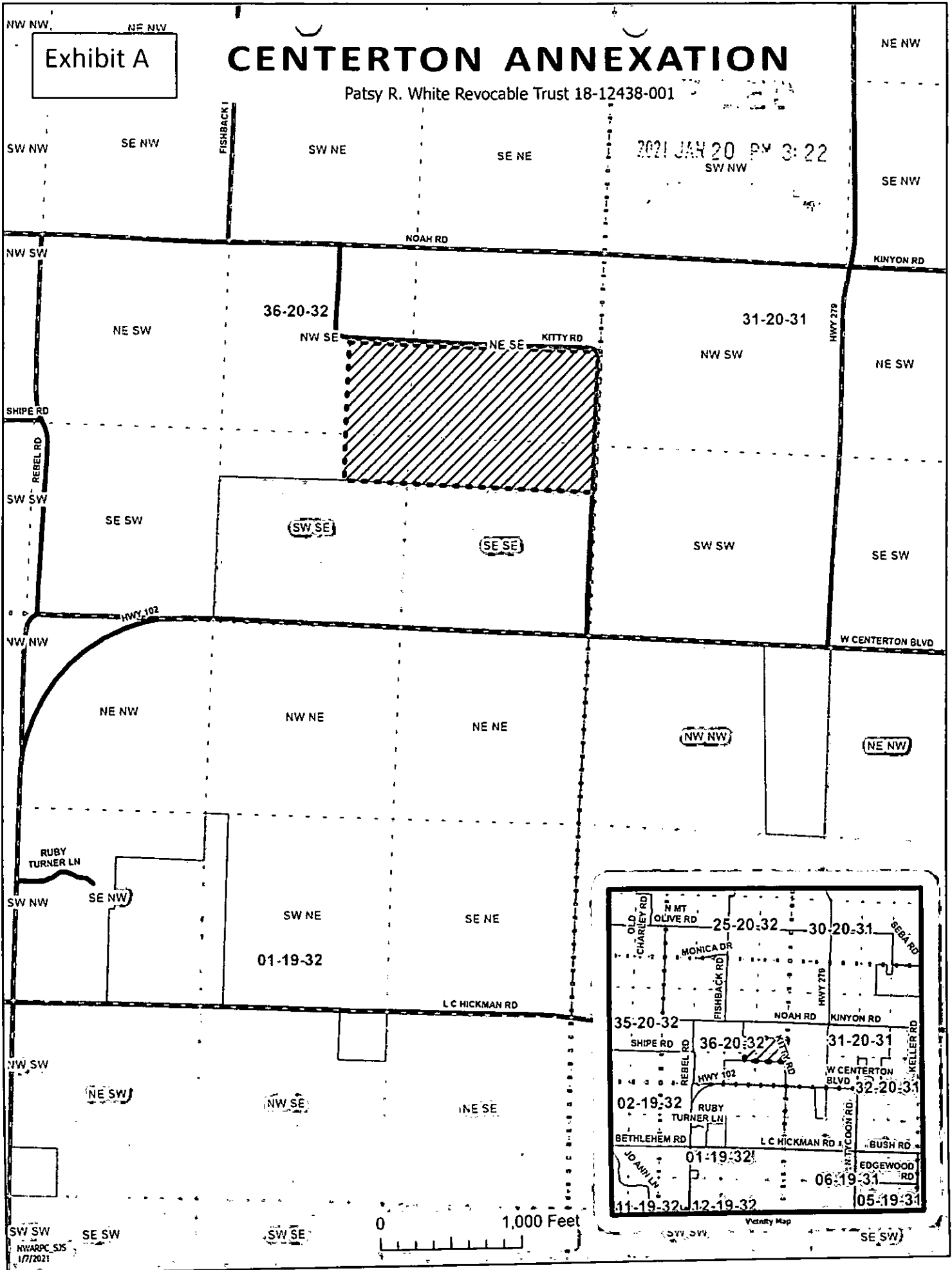


Exhibit A

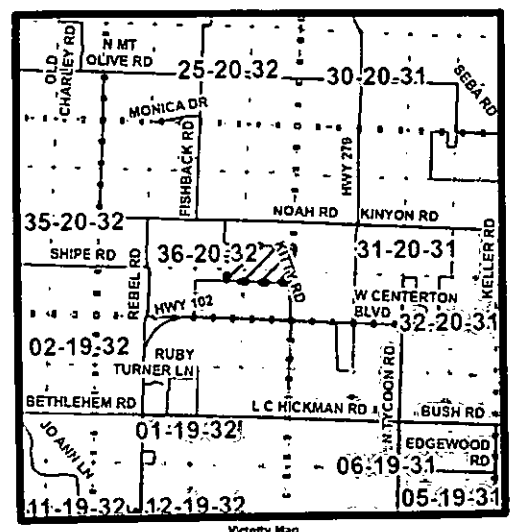
CENTERTON ANNEXATION

Patsy R. White Revocable Trust 18-12438-001

2021 JAN 20 PM 3:22
SW NW



0 1,000 Feet



SW SW
NW/RPC SJ5
1/7/2021

Vacinity Map



**ARKANSAS
GIS OFFICE**

Department of Transformation
and Shared Services
Governor Asa Hutchinson
Secretary Amy Fecher
Director Shelby Johnson

2021 JAN 20 10:33

January 13, 2021

The Honorable
Bill Edwards
Mayor of Centerton
P.O. Box 208
Centerton, AR 72719

RE: City of Centerton Annexation Coordination Requirement

Mayor Edwards,

Thank you for coordinating with our office as you seek to annex property into the City of Centerton, AR described as the "Patsy R. White Revocable Trust Annexation" and located in Section 36, Township 20 North, Range 32 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 90th 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,

Thomas Melton, GIS Analyst

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

H:\City_Annexations\Cities\Centerton\20210113\Doc\20210113_Centerton_Annexation_Coordination_Letter.docx

ARKANSAS GIS OFFICE
1 Capitol Mall, Suite 6D • Little Rock, AR 72201 • 501.682.2767
gis.arkansas.gov • transform.ar.gov

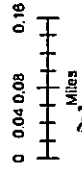


Proposed Annex: City of Centerton
January 2021

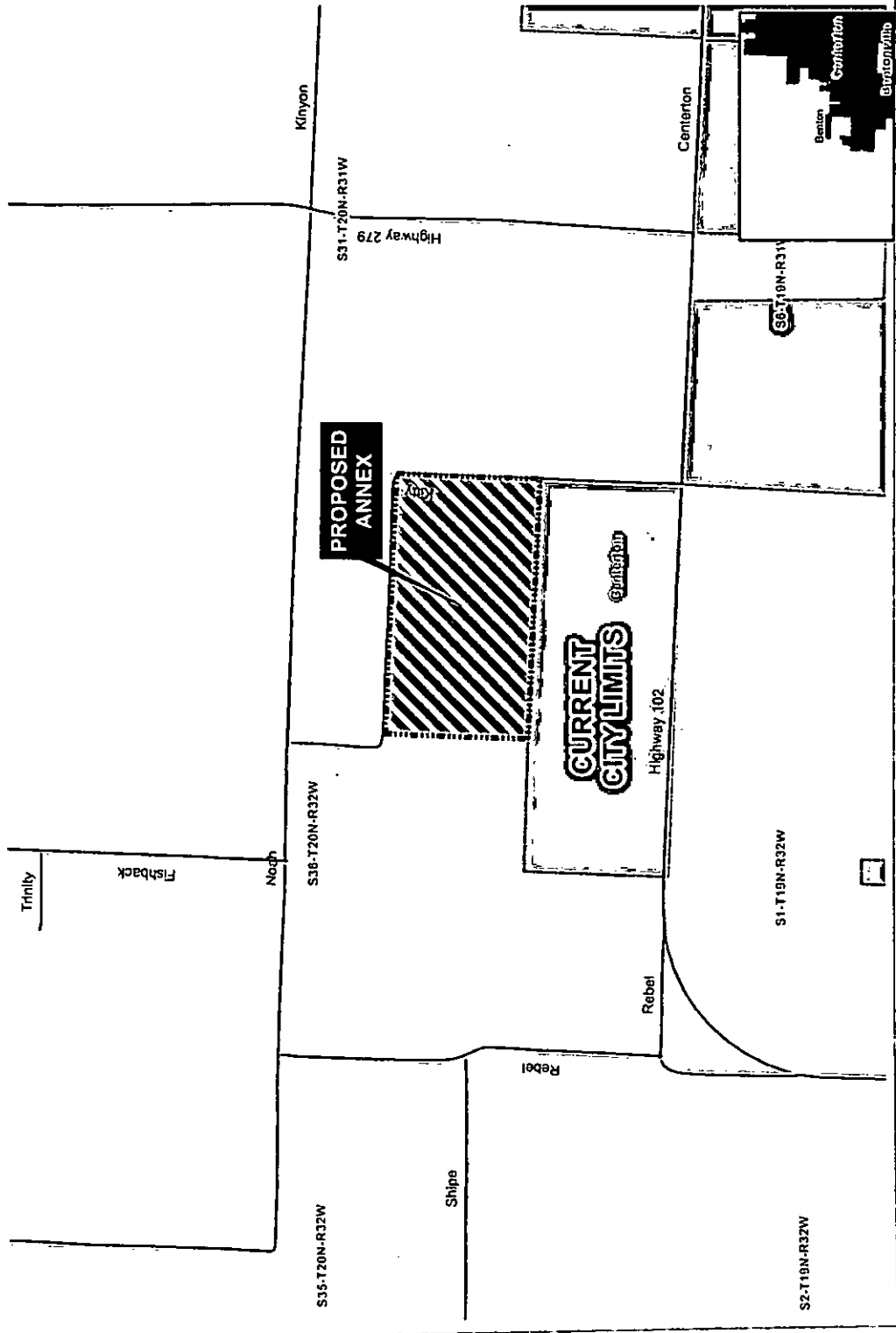
City: Centerton
Mayor: Bill Edwards

Arkansas Code 14-40-101.
Before an entity undertakes an annexation, considering the desirability of proceeding under this chapter, the entity shall coordinate with the Arkansas Geographic Information Systems Office for the preparation of legal descriptions and digital mapping for the relevant annexation, consolidation, and detachment areas.

The map contained herein, is evidence, the entity has met requirements of Act 914 of 2015



2021 JAN 20
ARIZONA GIS CENTER
3-222



City, Arkansas GIS Center 2021 01 19

FILED

Legal Description

2021 JAN 20 PM 3:22

Part of the SE/4 of S 36 T20N R 32W, Benton County, Arkansas, Described as beginning at a point 660 feet S 00°43'11" E of the NE corner of the SE/4 of said Section 36; thence S 00°43'11" E 990 feet; thence S 89°38'48" W 1760 feet; thence N 00°43'11" W 990 feet; thence N 89°38'48" E 1760 feet to the point of beginning, including all adjacent Right-Of-Way on the North and East sides.