

2021 JAN 13 PH 12: 09
Department of Transformation
BENTSecretary Amy Fecher
Director Shelby Johnson

December 28, 2020

Mayor Bill Edwards City of Centerton PO 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 "Kuhlman et al. Annexation" and located in Section 30, 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^{th} 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

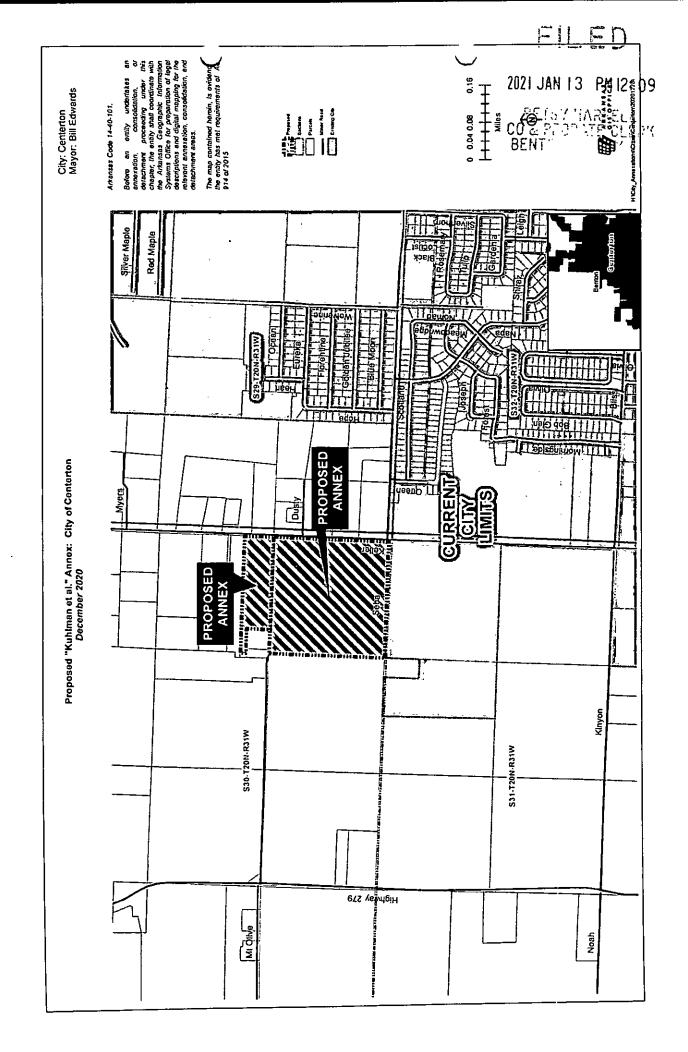
Attachments: GIS Office Map of Proposed Annexation Legal Description Secretary of State Municipal Change Checklist

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ARKANSAS GIS OFFICE

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

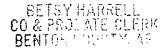




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Kuhlman Et Al Annexation Legal Description



All of the following described area in Benton County, Arkansas and all adjacent Right-Of-Way:

All of the SE/4 of the SE/4 of S 30, T 20N, R 31W, contiguous to the City Limits of Centerton, AR;

AND ALSO

A part of the S/2 of the NE/4 of the SE/4 of S 30, T 20N, R 31W, more particularly described as: Beginning at the SE Corner of the NE/4 of the SE/4 of Section 30; thence North 89°28′17″ West 1049.61 feet, along the south line of the NE/4 of the SE/4; thence North 00°21′24″ East 273.80 feet; thence North 89°46′26″ West 276.44 feet; thence North 00°02′24″ West 62.24 feet; thence South 89°30′07″ E 1325.36 feet; thence South 00°09′51″ West 334.13 feet, to the point of beginning.

2021 JAN 13 PM 12: 09

BE ISY HARRELL CO & PROPATE CLERK BENTON CARRELL

IN THE COUNTY COURT OF BENTON COUNTY, ARKANSAS

IN THE MATTER OF ANNEXING TO THE CITY OF CENTERTON, ARKANSAS CERTAIN TERRITORY CONTIGUOUS TO SAID CITY OF CENTERTON, ARKANSAS Case No. 2021-04

PETITIONERS:

Kuhlman Properties LLC Barry Bennett Revocable Living Trust Weston S. Keene

PETITION FOR ANNEXATION

Come now the undersigned petitioners, and state as follows:

1. That we, as property owners in the following described area, do hereby petition, pursuant to A.C.A. 14-40-601 through 14-40-606, the County Court of Benton County, Arkansas, to annex the following lands to the City of Centerton, AR:

All of the following described area in Benton County, Arkansas and all adjacent Right-Of-Way:

All of the SE/4 of the SE/4 of S 30, T 20N, R 31W, contiguous to the City Limits of Centerton, AR;

AND ALSO

A part of the S/2 of the NE/4 of the SE/4 of S 30, T 20N, R 31W, more particularly described as: Beginning at the SE Corner of the NE/4 of the SE/4 of Section 30; thence North 89°28'17" West 1049.61 feet, along the south line of the NE/4 of the SE/4; thence North 00°21'24" East 273.80 feet; thence North 89°46'26" West 276.44 feet; thence North 00°02'24" West 62.24 feet; thence South 89°30'07" E 1325.36 feet; thence South 00°09'51" West 334.13 feet, to the point of beginning.

2. We further state that this petition is signed by a majority of the real estate owners owning more than one-half of the acreage in said area.

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BE 13Y HARREL!

- 3. That said property described herein is contiguous to and adjoining the present city.
- 4. That said lands are suitable for annexation because they meet one or more of the following criteria: the lands furnish the abode for a densely settled community or represent the actual growth of the municipality beyond its legal boundary; the lands are platted and held for sale or use as municipal lots; whether platted or not, the lands are held to be sold as suburban property; or the lands are valuable by reason of their adaptability for prospective municipal uses.
- 5. We further, by our petition, appoint Bill Edwards to act on behalf of the petitioners in presenting this matter to the Court.
- 6. That the petitioner(s) request that the Court set a date for the hearing on this matter, and that upon final hearing, the Court enter an Order granting this Petition and annexing the territory described herein to the City of Centerton.

KUHLMAN PROPERTIES LLC PID 18	3-09999-000, 34.59 Ac
TATESCK KUHLMAN	Heather Liverra
Printed Name of Property Owner	Printed Name of Attesting Witness
PKC	Walla Enen
Signature of Property Owner	Signature of Attesting Witness
BARRY BENNETT REVOCABLE LIV	ING TRUST PID 18-099097-008, 4.8 Ac
Mary Benz, Trustee Printed Name of Property Owner	+ Rosher DGverra
Printed Name of Property Owner	Printed Name of Attesting Witness
man Ben	Woll One
Signature of Property Owner	Signature of Attesting Witness
	and an each of the representation of the contract of the contr
WESTON S. KEENE PID 18-09997-004.	3.46 Act 1
Printed Name of Property Owner	thouser Drivera
Printed Name of Property Owner	Printed Name of Attesting Witness
Wester leave	Signature of Attesting Witness
Signature of Property Owner	Digitatore of transmis

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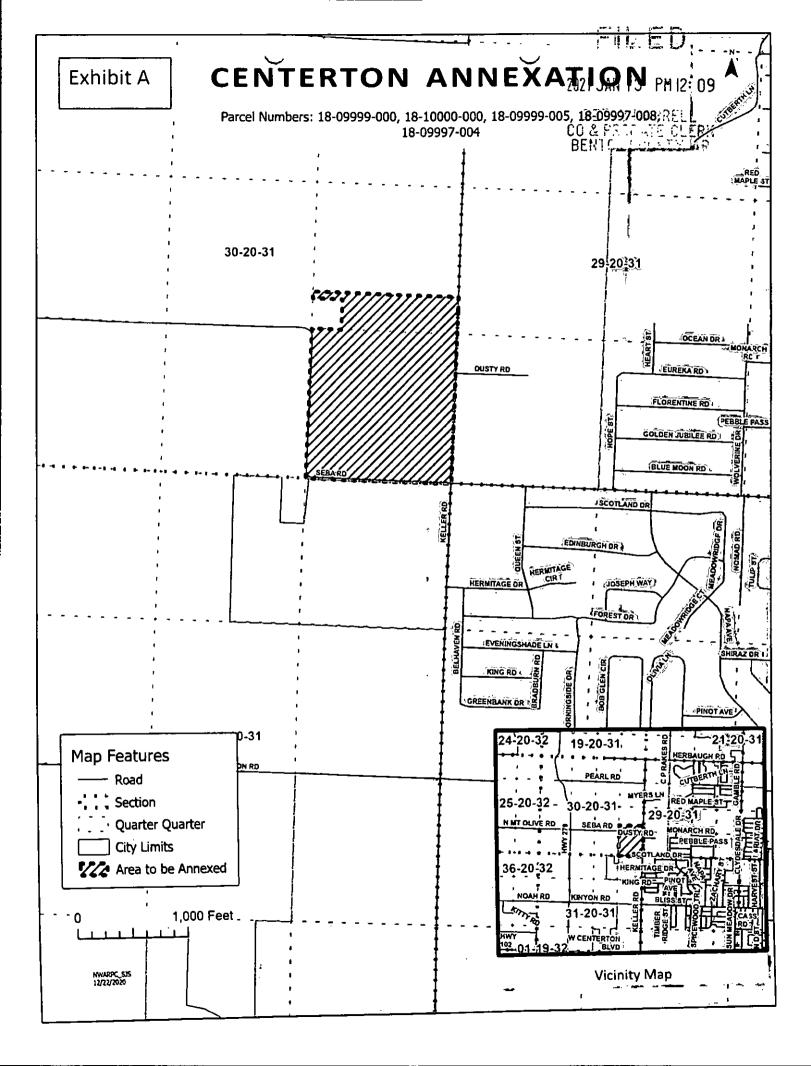
BETSY HARRELL CO & PROBATE CLERK BENJIE - METYLAR

TOTAL PROPERTY OWNERS: 5 # OF PETITIONERS: 3 = 60% > 50%

TOTAL ACREAGE: 48.35

Acreage owned by Petitioners: 42.85 Ac; 88.62% > 50%

PARCEL ID	ACRE	OWNER NAME	PHYSICAL ADDRESS			
18-09997-004	3.46	KEENE, WESTON S	KELLER RD			
18-09997-008	4.8	BENNETT REVOCABLE LIVING TRUST, BARRY	KELLER RD			
18-09999-000	34.59	KUHLMAN PROPERTIES LLC	KELLER RD			
18-09999-005	3	THOMAS, HERBERT L & MARY A	10585 KELLER RD CENTERTON AR 72719-9019			
18-100000-000	2.5	PAGE, JOHN H & NANCY J	12900 SEBA RD CENTERTON AR 72719-8970			



2021 JAN 19 PM 3: 02

CO E PAGENTE CLEAR BENTON COUNTY, AR

IN THE COUNTY COURT OF BENTON COUNTY, ARKANSAS

IN THE MATTER OF ANNEXING TO THE CITY OF CENTERTON, ARKANSAS, CERTAIN PROPERTY CONTIGUOUS TO THE CITY OF CENTERTON IN BENTON COUNTY, ARKANSAS CASE NO. CC# 2021-04

Kuhlman Properties LLC Barry Bennett Revocable Living Trust Weston S. Keene

PETITIONER(S)

ORDER FOR HEARING

A Petition of real estate owners desiring the annexation of certain territory to the City of Centerton, Arkansas, more particularly described therein, has been filed on the 13th day of January, 2021.

The Court does hereby fix the 18th day of February, 2021, at 2 p.m. as the date and time for hearing on said Petition. Said hearing to be held in the Quorum Court Room, County Administration Building, 215 East Central Avenue, Centerton, Arkansas.

The Court further orders that the Petitioners, shall give notice of such hearing as provided by law.

It is so ordered on this 19th day of January, 2021.

Barry Moehring, County Judge

BENTON COUNTY

PRINCESSES STATE OF ARKANSAS APPRENIESES

BETSY HARRELL

COUNTY CLERK & VOTER REGISTRAR

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

Fax: 479-271-1019

March 9, 2021

PROBATE COURT CLERK
COURTHOUSE, 102 N.E. "A" STREET

DURTHOUSE, TOZ N.E. A STREE BENTONVILLE, AR 72712-5350 479-271-5727

FAX: 479-271-1712

Bill Edwards Centerton Mayor PO Box 208 Centerton, AR 72719

> RE: City of Centerton Annexation Kuhlman Properties LLC, Barry Bennett Revocable living trust, Weston S Keene County Court Case No. CC 2021-04

Dear Major Edwards,

I am enclosing herein a certified copy of the Decree of Annexation entered by the County Court of Benton County on February 22, 2021

After thirty days have passed from that date and no contest to the annexation is made, please send me certified copies of the following items so that I can send those on to the Secretary of State and the Director of the Tax Division of the Public Service Commission as required by the statute:

- Ordinance or resolution approving the annexation
- Plat of the annexed property
- Certification letter from Arkansas GIS
- Proof of publication for all legal notices
- Completed Municipal Boundary Change Form

If you have any questions regarding this matter, please let me know.

Sincerely,

Betsy Harrell by Cleemanters
Betsy Harrell

BH/cno

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 FEB 22 PH 4: 09

IN THE BENTON COUNTY COURT

TO ELCOHATE WISE. PERCENDADA

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

PETITIONERS: Kuhlman Properties LLC Barry Bennett Revocable Living Trust Weston S. Keene Case No: CC2021-04

DECREE OF ANNEXATION

On this, the 22 day of February, 2021, there is presented to the Court, by Bill Edwards, agent of the petitioners, a petition for annexation of certain territory, hereinafter more particularly described, to the City of Centerton, Arkansas; and the Court being fully advised of the facts and the law, doth hereby find, judge and decree as follows:

- (1) That the petition was filed more than thirty (30) days prior to this date, and that in said petition, the said Bill Edwards was selected to act on behalf of the petitioners in filing and presenting the petition;
- (2) That a majority of the total number of real estate owners in the areas affected by this petition, have signed said petition, and that such majority owns more than one-half of the acreage affected;
- (3) That the territory consists of land that are platted and held for sale or use as municipal lots; whether platted or not, are held to be sold as suburban property; and/or represent the actual growth of the municipality beyond its legal boundary.
- (4) 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 Centerton, Arkansas;
- (5) That attached to and made a part of said petition is an accurate map of the territory sought to be annexed into the City of Centerton;
- (6) That between the time the petition was filed, and the date of this hearing, the petitioners did cause a notice to be published once each week, for three (3) consecutive weeks, in a newspaper of general circulation in the county;
- (7) That the prayer of the petition is right and proper.

Therefore, the Court doth hereby order, judge and decree that the following described territory be and the same is hereby annexed to and made a part of the City of Centerton, Arkansas, to-wit: All of the following described area in Benton County,

2021 FEB 22 PH 4: 09

Arkansas and all adjacent street right-of-way: All of the SE/4 of the SE/4 of S.30, T.20N, R.31W, contiguous to the City Limits of Centerton, AR; AND ALSO: A part of the S/2 of the NE/4 of the SE/4 of S.30, T.20N, R.31W, more particularly described as: Beginning at the SE Corner of the NE/4 of the SE/4 of Section 30; thence North 89°28'17" West 1049.61 feet, along the south line of the NE/4 of the SE/4; thence North 00°21'24" East 273.80 feet; thence North 89°46'26" West 276.44 feet; thence North 00°02'24" West 62.24 feet; thence South 89°30'07" E 1325.36 feet; thence South 00°09'51" West 334.13 feet, to the point of beginning.

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

IT IS,80 ORDERED.

County Judge

2020 HAR II AM II: 36

MEDICAL ACTOR

CITY OF CENTERTON ORDINANCE NO. 2021-17

AN ORDINANCE ACCEPTING THE ANNEXATION OF CERTAIN TERRITORY BELONGING TO KUHLMAN PROPERTIES LLC, BARRY BENNETT REVOCABLE LIVING TRUST AND WESTON S. KEENE 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 with the County Court of Benton County by the majority of the real estate owners of the hereinafter described territory praying that said territory be annexed to, and made a part of the City of Centerton, Arkansas; and

WHEREAS, in a Decree of Annexation filed in CC 2021-04, the County Court of Benton County, Arkansas, found that the petition was signed by a majority of the real estate owners in said territory; that said territory was contiguous and adjoining the present corporate limits of the City of Centerton; 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 things pertaining thereto had been done in the manner prescribed by law; and did Order, Judge and Decree that said lands and territory should be annexed to and made a part of the City of Centerton, Arkansas; and

WHEREAS, the time fixed 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; as such, the City Council of said City may thereafter proceed with acceptance of same.

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

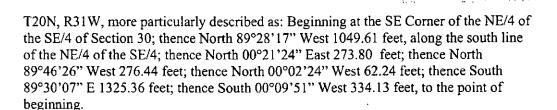
NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CENTERTON, ARKANSAS:

Section 1: That the following described lands and territory contiguous and adjoining the City of Centerton, Arkansas, be and the same is hereby accepted, effective this date, as part of, and annexed to and made a part of the City of Centerton, to wit:

All of the following described area in Benton County, Arkansas and all adjacent street right-of-way: All of the SE/4 of the SE/4 of S30, T20N, R31W, contiguous to the City Limits of Centerton, AR; AND ALSO: A part of the S/2 of the NE/4 of the SE/4 of S30,

2020 HAR II AM II: 36

Centerton Ord 2021-17 Annex Kuhlman, Bennett and Keene (CC2020-04) Page 2



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 March 2021.

APPROVED:

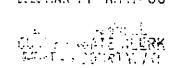
BILL EDWARDS, Mayor

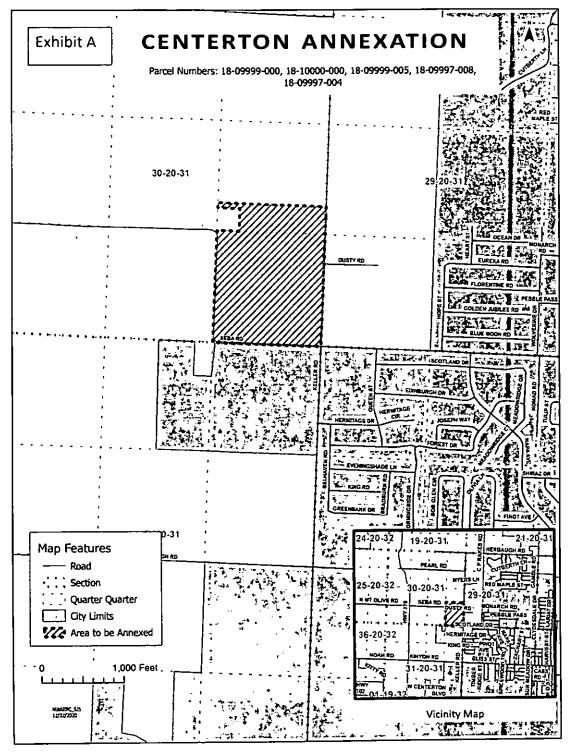
ATTEST:

TODD/WRIGHT, City Clerk

Francisco Contraction

Centerton Ord 2021-17 Annex Kuhlman, Bennett and Keene (CC2020-04) Page 3





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

Honorable John Thurston Secretary of State Room 256 State Capitol Little Rock, AR 72201-1094 March 12, 2021

PROBATE COURT CLERK

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

Fax: 479-271-1712

RE: Kuhlman Properties LLC, Barry Bennett Revocable living trust, Weston Keene City of Centerton Annexation

Benton County Court Case No. CC# 2021-04

RECEIVED

Dear Secretary Thurston:

MAR 1 2 2021

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

- 1. Map (survey and vicinity map) of the area affected
- 2. Decree of Annexation entered on February 22, 2021
- 3. Ordinance No. 2021-17 adopted March 9, 2021 by the City of Centerton.

Please record this annexation on your records and acknowledge receipt of these documents.

Sincerely

Hanell by cleem after Betsy Harrell

BH/cnl Enclosures

Cc

Roderick Grieve

Benton County Assessor

NWA 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



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: 2021-17									
County Court Case No: 2021-04									
Type: Annexation by Petition Majority of Lar	ndowners A.C.	A. 14-40-60	72	14	0-6	69 -			
Date Change Effective: 04/08/2021 Set by: 6	Municipal Ordin	ance O Emer	gency	Clause C	Court () Default			
For Circuit Court Challenge: Date Order Filed:	OUpheld Overturned Other (attach explanation								
Please indicate which ward(s) the territory will be	assigned to:								
Initiating party:		(See A	4. <i>C.A</i> § .	14-40-203)				
All Landowners	tunicipal Governir	ng Body OSt	ate (Other					
Supporting Documentation attached (check all that a		, ,		_					
✓ File marked copy of City Ordinance/Resolution (
File marked copy of County Court Order or certi	-	lection results	: (reavi	r ed excent	for A C A	1 814-40-501)			
Copy of Arkansas GIS approved printed map an			i (requi	en except	joi 21.0.21	. 314-40-3017			
			nce/Re	salution n	itices)	·			
=	rieding, Election,	and city oramo	,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,	30101101111	į				
	Caust Order /Cour	+ Challanga ani	. d						
File marked copy of Complaint and final Circuit	Court Order (Cour	t Challenge Unit	<i>y)</i>						
Municipal Contact:									
Name: Bill Edwards	Title: _M	layor							
Street Address: PO Box 208 (290 Main St)				<u></u>					
City: Centerton	st:_AR	Zip cod	_{le:} 72	719					
Complete one form per ordinance/resolution, attach it as a c within 45 days of the E	over page to the sup Effective Date as requ	porting documen ired by Act 655 o	it set and if 2017	d submit to	the County	ı Clerk's Office			
County Official:			<u>ر</u> ،	~					
Signature: Cleema Sterio	Title	TXbIF	$\Lambda \Omega$	Err_					
Date: 3 12121									
Pursuant to Act 655 of 2017, County Officials must submit a fi to: Arkansas Secretary of State, Attn: Municipal B	ile-marked copy of m oundary Filing, 500 V	unicipal boundai Voodlane Ave Sui	ry chang ite 256, l	e documen .ittle Rock, i	ts within 3 AR 72201	0 days of receipt 1094 			
Office of the Arkansas Secretary of State use only					,				
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Received by:			-			Rév. 2/2019			
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Arkansas Secretary of State



JOHN THURSTON

ARKANSAS SECRETARY OF STATE

April 14, 2021

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

Re: City of Centerton Annexation Ordinance 2021-17

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 \$14-40-602 (petition majority of landowners)

Effective Date: 4/8/2021

County: Benton

City Ordinance: 2021-17

County Court Order: 2021-04

City: Centerton

Dated: 3/9/2021

Date Filed: 1/19/2021

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,

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)

raul

Arkansas Economic Development Institute (w/encl)

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