



1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27

IN THE COUNTY COURT OF FULTON COUNTY, ARKANSAS  
IN THE MATTER OF THE INCORPORATION OF  
CHEROKEE VILLAGE, ARKANSAS

CS-96-3

SWORN AFFIDAVIT

COMES NOW Marjorie A. Rogers, Chairman of the Board of Directors of Concerned Citizens of Cherokee Village, Inc. (CC of CV) and on her oath does hereby state the following to be the truth, to wit:

(1) I, Marjorie A. Rogers am the Chairman of the Board of Concerned Citizens of Cherokee Village, Inc.

(2) In said capacity, I do affirm that I have personally seen, counted, and calculated that more than 50% of the registered voters as reflected in a Fulton County voter registration list dated October 11, 1996, residing in Cherokee Village, Fulton County, Arkansas have signed petitions properly verified and in proper form as required by Arkansas Law showing that they wish to incorporate Cherokee Village, Fulton County, Arkansas.

(3) I further affirm on my oath that we have complied with Arkansas Code Annotated 14-38-101 (b) (2) (B) in that the Cherokee Village area proposed to be incorporated is a:

- (i) real estate development by a single developer;
- (ii) containing no less than 5000 acres;
- (iii) developed under a comprehensive plan;
- (iv) which has been subdivided into sufficient lots for residential use to accommodate a projected population of not fewer than 1000 persons, and;
- (v) for which a statement of record has been filed with the Secretary of Housing and

Urban Development under the Interstate Land Sales Full Disclosure Act.

(4) I further affirm on my oath that Oral D. Henderson, Mark R. Johnson, and myself have been appointed as agents on behalf of all petitioners who have signed the Petition For Incorporation of Cherokee Village.

A TRUE COPY, I CERTIFY I further affirm that said Petitioner's agents have filed in the County Court on the 30th  
GENE MAGUFFEE, CLERK

*Gene Maguffee* 10-4-01

1 day of October, 1996 Petitions, containing at least 75 qualified voters for incorporation residing within  
2 the described territory to be incorporated; that the Petition further describes the territory proposed to be  
3 embraced in the incorporated town; that attached thereto is an accurate map certified by, a registered  
4 professional land surveyor; that said Petition further states the name proposed for the incorporated town  
5 to be "Cherokee Village"; and that each, every, and all other aspects of said Arkansas Law as required  
6 in the procedure to incorporate by petition have been followed.

7 AFFIRMETH SAITH NOT FURTHER.


8  
9  
10   
11 MARJORIE A. ROGERS

12 **VERIFICATION**

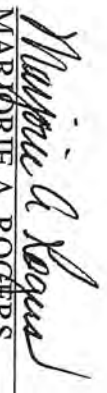
13 Comes now Marjorie A. Rogers in the above styled matter, and after being duly sworn, states that  
14 the facts outlined above are true and correct according to her best knowledge and belief.

15  
16  
17  
18   
19 MARJORIE A. ROGERS

20 **PETITIONERS**

21   
22 MARK R. JOHNSON  
23 Attorney at Law  
24 Route 2, Box 183-D  
Hardy, AR 72542

25   
26 GERALD D. HENDRIKSEN  
27 24 Winnebago Ct.  
Cherokee Village, AR 72529

28  
  
MARJORIE A. ROGERS  
51 Chesapeake Drive  
Cherokee Village, AR 72529

1 **ACKNOWLEDGEMENT**

2 STATE OF ARKANSAS

3 COUNTY OF Sharp )

SS

4  
5 BE IT REMEMBERED, that on this 30th day of October, 1996, came before the undersigned,  
6 a Notary Public, within and for the County and State aforesaid, duly commissioned and acting,  
7 MARJORIE A. ROGERS to me well known as the person who executed the foregoing instrument, and  
8 stated that she had executed the same for the consideration and purposes therein mentioned and set forth.



*Betty J. Martin*  
Notary Public

13 My Commission Expires:

14 01-07-04

21 **FILED**  
22 **OFFICE OF THE**  
23 **FULTON COUNTY CLERK**

24 Dated 10-30-96  
25 Gene Maguffee, Clerk

Exhibit "A"

LANDS IN FULTON COUNTY, ARKANSAS:

The following land descriptions numbered 1 through 26, both inclusive, refer to all lots, blocks, streets, roads, drives, public ways and other lands, unless otherwise hereinafter specifically indicated, as reflected upon plats as hereinafter designated, of record as indicated in the records in the office of the Clerk of the Circuit Court and Ex-Officio Clerk of the County Court and Recorder of Fulton County, Arkansas:

1. Apache Addition: of record in Plat Book 2, page 48.
2. Cheyenne Addition: of record in Plat Book 2, page 31.
3. Navasota 1st Addition: of record in Plat Book 2, page 22 and Plat Book 2, page 23.
4. Chumash Addition: of record in Plat Book 2, page 57.
5. Mastropa Addition: of record in Plat Book 2, page 53.
6. Alencastro Addition: of record in Plat Book 2, page 49.
7. Modoc Addition: of record in Plat Book 2, page 61.
8. Mohave Addition: of record in Plat Book 2, page 55.
9. Omaha Addition: of record in Plat Book 2, page 45.
10. Osageo Addition: of record in Plat Book 2, page 58.
11. Pointe Addition: of record in Plat Book 2, page 52.
12. Papage Addition: of record in Plat Book 2, page 47.
13. Sallisaw Subdivision: of record in Plat Book 2, page 48.
14. Sante Fe Addition: of record in Plat Book 2, page 28.
15. Sante Fe Second Addition: of record in Plat Book 2, page 29.
16. Sante Fe Third Addition: of record in Plat Book 2, page 30.
17. Sante Fe Fourth Addition: of record in Plat Book 2, page 32; Plat Book 2, page 33, and Plat Book 2, page 34.
18. Sante Fe Fifth Addition: of record in Plat Book 2, page 37.
19. Sante Fe Sixth Addition: of record in Plat Book 2, page 35 and Plat Book 2, page 42.
20. Sante Fe Seventh Addition: of record in Plat Book 2, page 40, and Plat Book 2, page 41.
21. Sapulpa Addition: of record in Plat Book 2, page 59.
22. Tahlequah' Addition: of record in Plat Book 2, page 38.
23. Talihatchie Addition: of record in Plat Book 2, page 44.
24. Time Subdivision: of record in Plat Book 2, page 54.
25. Yuma Addition: of record in Plat Book 2, page 56.
26. Yuma Addition: of record in Plat Book 2, page 56.

All of the following described lands, including streets, roads, drives and public ways, except that portion of said lands reflected upon the foregoing plats of record, to-wit:

The following lands lying in Township 19 North, Range 6 West of the Fifth Principal Meridian, Fulton County, Arkansas:  
SECTION 31:  
SW $\frac{1}{4}$  SE $\frac{1}{4}$

SECTION 9:  
SW $\frac{1}{4}$  SW $\frac{1}{4}$   
SE $\frac{1}{4}$

SECTION 13:  
All of Section 13 except the NW $\frac{1}{4}$ , NW $\frac{1}{4}$ ; NW $\frac{1}{4}$ ; NE $\frac{1}{4}$ ; SE $\frac{1}{4}$ ; SE $\frac{1}{4}$ ; and except 15th Addition, of record in Plat Book 1, page 39; and except Sixteenth Addition, except lots 6, 7, 8, 9 and 10, Block 5 (which are included), of record in Plat Book 2, page 2; all of record in the office of the Clerk of the Circuit Court and Ex-Officio Clerk of the County Court and Recorder of Fulton County, Arkansas.

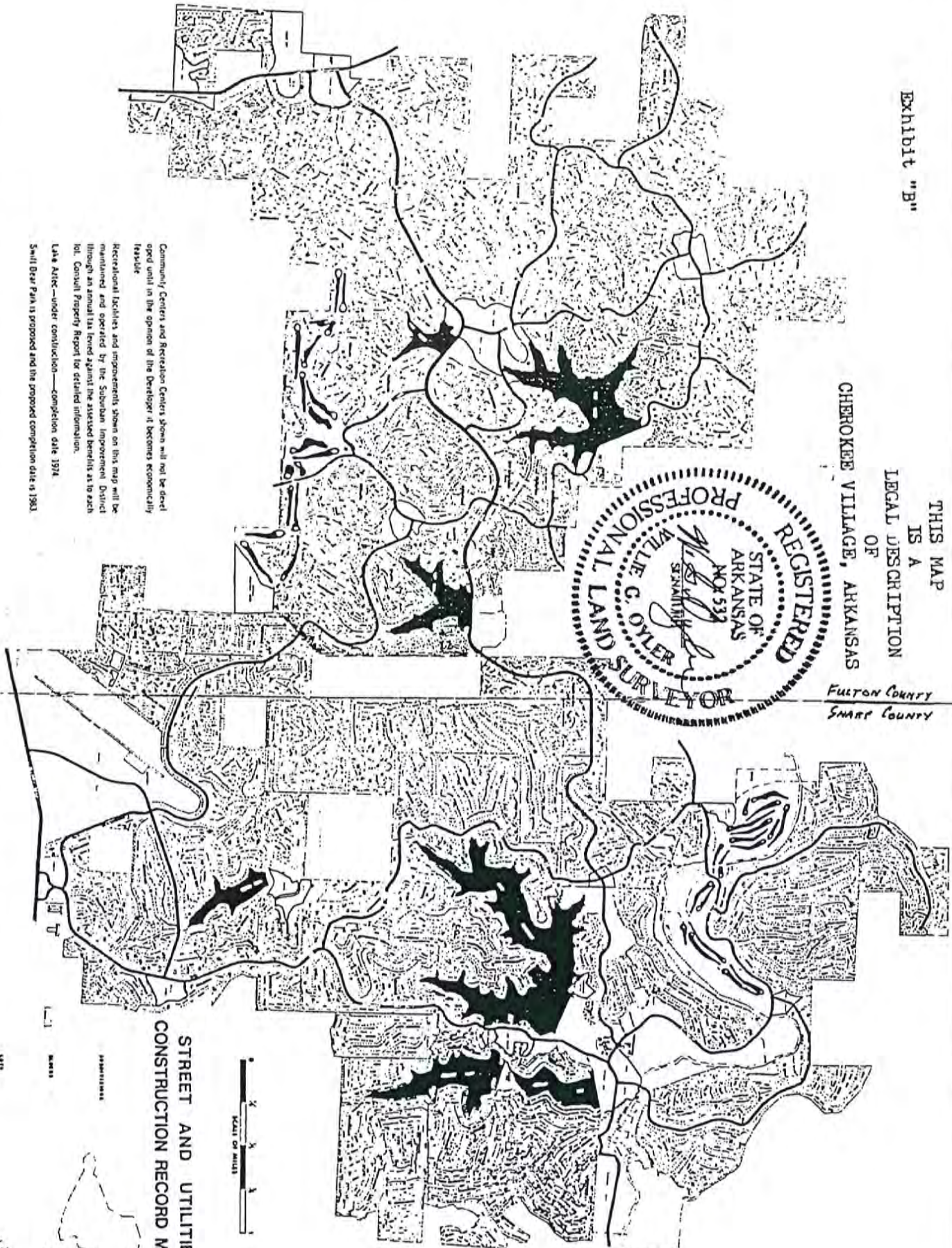
- SECTION 14:  
SW $\frac{1}{4}$   
NW $\frac{1}{4}$   
W $\frac{1}{2}$  NE $\frac{1}{4}$   
SE $\frac{1}{4}$  NE $\frac{1}{4}$
- SECTION 15:  
All of Section 15.
- SECTION 16:  
E $\frac{1}{2}$  NE $\frac{1}{4}$   
N $\frac{1}{2}$  SE $\frac{1}{4}$   
SE $\frac{1}{4}$  SW $\frac{1}{4}$   
NE $\frac{1}{4}$  SW $\frac{1}{4}$
- SECTION 14:  
NE $\frac{1}{4}$   
E $\frac{1}{2}$  NW $\frac{1}{4}$   
E $\frac{1}{2}$  NE $\frac{1}{4}$  SW $\frac{1}{4}$   
SE $\frac{1}{4}$  SW $\frac{1}{4}$  except one acre in the NW corner thereof described as beginning at the NW corner of said Fourth and run thence East 140 yards, thence South 35 yards; thence West 140 yards, thence North to the point of beginning.
- SECTION 21:  
NE $\frac{1}{4}$   
E $\frac{1}{2}$  NW $\frac{1}{4}$   
E $\frac{1}{2}$  NE $\frac{1}{4}$  SW $\frac{1}{4}$   
SE $\frac{1}{4}$  SW $\frac{1}{4}$  except one acre in the NW corner thereof described as beginning at the NW corner of said Fourth and run thence East 140 yards, thence South 35 yards; thence North to the point of beginning.
- SECTION 22:  
All of Section 22 except SW $\frac{1}{4}$  SE $\frac{1}{4}$ .
- SECTION 23:  
All of Section 23.
- SECTION 24:  
W $\frac{1}{2}$   
W $\frac{1}{2}$  E $\frac{1}{2}$   
SE $\frac{1}{4}$  SE $\frac{1}{4}$
- SECTION 25:  
E $\frac{1}{2}$   
N $\frac{1}{2}$  NW $\frac{1}{4}$   
SE $\frac{1}{4}$  SW $\frac{1}{4}$
- SECTION 27:  
NW $\frac{1}{4}$  NW $\frac{1}{4}$
- SECTION 28:  
NE $\frac{1}{4}$   
E $\frac{1}{2}$  NW $\frac{1}{4}$  East of Mammoth Spring Ash Flat Road.  
NE $\frac{1}{4}$  NW $\frac{1}{4}$  West of WPA Highway and North of a line running 100 feet North of boundary Line of NE $\frac{1}{4}$  NW $\frac{1}{4}$  and the SE $\frac{1}{4}$  NW $\frac{1}{4}$ .  
W $\frac{1}{2}$  NW $\frac{1}{4}$   
N $\frac{1}{2}$  SW $\frac{1}{4}$   
N $\frac{1}{2}$  SE $\frac{1}{4}$   
SW $\frac{1}{4}$  SE $\frac{1}{4}$
- SECTION 36:  
NE $\frac{1}{4}$  NE $\frac{1}{4}$   
SE $\frac{1}{4}$  NE $\frac{1}{4}$  North of U.S. Highway

Exhibit "B"

THIS MAP  
IS A  
LEGAL DESCRIPTION  
OF

CHEROKEE VILLAGE, ARKANSAS

FULTON COUNTY  
SMART COUNTY



STREET AND UTILITIES  
CONSTRUCTION RECORD MAP



Community Centers and Recreation Centers shown will not be developed until in the opinion of the Developer it becomes economically feasible.

Recreational facilities and improvements shown on this map will be maintained and operated by the Suburban Improvement District through an annual tax levied against the assessed benefits as to each lot. Consult Property Report for detailed information.

Lake Aztec—under construction—completion date 1974.

Small Deer Park is proposed and the proposed completion date is 1983.

# CHEROKEE VILLAGE, ARK.

Drawn by MJD Progress Report from Engineer and filed a before expiring Engineer, MJD  
Please refer to the notes on the drawing for the work of this office.