

### Arkansas Secretary of State

February 23, 2021

The Hon. Margaret Darter Faulkner County Clerk 801 Locust St. Conway, AR 72034

Re:

City of Conway Annexation Ordinance O-20-62

Dear Ms. Darter,

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

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

Effective Date: 10/27/2020

County: Faulkner

City Ordinance: O-20-62

County Court Order: CC-20-04

City: Conway

Dated: 10/27/2020

Date Filed: 8/21/2020

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** 

Arkansas Geographic Information Systems Office (w/encl) CC:

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. Bart Castleberry, Mayor of Conway (w/encl)

The Hon. Michael Garrett, Conway City Clerk (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: Faulkner	_City/Town:	Conway
City Ordinance/Resolution No: O-20-62	_Date approved:_	10/27/2020
County Court Case No: 0-20-5004	_Date Order Filed	. 08/21/2020
Type: Annexation by Petition of all Landowners A.C.		
(Choose from the list of Arkansas	Code Sections located	d on the back)
Date Change Effective: 10/27/2020 Set by: Mc (Required by Act 655 of 2017)	inicipal Ordinance	O Emergency Clause O Court O Default
For Circuit Court Challenge: Date Order Filed:	OUphelo	Overturned Other (attach explanation
,		
Please indicate which ward(s) the territory will be assi	gned to:	d 4 (See A.C.A § 14-40-203)
Initiating party:		SEE A.C.A & 14-40-203/
• All Landowners • O Majority Landowners • O Munic	cipal Governing Boo	dy OState OOther
Supporting Documentation attached (check all that apply	):	
File marked copy of City Ordinance/Resolution (requ	iired)	
File marked copy of County Court Order or certified	annexation electio	n results (required except for A.C.A. §14-40-501)
Copy of Arkansas GIS approved printed map and ce	rtification letter (re	equired)
Proof of Publication for all Legal Notices (include Hea	ring, Election, and Ci	ty Ordinance/Resolution notices)
File marked copy of Petition Part (if applicable)		
File marked copy of Complaint and final Circuit Cour	t Order ( <i>Court Chall</i>	enge only)
Municipal Contact:		
Name: Michael Garrett	Title: City C	Clerk
Street Address: 1111 Main Street		
City: Conway	St:_AR	Zip code: 72032
Complete one form per ordinance/resolution, attach it as a cover within 45 days of the Effecti		
County Official:		1 1 11 1
Signature: Margaret Warler	Title:	run to Clerk
Date: 1/9/2021()		
Pursuant to Act 655 of 2017, County Officials must submit a file-ma	urked copy of municipa	l houndary change documents within 30 days of receipt
to: Arkansas Secretary of State, Attn: Municipal Bounda	ry Filing, 500 Woodlan	e Ave Suite 256, Little Rock, AR 72201-1094
	F	ILED
Office of the Arkansas Secretary of State use only	<u></u>	- نسختم خالم
Received by: Mallet TICE		FEB 2 3 2021
nectived by.		Arkansas
	Sec	cretary of State

### **Margaret Darter** CLERK OF THECOUNTY & PROBATE COURTS FAULKNER COUNTY

801 Locust Avenue \* Conway, AR 72034 (501) 450-4909 \* FAX (501) 450-4938§ Margaret.darter@faulknercounty.org

January 19, 2021

Secretary of State Attn: Annexation State Capitol 500 Woodlane St., Suite 256 Little Rock, AR 72201

Director Tax Division P.O. Box 8021 Little Rock, AR 72203-8021

> Faulkner County Annexations CC-20-04 Re:

> > Annexation City of Conway

To whom it may concern:

Pursuant to A.C.A. § 14-40-609, enclosed herein are certified copies of the Orders of the Court, the Ordinances and plats of the territory annexed in Faulkner County regarding the abovereferenced matter.

Margaret Parter

Margaret Parter

CC: Jennifer Wheeler, GIS Office Krissy Lewis, Assessor Office Shelia Bellott, OEM Office

### Clerk's Certificate

### STATE OF ARKANSAS COUNTY OF FAULKNER

I, Margaret Darter, County Clerk of Faulkner County, Arkansas, do hereby certify that the foregoing pleadings are a true and correct copy of the original documents filed in my case in Case Number CC-20-06

Witness my hand and seal as such Clerk on this 19th day of January, 2021.

FAU COUNTY (Seal)

MARGARET DARTER FAULKNER COUNTY CLERK

By Stephanie Haile D.C.

FILED

### IN THE COUNTY COURT OF FAULKNER COUNTY, ARKANSALS 21 2020

Frank Shaw Properties, LLC, Frank E. Shaw, and East Side Boys, LLC, Petitioners MARGARET DARTER FAULKNER COUNTY CLERK
BY Staile DO

CC-20-04

### **ORDER**

Comes now before the Court the above-styled case, and after having been presented the facts and circumstances, and having considered the relevant laws, this Court finds and orders the following:

- 1. A petition of annexation was filed June 4, 2020. An amended petition of annexation was filed June 18, 2020. A second amended petition was filed August 13, 2020.
- 2. All appropriate signatures were affixed to the Petition, as required by A.C.A. 14-40-609.
- 3. The proposed site to be annexed was adequately described and further displayed a map of the proposed site.
- 4. The appropriate documentation was provided under A.C.A. 14-40-609.
- 5. Based on the above premises, the Petitioner's prayer is right and proper.

WHEREFORE, this Court finds that the area described in Exhibit A should be, and hereby is, released for annexation into the City of Conway:

IT IS SO ORDERED.

N. JIM B. BAKER

Faulkner County Judge

Dated

We verify that the above referenced Petition complies with A.C.A. 14-40-609

Margaret Darter Clerk

Krissy Lewis Assessor

### Legal Description:

Being a part of the NE 1/4 of Section 3, T-4-N, R-14-W, Faulkner County, Arkansas; more particularly described as beginning at the SW corner of said NE1/4; thence along the West line of said NE 1/4, N01°45'16"E 727.36 feet to the point of beginning; thence continue along said West line N01°45'16"E 592.52 feet to the NW corner of the SW 1/4 NE 1/4 of Section 3; thence continue along the West line of said NE 1/4. N01°45'16"E 282.34 feet to the South right of Empy Trail; thence along said Right of way \$63°49'13"E 154.69 feet; thence continue along said right of way, \$53°16'13"E 87.15 feet; thence S49°52'51"E 88.95 feet; thence S58°26'26"E 92.66 feet; thence S63°47'19"E 601.97 feet; thence S70°39'55"E 100.04 feet; thence S81°14'14"E 107.66 feet; thence S86°37'55"E 265.61 feet; thence S76°25'54"E 370.00 feet; thence S29°51'20"E 339.00 feet; thence S06°13'45"W 147.60 feet; thence S14°56'22"E 143.92 feet; thence S49°48'01"E 104.84 feet; thence leaving said right of way S37°48'37"W 200.00 feet; thence N49°06'58"W 258.03 feet; thence N70°29'44"W 369.55 feet; thence N12°45'35"E 132.09 feet; thence N89°22'22"W 507.23 feet; thence N82°27'33"W 149.73 feet; thence N64°10'33"W 458. 83 feet; thence S01°50'55"W 81.21 feet; thence N88°09'05"W 310.10 feet to the point of beginning, containing 26.98 acres more or less.

### **CERTIFICATE**

### STATE OF ARKANSAS COUNTY OF FAULKNER CITY OF CONWAY

I, Michael Garrett, the duly elected, qualified, and acting: Clerk-Treasurer of the City of Conway, Arkansas, do hereby certify that the attached and foregoing is a true and correct copy of an ordinance presented to the City Council of the City of Conway, Arkansas, at a meeting of that body held on the 27<sup>th</sup> day of October, 2020 same is duly recorded in the minutes of meeting of said Council.

Witness, my hand, and seal of the City of Conway, Arkansas this 2<sup>nd</sup> day of November, 2020.

CITY CLERK-TREASURER







## City of Conway, Arkansas Ordinance No. <u>0-20-62</u>

CERTIFICATE OF RECORD

FAULKNER CO. AR FEE \$20.00 I hereby certify that this instrument was

Filed and Recorded in the Official Records
In Doc Num L202021213 2 Pages

RECORDED: 11-13-2020 01:07:25 PM CRYSTAL TAYLOR

FAULKNER COUNTY CIRCUIT CLERK BY: NICOLE SPILLER, D.C.

ORDINANCE

A ORDINANCE ACCEPTING THE ANNEXATION OF CERTAIN LANDS COMPRISED OF  $\pm$  26.98 ACRES LOCATED SOUTH OF EMPY TRAIL, TO THE CITY OF CONWAY:

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

**SECTION 1:** That the City of Conway, Arkansas, hereby accepts the hereinafter described territory, including all adjacent and abutting rights-of-way, annexed to said City by order of the County Court of Faulkner County, Arkansas heretofore entered on **October 27, 2020** and said territory being situated in Faulkner County, Arkansas, shall be a part of the City of Conway and shall be zoned R-1. Legal description as follows:

Being a part of the NE % of Section 3, T-4-N, R-14-W, Faulkner County, Arkansas; more particularly described as beginning at the SW corner of said NE %; thence along the West line of said NE %, N01°45′16″E 727.36 feet to the point of beginning; thence continue along said West line N01°45′16″E 592.52 feet to the NW corner of the SW ¼ NE ¼ of Section 3; thence continue along the West line of said NE ¼, N01°45′16″E 282.34 feet to the South right of Empy Trail; thence along said Right of way S63°49′13″E 154.69 feet; thence continue along said right of way, S53°16′13″E 87.15 feet; thence S49°52′51″E 88.95 feet; thence S58°26′26″E 92.66 feet; thence S63°47′19″E 601.97 feet; thence S70°39′55″E 100.04 feet; thence S81°14′14″E 107.66 feet; thence S86°37′55″E 265.61 feet; thence S76°25′54″E 370.00 feet; thence S29°51′20″E 339.00 feet; thence S06°13′45″W 147.60 feet; thence S14°56′22″E 143.92 feet; thence S49°48′01″E 104.84 feet; thence leaving said right of way S37°48′37″W 200.00 feet; thence N49°06′58″W 258.03 feet; thence N70°29′44″W 369.55 feet; thence N12°45′35″E 132.09 feet; thence N89°22′22″W 507.23 feet; thence N82°27′33″W 149.73 feet; thence N64°10′33″W 458.83 feet; thence S01°50′55″W 81.21 feet; thence N88°09′05″W 310.10 feet to the point of beginning, containing 26.98 acres more or less.

And that the above described lands and territory be, and the same hereby are, declared to be a part of the City of Conway, Faulkner County, Arkansas.

SECTION 2: From and after this date, all inhabitants residing within and upon the hereinabove described lands and territory shall have and enjoy all the rights and privileges of, and be subject to all the laws, rules, ordinances, limitations and regulations imposed upon the inhabitants within the original limits of said City of Conway, Arkansas, and for voting purposes, said lands are hereby assigned to and designated as part of Ward 4 of the City of Conway, Arkansas.

SECTION 3: It is hereby declared the annexed land shall be provided the following services immediately upon the effective date of this annexation: police protection; fire protection; maintenance of any publicly dedicated streets within the property; and opportunity to connect to potable water, electric, and telecommunications services provided by Conway Corporation at the expense of the property owner.

PASSED this 27th day of October 2020.

Approved:

Attest:

Michael O. Garrett City Clerk/Treasurer Mayor Bart Castleberry

AUG 1 3 2020

### IN THE COUNTY COURT OF FAULKNER COUNTY, ARK

CC-20-04

### 2<sup>ND</sup> AMENDED PETITION OF ANNEXATION

Amended to include East Side Boys, LLC, owned by Frank E. Shaw AND

Frank Shaw Properties, LLC, Frank E. Shaw, and East Side Boys for their petition for annexation of certain lands into the City of Conway, Arkansas states:

1. The petitioners are owners of all the following described lands in Faulkner County, Arkansas:

### SEE ATTACHMENTS A, B, C & D

2. Said lands are contiguous to and adjoin lands which are included within the city limits of the City of Conway, Arkansas; said lands are adaptable for residential purposes; an accurate map of said lands is attached to this petition; the limits of the territory to be annexed have been accurately described herein; all other requirements of the law for the annexation of said lands into the City of Conway, Arkansas, have been met; and said lands should be annexed unto the City of Conway, Arkansas, and become part thereof. Included within 3 years the area will have Conway Corporation electricity, water, garbage pick-up, Conway Fire and Police access.

WHEREFORE, Petitioner prays that this Court enter its order abandoning unto the City of Conway, Arkansas, for annexation, the aforesaid lands.

Petitioner, Frank Shaw Properties, LLC, East Side Boys, LLC

by Frank E. Shaw

Address: 1315 Main Street

Conway, AR 72034

State of Arkansas, County of Faulkner
Subscribed and sworn to before me on this 13 day of
Signature of Notary Public
My Commission Expires: Scot. 5, 2020

ERIC WILSON
Arkansas - Pulaski County
Notary Public - Comm# 12389644
My Commission Expires Sep 5, 2022

JUN 1 8 2020

### MARGARET DARTER IN THE COUNTY COURT OF FAULKNER COUNTY, ARKAN

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Petitioner, Shaw Properties, LLC, East Side Boys, LLC

Address: 1315 Main Street

Conway, AR 72034

State of Arkansas, Count	y of Faulkner		
Subscribed and sworn to by the petitioners listed	before me on this <u>19</u> day above.	of June	, 2020
Signature of Notary Publ	ic Hulary K CROU	der_	
My Commission Expires:	10/20/2021		
	Hillary K Crowder Faulkner NOTARY PUBLIC — ARKANSAS My Commission Expires October 26, 2021 Commission No. 12384787		

Attachment "A"

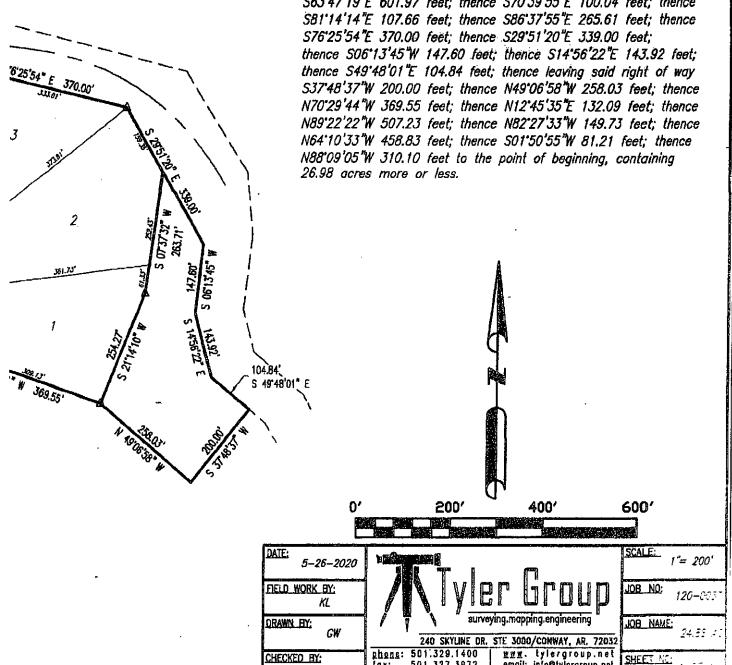
Subdivision, Orchard Park, Ph. II)\DHC\1200037\_PLAT NUD LEGA

Prepared for: Frank Shaw / Mike Elrod

Date: May 26, 2020

Scale: 1 inch equals 200 feet

Being a part of the NE1/4 of Section 3, T-4-N, R-14-W, Faulkner County, Arkansas; more particularly described as beginning at the SW corner of said NE1/4; thence along the West line of said NE1/4, NO1'45'16"E 727.36 feet to the point of beginning; thence continue along said West line NO1\*45'16"E 592.52 feet to the NW corner of the SW1/4 NE1/4 of Section 3; thence continue along the West line of said NE1/4, NO1°45'16"E 282.34 feet to the South right of Empy Trail; thence along said Right of way S63'49'13"E 154.69 feet; thence continue along said right of way, S53°16'13"E 87.15 feet; thence S49°52'51 "E 88.95 feet; thence S58°26'26"E 92.66 feet; thence S63'47'19"E 601.97 feet: thence S70'39'55"E 100.04 feet: thence S81'14'14"E 107.66 feet; thence S86'37'55"E 265.61 feet; thence S76'25'54"E 370.00 feet: thence S29'51'20"E 339.00 feet: thence S06\*13'45"W 147.60 feet; thence S14\*56'22"E 143.92 feet; thence S49'48'01"E 104.84 feet; thence leaving said right of way S37'48'37"W 200.00 feet; thence N49'06'58"W 258.03 feet; thence N70°29'44"W 369.55 feet; thence N12°45'35"E 132.09 feet; thence



501.327.3972

STATE CODE

email: info@tylergroup.net

Attachment "C"



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

June 2, 2020

Ms. Diana Clements Shaw Properties of Conway 650 Locust St. Conway, AR 72034

RE: City of Conway Annexation Coordination Requirement

Ms. Clements,

Thank you for coordinating with our office as you seek to annex property into the City of Conway, AR located in Section 3, Township 4 North, Range 14 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

H:\City\_Annexations\Cities\Conway\20200602\Doc\20200502\_Conway\_Annexation\_Coordination\_Letter.docx



Attachment "D" The map contained horest, is evidence, to evidence, the entity has net requirements of Act 814 of 2015 City: Comvay Mayor: Bart Castleberry B CHICATAGE Antanses Code 14-40-101. 0 0.04 0.08 311-T4N-R14W CURRENT CITY LIMITS Proposed Annex: City of Conway PROPOSED 83-T4N-R14W S10-T4N-R14W Old --Military

CC-20-04 FILED

IN THE COUNTY COURT OF FAULKNER COUNTY, ARKANSAS UN 0 4 2020

MARGARET DARTER
FAULKNER COUNTY CLERK
BY DC

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Petitioner, Shaw Properties, LLC

by Frank E. Shaw

Address: 1315 Main Street

Conway, AR 72034

State of Arkansas, County of Faulkner
Subscribed and sworn to before me on this <u>a</u> day of <u>June</u> , 2020 by the petitioners listed above.
Signature of Notary Public # Clary & Crowder
My Commission Expires: 10 20 20
Hillary K Crowder

Faulkner

NOTARY PUBLIC -- ARKANSAS

My Commission Expires October 26, 2021

Commission No. 12384787

Attachment "A"

### FILED

JUN 0 4 2020

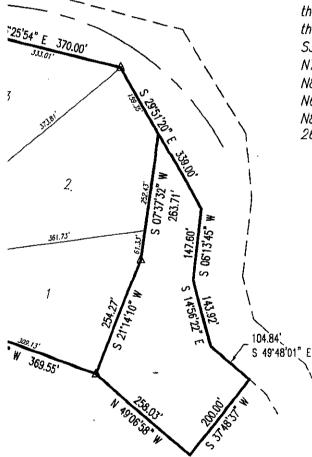
MARGARET DARTER
FAULKNER COUNTY CLERK
BY S. Haile DC

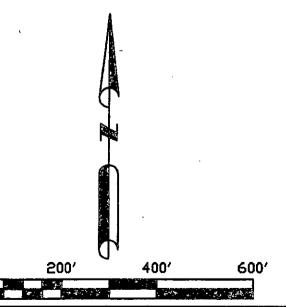
Prepared for: Frank Shaw / Mike Elrod

Date: May 26, 2020

Scale: 1 inch equals 200 feet

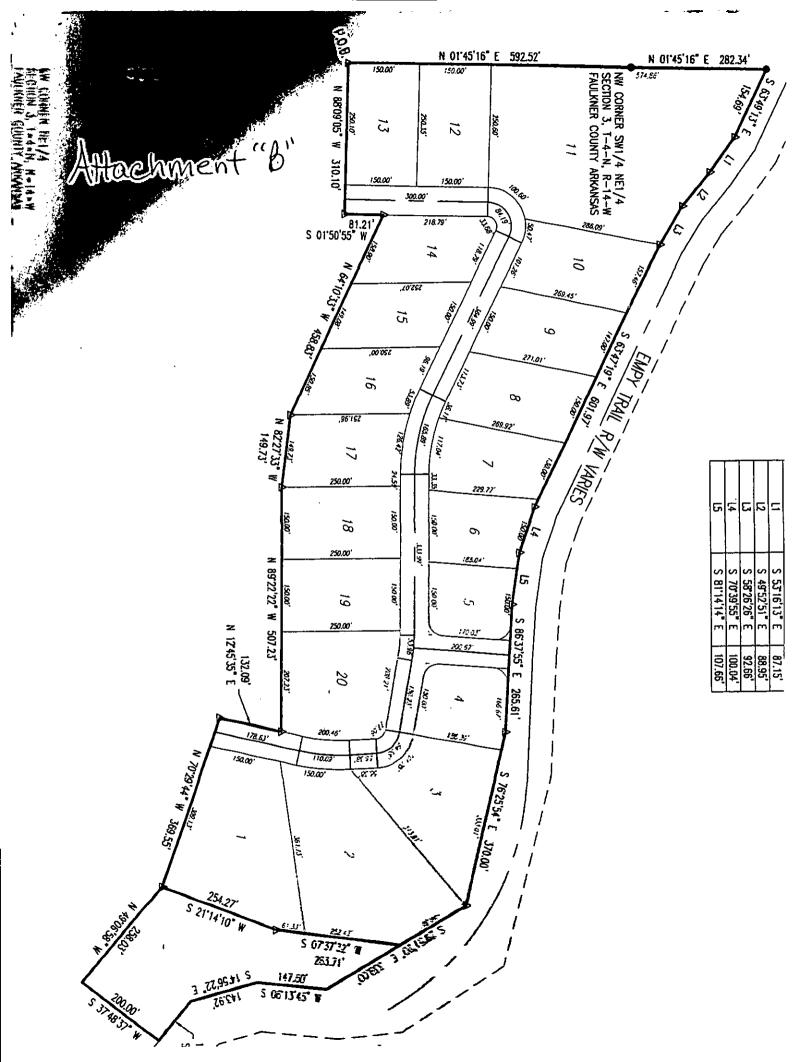
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SCALE: DATE: 1"= 200" 5-26-2020 JOB NO: FIELD WORK BY: 120-003 DRAWN BY: JOB NAME: 24.55 1 240 SKYLINE DR. STE 3000/CONWAY, AR. 72032 phone: 501.329.1400 www. tylergroup.net CHECKED BY: email: info@tylergroup.net STATE CODE:

Subdivision, Orchard Park, Ph. II)\DWG\1200037\_PLAT\_AND\_LEGAL



Attachment "C"



Department of Transformation and Shared Services

Governor Asa Hutchinson Secretary Amy Fecher Director Shelby Johnson

FILED

JUN 0 4 2020

Ms. Diana Ciements Shaw Properties of Conway 650 Locust St. Conway, AR 72034

RE: City of Conway Annexation Coordination Requirement

MARGARET DARTER
FAULKNER COUNTY CLERK
BY S. HOLLO

Ms. Clements,

June 2, 2020

1000

Thank you for coordinating with our office as you seek to annex property into the City of Conway, AR located in Section 3, Township 4 North, Range 14 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,

Jennifer Wheeler, GIS Analyst

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

H:\City\_Annexations\Cities\Conway\20200602\Doc\20200602\_Conway\_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



Attachment "D" Boloro an entity undortakes an annexation, consolidation, or detachment proceeding under this chaptor, the entity shall coordinate with the Arkanass Geographic internation Systems Office for preparation of legal descriptions and digital mapping for the relevant annoxation, consolidation, and detachment areas. The map contained herein, is evidence, the entity has mot requirements of Act 914 of 2015 City: Conway Mayor: Bart Castleberry 0.16 Miles Mary Carry Car Arkenses Code 14-40-101. 0 0.04 0.08 (≥-Butterfleld Springcrest Collins Mill Pond bnoq iM S11-T4N-R14W zyjo<sub>l</sub> CURRENT Orchard Park Proposed Annex: City of Conway June 2020 Elderberry Glohaven IN POLICE PROPOSED ANNEX S34-T5N-R14W S3-T4N-R14W S10-T4N-R14W Old Military Γ