



# ARKANSAS SECRETARY OF STATE

## MARK MARTIN

March 10, 2017

The Honorable Pam Bradford  
Van Buren County Clerk  
106 East Main Street  
Clinton, AR 72031

Re: City of Damascus Annexation Ordinance 17-2-14

Dear Ms. Bradford,

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

Filing Type: Annexation pursuant to A.C.A § 14-40-609 (petition by 100% of the landowners)

Effective Date: 3/16/2017

County: Van Buren

City: Damascus

City Ordinance: 17-2-14

Dated: 2/14/2017

County Court Order: 2017-8

Dated: 3/9/2017

File marked copies of the Ordinance, Court Order and supporting documents 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 boundary change by the Arkansas Secretary of State.

If you have any questions or concerns regarding this filing please contact our office at 501-682-3401.

Sincerely,

A handwritten signature in cursive script that reads "Cynthia Fisher".

Cynthia Fisher  
Arkansas Secretary of State Legal Division  
500 Woodlane St  
Little Rock, AR 72201  
501-682-3401

cc: Arkansas Geographic Information Systems Office (w/ encl)  
Arkansas Highway and Transportation Department Mapping Department (w/ encl)  
Department of Finance and Administration (w/ encl)  
Arkansas Public Service Commission (w/ encl)  
UALR Institution for Economic Advancement (w/encl)  
Tom-Tom (w/encl)  
Ms. Wendi Payne, Damascus City Recorder and Treasurer (w/encl)





# Arkansas Secretary of State

**Mark Martin** Arkansas Secretary of State, 500 Woodlane Ave, Little Rock, AR 72201-1094

## Municipal Boundary Change Checklist

County: Van Buren City/Town: Damascus

City Ordinance/Resolution No: 17-2-14 Date approved: 02/14/2017

County Court Case No: 2017-8 Date Order Filed: 03/09/2017

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

Date Change Effective: 03/16/2017 Emergency clause:  Yes  No

For Circuit Court Challenge: Date Filed: \_\_\_\_\_  Upheld  Overturned  Other (attach explanation)

### 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 (not required for A.C.A § 14-40-1801)
- File marked copy of County Court Order (not required for A.C.A. § 14-40-501)
- Proof of Publication for all Legal Notices (Hearing, Election, City Ordinance/Resolution)
- Copy of Arkansas GIS approved printed map and certification letter
- File marked copy of Petition Part or File marked copy of the certified special election results (if applicable)
- File marked copy of Complaint and final Circuit Court Order (Court Challenge only)

### Municipal Contact:

Name: Ms. Wendi Payne Title: Damascus City Record/Treasurer

Street Address: P.O. Box 309

City: Damascus St: AR Zip code: 72039

### City/County Official:

Signature: \_\_\_\_\_ Title: \_\_\_\_\_

Date: \_\_\_\_\_

Complete one form for each ordinance/resolution and attach it as a cover page to the supporting document set. Submit the documents to Arkansas Secretary of State, Atten: Municipal Boundary Filing, 500 Woodlane Ave, Little Rock, AR 72201-1094

Office of the Arkansas Secretary of State use only

Received by: Cynthia Fisher

**FILED**

MAR 10 2017

Arkansas Secretary of State

ORDINANCE NO. 17-2-14

AN ORDINANCE ACCEPTING  
THE ANNEXATION OF CERTAIN  
TERRITORY TO THE TOWN OF DAMASCUS;  
APPROVING THE SCHEDULE OF SERVICES  
TO BE EXTENDED TO SAID AREA;

WHEREAS, a petition was filed, pursuant to Arkansas Code Annotated section 14-40-609, for the annexation of certain territory into the Town of DAMASCUS, Arkansas; and

WHEREAS, the Van Buren County Assessor and the Van Buren County Clerk have

- (A) Verified the identity of the petitioner(s);
- (B) Verified that there are no property owners included in the petition that do not wish to have their property annexed;
- (C) Verified that the property or properties are contiguous with the Town of DAMASCUS ;
- (D) Verified that no enclaves will be created if the petition is accepted by the Town of DAMASCUS ;

and presented the petition and their respective verifications to the Van Buren County Judge; and

WHEREAS, the 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 consists of lands that furnish the abode for a densely settled community or represent the actual grown of the municipality beyond its legal boundary and
- (E) issued an order articulating these findings and forwarded the petition and order to the contiguous Town of DAMASCUS for consideration; and

WHEREAS, it is the desire of the Town of DAMASCUS Council that said territory be annexed.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF DAMASCUS, ARKANSAS:

SECTION 1. That the following described territory, contiguous to the Town of DAMASCUS, be and the same is hereby accepted as part of, and annexed to and made a part of the Town of DAMASCUS, Arkansas:

A PART OF THE NORTHEAST ONE-QUARTER OF THE SOUTHWEST QUARTER (PT. NE ¼ SW ¼), SECTION THIRTY-ONE (31), TOWNSHIP NINE (9) NORTH, RANGE THIRTEEN (13) WEST, VAN BUREN COUNTY, ARKANSAS, MORE PARTICULARLY DESCRIBED AS BEGINNING AT THE CENTER OF SECTIONS 31 (SAID POINT BEING THE NE CORNER OF THE NE ¼ SW ¼, SAID SECTION 31), RUN THENCE SOUTH ALONG THE EAST LINE AND ALONG A COUNTY ROAD, 1320 FEET OR TO THE SE CORNER OF SAID NE 1/4 SW 1/4, SAID POINT BEING IN ARKANSAS HIGHWAY #285; THENCE, WEST ALONG AND WITH SAID HIGHWAY 300 FEET TO THE POINT OF BEGINNING OF THE PARCEL HEREIN DESCRIBED: BEGIN AND RUN NORTH 435 FEET TO A POINT, THENCE WEST

FILED

MAR 10 2017

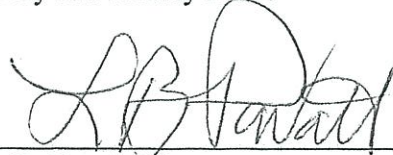
Arkansas  
Secretary of State

260 FEET TO A POINT, THENCE SOUTH 435 FEET TO A POINT ON THE SOUTH LINE OF SAID NE 1/4 AND SW 1/4, IN ARKANSAS HIGHWAY #285, THENCE EAST ALONG AND WITH SAID SOUTH LINE AND HIGHWAY 260 FEET TO THE POINT OF BEGINNING, CONTAINING 2.6 ACRES, MORE OR LESS.

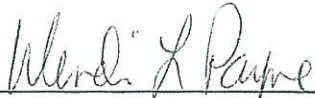
SECTION 2. That the following schedule of services shall be extended to the area by the Town of DAMASCUS within the statutorily required three (3) year period after the date the annexation becomes final, as follows: Police Protection

SECTION 3. Thirty (30) days after passage and publication or posting of this ORDINANCE as authorized by law, the annexation shall be final and the property shall be within the corporate limits of the Town of DAMASCUS, except as otherwise ordered by the Circuit Court pursuant to a cause of action filed within said thirty (30) day period.

PASSED AND APPROVED THIS DAY 14<sup>th</sup> Day of February 2017.



L. B. Pavatt, Mayor



Wendi Payne, Recorder/Treasurer

IN THE VAN BUREN COUNTY COURT

BOOK CC  
PAGE 118  
Recorded In:  
COUNTY COURT Book  
3/9/2017 9:20:11 AM  
PAM BRADFORD  
County Clerk  
VAN BUREN County, AR

IN THE MATTER OF:  
ACCEPTING THE ANNEXATION OF CERTAIN  
TERRITORY INTO THE TOWN OF DAMASCUS

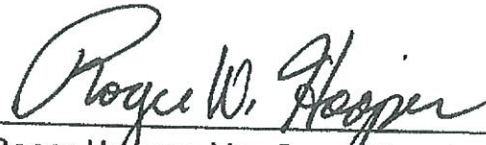
COURT ORDER: 2017- 8

ORDER

NOW, on this 28<sup>th</sup> day of February, 2017, comes before the Van Buren County Court the matter of accepting the annexation of certain territory into the City of Damascus.

WHEREAS, a City Ordinance was passed by the Town of Damascus, No. 17-2-14 on February 14, 2017 accepting the annexation that includes the description of the territory. (attached)

IT IS THEREFORE CONSIDERED, ORDERED, AND ADJUDGED THAT, the territory description shown on the Damascus City Ordinance No. 17-2-14 be annexed into the Town of Damascus.



Roger Hooper, Van Buren County Judge

DATE: 3-8-2017

(SEAL)

ATTEST:



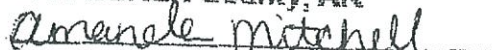
Pam Bradford, Van Buren County Clerk

FILED

MAR 10 2017

Arkansas  
Secretary of State

I certify that this instrument was  
filed on 3/9/2017 9:20:11 AM  
and recorded in  
COUNTY COURT Book CC  
PAM BRADFORD  
County Clerk  
VAN BUREN County, AR





ARKANSAS  
GIS OFFICE

BOOK CC  
PAGE 121

March 1, 2017

Mrs. Cynthia Fisher  
Special Projects Manager  
AR Secretary of State Legal Division

RE: City of Damascus Annexation Coordination Requirement

Mrs. Fisher,

Thank you for coordinating with our office as you seek to annex property into the City of Damascus, AR ordinance number 17-2-14. 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,

Richie Pierce, Sr. GIS Analyst  
/rp

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

**F I L E D**

MAR 10 2017

Arkansas  
Secretary of State

H:\City\_Annexations\Templates\Folder  
Structure\Doc\20170303\_CityName\_Annexation\_Coordination\_Letter.docx

Proposed Annex: City of Damascus  
March 2017

City: Damascus  
Mayor: L.B. Pavatt

Arkansas Code 14-40-101.  
Before an entity undertakes an annexation, consolidation, or detachment, proceeding under this chapter, the entity shall coordinate with the Arkansas Geographic Information Systems Office for preparation of legal descriptions and digital mapping for the relevant annexation, consolidation, and detachment areas.  
The map contained herein, in evidence, the entity has met requirements of Act 914 of 2015

- Proposed Annex
- Township/Range
- Section
- Parish
- Highway
- Minor Road
- Existing City
- Neighboring City
- County Boundary

SEVEN-TW

PROPOSED  
ANNEX

285

0 0.0075 0.015 0.03  
Miles



ARKANSAS  
GIS OFFICE

H:\City\_Annexations\GIS\Damascus\2017\2017



FILED  
MAR 10 2017  
Arkansas  
Secretary of State

THIS INSTRUMENT PREPARED BY:  
MORGAN & TESTER, P.A.  
Attorneys at Law  
P. O. Box 388  
Clinton, AR 72031



542828

GRANTEES' ADDRESS: P. O. Box 672, Hughes, AR 72348

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### FIDUCIARY'S DEED

KNOW ALL MEN BY THESE PRESENTS:

That MAXINE BROWN LINN and JOSEPH E. BROWN, the duly appointed, qualified and acting Co-Executors of the Estate of Flossie Mildred Brown, deceased, pursuant to an Order of the Van Buren County Probate Court entered on May 14, 1997, in Case No. P-97-7, and for the sum of Ten Dollars (\$10.00), and other valuable consideration in hand paid by WILLIAM H. McCOOL and PEGGY BROWN McCOOL, husband and wife, GRANTEES, receipt of which is hereby acknowledged, do hereby grant, bargain, sell and convey unto the said GRANTEES, and unto their heirs and assigns forever, all of the said Flossie Mildred Brown's right, title and interest, discharged from liability for her debts, in and to the following described real property situated in VAN BUREN County, Arkansas, to-wit:

PART OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER (PT. NE1/4 SW1/4), SECTION THIRTY-ONE (31), TOWNSHIP NINE (9) NORTH, RANGE THIRTEEN (13) WEST, VAN BUREN COUNTY, ARKANSAS, MORE PARTICULARLY DESCRIBED AS BEGINNING AT THE CENTER OF SECTION 31 (SAID POINT BEING THE NE CORNER OF THE NE1/4 SW1/4, SAID SECTION 31), RUN THENCE SOUTH ALONG THE EAST LINE AND ALONG A COUNTY ROAD, 1320 FEET OR TO THE SE CORNER OF SAID NE1/4 SW1/4, SAID POINT BEING IN ARKANSAS HIGHWAY #285, THENCE WEST ALONG AND WITH SAID HIGHWAY 300 FEET TO THE POINT OF BEGINNING OF THE PARCEL HEREIN DESCRIBED: BEGIN AND RUN NORTH 435 FEET TO A POINT, THENCE WEST 260 FEET TO A POINT, THENCE SOUTH 435 FEET TO A POINT ON THE SOUTH LINE OF SAID NE1/4 SW1/4, IN ARKANSAS HIGHWAY #285, THENCE EAST ALONG AND WITH SAID SOUTH LINE AND HIGHWAY 260 FEET TO THE POINT OF BEGINNING, CONTAINING 2.6 ACRES, MORE OR LESS.

To have and to hold the same unto the said GRANTEES and unto their heirs and assigns forever, with all appurtenances thereunto belonging.



WITNESS our hands on this 24 day of July, 1997.

THE ESTATE OF FLOSSIE MILDRED BROWN

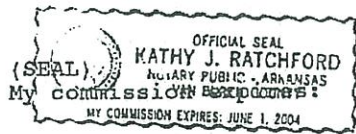
BY Maxine Brown Linn  
MAXINE BROWN LINN, Co-Executor  
BY Joseph E. Brown  
JOSEPH E. BROWN, Co-Executor

ACKNOWLEDGEMENT

STATE OF ARKANSAS

COUNTY OF VAN BUREN

On this 24 day of July, 1997, before me the undersigned, a Notary Public within and for the County and State aforesaid, duly commissioned and acting appeared in person MAXINE BROWN LINN and JOSEPH E. BROWN, Co-Executors of the estate of Flossie Mildred Brown, deceased, to me well known, and acknowledged that they had executed the foregoing instrument for the purposes and consideration therein stated.



Kathy J. Ratchford  
Notary Public

ARKANSAS  
REAL PROPERTY  
TRANSFER TAX AFFIDAVIT

I certify under penalty of false swearing that at least the legally correct amount of documentary stamps have been placed on this instrument.

Kathy J. Ratchford  
Grantee/Agent

CERTIFICATE OF RECORD

STATE OF ARKANSAS  
COUNTY OF VAN BUREN

I, MAURICE BONDS WHILLOCK, Circuit Clerk & Ex-Officio Recorder, for the County and State aforesaid, do hereby certify that the annexed and foregoing instrument of writing was filed for record in my office on the 30 day of July, A.D. 1997, at 10:55 o'clock a M., and the same is now duly recorded, with the acknowledgement and certificate thereon as Document No. 97-3775.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Court, this 30 day of July, 1997.

MAURICE BONDS WHILLOCK

Circuit Clerk & Ex-Officio Recorder

By: Shannon McNeill D.C.

(SEAL)

DAMASCUS Ordinance No. 17-2-14 Annexation WAS POSTED AT THE LOCATIONS LISTED BELOW.

SIGNED

DATE

FIRST ARK BANK Theresa Roberson 2/17/17

AMIGOS LOCOS RESTAURANT [Signature]

HOME BANK Heather Roberson

R & D TIRE [Signature]

MAUS IMPLEMENT [Signature]

**From:** [bradford.vbcclerk@mymedia3.com](mailto:bradford.vbcclerk@mymedia3.com) [mailto:[bradford.vbcclerk@mymedia3.com](mailto:bradford.vbcclerk@mymedia3.com)]

**Sent:** Tuesday, February 28, 2017 10:02 AM

**To:** Leslie Bellamy <[leslie.bellamy@sos.arkansas.gov](mailto:leslie.bellamy@sos.arkansas.gov)>; City Damascus <[clerk@townofdamascus.net](mailto:clerk@townofdamascus.net)>; VBC Collector- Lisa Nunley <[vbctaxes@gmail.com](mailto:vbctaxes@gmail.com)>; VBC Assessor- Trina Jones <[vbcassessor@gmail.com](mailto:vbcassessor@gmail.com)>; VBC Clerk- Vicki Jones <[vanburenclerk@arkansasclerks.com](mailto:vanburenclerk@arkansasclerks.com)>

**Subject:** Damascus Annexation

Please see attached, *filed copies* of the Annexation for the Town of Damascus.

**Pam Bradford**

**Van Buren County Clerk**