



ARKANSAS SECRETARY OF STATE

MARK MARTIN

January 17, 2017

The Honorable Teresa Armer
Crawford County Clerk
300 Main ST, Room 7
Van Buren, AR 72956

Re: City of Dyer Annexation Ordinance 2016-08-30-01

Dear Ms. Armer,

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 by election of contiguous land pursuant to A.C.A § 14-40-609
Effective Date: unknown
County: Crawford City: Dyer
City Ordinance: 2016-08-30-01 Dated: 08/30/2016
County Court Order: N/A

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 boundary change by the Arkansas Secretary of State.

If you have any questions or concerns regarding this pending 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, Room 256
Little Rock, AR 72201
501-682-3401

cc: Arkansas Geographic Information Systems Office (w/ encl)
Arkansas Highway and Transportation Department Mapping Department (w/ encl)
UALR Institution for Economic Advancement (w/encl)
Tom-Tom (w/encl)
Mr. Sean Brister, Dyer City Attorney (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: Crawford City/Town: Dyer

City Ordinance/Resolution No: 2016-08-30-01 Date approved: 8-30-2016

County Court Case No: _____ Date of Order: _____

Type: Annexation by Election (contiguous land) A.C.A. §14-40-302

Date Change Effective: 12-18-16 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: M. Sean Brister Title: City Attorney

Street Address: PO Box 1451 479-632-2446

City: Alma St: AR Zip code: 72921

City/County Official:

Signature: [Handwritten Signature] Title: Crawford County Clerk

Date: 12/29/2016

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

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CITY OF DYER, ARKANSAS

2016 AUG 30 PM 1:10

ORDINANCE NO. 2016-08-30-01

TERESA ADAMS
COUNTY CLERK

AN ORDINANCE SUBMITTING TO THE VOTERS OF THE CITY OF DYER, ARKANSAS, AND OTHER AFFECTED PERSONS, THE QUESTION OF ANNEXATION TO SAID CITY OF CERTAIN CONTIGUOUS TERRITORY; AND DECLARING AN EMERGENCY

WHEREAS, it appears to the City Council of the City of Dyer, Arkansas, that the annexation of certain hereinafter described territory, contiguous to the City of Dyer, is necessary for the orderly growth and development of the City;

WHEREAS, represent the actual growth of the municipality beyond its legal boundary;

WHEREAS, the lands are platted and held for sale or use as municipal lots, or whether platted or not, the lands are held to be sold as suburban property; or

WHEREAS, the lands are needed for proper municipal purposes.

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

SECTION 1. That there shall be submitted to the qualified electors of the City of and of the following described area, the question of the annexation of the following described territory to the City of Dyer:

A legal description identifying the area to be annexed is attached hereto as Exhibit A and made a part hereof.

A map depicting said annexation area is attached hereto as Exhibit B and made a part hereof.

SECTION 2. The question of annexation of the territory described above in Section 1 shall be submitted to the electors qualified to vote on this issue at a special election to be held on Tuesday, November 8, 2016, at the same time as the general election in compliance with A.C.A. 7-11-205. Once this ordinance takes effect, the City Recorder/Treasurer shall immediately notify the County Election Commission and the County Clerk by forwarding to each, a certified copy of this ordinance and the map showing the area to be annexed.

SECTION 3. If at such election a majority of the qualified electors voting in such election shall vote for such annexation, the annexation shall be effective and the territory included within the corporate limits of the City of Dyer thirty [30] days following the County Clerk's certification of the election results and recording of the same, along with the description and a map of the annexed area, in the county records, and filing a certified copy thereof with the Secretary of State; or in the event an action is filed with the Circuit Court, on the date the judgment of said Court becomes final. If a majority of the qualified electors voting on the issue at the election vote against the annexation, the annexation ordinance shall be null and void.

SECTION 4. No later than forty-five (45) days prior to the election, the city shall identify all persons who reside within the area proposed to be annexed, and the county clerk shall assist the city in determining the names and addresses of all qualified electors residing within that area.

SECTION 5. The city recorder/treasurer shall give notice of the election by publication by at least one [1] insertion in some newspaper having a general circulation in the city.

SECTION 6. If the annexation is approved and becomes final, the governing body of the city shall, by ordinance, as soon as practical after the annexation, attach and incorporate such annexed territory to and in one [1] or more wards of the city lying adjacent thereto, and the territory so assigned and attached to a ward shall thereafter be considered and become a part thereof as fully as any other part of the city.

SECTION 7. If the annexation is approved and becomes final, the following services shall be extended to the area within three [3] years: police protection, fire protection, solid waste collection, and public street maintenance shall be available immediately upon finalization of the annexation.

The schedule of services shall be included in the annual written report required by A.C.A. 14-40-2201.

SECTION 8. The ballots used at said election on the question of annexation shall be marked as follows:

[] FOR annexation of the territory described in Ordinance No. 2016-08-30-01

[] AGAINST annexation of the territory described in Ordinance No. 2016-08-30-01

SECTION 9. Emergency Clause. This ordinance being necessary for the immediate preservation of the public peace, health, safety, and welfare, as well as compliance with special election statutes, an emergency is hereby declared to exist and this ordinance shall be effective and in full force and effect from and after its passage and approval.

PASSED AND APPROVED THIS 30TH DAY OF AUGUST IN THE YEAR 2016.

APPROVED:



MAYOR


ATTEST:



RECORDER/TREASURER

CERTIFICATION

I, the City Recorder/Treasurer of Dyer, Arkansas, certify that the foregoing ordinance was passed by a vote of 4 to 0 and the included emergency clause was passed by separate vote of 4 to 0 by the City Council of Dyer, Arkansas, at its special meeting held on August 30, 2016, such that the ordinance was duly adopted and approved and an emergency was declared.



Recorder/Treasurer

EXHIBIT A

Legal Description for proposed Dyer, Arkansas, annexation election for November 8, 2016:

Those lands lying in Crawford County, Arkansas, more particularly described as:

That part of the NORTHEAST QUARTER OF SECTION 2, TOWNSHIP 9 NORTH RANGE 30 WEST lying north of a line drawn from a point (35.4893 degrees latitude and -94.1510 degrees longitude) to a point (35.4915 degrees latitude and -94.1389 degrees longitude) also known as the northern line of the Union Pacific railroad right of way line;

The SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 35, TOWNSHIP 10 NORTH RANGE 30 WEST;

The SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 35, TOWNSHIP 10 NORTH RANGE 30 WEST; and

The EAST HALF OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 35, TOWNSHIP 10 NORTH RANGE 30 WEST.

F I L E D

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Arkansas
Secretary of State



Exhibit B



Overview



Legend

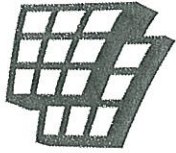
- City Boundaries (State)
- Arkansas Counties
- Other Counties
- Sections
- Townships
- Parcels
- National Forest
- County Streets & Highways**
- 1; 2; 3; 4; 8; 9; 0; 83; 93; 95; 96
- 20
- 30
- 40; 44
- 50; 51; 52; 53; 54; 57
- Railroad
- Other Major Roads**
- State Highway
- U.S. Highway
- Interstate
- Other Minor Road

Disclaimer: The property boundaries and associated information depicted on this graphic are derived from the Crawford County, Arkansas Digital Cadastre. Digital cadastre as defined in Arkansas Code 15-21-502(6) means the storage and manipulation of computerized representations of parcel maps and linked parcel databases. As stated in Arkansas Code 15-21-504(d)(2)(B) Digital cadastre does not represent legal property boundary descriptions, nor is it suitable for boundary determination of any individual parcels, lands, or represented boundaries, included in the cadastre.

Date created: 8/30/2016
Last Data Uploaded: 8/30/2016 1:26:46 AM

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2016 SEP -2 AM 11:52



ARKANSAS
GIS OFFICE

TERESA A. JEN, CLERK
COUNTY & PROBATE CLERK
GRANDDIPLOMA COUNTY, AR

September 2, 2016

Mr. Brister
Brister Law Firm, PLLC
5802 Red Hill Road
PO Box 1451
Alma, AR 72921

RE: City of Dyer Annexation Coordination Requirement

Mr. Brister,

Thank you for coordinating with our office as you seek to annex property into the City of Dyer, AR generally located in Section 2, Township 9 North, Range 30 West AND Section 35, Township 10 North, Range 30 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,

Richie Pierce, Sr. GIS Analyst
/rp

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

FILED

JAN 17 2017

Arkansas
Secretary of State

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Proposed Annex: City of Dyer
August 2016

TELETYPE UNIT
COUNTY CLERK
CRAWFORD COUNTY, AR

FILED

JAN 17 2017

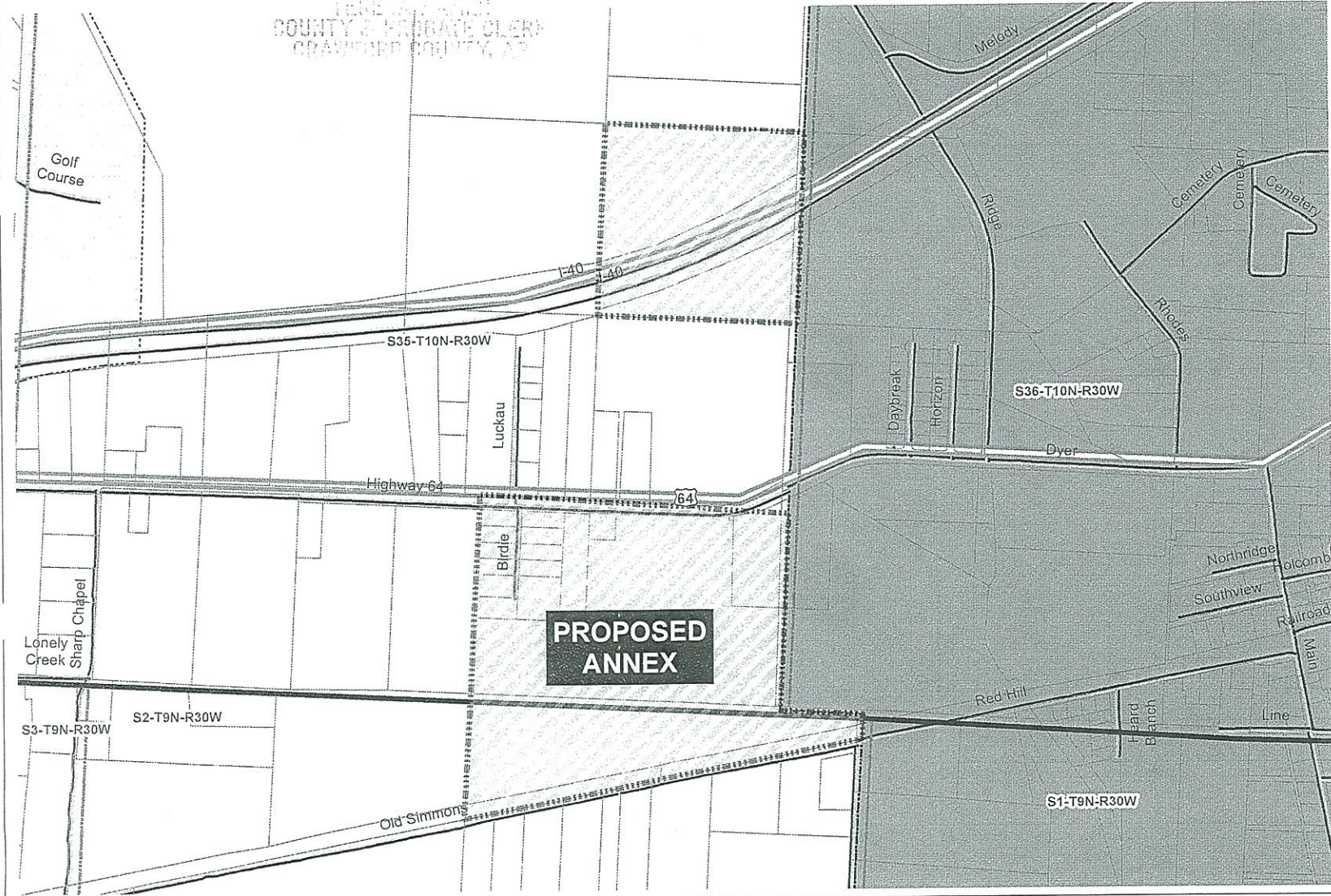
Arkansas
Secretary of State

City: Dyer
Mayor: Bill Morse

Arkansas Code 14-40-101.

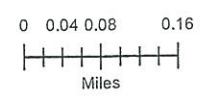
Before an entity undertakes an annexation, consolidation, or detachment proceeding under this chapter, the entity shall coordinate with the Arkansas Geographic Information Systems Office for preparation of legal descriptions and digital mapping for the relevant annexation, consolidation, and detachment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

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



**PROPOSED
ANNEX**

- Proposed Annex
- Township-Range
- Sections
- Parcels
- Highway
- Minor Road
- Existing City
- Neighboring City
- County Boundary



ARKANSAS
GIS OFFICE

Dyer-20160629

PRESS ARGUS-COURIER

100 N. 11th Street

Van Buren, Arkansas 72957

(479) 474-5215

PROOF OF PUBLICATION

State of Arkansas
County of Crawford

I, Kim Hattaway, Publisher of the Press Argus-Courier, a newspaper in said County and State, and having general circulation therein, hereby certify that the annexed advertisement was published in said newspaper one time, on the 28th day of September, 2016

Publisher's Fee \$ 66.46

Kim Hattaway

Publisher

Subscribed and sworn to before me this 29th day of December, 2016.

My Commission expires
April 10, 2026

Tawana D. Wright

Notary Public



LEGLALS	LEGLALS	Argu
<p>NOTICE OF ELECTION Take notice that on Tuesday, November 8, 2016, an election will be held for qualified voters on the question of annexing certain territory into the City of Dyer, Arkansas. The proposed area of annexation is described as follows: Those lands lying in Crawford County, Arkansas, more particularly described as: That part of the NORTHEAST QUARTER OF SECTION 2, TOWNSHIP 9 NORTH RANGE 30 WEST lying north of a line drawn from a point (35.4893 degrees latitude and -94.1510 degrees longitude) to a point (35.4915 degrees latitude and -94.1389 degrees longitude) also known as the northern line of the Union Pacific railroad right of way line; The SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 35, TOWNSHIP 10 NORTH RANGE 30 WEST; The SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 35, TOWNSHIP 10 NORTH RANGE 30 WEST; and The EAST HALF OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 25, TOWNSHIP 10 NORTH RANGE 30 WEST. Published in the September 28, 2016 issue of the Press Argus-Courier.</p>		<p>In t Craw sas Prob In th tate Hami Case Last 1915 Arka Date 2016 An O this c appo ton a the Sue All claim tate duly dersi mont the t this r be fi precl</p>
DEPARTMENT OF HOME AND SECURITY		

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TERESA ARMER
COUNTY & PROBATE CLERK
CRAWFORD COUNTY, AR

Abstract of Ballots Cast

at the 2016 General Election and Nonpartisan Runoff Election

held in Crawford County, Arkansas

on the 8th of November, 2016

Co. Court
2016-110

We hereby certify that the attached is a true and correct abstract of ballots for the candidates and/or issues named herein at the 2016 General Election and Nonpartisan Runoff Election held in Crawford County, Arkansas on the 8th of November, 2016, as shown by the attached returns.

Witness our hands as Members of the Crawford County Board of Election Commissioners this

F I L E D

18th day of November, 2016.

JAN 17 2017

Arkansas
Secretary of State

Democratic Commissioner: *Bill Taylor*
 Republican Commissioner: *Bill Colton*
 Third Member Commissioner: *Tom Fite*

* This abstract is to be mailed to the Secretary of State Elections Division, State Capitol, Room 026, Little Rock, Arkansas 72201, no later than the fifteenth calendar day after the election.

This report generated on 11/18/2016 12:18:29 PM

CRAWFORD COUNTY CLERK
 TEREBA ARMER
 2016 DEC 30 PM 12:00
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State of Arkansas }
 County of Crawford } ss
 I, Teresa Armer, County Clerk, in and for the said County and State do hereby certify that the foregoing is a full, true and complete copy of the original as the same appears of record in my office in Book Vol. General Election 2016
 Witness my hand and seal on this 12th day of January 2017
 Teresa Armer, County Clerk
 By *Demamethery* 29c 205



Lancaster	356	0		438
Lee Creek	195	0	58	253
Locke	96	0	26	122
Mulberry 1	97	0	23	120
Mulberry 2	46	0	13	59
Mulberry 3	382	0	78	460
Mountain	614	0	184	798
Oliver Springs	405	0	100	505
Porter	82	0	31	113
Rudy	474	0	101	575
Union	292	0	104	396
Upper	28	0	10	38
Van Buren 1-1	460	0	120	580
Van Buren 1-2	698	0	177	875
Van Buren 2-1	297	0	86	383
Van Buren 2-2	932	0	255	1187
Van Buren 3-1	527	0	157	684
Van Buren 3-2	404	0	96	500
Van Buren 3-3	373	0	113	486
Van Buren 3-4	531	0	128	659
Van Buren 3-6	549	0	133	682
Van Buren 3-5	673	0	181	854
Vine Prairie	153	0	43	196
Whitley	329	0	100	429
Winfrey	20	0	8	28
Van Buren 1-3	1427	0	332	1759
Alma 4	539	0	123	662
Eagle Crest	222	0	53	275
Figure Five	173	0	37	210
Van Buren 4-1	829	0	176	1005
Totals	17867	0	4732	22599

Dyer Annex

#1-For (NON)

#2-Against (NON)

Precinct	Candidates/Choices		Over Votes	Under Votes	TOTAL
	1	2			
Dyer	216	87	0	18	321
Totals	216	87	0	18	321

Sales and Use Tax

#1-For (NON)

#2-Against (NON)

Precinct	Candidates/Choices		Over Votes	Under Votes	TOTAL
	1	2			
Cedarville	301	270	0	10	581

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18W
TERESA ARMER-COBBE
COUNTY & PROBATE CLERK
CRAWFORD COUNTY, AR

**NOTICE DESCRIBING ANNEXATION ELECTIONS AND SCHEDULES OF
SERVICES FOR THE CITY OF DYER, ARKANSAS
DATE: MARCH 1, 2017**

This NOTICE DESCRIBING ANNEXATION ELECTIONS AND SCHEDULE OF SERVICES has been prepared in compliance with Act 1502 of 2013, A.C.A § 14-40-2201 and shall be filed with the City of Dyer recorder/treasurer and the Clerk of the County of Crawford. The following annexation elections containing a schedule of services became final in the previous eight (8) years, resulting in the annexation of territory to the City of Dyer.

A schedule of services, if applicable, and a statement concerning the provision of said services, is provided for each annexation or petition listed.

1. Annexation election held November 8, 2016

(a) Schedule of Services:

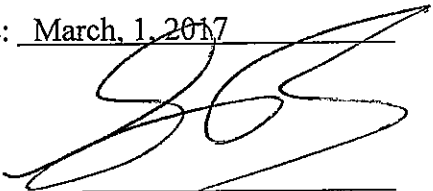
Police
Fire
Solid Waste
Public Street Maintenance

(b) Statement of Provision Services:

The services listed above have been provided to the inhabitants of the annexed portion of the city.

SIGNED: Mayor Bill Morse

DATE: March 1, 2017

By: 

M. Sean Brister
Brister Law Firm PLLC
P.O Box 1451
Alma, AR 72921
479-632-2446 telephone
479-632-2447 facsimile
sean@bristerlawfirm.com

ANNEXATION Book 'b' Pg 13