



JOHN THURSTON

ARKANSAS SECRETARY OF STATE

January 28, 2020

The Hon. Becky Lewallen
Washington County Clerk
280 N. College, Suite 300
Fayetteville, AR 72701

Re: City of Elm Springs Annexation Ordinance 2018-07

Dear Ms. Lewallen,

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: 9/27/2019

County: Washington

City: Elm Springs

City Ordinance: 2018-07

Dated: 9/27/2018

County Court Order: CC2018-6

Date Filed: 9/4/2018

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,

A handwritten signature in black ink, appearing to read "Shantell McGraw".

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)
Arkansas Economic Development Institute (w/encl)
The Hon. Harold Douthit, Mayor of Elm Springs (w/encl)
The Hon. Twila Taylor, Elm Springs Recorder/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: Washington City/Town: Elm Springs

City Ordinance/Resolution No: 2018-07 Date approved: 9-27-18

County Court Case No: CC2018-6 Date Order Filed: 9-4-18

Type: ACA-14-40-609 - 100% petition

(Choose from the list of Arkansas Code Sections located on the back)

Date Change Effective: 9/27/18 Set by: Municipal Ordinance Emergency Clause Court Default
(Required by Act 655 of 2017)

For Circuit Court Challenge: Date Order 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 *(required)*
- File marked copy of County Court Order *(required except for island annexation and annexation approved by election)*
- Copy of Arkansas GIS approved printed map and certification letter *(required)*
- Proof of Publication for all Legal Notices *(include Hearing, Election, and City Ordinance/Resolution notices)*
- 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: Twila Taylor Title: Recorder/treasurer

Street Address: PO Box 74

City: Elm Springs St: AR Zip code: 72728

Complete one form per ordinance/resolution, attach it as a cover page to the supporting document set and submit to the County Clerk's Office within 45 days of the Effective Date as required by Act 655 of 2017

County Official:

Signature: Dennis Shoupshaw Title: Chief Deputy Clerk

Date: 1/24/20

Pursuant to Act 655 of 2017, County Officials must submit a file-marked copy of municipal boundary change documents within 30 days of receipt to: Arkansas Secretary of State, Attn: Municipal Boundary Filing, 500 Woodlane Ave Suite 256, Little Rock, AR 72201-1094

Office of the Arkansas Secretary of State use only

Received by: [Signature]

FILED
JAN 28 2020
Arkansas
Secretary of State

FILED

2018 OCT 30 PM 3:33

COUNTY CLERK
CO. & PROBATE CLERK
WASHINGTON CO. AR

RESOLUTION NO. 2018-07

**A RESOLUTION GRANTING PETITION AND
ACCEPTING PROPERTY FOR ANNEXATION TO THE
CITY LIMITS OF THE CITY OF ELM SPRINGS,
ARKANSAS.**

WHEREAS, in County Case CC-2018-6 of the County Court of Washington County, State of Arkansas, and in accordance with the provisions of Ark. Code Annot. §14-40-609, Honorable Joseph K. Wood, Washington County Judge has entered his Order Authorizing Annexation, with respect to the Petition for Annexation filed in said case on behalf of Patrick Harris, as Manager of Highlands at Elm Springs, LLC; and

WHEREAS, the City of Elm Springs, Arkansas should accept such territory into the City limits of the City of Elm Springs.


NOW THEREFORE BE IT RESOLVED by the City Council for the City of Elm Springs:

Section 1. That having given due consideration to the Order Authorizing Annexation attached hereto as Exhibit "A"; the Map of the area to be annexed as shown on Exhibit "B"; and the legal description of the area to be annexed as shown on Exhibit "C", the City Council of the City of Elm Springs does hereby accept the described territory, as evidenced by the adoption of this Resolution.

Section 2. The lands in question are assigned to Ward 1.

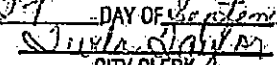
Section 3. This Resolution shall be certified by the City Recorder, and then forwarded with a copy of the Plat of the annexed property to the Washington County Clerk.

PASSED, APPROVED AND ADOPTED THIS 27th day of September, 2018.


Harold Douthit, Mayor

Attest:


Twila Taylor, Recorder

I CERTIFY THIS IS A TRUE AND
CORRECT COPY OF THE ORIGINAL DOCUMENT.
DATED THIS 27 DAY OF September
2018

CITY CLERK

43-335

SEALY JEROME
CLERK
CO. & PROBATE
WASHINGTON, AR

2018 SEP -4 AM 10: 24

FILED

IN THE COUNTY COURT OF WASHINGTON COUNTY, ARKANSAS

**IN THE MATTER OF ANNEXING TO THE
CITY OF ELM SPRINGS, ARKANSAS,
CERTAIN TERRITORY CONTIGUOUS
TO SAID CITY OF ELM SPRINGS, ARKANSAS**

CC NO. 2018-6

ORDER CONCERNING ANNEXATION

On this regular day of a regular term of the County Court of Washington County, Arkansas, there is presented to the Court by Patrick Harris, as Manager of Highlands at Elm Springs, LLC, an Arkansas limited liability company, the petition of the real estate owner desiring the annexation of territory to the City of Elm Springs, Arkansas, more particularly described therein. The court has received the verification of the county assessor and county clerk required by A.C.A § 14-40-609. This Court being fully advised of the facts and the law does hereby find as follows:

1. The Court finds that the petition and verifications are complete and accurate.
2. The Court further finds that no enclaves will be created by the annexation.
3. The Court finds that the petition contains a schedule of services.
4. The Court finds that the territory consists of lands that:
 - a. whether platted or not, are held to be sold as suburban property;
 - b. represent the actual growth of the municipality beyond its legal boundary; and
 - c. are needed for proper municipal purposes such as the extension of need police regulations.

X³ 891

Therefore, the Court hereby ORDERS that the petition and this Order be delivered to the City of Elm Springs, Arkansas.

DocuSigned by:
Joseph Wood
34F19482767444F

JOSEPH K. WOOD, COUNTY JUDGE

DATED: 09/01/2018

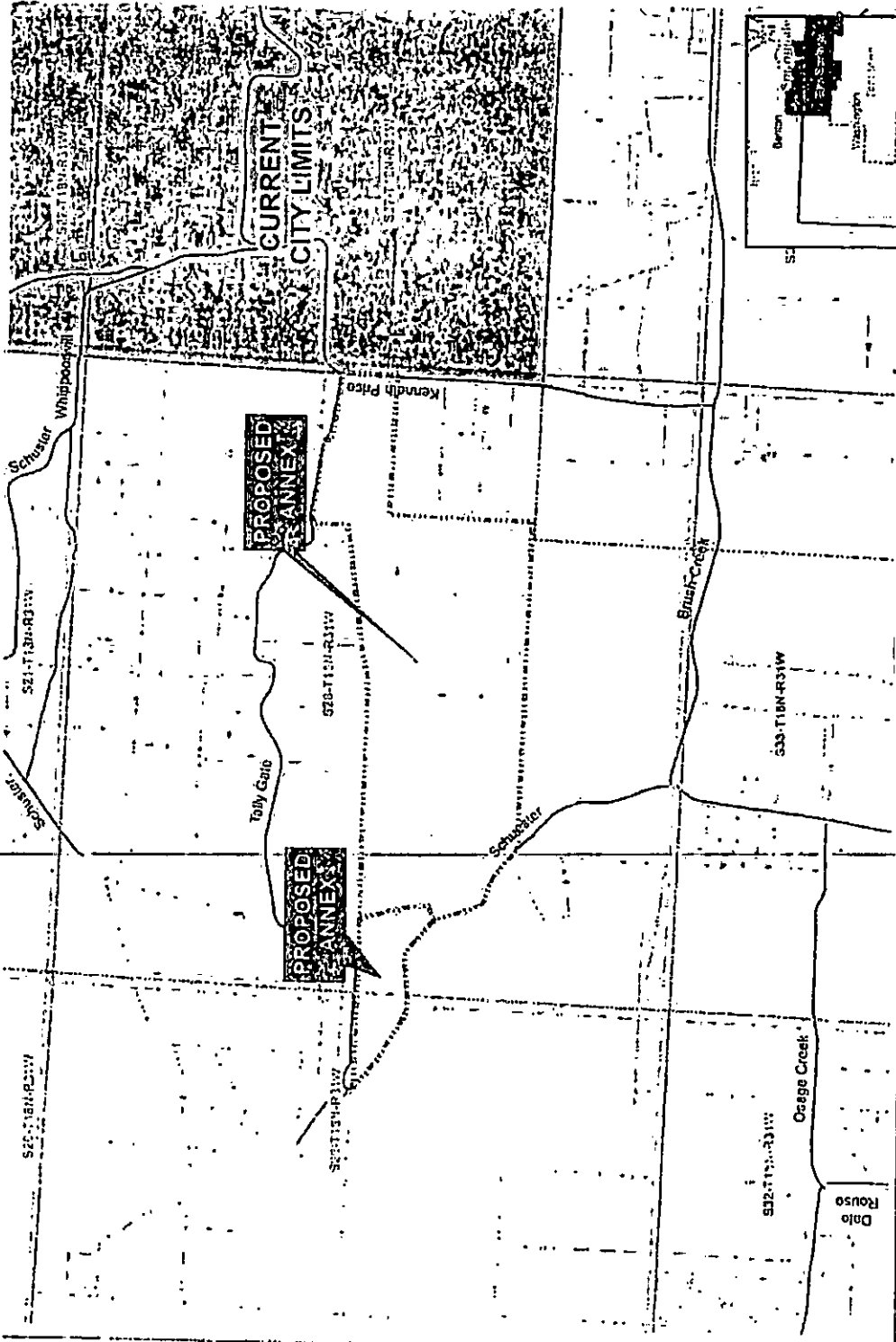
DocuSigned by:
JKW
ABF7527CDFBB45C

X³ 892

EXHIBIT
B
cityofelmsprings.com

**Proposed Annex: City of Elm Springs
May 2018**

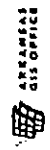
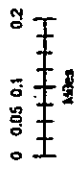
**City: Elm Springs
Mayor: Harold Douthett**



Arkansas Code § 4-40-101
Before an entity undertakes an annexation, consolidation, or other boundary reorganization, it shall obtain the entity's consent with the Arkansas Geographic Information Systems Office for preparation of legal descriptions and digital mapping for the proposed annexation, consolidation, and other boundary reorganization.

The map contained herein is evidence of the entity's consent to the requirements of Act 914 of 2015.

- Proposed Area
- Current City Limits
- Park
- School
- Water
- Highway
- County Boundary



City of Elm Springs, Arkansas

Y3-336

EXHIBIT "A"

A part of the Southeast Quarter of the Northeast Quarter (SE 1/4, NE 1/4), a part of the Southwest Quarter of the Northeast Quarter (SW 1/4, NE 1/4), a part of the Northeast of the Southeast Quarter (NE 1/4, SE 1/4), all of the Northwest Quarter of the Southeast Quarter (NW 1/4, SE 1/4), a part of the Northeast Quarter of the Southwest Quarter (NE 1/4, SW 1/4), and a part of the Northwest Quarter of the Southwest Quarter (NW 1/4, SW 1/4), Section 28, Township 18 North, Range 31 West, Washington County, Arkansas, being more particularly described as follows, to-wit: Beginning at the East Quarter Corner of said Section 28; thence along the East line of said Section 28, South 01°31'13" West 98.70 feet; thence leaving said East line of Section 28, North 88°17'31" West 1175.53 feet; thence South 01°31'34" West 1222.96 feet; thence North 88°51'40" West 1470.23 feet to the Southeast corner of the NE 1/4, SW 1/4 of said Section 28; thence along the South line of said NE 1/4, SW 1/4, North 88°51'41" West 1288.88 feet to the centerline of County Road #937; thence leaving said South line of the NE 1/4, SW 1/4, and along said centerline of County Road #937 the following courses and distances: North 49°12'17" West 44.01 feet, North 47°55'50" West 56.50 feet, North 49°31'14" West a distance of 178.71 feet to a point on a curve to the left, having a radius of 200.00 feet and a chord bearing of North 60°35'22" West a chord distance of 76.80 feet; thence Northwesterly along the arc, through a central angle of 22°08'18", an arc distance of 77.28 feet; North 71°39'31" West a distance of 151.74 feet to a point on a curve to the right, having a radius of 120.00 feet and a chord bearing of North 45°24'18" West a chord distance of 106.16 feet; thence Northwesterly along the arc, through a central angle of 52°30'27", an arc distance of 109.97 feet; North 19°09'04" West a distance of 318.18 feet to a point on a curve to the left, having a radius of 230.00 feet and a chord bearing of North 25°29'34" West a chord distance of 50.81 feet; thence Northwesterly along the arc, through a central angle of 12°40'59", an arc distance of 50.91 feet; thence leaving said centerline of County Road #937, North 65°51'50" East 145.87 feet; thence North 05°52'19" West 141.47 feet; thence North 13°17'10" West 456.23 feet to the North line of said NW 1/4, SW 1/4; thence along the North line of said NW 1/4, SW 1/4, South 89°39'43" East 611.80 feet to the Northwest corner of the NE 1/4, SW 1/4 of said Section 28; thence along the North line of said NE 1/4, SW 1/4, South 89°17'38" East 1313.73 feet to the Northwest corner of the NW 1/4, SE 1/4 of said Section 28; thence along the North line of said NW 1/4, SE 1/4, South 89°17'18" East 90.11 feet; thence leaving said North line of the NW 1/4, SE 1/4, North 76°33'07" East 212.63 feet; thence North 81°52'38" East 1094.73 feet; thence North 00°16'49" East 261.30 feet; thence North 00°14'49" West 38.77 feet; thence North 79°58'46" East 80.45 feet; thence South 81°34'16" East 636.49 feet; thence South 09°09'15" West 58.65 feet; thence South 81°32'23" East 588.25 feet to the East line of said Section 28; thence along said East line of Section 28, South 01°31'13" West 361.78 feet to the point of beginning, containing 119.64 acres, more or less, and being Tract 1 of that certain Lot Split Survey filed for record as Land Document No. 2006-00032001 of the Records of Washington County, Arkansas.

-AND-

A part of the Northwest Quarter of the Southwest Quarter (NW 1/4, SW 1/4) of Section 28 and a part of the Northeast Quarter of the Southeast Quarter (NE 1/4, SE 1/4) of Section 29, all in Township 18 North, Range 31 West, Washington County, Arkansas, being more particularly described as follows, to-wit: Beginning at the East Quarter Corner of said Section 28; thence along the East line of said Section 28, South 01°31'13" West 98.70 feet; thence leaving said East line of Section 28, North 88°17'31" West 1175.53 feet; thence South 01°31'34" West 1222.96 feet; thence along the South line of said NW 1/4, SE 1/4, North 88°51'40" West 1470.23 feet to the



Southeast corner of the NE 1/4, SW 1/4 of said Section 28; thence along the South line of said NE 1/4, SW 1/4, North 88°51'41" West 1288.88 feet to the centerline of County Road #937; thence leaving said South line of the NE 1/4, SW 1/4, and along said centerline of County Road #937 the following courses and distances: North 49°12'17" West 44.01 feet, North 47°55'50" West 56.50 feet, North 49°31'14" West a distance of 178.71 feet to a point on a curve to the left, having a radius of 200.00 feet and a chord bearing of North 60°35'22" West a chord distance of 76.80 feet; thence Northwesterly along the arc, through a central angle of 22°08'18", an arc distance of 77.28 feet; North 71°39'31" West a distance of 151.74 feet to a point on a curve to the right, having a radius of 120.00 feet and a chord bearing of North 45°24'18" West a chord distance of 106.16 feet; thence Northwesterly along the arc, through a central angle of 52°30'27", an arc distance of 109.97 feet; North 19°09'04" West a distance of 318.18 feet to a point on a curve to the left, having a radius of 230.00 feet and a chord bearing of North 25°29'34" West a chord distance of 50.81 feet; thence Northwesterly along the arc, through a central angle of 12°40'59", an arc distance of 50.91 feet to the point of beginning; thence continue Northwest along said curve through a central angle of 17°28'04", an arc distance of 70.12 feet, having a radius of 230.00 feet and a chord bearing North 40°34'05" West a chord distance of 69.85 feet; thence North 49°18'07" West 243.24 feet; thence along a curve to the left having a radius of 150.00 feet, a central angle of 46°08'26", and an arc distance of 120.80 feet and having a chord bearing North 72°22'20" West a chord distance of 117.56 feet; thence South 84°33'27" West 300.94 feet; thence along a curve to the right having a radius of 400.00 feet, a central angle of 36°50'41", and an arc distance of 257.22 feet and having a chord bearing North 77°01'13" West a chord distance of 252.82 feet; thence North 58°35'52" West 270.29 feet; thence along a curve to the right having a radius of 1,000.00 feet, a central angle of 10°14'23", and an arc distance of 178.72 feet and having a chord bearing North 53°28'41" West a chord distance of 178.48 feet; thence North 48°21'29" West 211.26 feet to the North line of the NE 1/4, SE 1/4 of Section 29; thence leaving said centerline of road and along said North line of the NE 1/4, SE 1/4, South 88°42'04" East 174.45 feet; thence South 88°55'00" East 550.84 feet to the Northwest corner of said NW 1/4, SW 1/4 of Section 28; thence along said North line of the NW 1/4, SW 1/4, South 89°39'43" East 708.48 feet; thence leaving said North line of the NW 1/4, SW 1/4, South 13°17'10" East 456.23 feet; thence South 05°52'19" East 141.47 feet; thence South 65°51'50" West 145.87 feet to the point of beginning, containing 12.76 acres, more or less, and being Tract 2 of that certain Lot Split Survey filed for record as Land Document No. 2006-00032001 of the Records of Washington County, Arkansas.

Subject to easements, right-of-ways, and protective covenants of record, if any.
Subject to all prior mineral reservations and oil and gas leases, if any.

I CERTIFY THIS IS A TRUE AND
CORRECT COPY OF THE ORIGINAL DOCUMENT.
DATED THIS 27 DAY OF September
20 13 Michelle Taylor
CITY CLERK

Y3 338

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Subject to easements, right-of-ways, and protective covenants of record, if any.
Subject to all prior mineral reservations and oil and gas leases, if any.



**ARKANSAS
GIS OFFICE**

May 11, 2018

Mr. Grant Cox
Quattlebaum, Grooms & Tull PLLC
111 Center Street, Suite 1900
Little Rock, AR 72201

RE: City of Elm Springs Annexation Coordination Requirement

Mr. Cox,

Thank you for coordinating with our office as you seek to annex property into the City of Elm Springs, AR located in Section 28, Township 18 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 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
/jjw

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

H:\City_Annexations\Cities\Elm_Springs\20180511\Doc\20180511_ElmSprings_Annexation_Coordination_Letter.docx

**CURRENT
CITY LIMITS**

**PROPOSED
ANNEX**

**PROPOSED
ANNEX**

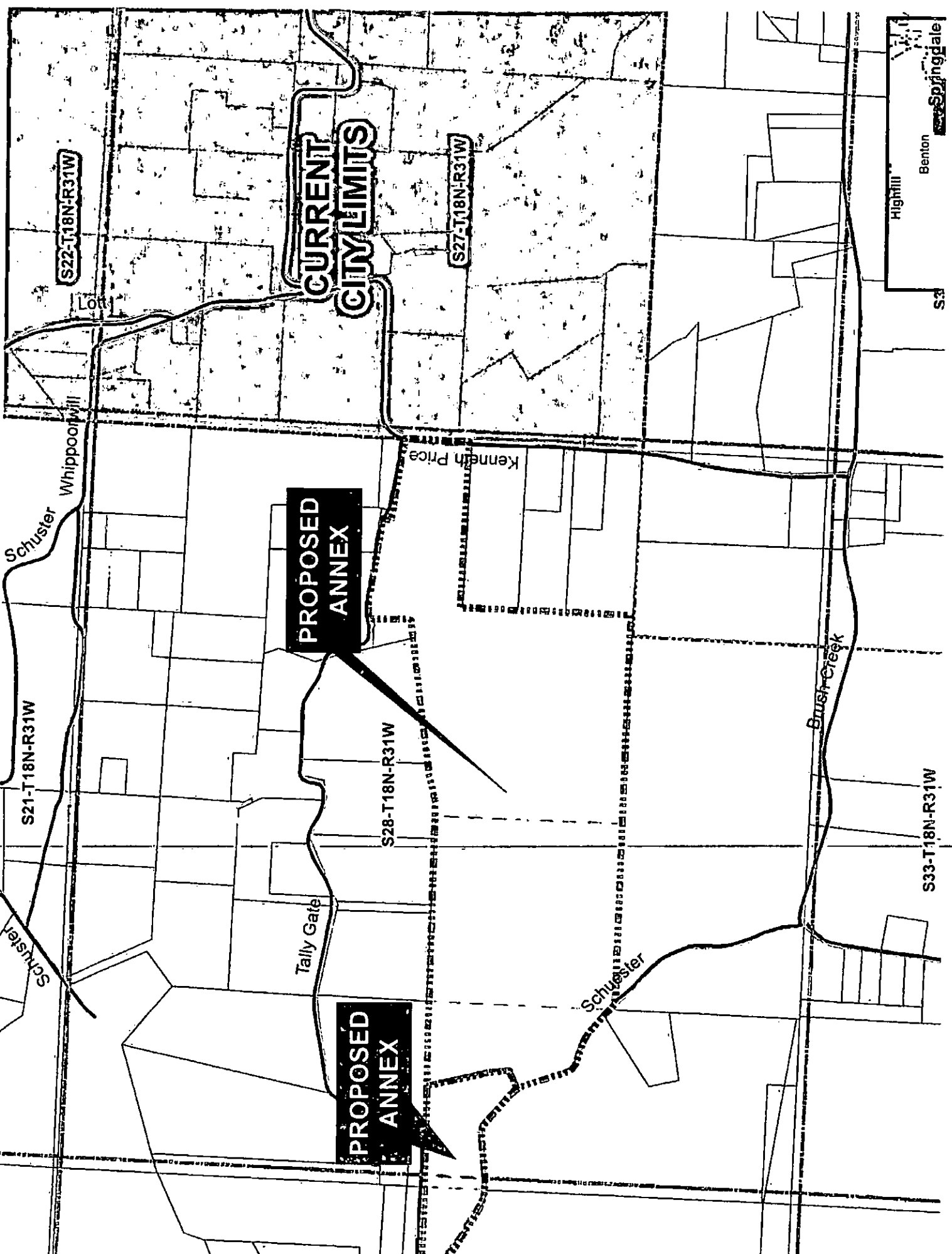
S22-T18N-R31W

S27-T18N-R31W

S21-T18N-R31W

S28-T18N-R31W

S33-T18N-R31W



Highmill
Benton
Springdale