

08:38:08 a.m. 12-21-2018

15 / 17

PHONE NO. : 870+424+3447

ORDINANCE NO. 211

AN ORDINANCE AMENDING AND CORRECTING ORDINANCE NO. 203, ACCEPTING THE ANNEXATION OF CERTAIN TERRITORY TO THE CITY OF FLIPPIN, ARKANSAS AND TO ANNEX PROPERTY TO THE CITY OF FLIPPIN, ARKANSAS AS INDUSTRIAL

WHEREAS, a petition was filed with the County Clerk of Marion County, Arkansas, by the real estate owners of the land hereinafter described, praying that said lands be annexed to and made a part of the City of Flippin, Arkansas; and

WHEREAS, on the 30th day of October. 1997, the County Court of Marion County, Arkansas, found that said petition was signed by all of the fee simple owners of said property; that said territory, showing its relationship to the present city has been filed and made a part of said annexation petition; that proper notice has been given for the time and in the manner prescribed by law; that said lands and territory should be annexed to the City of Flippin, Arkansas, subject to the acceptance of the same by the City Council of said City at the proper time as provided by law; and

WHEREAS, the time fixed by law for appealing from said Order of annexation made by the County Court has expired, and no appeal has been taken from said Order; and

WHEREAS, after due notice as required by law, the City Council of the City of Flippin, Arkansas, has heard all persons desiring to be heard and has ascertained that said petition was signed by all the owners of the real property in said territory;

WHEREAS, a proper petition was filed by property owners requesting that a zoning; that said petition was submitted to the Planning Commission of the City of Flippin, Arkansas; that notice of said petition and a public hearing thereon was published in a newspaper having a local circulation as required by Ordinance; that a public hearing was held; that all remonstrance's were heard, after which the Planning Commission recommended that all property described hereinafter be annexed to the City of Flippin, Arkansas; and

WHEREAS, the lands annexed to the City of Flippin, Arkansas pursuant to Ordinance No. 203 contained an erroneous legal description and this Ordinance is needed to clarify which lands have actually been annexed to the City.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Flippin, Arkansas:

FROM : JOHNSN SANDRS MORGN

08:39:16 a.m. 12-21-2018 16 /17

PHONE NO. : 870+424+3447

SECTION 1: That the following described lands in territory contiguous to and adjoining the City of Filippin, Arkansas, and the same is hereby accepted and annexed to the City of Filippin. Arkansas

That the following described property is annexed to the City of Flippin, Arkansas, as Industrial, to-wit:

All that part of the S½ NE½ of Section 19, Township 19 North, Range 15 West lying North of the right of way of Missouri Pacific Railroad and West of the Joe Cantrell tract as described in Deed recorded in Record Book 427 at Page 165 and the John Tate tract as described in Warranty Deed recorded in Record Book 443 at Page 224.

ALSO

All that part of the SE¼ of the NW¼ and the NE¼ of the SW¼ of Section 19, Township 19 North, Range 15 West lying East of the centerline of a 60 foot north-south road easement as shown on Survey recorded in Survey Record Book 8 at Page 89 and North of the Missouri-Pacific Railroad.

LESS AND EXCEPT: A part of the SE¼ NW½ more particularly described as follows: From the Northeast corner of said SE½ NW½ (existing car axle at the Southwest corner of FALLEN ASH ESTATES SUBDIVISION), go along the forty line South 00° 18'39" East 13.00 feet to ½ inch rebar in a fence line; then go along said fence line South 89° 05'48" West 872.91 feet to a ½ inch rebar in said fence line and the point of beginning of the tract being excepted; then go along said fence South 01° 53'18" East 215.00 feet to a ½ inch rebar; then go South 89° 05'48" West 200.00 feet to the center of the 60 foot road easement; then go along centerline of said road easement North 01° 53'18" West 240.48 feet to a point on the North line of the SE½ NW½; then go along said forty line East 200.00 feet to a point that is North 01° 53'18" West of the point of beginning; then go South 01° 53'16" East to the point of beginning of said exception.

SECTION 2: That Ordinance No. 203 of the City of Flippin, Arkansas contained an erroneous legal description and purported to annex the following lands situated in Marion County, Arkansas, to-wit:

The Southwest diagonal ½ NW¼ NW¼ of Section 28, Township 19 North, Range 15 West.

The E½ SE¼ and all that part of the S½ NE¼ of Section 17, Township 19 North, Range 15 West, lying South and East of the Airport Road.

The W½ NE¼; W½ SE¼; SE¼ SW¼; all that part of the NE¼ SW¼ lying South of the MOPAC Rallroad; all that part of the NE½ SE½ lying North of the MOPAC Railroad and East of County Road No. 753; all that part of the SE½ NW¼ lying East of County Road No. 753; and all that part of the NE½ NW¼ lying South of Arkansas State Highway No. 202 and East of County Road No. 753; all being in Section 19, Township 19 North, Range 15 West.

All that part of the E½ NW¼ and all that part of the N½ NE¼ of Section 30, Township 19 North, Range 15 West, lying North and West of U. S. Highway No. 62.

That it is the intent and purpose of the City of Flippin, Arkansas that only those lands described in Section 1 of this Ordinance shall be annexed to the City of Flippin, Arkansas and Ordinance No. 203 shall be null and void to the extent that it annexed any lands in addition to those lands set forth in Section 1 of this Ordinance.

PASSED AND APPROVED this 6 day of April, 1999.

ATTEST:

.

Marion County

Assessor's Office

Tonya Eppes, Assessor



Oate Created: 12/12/2018 Created By: Tonya Eppes

Linch = 987 feet

Via DataScout OneMap

This map should be used for reference ourposes only and should not be considered a legal document. While every allon has been made to ensure the accuracy or his product, the publisher accepts no responsibility for any errors or omissions not for any loss or damage alteged to be suffered by envene as a result of the prolication of this map and the ordinance in it, or as a result of the opening the provided berein.



JOHN THURSTON

ARKANSAS SECRETARY OF STATE

March 26, 2019

The Hon. Dawn Moffet Marion County Clerk 300 E. Old Main St. Yellville, AR 72687

Re: City of Flippin Annexation Ordinance 211

Dear Ms. Moffet,

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 (annexation by 100% of the landowners)

Effective Date: 2/9/98

County: Marion City Ordinance: 211

County Court Order: Co-97-4

City: Flippin

Dated: 10/30/97

Date Filed: 2/9/98

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 filing, please contact our office at 501-682-3478.

Sincerely

Elections Division

Room 26 501-682-3478

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 Honorable Jerald Marberry, Mayor of Flippin (w/encl)



Arkansas Secretary of State Iohn Thurston Arkansas Secretary of State, 50

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: Marion City/Town: Flyper	
City Ordinance/Resolution No: 203 + 211 Date approved: 10/30/9	7
County Court Case No: (5) 91 - 4 Date Order Filed: $\frac{2}{9}$	8
Type: Click down arrow at right from a list of Arkansas Code municipal bo	pundary filing types
Date Change Effective: 2/9/8 Set by: OMunicipal Ordinance O Emergence (Required by Act 655 of 2017)	cy Clause OCourt ODefault
For Circuit Court Challenge: Date Order Filed:OUpheld Overturn	ned Other (attach explanation
Please indicate which ward(s) the territory will be assigned to:	
(See A.C.A Initiating party:	§ 14-40-203)
All Landowners	OOther
Supporting Documentation attached (check all that apply):	
File marked copy of City Ordinance/Resolution (required)	
File marked copy of County Court Order or certified annexation election results (rec	uired except for A.C.A. §14-40-501)
Copy of Arkansas GIS approved printed map and certification letter (required)	
Proof of Publication for all Lega! Notices (include Hearing, Election, and City Ordinance)	 Resolution notices)
File marked copy of Petition Part (if applicable)	
File marked copy of Complaint and final Circuit Court Order (Court Challenge only)	
Municipal Contact:	
Name: Mayor Jerald Marberry Title: Mayor of F	· Japain
Street Address: P.O. Box 40	
city: Fupous St: AR Zip code: 1	าลัเจลน
Complete one form per ordinance/resolution, attach it as a cover page to the supporting document set within 45 days of the Effective Date as required by Act 655 of 201	and submit to the County Clerk's Office
County Official:	
Signature: 1 Dawn Moyet Title: County &	Circuit Clerk
Date: 31,149	
Pursuant to Act 655 of 2017, County Officials must submit a file-marked copy of municipal boundary cha to: Arkansas Secretary of State, Attn: Municipal Boundary Filing, 500 Woodlane Ave Suite 25	
Office of the Arkansas Secretary of State use only	
Received by:	Rev. 2/2019

ORDINANCE NO. 203

AN ORDINANCE ACCEPTING THE ANNEXATION OF CERTAIN TERRITORY TO THE CITY OF FLIPPIN, ARKANSAS, AND TO ANNEX PROPERTY TO THE CITY OF FLIPPIN, ARKANSAS AS TRANSAS.

WHEREAS, a petition was filed with the County Clerk of Marion County, Arkansas, by the real estate owners of the land hereinafter described, praying that said lands be annexed to and made a part of the City of Flippin, Arkansas; and

WHEREAS, on the 20th day of October, 1997, the County Court of Marion County, Arkansas, found that said petition was signed by all of the fee simple owners of said property; that said territory, showing its relationship to the present city, has been filed and made a part of said annexation petition; that proper notice has been given for the time and in the manner prescribed by law; that said lands and territory should be annexed to the City of Flippin, Arkansas, subject to the acceptance of the same by the City Council of said City at the proper time as provided by law; and

WHEREAS, the time fixed by law for appealing from said Order of annexation made by the County Court has expired, and no appeal has been taken from said Order; and

WHEREAS, after due notice as required by law, the City Council of the City of Flippin, Arkansas, has heard all persons desiring to be heard and has ascertained that said petition was signed by all the owners of the real property in said territory; and

WHEREAS, a proper petition was filed by property owners requesting that a zoning; that said petition was submitted to the Planning Commission of the City of Flippin, Arkansas; that notice of said petition and a public hearing thereon was published in a newspaper having local circulation as required by ordinance; that a public hearing was held; that all remonstrances were heard, after which the Planning Commission recommended that all property described hereinafter be annexed to the City of Flippin, Arkansas, as

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Flippin, Arkansas:

SECTION 1, That the following described lands in territory contiguous to and adjoining the City of Flippin, Arkansas, and the same is hereby accepted and annexed to the City of Flippin, Arkansas.

That the following described property is annexed to the City of Flippin, Arkansas, as Industrial, to-wit: R I . R. D.

AUG 17 2018

Arkansas Secretary of State The Southwest diagonal $\frac{1}{2}$ $NW_{4}^{\frac{1}{4}}$ $NW_{4}^{\frac{1}{4}}$ of Section 28, Township 19 North, Range 15 West.

The $E_2^{\frac{1}{2}}$ SE $_4^{\frac{1}{4}}$ and all that part of the S $_2^{\frac{1}{2}}$ NE $_4^{\frac{1}{4}}$ of Section 17, Township 19 North, Range 15 West, lying South and East of the Airport Road.

The $W_{\frac{1}{4}}^{\frac{1}{2}}$ $NE_{\frac{1}{4}}^{\frac{1}{4}}$; $W_{\frac{1}{4}}^{\frac{1}{4}}$; $SE_{\frac{1}{4}}^{\frac{1}{4}}$ $SW_{\frac{1}{4}}^{\frac{1}{4}}$; all that part of the $NE_{\frac{1}{4}}^{\frac{1}{4}}$ lying South of the MOPAC Railroad and East of County Road No. 753; all that part of the $SE_{\frac{1}{4}}^{\frac{1}{4}}$ $NW_{\frac{1}{4}}^{\frac{1}{4}}$ lying East of County Road No. 753; and all that part of the $NE_{\frac{1}{4}}^{\frac{1}{4}}$ $NW_{\frac{1}{4}}^{\frac{1}{4}}$ lying South of Arkansas State Highway No. 202 and East of County Road No. 753; all being in Section 19, Township 19 North, Range 15 West.

All that part of the $E_{\frac{1}{2}}^{\frac{1}{2}}$ NW $_{\frac{1}{4}}^{\frac{1}{4}}$ and all that part of the N $_{\frac{1}{2}}^{\frac{1}{2}}$ NE $_{\frac{1}{4}}^{\frac{1}{4}}$ of Section 30, Township 19 North, Range 15 West, lying North and West of U. S. Highway No. 62.

PASSED AND APPROVED this 6 day of October 1, 1997.

APPROVED:

Ma

ATTEST:

CITY CLERK .

FILED

AUG 17 2018

Arkansas Secretary of State

ORDINANCE NO. 211

AN ORDINANCE AMENDING AND CORRECTING ORDINANCE NO. 203, ACCEPTING THE ANNEXATION OF CERTAIN TERRITORY TO THE CITY OF FLIPPIN, ARKANSAS AND TO ANNEX PROPERTY TO THE CITY OF FLIPPIN, ARKANSAS AS INDUSTRIAL

WHEREAS, a petition was filed with the County Clerk of Marion County, Arkansas, by the real estate owners of the land hereinafter described, praying that said lands be annexed to and made a part of the City of Flippin, Arkansas; and

WHEREAS, on the 30th day of October, 1997, the County Court of Marion County, Arkansas, found that said petition was signed by all of the fee simple owners of said property; that said territory, showing its relationship to the present city has been filed and made a part of said annexation petition; that proper notice has been given for the time and in the manner prescribed by law; that said lands and territory should be annexed to the City of Flippin, Arkansas, subject to the acceptance of the same by the City Council of said City at the proper time as provided by law; and

WHEREAS, the time fixed by law for appealing from said Order of annexation made by the County Court has expired, and no appeal has been taken from said Order; and

WHEREAS, after due notice as required by law, the City Council of the City of Flippin, Arkansas, has heard all persons desiring to be heard and has ascertained that said petition was signed by all the owners of the real property in said territory;

WHEREAS, a proper petition was filed by property owners requesting that a zoning; that said petition was submitted to the Planning Commission of the City of Flippin, Arkansas; that notice of said petition and a public hearing thereon was published in a newspaper having a local circulation as required by Ordinance; that a public hearing was held; that all remonstrance's were heard, after which the Planning Commission recommended that all property described hereinafter be annexed to the City of Flippin, Arkansas; and

WHEREAS, the lands annexed to the City of Flippin, Arkansas pursuant to Ordinance No. 203 contained an erroneous legal description and this Ordinance is needed to clarify which lands have actually been annexed to the City.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Flippin, Arkansas:

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That the following described property is annexed to the City of Flippin, Arkansas, as Industrial, to-wit:

All that part of the S½ NE¼ of Section 19, Township 19 North, Range 15 West lying North of the right of way of Missouri Pacific Railroad and West of the Joe Cantrell tract as described in Deed recorded in Record Book 427 at Page 165 and the John Tate tract as described in Warranty Deed recorded in Record Book 443 at Page 224.

ALSO

All that part of the SE¼ of the NW¼ and the NE¼ of the SW¼ of Section 19, Township 19 North, Range 15 West lying East of the centerline of a 60 foot north-south road easement as shown on Survey recorded in Survey Record Book 8 at Page 89 and North of the Missouri-Pacific Railroad.

LESS AND EXCEPT: A part of the SE¼ NW¼ more particularly described as follows: From the Northeast corner of said SE¼ NW¼ (existing car axle at the Southwest corner of FALLEN ASH ESTATES SUBDIVISION), go along the forty line South 00° 18'39" East 13.00 feet to ½ inch rebar in a fence line; then go along said fence line South 89° 05'48" West 872.91 feet to a ½ inch rebar in said fence line and the point of beginning of the tract being excepted; then go along said fence South 01° 53'18" East 215.00 feet to a ½ inch rebar; then go South 89° 05'48" West 200.00 feet to the center of the 60 foot road easement; then go along centerline of said road easement North 01° 53'18" West 240.48 feet to a point on the North line of the SE¼ NW¼; then go along said forty line East 200.00 feet to a point that is North 01° 53'18" West of the point of beginning; then go South 01° 53'18" East to the point of beginning of said exception.

SECTION 2: That Ordinance No. 203 of the City of Flippin, Arkansas contained an erroneous legal description and purported to annex the following lands situated in Marion County, Arkansas, to-wit:

The Southwest diagonal ½ NW¼ NW¼ of Section 28, Township 19 North, Range 15 West.

The E½ SE¼ and all that part of the S½ NE¼ of Section 17, Township 19 North, Range 15 West, lying South and East of the Airport Road.

The W½ NE¼; W½ SE¼; SE¼ SW¼; all that part of the NE¼ SW¼ lying South of the MOPAC Railroad; all that part of the NE¼ SE¼ lying North of the MOPAC Railroad and East of County Road No. 753; all that part of the SE¼ lying East of County Road No. 753; and all that part of the NE¼ NW¼ lying South of Arkansas State Highway No. 202 and East of County Road No. 753; all being in Section 19, Township 19 North, Range 15 West.

All that part of the E½ NW¼ and all that part of the N½ NE¼ of Section 30, Township 19 North, Range 15 West, lying North and West of U. S. Highway No. 62.

That it is the intent and purpose of the City of Flippin, Arkansas that only those lands described in Section 1 of this Ordinance shall be annexed to the City of Flippin, Arkansas and Ordinance No. 203 shall be null and void to the extent that it annexed any lands in addition to those lands set forth in Section 1 of this Ordinance.

PASSED AND APPROVED this day of April, 1999.

ATTEST:

CITY RECORDER

IN THE COUNTY COURT OF MARION COUNTY ARKANSAS

IN THE MATTER OF THE ANNEXING TO THE CITY OF FLIPPIN, ARKANSAS, CERTAIN LANDS CONTIGUOUS TO THE SAID CITY OF FLIPPIN, ARKANSAS

98 FEB -9 P 3:33 日

MARY JO LAYTON NO. CO-97-4 MARION CO./CIR. CLERK

ORDER BY 9779

On this <u>a</u> day of <u>December</u>, 1997, being the day set for the hearing of this cause, comes on for consideration, the questions of the annexation of the following described property to the City of Flippin, Arkansas, to-wit:

The Southwest diagonal $\frac{1}{2}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 28, Township 19 North, Range 15 West.

The $E^{\frac{1}{2}}$ $SE^{\frac{1}{4}}$ and all that part of the $S^{\frac{1}{2}}$ $NE^{\frac{1}{4}}$ of Section 17, Township 19 North, Range 15 West, lying South and East of the Airport Road.

The $W_{2}^{\frac{1}{2}}$ $NE_{4}^{\frac{1}{4}}$; $W_{2}^{\frac{1}{2}}$ $SE_{4}^{\frac{1}{4}}$; $SE_{4}^{\frac{1}{4}}$; $SW_{4}^{\frac{1}{4}}$; all that part of the NE $_{4}^{\frac{1}{4}}$ lying South of the MOPAC Railroad; all that part of the NE $_{4}^{\frac{1}{4}}$ No. 753; all that part of the $SE_{4}^{\frac{1}{4}}$ NW $_{4}^{\frac{1}{4}}$ lying East of County Road No. 753; and all that part of the NE $_{4}^{\frac{1}{4}}$ NW $_{4}^{\frac{1}{4}}$ lying South of Arkansas State Highway No. 202 and East of County Road No. 753; all being in Section 19, Township 19 North, Range 15 West.

All that part of the $E^{\frac{1}{2}}$ $NW^{\frac{1}{4}}$ and all that part of the $N^{\frac{1}{2}}$ $NE^{\frac{1}{4}}$ of Section 30, Township 19 North, Range 15 West, lying North and West of U. S. Highway No. 62.

with the Clerk of this Court, a petition requesting the annexation to the City of Flippin, Arkansas, of the above described lands. That said petition is signed by a majority, in both number and ownership of acreage, of the real estate owners within said territory; that said territory is contiguous to and adjoining the present corporate limits of the City of Flippin, Arkansas, and is within Marion County, Arkansas; that an accurate plat or map of said territory is attached to the petition and made a part thereof;

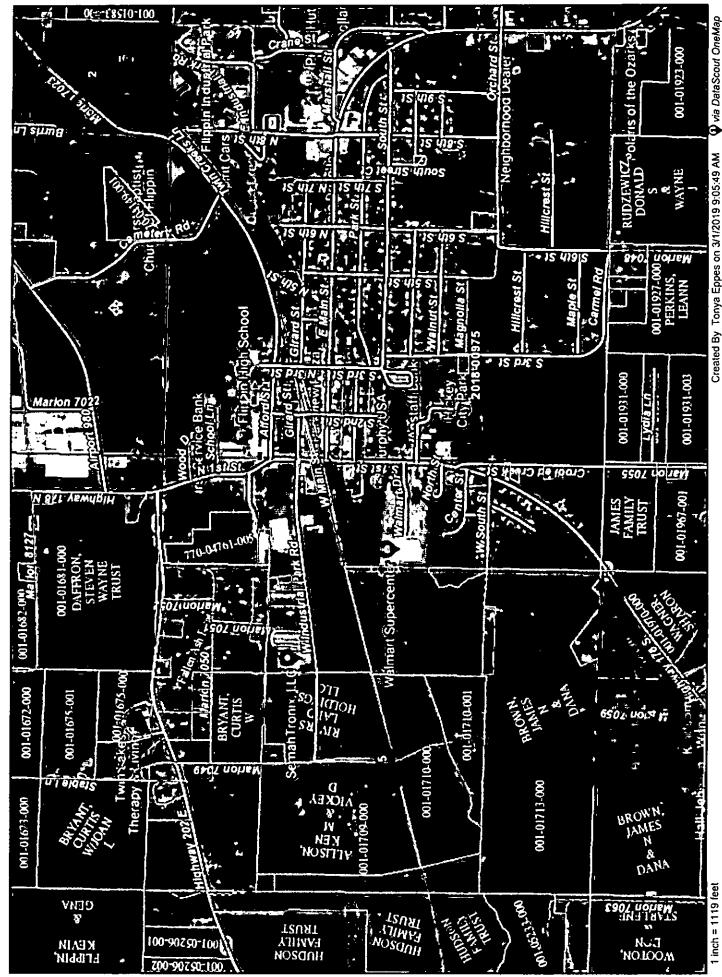
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(°o. Book 479"

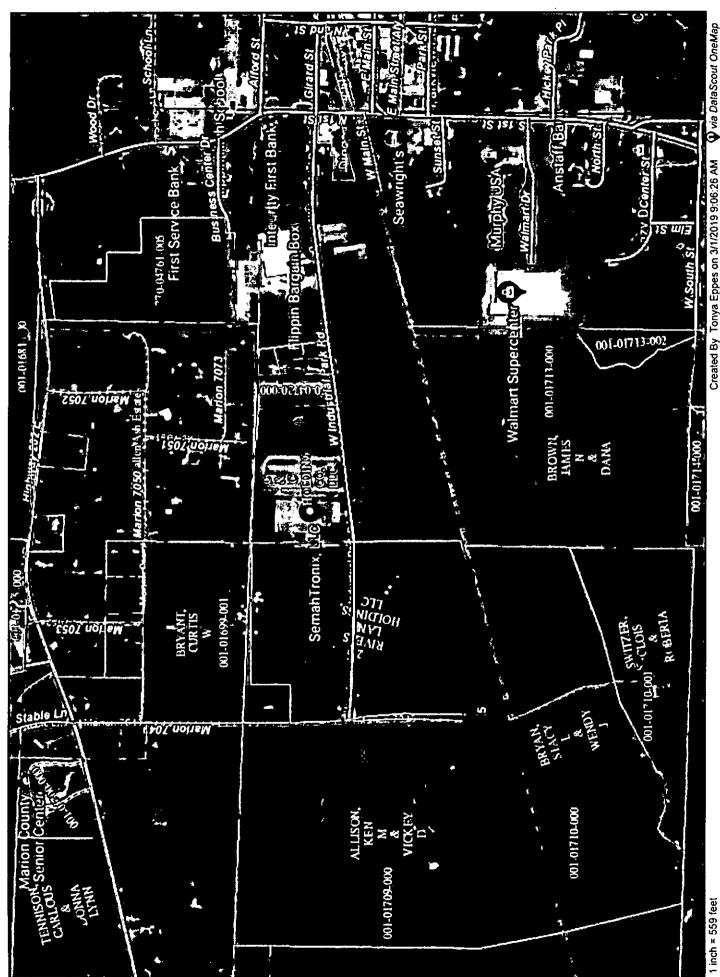
that proper notice has been given for the time and in the manner prescribed by law for the hearing on said petition; and that said lands should be annexed to the City of Flippin, Arkansas, subject to the acceptance of same by the City Council of said City at the proper time as provided by law.

IT IS, THEREFORE, ORDERED that the territory above described be, and the same is hereby annexed to and made a part of the City of Flippin, Arkansas, subject to the acceptance of same by the City Council of said City as provided by law.

COUNTY JUBGE



This map should be used for reference purposes only and should not be considered a legal document. While every effort has been made to ensure the accuracy of this product, the publisher accepts no responsibility for any errors or omissions nor for any loss or demage alleged to be suffered by anyone as a result of the publication of this map and the notations on it, or as a result of the use or misuse of the information provided herein.



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Call Mayor about Court Order to go with Ord 211

2-31-2018 15:24 +1-501-682-1213 Secretary of State

8



ARKANSAS SECRETARY OF STATE MARK MARTIN

FAX COVER MEMO

To:

Honorable Jerald Marberry

Mayor of Flippin

Fax Number: 870-453-5722

From:

Cynthia Fisher - Legal Division Arkansas Secretary of State Fax Number: 501-682-1213

Date:

December 31, 2018

Number of Pages: 2 including Cover

Subject:

Flippin Annex Ordinance 211 Map

Dear Mayor Marberry,

Following is a corrected version of the map to go with Ordinance 211. Please review it and contact me at 501-682-3401 if there are still issues. Otherwise, please provide our office with a letter confirming the city boundaries are correct as shown on the Ordinance 211 map and that the areas marked for removal are not part of the incorporated area.

Thank you, Cynthia Fisher

I am having for the day, but call me on my cell if you have quintions, 501-346-3113.

State Capitol, Room 026 - Little Rock, Arkansas 72201-1094 501-682-5070 - Fax 501-682-3408 e-mail: ElectionsEmail@sos.arkansas.gov - www.sos.arkansas.gov



ARKANSAS SECRETARY OF STATE

MARK MARTIN

FAX COVER MEMO

To:

Honorable Jerald Marberry

Mayor of Flippin

Fax Number: 870-453-5722

From:

Cynthia Fisher - Legal Division

Arkansas Secretary of State Fax Number: 501-682-1213

Date:

December 31, 2018

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Subject:

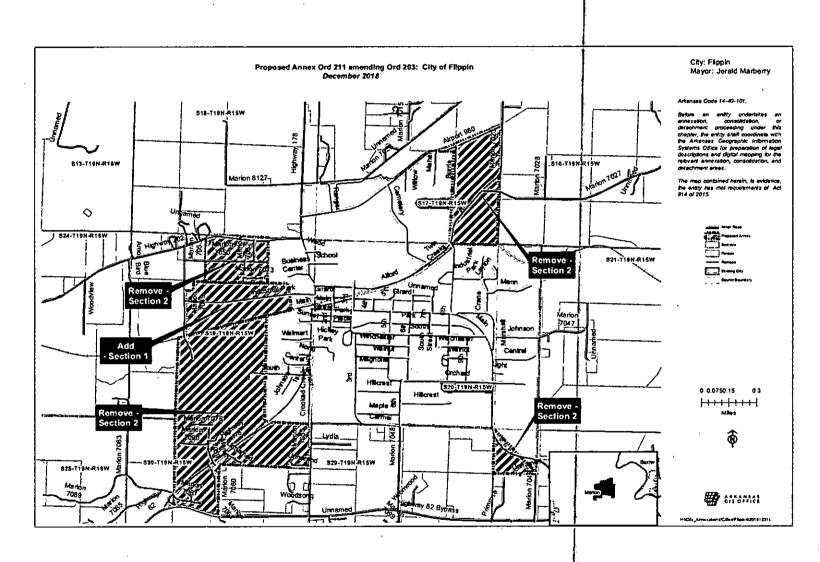
Flippin Annex Ordinance 211 Map

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Thank you, Cynthia Fisher

I am having for the day, but call me on my cell of you have quations, 501-346-3113.





December 31, 2018

Ms. Cynthia Fisher Special Projects Manager Secretary of State – Legal Division 500 Woodlane St, STE 256 Little Rock, AR 72201

RE: City of Flippin Ordinance 211 Amending Ordinance 203

Ms. Fisher,

Thank you for coordinating with our office as you seek to file Ordinance 211 which amends Ordinance 203 for the City of Flippin. 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 /jw

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

H:\City_Annexations\Cities\Filppin\20181231\Doc\20181231_Filppin_Annexation_Coordination_Letter.docx

ARKANSAS GIS OFFICE · 1 CAPITOL MALL SUITE 6D · LITTLE ROCK · ARKANSAS · 72201
PHONE (501) 682-2767 · www.gis.arkansas.gov · FAX (501) 682-6077

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WHEREAS, on the 30th day of October, 1997, the County Court of Marion County, Arkansas, found that said petition was signed by all of the fee simple owners of said property; that said territory, showing its relationship to the present city has been filed and made a part of said annexation petition; that proper notice has been given for the time and in the manner prescribed by law; that said lands and territory should be annexed to the City of Flippin, Arkansas, subject to the acceptance of the same by the City Council of said City at the proper time as provided by law; and

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ALSO

All that part of the SE¼ of the NW¼ and the NE¼ of the SW¼ of Section 19, Township 19 North, Range 15 West lying East of the centerline of a 60 foot north-south road easement as shown on Survey recorded in Survey Record Book 8 at Page 89 and North of the Missouri-Pacific Railroad.

LESS AND EXCEPT: A part of the SE½ NW½ more particularly described as follows: From the Northeast corner of said SE½ NW½ (existing car axie at the Southwest corner of FALLEN ASH ESTATES SUBDIVISION), go along the forty line South 00° 18'39" East 13.00 feet to ½ inch rebar in a fence line; then go along said fence line South 89° 05'48" West 872.91 feet to a ½ inch rebar in said fence line and the point of beginning of the tract being excepted; then go along said fence South 01° 53'18" East 215.00 feet to a ½ inch rebar; then go South 89° 05'48" West 200.00 feet to the center of the 60 foot road easement; then go along centerline of said road easement North 01° 53'18" West 240.48 feet to a point on the North line of the SE½ NW½; then go along said forty line East 200.00 feet to a point that is North 01° 53'18" West of the point of beginning; then go South 01° 53'18" East to the point of beginning of said exception.

SECTION 2: That Ordinance No. 203 of the City of Flippin, Arkansas contained an erroneous legal description and purported to annex the following lands situated in Marion County, Arkansas, to-wit:

The Southwest diagonal ½ NW½ NW½ of Section 28, Township 19 North, Range 15 West.

The E½ SE¼ and all that part of the S½ NE½ of Section 17, Township 19 North, Range 15 West, lying South and East of the Airport Road.

17/17

PHONE NO. : 870+424+3447

The W½ NE¼; W½ SE¼; SE½ SW½; all that part of the NE¼ SW½ lying South of the MOPAC Railroad; all that part of the NE½ SE½ lying North of the MOPAC Railroad and East of County Road No. 753; all that part of the SE½ lying East of County Road No. 753; and all that part of the NE½ NW½ lying South of Arkansas State Highway No. 202 and East of County Road No. 753; all being in Section 19, Township 19 North, Range 15 West.

All that part of the E½ NW¼ and all that part of the N½ NE¾ of Section 30, Township 19 North, Range 15 West, lying North and West of U. S. Highway No. 62.

That it is the intent and purpose of the City of Flippin, Arkansas that only those lands described in Section 1 of this Ordinance shall be annexed to the City of Flippin, Arkansas and Ordinance No. 203 shall be null and void to the extent that it annexed any lands in addition to those lands set forth in Section 1 of this Ordinance.

PASSED AND APPROVED this 6 day of April, 1999.

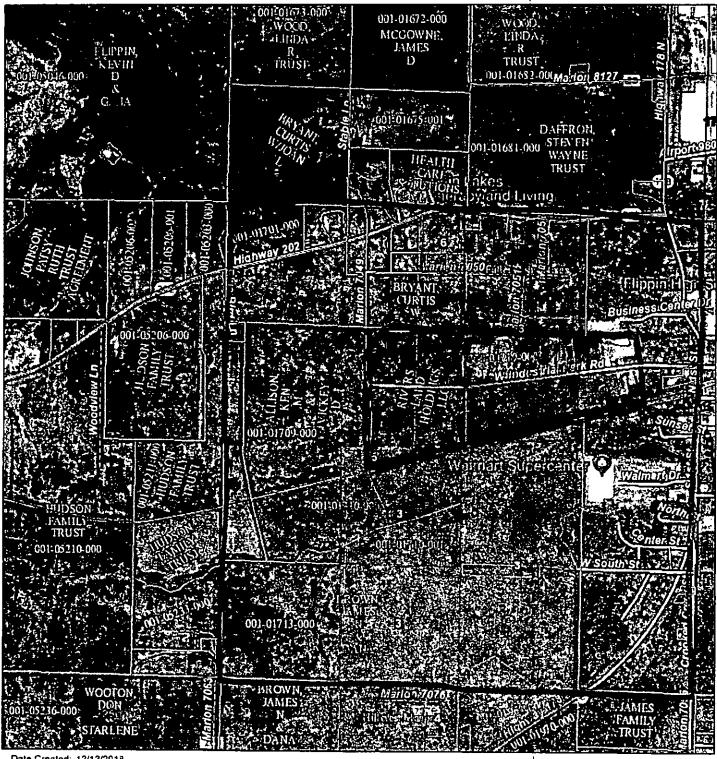
ATTEST:

CITY RECORDER

Marion County

Assessor's Office

Tonya Eppes, Assessor



Date Created: 12/12/2018 Created By: Tonya Eppes

1 inch = 987 feet

Via DataScout OneMap

This map should be used for reference purposes only and should not be considered a legal document. White every effort has been made to ensure the accuracy of this product, the publisher accepts no responsibility for any size any errors or omissions not for any loss or damage alleged to be suffered by anyone as a result of the publication of this map and the notations on it, or as a result of the use or instance of the

ORDINANCE NO. 2//

AN ORDINANCE AMENDING AND CORRECTING ORDINANCE NO. 203, ACCEPTING THE ANNEXATION OF CERTAIN TERRITORY TO THE CITY OF FLIPPIN, ARKANSAS AND TO ANNEX PROPERTY TO THE CITY OF FLIPPIN, ARKANSAS AS INDUSTRIAL

WHEREAS, a petition was filed with the County Clerk of Marion County, Arkansas, by the real estate owners of the land hereinafter described, praying that said lands be annexed to and made a part of the City of Flippin, Arkansas; and

WHEREAS, on the 30th day of October, 1997, the County Court of Marion County, Arkansas, found that said petition was signed by all of the fee simple owners of said property; that said territory, showing its relationship to the present city has been filed and made a part of said annexation petition; that proper notice has been given for the time and in the manner prescribed by law; that said lands and territory should be annexed to the City of Flippin, Arkansas, subject to the acceptance of the same by the City Council of said City at the proper time as provided by law; and

WHEREAS, the time fixed by law for appealing from said Order of annexation made by the County Court has expired, and no appeal has been taken from said Order; and

WHEREAS, after due notice as required by law, the City Council of the City of Flippin, Arkansas, has heard all persons desiring to be heard and has ascertained that said petition was signed by all the owners of the real property in said territory; and

WHEREAS, a proper petition was filed by property owners requesting that a zoning; that said petition was submitted to the Planning Commission of the City of Flippin, Arkansas; that notice of said petition and a public hearing thereon was published in a newspaper having a local circulation as required by Ordinance; that a public hearing was held; that all remonstrance's were heard, after which the Planning Commission recommended that all property described hereinafter be annexed to the City of Flippin, Arkansas; and

WHEREAS, the lands annexed to the City of Flippin, Arkansas pursuant to Ordinance No. 203 contained an erroneous legal description and this Ordinance is needed to clarify which lands have actually been annexed to the City!

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Flippin, Arkansas:

All that part of the S% NE% of Section 19, Township 19 North, Range 15 West lying North of the right of way of Missouri Pacific Railroad and west of the Joe Cantrell tract as described in Deed recorded in Record Book 427 at page 165 and the John Tate tract as described in Warranty Deed recorded in Record Book 443 at page 224.

ALSO

All that part of the SE% of the NW% and the NE% of the SW% of Section 19, Township 19 North, Range 15 West lying East of the centerline of a 60 foot north-south road easement as shown on Survey recorded in Survey Record Book 8 at page 89 and north of the Missouri-Pacific Railroad.

LESS & EXCEPT a part of the SE% NW% more particularly described as follows: From the northeast corner of the SE% NW% (existing car axle at the southwest corner of FALLEN ASH ESTATES SUBDIVISION), go along the forty line South 00°18'39" East 13.00 feet to a % inch rebar in a fence line; then go along said fence line South 89°05'48" West 872.91 feet to a % inch rebar in said fence line and the point of beginning of the tract being excepted; then go along said fence South 01°53'18" East 215.00 to a % inch rebar; then go South 89°05'48" West 200.00 feet to the center of the 60 foot road easement; then go along centerline of said road easement North 01°53'18" West 240.48 feet to a point on the north line of the SE% NW%; then go along said forty line East 200.00 feet to a point that is North 01°53'18" West of the point of beginning; then go South 01°53'18" East to the point of beginning of said exception.

The W½ NE¼; W½ SE¼; SE¼ SW¼; all that part of the NE¼ SW¼ lying South of the MOPAC Railroad; all that part of the NE¼ SE¼ lying North of the MOPAC Railroad and East of County Road No. 753; all that part of the SE¼ NW¼ lying East of County Road No. 753; and all that part of the NE¼ NW¼ lying South of Arkansas State Highway No. 202 and East of County Road No. 753; all being in Section 19, Township 19 North, Range 15 West.

All that part of the E½ NW¼ and all that part of the N½ NE¼ of Section 30, Township 19 North, Range 15 West, lying North and West of U. S. Highway No. 62.

That it is the intent and purpose of the City of Flippin, Arkansas that only those lands described in Section 1 of this Ordinance shall be annexed to the City of Flippin, Arkansas and Ordinance No. 203 shall be null and void to the extent that it annexed any lands in addition to those lands set forth in Section 1 of this Ordinance.

PASSED AND APPROVED this _	day of April, 1999.	·	
	MAYOR	•	
ATTEST:			
CITY RECORDER		1	

IN THE COUNTY COURT OF MARION COUNTY ARRANSAS

IN THE MATTER OF THE ANNEXING TO THE CITY OF FLIPPIN, ARKANSAS, CERTAIN LANDS CONTIGUOUS TO THE SAID CITY OF FLIPPIN, ARKANSAS

98 FEB -9 P 3: 33 B

MARY JO LAYTON NO. CO-97- 4

ORDER		- 1	
OKDEK	BY	!	-97%Q-K

On this day of <u>December</u>, 1997; being the day set for the hearing of this cause, comes on for consideration, the questions of the annexation of the following described property to the City of Flippin, Arkansas, to-wit:

- The Southwest diagonal ½ NW¼ NW¼ of Section 28, Township 19 North, Range 15 West.
- The E 2 SE 2 and all that part of the S 2 NE 2 of Section 17, Township 19 North, Range 15 West, lying South and East of the Airport Road.

The W½ NE¼; W½ ŚE¼; ŚE¼ ŚW¼; all that part of the NE¼ ŚW¼ lying South of the MOPAC Railroad; all that part of the NE¼ ŚE¼ lying North of the MOPAC Railroad and East of County Road No. 753; all that part of the SE¼ NW¼ lying East of County Road No. 753;) and all that part of the NE½ NW¼ lying South of Arkansas State Highway No. 202 and East of County Road No. 753; all being in Section 19, Township 19 North, Range 15 West.)

All that part of the E2 NW4 and all that part of the N2 NE1 of Section 30. Township 19 North, Range 15 West, lying North and West of U. S. Highway No. 62.

That on the 24 day of October, 1997, there was filed with the Clerk of this Court, a petition requesting the annexation to the City of Flippin, Arkansas, of the above described lands. That said petition is signed by a majority, in both number and ownership of acreage, of the real estate owners within said territory; that said territory is contiguous to and adjoining the present corporate limits of the City of Flippin, Arkansas, and is within Marion County, Arkansas; that an accurate plat or map of said territory is attached to the petition and made a participance of:

AUG 17 2018

Arkansas Secretary of State

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that proper notice has been given for the time and in the manner prescribed by law for the hearing on said petition; and that said lands should be annexed to the City of Flippin, Arkansas, subject to the acceptance of same by the City Council of said City at the proper time as provided by law.

IT IS, THEREFORE, ORDERED that the territory above described be, and the same is hereby annexed to and made a part of the City of Flippin, Arkansas, subject to the acceptance of same by the City Council of said City as provided by law.

COUNTY JUBGE

FILE, FOR RECORD

IN THE COUNTY COURT OF MARION COUNTY, ARKANSAS 25

IN THE MATTER OF ANNEXING TO THE CITY OF FLIPPIN, ARKANSAS, CERTAIN LANDS CONTIGUOUS TO THE SAID CITY OF FLIPPIN, ARKANSAS

MARY JO LAYTON
HARION CO./CIR. CLERK
BY De Carleton DC

No. co-97- 4

PETITION FOR ANNEXATION OF CONTIGUOUS LANDS TO THE CITY OF FLIPPIN, ARKANSAS

We, the undersigned, being the fee simple owners of the property affected within the following described territory, located in Marion County, Arkansas, and which is contiguous to and adjoining the City of Flippin, Arkansas, hereby petition your Court to annex to the City of Flippin, Arkansas, the following described lands, to-wit:

The Southwest diagonal $\frac{1}{2}$ $NW_4^{\frac{1}{4}}$ $NW_4^{\frac{1}{4}}$ of Section 28, Township 19

The $E^{\frac{1}{2}}$ $SE^{\frac{1}{4}}$ and all that part of the $S^{\frac{1}{2}}$ $NE^{\frac{1}{4}}$ of Section 17, Airport Road.

The $W_2^{\frac{1}{2}}$ $NE_4^{\frac{1}{4}}$; $W_2^{\frac{1}{2}}$ $SE_4^{\frac{1}{4}}$; $SE_4^{\frac{1}{4}}$ $SW_4^{\frac{1}{4}}$; all that part of the $NE_4^{\frac{1}{4}}$ $SW_4^{\frac{1}{4}}$ lying South of the MOPAC Railroad; all that part of the $NE_4^{\frac{1}{4}}$ No. 753; all that part of the $SE_4^{\frac{1}{4}}$ $NW_4^{\frac{1}{4}}$ lying East of County Road Road No. 753; and all that part of the $NE_4^{\frac{1}{4}}$ $NW_4^{\frac{1}{4}}$ lying South of Arkansas State Highway No. 202 and East of County Road No. 753; all being in Section 19, Township 19 North, Range 15

All that part of the $E^{\frac{1}{2}}$ $NW^{\frac{1}{4}}$ and all that part of the $N^{\frac{1}{2}}$ $NE^{\frac{1}{4}}$ of Section 30, Township 19 North, Range 15 West, lying North and West of U. S. Highway No. 62.

WHEREFORE, petitioners pray that this Court enter its Order setting a time, date and place for public hearings on this petition; and after petitioners' compliance with publication of notice of same as required by law, that this Court hold a hearing and enters its Order granting this petition and annexing the territory described herein to the City of Flippin, Arkansas.

Petitioners hereby authorize Roger L. Morgan to act on their behalf in the prosecution of this petition.

> TOMMIE & MARY JANE ERWIN PAUL RICHARD JOHNSTON MICKEY & PATRICIA GRIFFIN

JOAN BRYANT

Morgan \L.

JOHNSON, SANDERS & MORGAN

P. O. BOX 1136

Mountain Home, AR

STATE OF ARKANSAS)

) SS:

COUNTY OF BAXTER)

Comes Roger L. Morgan, attorney for petitioners herein, and states on oath that the facts contained in the foregoing Petition are true and correct to the best of his knowledge, information and belief.

L. Mordán

October Subscribed and sworn to before me this 33rd day of September,

1997.

This is not in the amended legal. Should it be?

Airport Road.

IN THE COUNTY COURT OF MARION COUNTY FILED FUR	arkansas RECURD
in the matter of the annexing to the CITY OF FLIPPIN ARKANSAS, CERTAIN 98 FEB -9 F	P 3: 33 B
Third commence no min at the comme	AYTON NO. CO-97-4
ORDER DY	
On this a day of December, 1997	, being the day set
for the hearing of this cause, comes on for cons	ideration, the
questions of the annexation of the following desc	cribed property to
the City of Flippin, Arkansas, to-wit:	
The Southwest diagonal 1 NW NW Of Section North, Range 15 West.	28, Township 19
The Ri CRI and all that part of the Ci NRi	of Section 17

The W½ NE¼; W½ SE¼; SE¼ SW¼; all that part of the NE¼ SW¼ lying South of the MOPAC Railroad; all that part of the NE¼ SE¼ lying North of the MOPAC Railroad and East of County Road No. 753; all that part of the SE¼ NW¼ lying East of County Road No. 753; and all that part of the NE¼ NW¼ lying South of Arkansas State Highway No. 202 and East of County Road No. 753; all peing in Section 19, Township 19 North, Range 15 West.)

Y Township 19 North, Range 15 West, lying South and East of the

All that part of the E1 NW1 and all that part of the N1 NE1 of Section 30, Township 19 North, Range 15 West, lying North and West of U. S. Highway No. 62.

with the Clerk of this Court, a petition requesting the annexation to the City of Flippin, Arkansas, of the above described lands. That said petition is signed by a majority, in both number and ownership of acreage, of the real estate owners within said territory; that said territory is contiguous to and adjoining the present corporate limits of the City of Flippin, Arkansas, and is within Marion County, Arkansas; that an accurate plat or map of said territory is attached to the petition and made a part thereof;

14

that proper notice has been given for the time and in the manner prescribed by law for the hearing on said petition; and that said lands should be annexed to the City of Flippin, Arkansas, subject to the acceptance of same by the City Council of said City at the proper time as provided by law.

IT IS, THEREFORE, ORDERED that the territory above described be, and the same is hereby annexed to and made a part of the City of Flippin, Arkansas, subject to the acceptance of same by the City Council of said City as provided by law.

COUNTY JUBGE

TIME

:12-31-2018 12:36

FAX NO.1 NAME

:+1-501-682¹ 1213 :Secretary of State

FILE NO.

: 277

DATE T0

: 12.31 12:33 : **☎** 18704535722

DOCUMENT PAGES

3 :

START TIME END TIME

: 12.31 12:33

PAGES SENT

: 12.31 12:36

STATUS

: 3 : OK

SUCCESSFUL TX NOTICE



ARKANSAS SECRETARY OF STATE

MARK MARTIN

FAX COVER MEMO

To:

Honorable Jerald Marberry

Mayor of Flippin

Fax Number: 870-453-5722

From:

Cynthia Fisher - Legal Division

Arkansas Secretary of State Fax Number: 501-682-1213

Date:

December 31, 2018

Number of Pages: 3 including Cover Flippin Annex Ordinance 211 Map

Dear Mayor Marberry,

Following are copies of the maps for Ordinance 203 and 211. On the 211 map there are two areas marked as REMOVE. These are the annexations included in 203, but excluded from 211. Please look over these maps and ensure the map for Ordinance 211 accurately depicts the Flippin city boundaries.

If there are any issues, please contact me at 501-682-3401. Otherwise, please provide our office with a letter confirming the city boundaries are correct as shown on the Ordinance 211 map and that the two areas marked for removal are not part of the incorporated area.

Thank you, Cynthia Fisher

CC: Mr. Sam Pasthing, Flippin City Attorney

State Capitol, Room 026 - Little Rock, Arkansas 72201-1094 501-662-5070 - Fax 501-682-3408 c-mail; ElectionsEmail@aos.arkansas.gov - www.sos.arkansas.gov



TIME

:12-31-2018 12:39

FAX NO.1 NAME

:+1-501-682-1213 :Secretary of State

FILE NO.

: 278

DATE

: 12.31 12:35

T0

: **☎** 18704533515

DOCUMENT PAGES

: 3

START TIME END TIME

: 12.31 12:36 : 12.31 12:39

PAGES SENT

STATUS

: 3 : OK

SUCCESSFUL TX NOTICE



ARKANSAS SECRETARY OF STATE

MARK MARTIN

FAX COVER MEMO

To:

Sam Pasthing

Flippin City Attorney

Fax Number: 870-453-3515

From:

Cynthia Fisher - Legal Division

Arkansas Secretary of State Fax Number: 501-682-1213

Date:

December 31, 2018 Number of Pages: 3 including Cover

Subject:

Flippin Annex Ordinance 211 Map

Dear Mr. Pasthing,

Following are copies of the maps for Ordinance 203 and 211. On the 211 map there are two areas marked as REMOVE. These are the annexations included in 203, but excluded from 211. Please look over these maps and ensure the map for Ordinance 211 accurately depicts the Flippin city boundaries.

If there are any issues, please contact me at 501-682-3401. Otherwise, please provide our office with a letter from the Mayor confirming the city boundaries are correct as shown on the Ordinance 211 map and that the two areas marked for removal are not part of the incorporated area.

Thank you, Cynthia Fisher

CC: Mayor Jerald Marberry





ARKANSAS SECRETARY OF STATE

MARK MARTIN

FAX COVER MEMO

To:

Honorable Jerald Marberry

Mayor of Flippin

Fax Number: 870-453-5722

From:

Cynthia Fisher - Legal Division

Arkansas Secretary of State Fax Number: 501-682-1213

Date:

December 31, 2018

Number of Pages: 3 including Cover

Subject:

Flippin Annex Ordinance 211 Map

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Thank you, Cynthia Fisher

CC: Mr. Sam Pasthing, Flippin City Attorney





ARKANSAS SECRETARY OF STATE

MARK MARTIN

FAX COVER MEMO

To:

Sam Pasthing

Flippin City Attorney

Fax Number: 870-453-3515

From:

Cynthia Fisher - Legal Division

Arkansas Secretary of State Fax Number: 501-682-1213

Date:

December 31, 2018

Number of Pages: 3 including Cover

Subject:

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Thank you, Cynthia Fisher

CC: Mayor Jerald Marberry



