



ARKANSAS SECRETARY OF STATE

MARK MARTIN

August 10, 2016

The Honorable Sharon Brooks
Sebastian County Clerk and Recorder
P.O. Box 1089
Fort Smith, AR 72902-1089

Re: City of Fort Smith Annexation Ordinance 38-16

Dear Ms. O'Brien,

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 petition 100% of land owners)

Effective Date: unknown

County: Sebastian

City: Fort Smith

City Ordinance: 38-16

Dated: 07/05/ 2016

County Court Order: CC0-2016-92

Dated: 05/20/2016

A file marked copy of the ordinance and exhibits submitted to our Office along with the GIS Office map 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
Special Projects Manager
Arkansas Secretary of State Legal Division
500 Woodlane St, Suite 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)
 Ms. Sherri Gard, City Clerk Fort Smith

Room 256 State Capitol • Little Rock, Arkansas 72201-1094
501-682-1010 • Fax 501-682-3510
e-mail: arsos@sos.arkansas.gov • www.sos.arkansas.gov





Arkansas Secretary of State

Mark Martin

State Capitol 500 Woodlane Ave Suite 256 • Little Rock, AR 72201-1094

Municipal Boundary Change Form

County: SEBASTIAN City/Town: Fort Smith

City Ordinance/Resolution No: 38-16 Date approved: July 5, 2016

County Court Case No: CC-2016-1 Date of Order: May 20, 2016

Filing Type: Annexation by petition of all landowners

(List of municipal boundary changes with associated Arkansas Code sections reference on back)

Date Change Effective: _____ 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: Sherri Gard Title: City Clerk FORT Smith

Street Address: 623 Garrison Ave Po Box 1908

City: Ft Smith St: Arkansas Zip code: 72902

City/County Official: Sharon Brooks
Signature: Jean Sterling D.C. Title: County clerk

Date: 8-5-16

(Submit form and supporting documents to Arkansas Secretary of State, 500 Woodlane Ave Suite 256, Little Rock, AR 72201-1094)

FILED

Office of the Arkansas Secretary of State use only

Received by: Cynthia Fisher

AUG 10 2016

Arkansas
Secretary of State

Please complete this form and attach it as a cover page to each ordinance and supporting document set

County



* 2 0 1 6 6 - 0 4 3 9 9 5 *

2016G-04399

Certificate of Record

GREENWOOD DISTRICT

SEBASTIAN COUNTY, ARKANSAS

SHARON BROOKS, CO CLERK & RECORDER

07/14/2016

12:47:53PM

Fee: 0.00

Pages: 5

CERTIFIED

1A.

ORDINANCE NO. 38-16

**AN ORDINANCE ACCEPTING CERTAIN TERRITORY INTO
THE CITY OF FORT SMITH, ARKANSAS**

**BE IT ORDAINED AND ENACTED BY THE BOARD OF DIRECTORS OF THE CITY OF
FORT SMITH, ARKANSAS,**

WHEREAS, on the 20th day of May, 2016, before the County Court of Sebastian County, Arkansas, Greenwood District, there came to be heard a Petition, in proper form and substance, executed by all of the real estate owners in the territory to be annexed;

WHEREAS, the property desired to be annexed was described accurately as follows:

TRACT 1:

Part of the Southeast Quarter of the Northeast Quarter of Section 23, Township 7 North, Range 32 West, Greenwood District, Sebastian County, Arkansas being more particularly described as follows: Commencing at an existing P/K Nail marking the Southeast corner of said Southeast Quarter of the Northeast Quarter; thence North 00 degrees 19 minutes 59 seconds West, 437.51 feet along the East line of said Southeast Quarter of the Northeast Quarter; thence North 89 degrees 47 minutes 00 seconds West, 256.65 feet to a set rebar being the Point of Beginning; thence North 89 degrees 47 minutes 00 seconds West, 104.00 feet to an existing rebar; thence North 00 degrees 46 minutes 00 seconds East, 208.70 feet to an existing rebar; thence South 89 degrees 47 minutes 00 seconds East, 104.00 feet to a set rebar; thence South 00 degrees 46 minutes 00 seconds West 208.70 feet to the point of beginning.

TRACT 2

Part of the Southeast Quarter of the Northeast Quarter of Section 23, Township 7 North, Range 32 West, Greenwood District, Sebastian County, Arkansas being more particularly described as follows: Commencing at an existing P/K nail marking the Southeast corner of said Southeast Quarter of the Northeast Quarter; thence North 00 degrees 19 minutes 59 seconds West, 437.51 feet along the East line of said Southeast Quarter of the Northeast Quarter; thence North 89 degrees 47 minutes 00 seconds West, 360.65 feet to an existing rebar being the point of beginning; thence North 89 degrees 47 minutes 00 seconds West, 337.44 feet to an existing rebar on the Easterly right of way line of U.S. Highway 71;

City of Fort Smith

Sebastian County, Arkansas
4105-218

Return to:

P.O. Box 1008

City Clerk's Office

Fort Smith, AR 72902

Document # 2016G-1908

thence North 30 degrees 42 minutes 46 seconds East, 555.75 feet to a set rebar; thence South 89 degrees 43 minutes 49 seconds East, 60.00 feet to an existing rebar; thence South 00 degrees 46 minutes 00 seconds West, 478.84 feet to the point of beginning.

WHEREAS, the County Court for Sebastian County, Arkansas, Greenwood District approved the Petition and ordered the annexation of the described property.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED BY THE BOARD OF DIRECTORS OF THE CITY OF FORT SMITH, ARKANSAS, THAT:

The territory above described be accepted into the City of Fort Smith, Arkansas, annexed to the City of Fort Smith, Arkansas, and made a part thereof for all purposes as provided by law.

PASSED AND APPROVED THIS 5th DAY OF July, 2016.

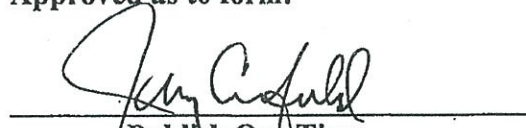
APPROVED:


Mayor

ATTEST:


City Clerk

Approved as to form:


Publish One Time



Sharon Brooks
Sebastian County Clerk and Recorder

35 S. 6th Street, Room 102
P.O. Box 1089
Fort Smith, Arkansas 72902-1089
479.782.5065 Fax 479.784.1567
sbrooks@co.sebastian.ar.us

RECEIVED

AUG 08 2016

Arkansas
Secretary of State

August 5, 2016

Secretary Of State
One State Capitol Mall
Little Rock, AR 72201

RE: In the Matter of the Annexation of Real Property
into the City of Fort Smith
Sebastian County Court No. CC-2016-1-G

Dear Sirs:

Please find enclosed a certified copy of the following documents in the above captioned annexation:

1. Plat of area to be annexed
2. Order of Annexation
3. Ordinance No. 38-16

Thank you for your attention to this matter.

Sincerely,

SHARON BROOKS, COUNTY CLERK AND RECORDER

Jean Sterling

Jean Sterling
Deputy Clerk

Cc: City of Fort Smith Sherri Gard

Greenwood

301 East Center
P.O. Box 428
Greenwood, Arkansas 72936-0428
479.996.4195 Fax 479.996.4165

F I L E D

AUG 10 2016

Arkansas
Secretary of State



ARKANSAS
GIS OFFICE

CERTIFIED

April 19, 2016

Mr. Joshua Carson
Jones, Jackson & Moll, PLC
401 N. 7th Street
P.O. Box 2023
Fort Smith, AR 72902

RE: City of Fort Smith Annexation Coordination Requirement

Mr. Carson,

Thank you for coordinating with our office as you seek to annex property into the City of Fort Smith, AR situated in the southeast quarter of the northeast quarter of section 23, township 7 north, range 32 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 the County Clerk.

Thank you,

Richie Pierce, Sr. GIS Analyst
/rp

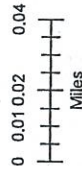
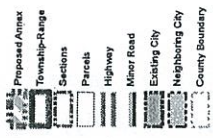
FILED
AUG 10 2016
Arkansas
Secretary of State

City: Forth Smith
 Mayor: Sandy Sanders

Arkansas Code 14-40-101.

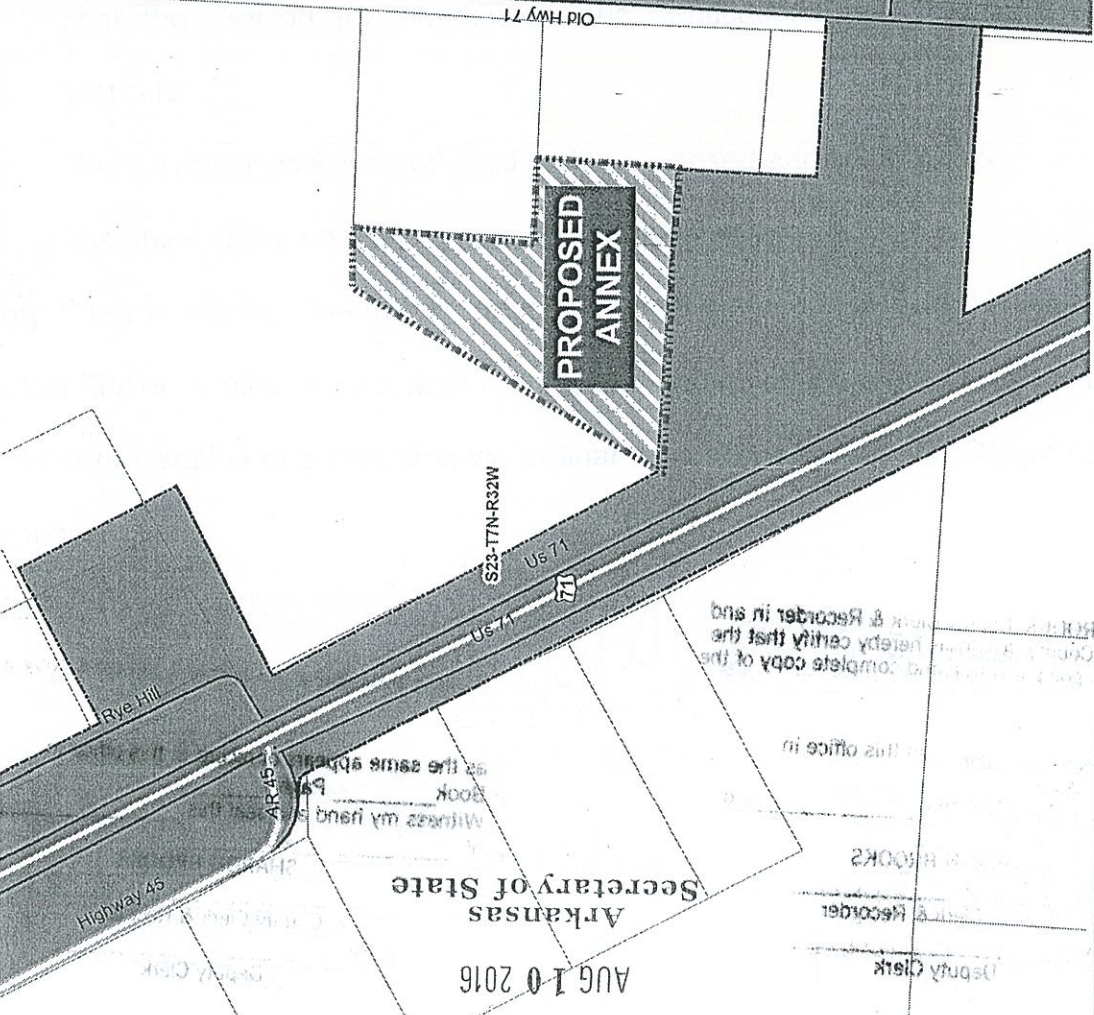
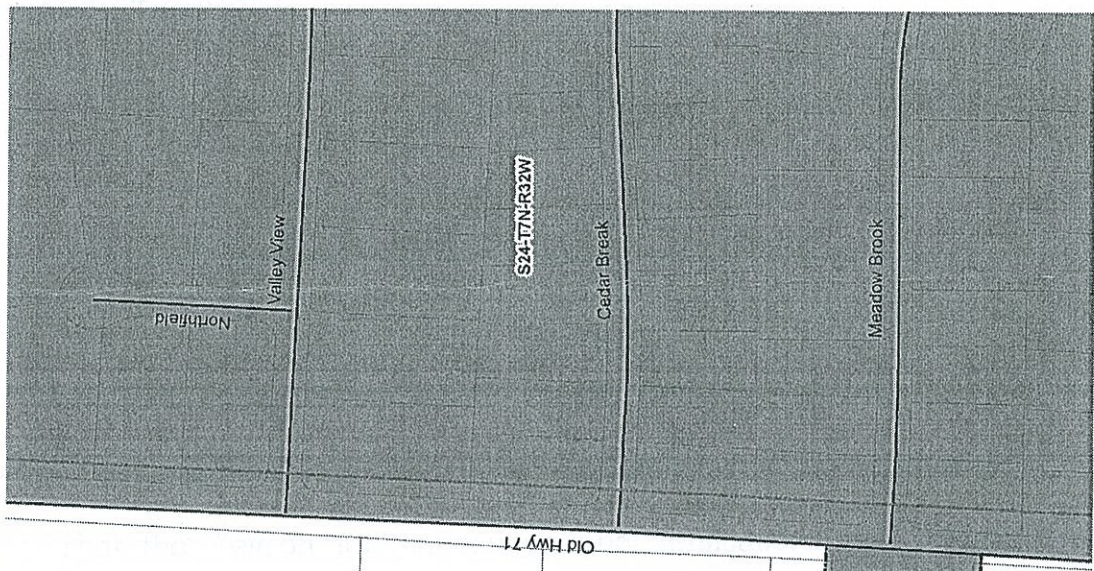
Before an entity undertakes an annexation, consolidation, or detachment proceeding under this chapter, the entity shall coordinate with the Arkansas Geographic Information Systems Office for preparation of legal descriptions and digital mapping for the relevant annexation, consolidation, and detachment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

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



ARKANSAS
 GIS OFFICE

Proposed Annex: City of Forth Smith
 April 2016



FILED

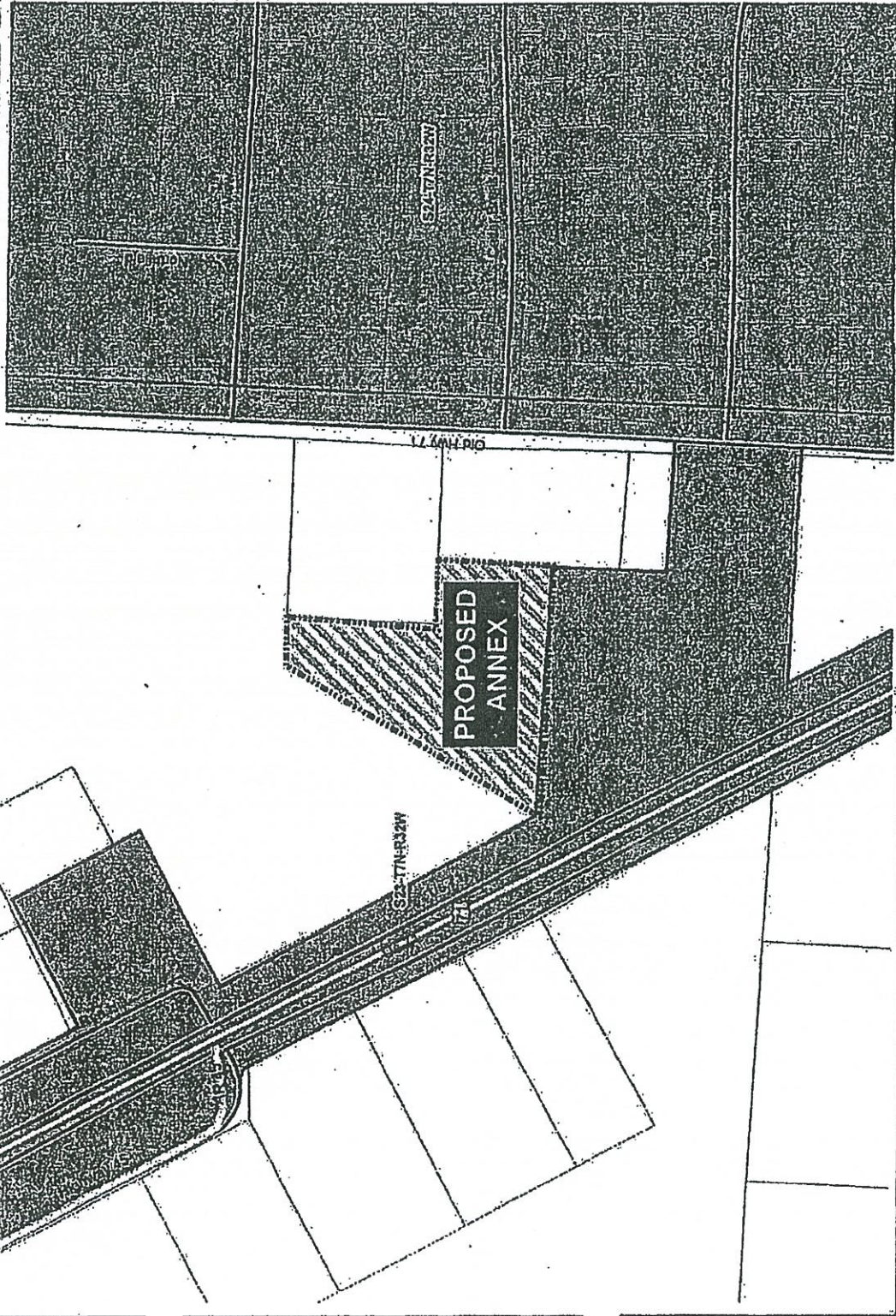
AUG 10 2016

Arkansas
 Secretary of State

Witness my hand and seal of the Secretary of State this 10th day of August 2016.
 Sharon B. ...
 Secretary of State

Witness my hand and seal of the Secretary of State this 10th day of August 2016.
 Sharon B. ...
 Secretary of State

City: Forth Smith
 Mayor: Sandy Sanders



Arkansas Code 14-40-101.
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The map contained herein, is evidence, the entity has met requirements of Act 814 of 2015

- Proposed Annex
- Consolidation
- Detachment
- Parcel
- Highway
- Water Right
- Unincorporated City
- Incorporated City
- County Boundary



ARKANSAS
 GIS OFFICE

Proposed Annex - City of Forth Smith
 April 2016



ARKANSAS GIS OFFICE

April 19, 2016

Mr. Joshua Carson
Jones, Jackson & Moll, PLC
401 N. 7th Street
P.O. Box 2023
Fort Smith, AR 72902

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Thank you,

Richlé Pierce, Sr. GIS Analyst
/rp

ARKANSAS GIS OFFICE • 1 CAPITOL MALL SUITE 6D • LITTLE ROCK • ARKANSAS • 72201.

PHONE (501) 682-2787 • www.gis.arkansas.gov • FAX (501) 682-6077





OFFICE OF THE CITY CLERK
Sherri Gard, CMC, City Clerk
Heather James, Assistant City Clerk

CERTIFICATE

State of Arkansas }
 } SS.
County of Sebastian }

I, Sherri Gard , City Clerk of the City of Fort Smith, Sebastian
County, Arkansas, do hereby certify that the foregoing document is a true and correct copy
of the original as the same now appears on file and of record in my office.

WITNESS MY HAND AND SEAL this 6th day of July , 2016.

Sherri Gard

CITY CLERK



(mirrored text from reverse side)
I, SHARON BROOKS, County Clerk & Recorder in and
for Sebastian County, Arkansas hereby certify that the
above and foregoing is a true and complete copy of the

(mirrored text from reverse side)
SHARON BROOKS
County Clerk & Recorder
Deputy Clerk

623 Garrison Avenue
P.O. Box 1908
Fort Smith, Arkansas 72902
(479) 784-2208
FAX (479) 784-2256
E-mail: cityclerk@fortsmithar.gov

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