



ARKANSAS SECRETARY OF STATE

MARK MARTIN

May 10, 2016

The Honorable Tena O'Brien
Benton County Clerk
215 E Central Ave, Suite 217
Bentonville, AR 72712-5304

Re: City of Garfield Annexation Ordinance 166

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 by petition pursuant to A.C.A § 14-40-609 (petition by 100% of the land owners)

Effective Date: 4/12/2016

County: Benton

City: Garfield

City Ordinance: 166

Dated: 04/12/2016

County Court Order: CC 2016-05

Dated: 03/25/2016

Hon. Robert Clinard, County Judge, Benton County

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)

Honorable Gary Blackburn, Mayor of Garfield, (w/encl)





Arkansas Secretary of State

Mark Martin

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

Municipal Boundary Change Form

County: Benton City/Town: Charfield

City Ordinance/Resolution No: 1666 Date approved: 4-12-16

County Court Case No: CC20 Date of Order: _____

Filing Type: 100% Annexation 14-40-609

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

Date Change Effective: 4-12-16 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)*

N/A 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)*

N/A File marked copy of Complaint and final Circuit Court Order *(Court Challenge only)*

Municipal Contact:

Name: Chary Blackburn Title: Mayor

Street Address: PO Box 131

City: Charfield St: AR Zip code: 72732

City/County Official:

Signature: Jenna O'Brien Title: County Clerk

Date: 5-2-16

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

Office of the Arkansas Secretary of State use only

Received by: _____

FILED

MAY 10 2016

Arkansas
Secretary of State

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

BENTON COUNTY

STATE OF ARKANSAS

TENA O'BRIEN

COUNTY CLERK & VOTER REGISTRAR
215 EAST CENTRAL, SUITE 217
BENTONVILLE, AR 72712-5373

PROBATE COURT CLERK
COURTHOUSE, 102 N.E. "A" STREET
BENTONVILLE, AR 72712-5350

May 2, 2016

FILED RECEIVED

Honorable Mark Martin
Secretary of State
Room 256 State Capitol
Little Rock, AR 72201-1094

MAY 10 2016

MAY 09 2016

Arkansas
Secretary of State

Arkansas
Secretary of State

Dear Secretary Martin:

RE: Schroeder, Casandra and Andrew, Mulvania, Gary, AND Helsing, Devin
City of Garfield Annexation
Benton County Court Case No. CC# 2016-05

Dear Secretary Martin:

In accordance with the law, I am enclosing a certified copy of each of the following:

1. Map (survey and vicinity map) of the affected area.
2. Decree of Annexation entered on February 03, 2016.
3. Ordinance No. 166 adopted on April 12, 2016 by the City of Garfield.

If you have any questions regarding this matter, please do not hesitate to call my office.

Sincerely,

Tena O'Brien

Tena O'Brien By T. Underwood

Enclosures

COUNTY CLERK
(479) 271-1013
FAX (479) 271-1019

VOTER REGISTRAR
(479) 271-5704

BENTONVILLE
(479) 271-1013
FAX (479) 271-1019

SILOAM SPRINGS
(479) 238-0120
FAX (479) 524-8534

PROBATE COURT CLERK
(479) 271-5727
FAX (479) 271-1712

ROGERS
(479) 636-3727
FAX (479) 636-4922
ARCHIVIST (479) 636-1037
FAX (479) 636-1053

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ORDINANCE NO. 166

AN ORDINANCE ACCEPTING THE ANNEXATION OF CERTAIN TERRITORY TO THE CITY OF GARFIELD; APPROVING THE SCHEDULE OF SERVICES TO BE EXTENDED TO SAID AREA; AND ASSIGNING SUCH TO WARDS

TENA O'BRIEN
BENTON COUNTY AP

WHEREAS, a petition was filed, pursuant to A.C.A. 14-40-609, for the annexation of certain territory into the City of Garfield, Arkansas; and

WHEREAS, the Benton County Assessor and the Benton County Clerk have (A) Verified the identity of the petitioner(s); (B) Verified that there are no property owners included in the petition that do not wish to have their property annexed; (C) Verified that the property or properties are contiguous with the city; (D) Verified that no enclaves will be created if the petition is accepted by the city; and presented the petition and their respective verifications to the Benton County Judge; and

WHEREAS, the County Judge has (A) Reviewed the petition and verifications for completeness and accuracy; (B) Determined that no enclaves will be created by the annexation; (C) Confirmed that the petition contains a schedule of services; and (D) Issued an order articulating these findings, and forwarded the petition and order to the contiguous City of Garfield for consideration; and

WHEREAS, it is the desire of the Mayor and City Council of Garfield that said territory be annexed.

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

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

PART OF THE NW 1/4 OF THE NE 1/4 OF FRACTIONAL SECTION 4, TOWNSHIP 20 NORTH, RANGE 28 WEST AND IN A PART OF THE SW 1/4 OF THE SE 1/4 OF SECTION 33, TOWNSHIP 21 NORTH, RANGE 28 WEST IN BENTON COUNTY, ARKANSAS, MORE PRECISELY DESCRIBED AS FOLLOWS: STARTING AT THE NORTHEAST CORNER OF THE NW 1/4 OF THE NE 1/4 OF FRACTIONAL SECTION 4; THENCE SOUTH 02°13'47" WEST, 928.82 FEET TO A FOUND 5/8" REBAR; THENCE SOUTH 89°09'07" WEST, 457.82 FEET TO A SET 5/8" REBAR; THENCE NORTH 00°35'42" EAST, 243.50 FEET TO A SET 5/8" REBAR; THENCE NORTH 72°27'22" WEST, 423.52 FEET TO A SET REBAR AND THE TRUE POINT OF BEGINNING; THENCE NORTH 72°27'22" WEST, 468.48 FEET TO A COMPUTED POINT; THENCE NORTH 02°43'08" EAST, 62.01 FEET TO A COMPUTED POINT; THENCE NORTH 27°50'11" EAST, 800.89 FEET TO A COMPUTED POINT; THENCE SOUTH 88°26'12" EAST, 344.04 FEET TO A SET 5/8" REBAR; THENCE SOUTH 20°27'28" WEST, 765.65 FEET TO A

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SET 5/8" REBAR; THENCE SOUTH 02°01'22" WEST, 184.74 FEET TO A SET 5/8" REBAR AND THE TRUE POINT OF BEGINNING; LESS AND EXCEPT THAT PART LYING IN THE CITY OF GARFIELD; SAME BEING BENTON COUNTY PARCEL #18-01206-004 CONTAINING 3.71 ACRES, MORE OR LESS.

2016 APR 27 PM 3:16
TERESA D. VINING
CLERK & PROBATE CLERK
BENTON COUNTY, AR

AND

PROPERTY LOCATED IN A PART OF THE NW1/4 OF THE NE1/4 OF FRACTIONAL SECTION 4, TOWNSHIP 20 NORTH, RANGE 28 WEST, BENTON COUNTY, ARKANSAS, SHOWN AS TRACT 1 IN PLAT RECORD 2014 AT PAGE 225, AND BEING MORE PRECISELY DESCRIBED AS FOLLOWS: STARTING AT THE NE CORNER OF THE NW1/4 OF THE NE1/4 OF FRACTIONAL SECTION 4; THENCE S 02°13'47" W, 928.82 FEET TO A FOUND 5/8" REBAR; THENCE S 89°09'07" W, 457.82 FEET TO A SET 5/8" REBAR AND THE TRUE POINT OF BEGINNING; THENCE S 89°09'07" W 873.03 FEET TO A COMPUTED POINT; THENCE N 02°43'08" E, 525.88 FEET TO A COMPUTED POINT; THENCE S 72°27'22" E, 892.01 FEET TO A SET 5/8" REBAR; THENCE S 00°35'42" W, 243.50 FEET TO A SET 5/8" REBAR AND THE TRUE POINT OF BEGINNING, CONTAINING 7.644 ACRES, MORE OR LESS; SAME BEING BENTON COUNTY PARCEL # 18-01206-003.

SECTION 2. That the following schedule of services shall be extended to the area by the City of Garfield within the statutorily required three (3) years after the date the annexation becomes final, as follows: Fire Protection – (NEBCO) Immediately; Public Street Maintenance – Immediately; and Zoning and Code Enforcement – Immediately.

SECTION 3. That the above described territory shall be annexed to and made a part of Ward 2 of the City of Garfield, and the same shall henceforth be a part of said ward as fully as existing parts of said ward.

SECTION 4. It is the desire of the Garfield City Council to expedite the procedure outlined above. Therefore, it is declared that an emergency exists and the Ordinance is immediately effective

PASSED AND APPROVED THIS 12 DAY OF April, 2016.

Barney Beck Sr.

Mayor

16 206

Attest:

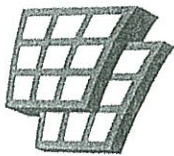
Teresa D. Vining
Recorder-Treasurer

TERESA D. VINING
Notary Public-Arkansas
Benton County
My Commission Expires 05-12-2025
Commission # 12693938

2016 2060

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2016 MAY -4 AM 9:07



ARKANSAS
GIS OFFICE

TENA O'BRIEN
CO. & PROBATE CLERK
BENTON COUNTY, ARK

May 2, 2016

Mrs. Tiffany Underwood
Benton County Clerk's Office
215 E. Central Ave.
Bentonville, AR 72712

RE: City of Garfield Annexation Coordination Requirement

Mrs. Underwood,

Thank you for coordinating with our office as you seek to annex property into the City of Garfield, AR case number CC2016-05. 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,

A handwritten signature in black ink, appearing to be 'Richie Pierce, Sr.', written in a cursive style.

Richie Pierce, Sr. GIS Analyst
/rp

Proposed Annex: City of Garfield
May 2016

City: Garfield
Mayor: Gary Blackburn

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



TEMA O'BRIEN
CO. & PROBATE CLERK
BENTON COUNTY, ARK.

2016 MAY -4 AM 9:07

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ARKANSAS
GIS OFFICE

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