



ARKANSAS SECRETARY OF STATE  

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**MARK MARTIN**

October 04, 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 164

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: 09/13/2016 (emergency declared)

County: Benton

City: Garfield

City Ordinance: 164

Dated: 09/13/2016

County Court Order: CC 2016-07 Dated: 06/16/2016 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: 104 Date approved: 9-13-16

County Court Case No: CC2016-07 Date of Order: 9-16-16

Filing Type: 14-40-609 100% Annexation

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

Date Change Effective: 9-13-16 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: Gary Blackburn Title: Mayor

Street Address: PO Box 131

City: Charfield St: AR Zip code: 72732

### City/County Official:

Signature: [Signature] Title: Deputy Clerk

Date: 9-26-16

(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

OCT 04 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

September 26, 2016

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

RECEIVED

OCT 03 2016

Arkansas  
Secretary of State

Dear Secretary Martin:

RE: Christal Allen AND Glorie & John Oxford  
City of Garfield Annexation  
Benton County Court Case No. CC# 2016-07

FILED

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Arkansas  
Secretary of State

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. Order of Annexation entered on June 16, 2016
3. Ordinance No. 164 adopted on September 13, 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

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



P.O. Box 131  
 Garfield, AR 72732  
 Office: 479-359-3652  
 Fax: 479-359-2345

FILED

2016 SEP 23 PM 3:45

JENA GIBBEN  
 CO. & PROBATE CLERK  
 BENTON COUNTY, ARK.

ORDINANCE NO 164

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

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 petitioners(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 within 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:

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Arkansas  
 Secretary of State

2016 4195

2016 SEP 23 PM 3:45

LENA SIBBLEN  
CL. & PROPRATE CLERK  
BENTON COUNTY, ARK

PART OF THE SOUTHWEST CORNER (SW ¼) OF THE SOUTHEAST QUARTER (SE ¼) OF SECTION 31, TOWNSHIP 21 NOTH, RANGE 28 WEST, BENTON COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED ASFOLLOWS: COMMENCE AT A POINT WHICH IS NORTH 89 DEGREES 47' 40", EAST 30.00 FEET FROM THE NORTHWEST CORNER OF THE SW ¼ OF THE SE ¼ OF SAID SECTION 31; THENCE SOUTH 174.89 FEET, MORE OR LESS, TO THE POINT OF BEGINNING OF THE GARFIELD CITY LIMIT LINE, SAME POINT BEING THE NW CORNER OF BENTON COUNTY PARCEL # 18-02094-002 TYHENCE SOUTH 186.04 FEET, MORE OR LESS, TO A POINT, SAME POINT BEING THE SW CORNER OF BENTON COUNTY PARCEL # 18-02094-004; THENCE SOUTH 89 DEGREES 31' 57" EAST 360.07FEET, MORE OR LESS, TO A POINT, SAME BEING THE SE CORNER OF SAID PARCEL; THENCE NORTH 121 FEET, MORE OR LESS TO A POINT, SAME AS BEING THE NE CORNER OF SAID PARCEL; THENCE SOUTH 89 DEGREES 31' 15 " WEST 151.37 FEET, MORE OR LESS , TO A POINT, SAID BEING THE SE CORNER OF BENTON COUNTY PARCEL # 18-02094-002; THENCE NORTH 57.33 FEET, MORE OR LESS TO A POINT ON THE GARFIELD CITY LIMIT LINE, SAME POINT BEING THE NE CORNER OF SAID PARCEL; THENCE NORTH 88 DEGREES 22' 47" WEST 208.78 FEET, MORE OR LESS, TO THE POINT OF BEGINNING, CONTAINING 1.30 ACRES, MORE OR LESS.

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; Zoning and Code Enforcement - Immediately.

SECTION 3. That the above described property 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.

PASEED AND APPROVED THIS 13<sup>th</sup> DAY OF September 2016.

Craig B. Decker

Mayor

Attest:  
Terrell D. King

Recorder – Treasurer



FILED

2016 JUN 13 PM 1:53

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

IN THE MATTER OF ANNEXING TO THE CITY OF  
GARFIELD, ARKANSAS CERTAIN TERRITORY  
CONTIGUOUS TO SAID CITY OF GARFIELD, ARKANSAS

GLORIE AND JOHN OXFORD,  
CHRISTAL J. ALLEN  
PETITIONERS

COUNTY COURT ORDER NO. CC 2016-07

ORDER AUTHORIZING ANNEXATION PURSUANT TO ACA § 14-40-609

I, Robert Clinard, County Judge of Benton County, having reviewed the attached petition for annexation and verification of petition, hereby find:

- (1) That the petition and verifications are complete and accurate;
- (2) That no enclaves will be created by the proposed annexation; and
- (3) That the petition contains a schedule of services.

The County Clerk is directed to forward a copy of this order and the related Petition to the Mayor of the City of Garfield.

  
\_\_\_\_\_  
HON. ROBERT CLINARD, County Judge

6-13-2016  
\_\_\_\_\_  
Date

2016 2669

FILED

2016 JUN 17 AM 10:51

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



ARKANSAS  
GIS OFFICE

June 16, 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 CC206-07. 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 90<sup>th</sup> 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

FILED

OCT 04 2016

Arkansas  
Secretary of State

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2016 JUN 17 AM 10: 51

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

Proposed Annex: City of Garfield  
June 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

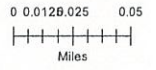
-  Proposed Township-Range
-  Sections
-  Parcels
-  Highway
-  Minor Road
-  Existing City
-  Neighboring City
-  County Boundary

**PROPOSED ANNEX**

Paul Pratt

Dennis Mitchell

S31-T21N-R28W



Garfield-20160603

FILED

OCT 04 2016

Arkansas  
Secretary of State



FILED

2016 JUN 10 PM 1:48

TENA O'BRIEN  
CO & PROBATE CLERK  
BENTON COUNTY, AR

IN THE MATTER OF ANNEXING TO THE  
CITY OF GARFIELD, ARKANSAS  
CERTAIN TERRITORY CONTIGUOUS TO SAID  
CITY OF GARFIELD, ARKANSAS

GLORIE AND JOHN OXFORD,  
CHRISTAL J. ALLEN  
PETITIONERS

CC 2016-07

VERIFICATION OF PETITION FOR ANNEXATION PURSUANT TO ACA § 14-40-609

We, Tena O'Brien, County Clerk of Benton County, and Linda Hambrick, County Assessor of Benton County, attest as follows:

Our offices have received the attached petition seeking annexation. The petition has been reviewed and we hereby verify that:

- (A) the identity of the petitioner or petitioners has been confirmed;
- (B) there are no property owners included in the petition that do not wish to have their property annexed;
- (C) the property described in the petition is contiguous with the City of Garfield, and
- (D) no enclaves will be created if the petition is accepted by the City of Garfield.

  
HON. TENA O'BRIEN, County Clerk

  
HON. LINDA HAMBRICK, County Assessor