



ARKANSAS SECRETARY OF STATE

MARK MARTIN

February 7, 2017

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

Re: City of Garfield Annexation Ordinance 170

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: 12/13/2016 (emergency declared)

County: Benton

City: Garfield

City Ordinance: 170

Dated: 12/13/2016

County Court Order: CC 2016-44

Dated: 10/20/2016 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)

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: Benton City/Town: Charfield

City Ordinance/Resolution No: 170 Date approved: 12-13-16

County Court Case No: CC 2016-44 Date Order Filed: 10-20-16

Type: 100%
(Choose from the list of Arkansas Code Sections located on the back)

Date Change Effective: 12/13/2016 Emergency clause: Yes No

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 (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 80

City: Charfield St: AR Zip code: 72732

City/County Official:

Signature: T. Underwood Title: Deputy County Clerk

Date: 1-20-17

(Complete one form for each ordinance/resolution and attach it as a cover page to the supporting document set. Submit the 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: Cynthia Fisher

FILED

FEB 07 2017

Arkansas
Secretary of State

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

January 30, 2017

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

Dear Secretary Martin:

RE: Dewell & Donna Doyle
City of Garfield Annexation
Benton County Court Case No. CC# 2016-44

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 Authorizing Annexation entered on October 20th, 2016
3. Ordinance No. 170 adopted on December 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

Proposed
1st Reading
2nd Reading

Nov 15, 2016
12-13-2016
ORDINANCE NO. 170

Passed w/ Emergency Clause.

FILED
2017 JAN -5 PM 2:

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

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 and 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 territory, contiguous to the City of Garfield, be and the same is hereby accepted as part of, and annexed to and made part of the City of Garfield, Arkansas to wit:

ALL OF THE FOLLOWING DESCRIBED PROPERTY NOT ALREADY WITHIN THE GARFIELD CITY LIMITS, LESS AND EXCEPT A 4,807 SQUARE FOOT AREA ALONG PART OF THE SOUTHERN BOUNDARY OF THE TERRITORY TO BE ANNEXED WITHIN THE ARKANSAS MISSOURI RAILROAD RIGHT-OF-WAY, SAME BEING A PART OF BENTON COUNTY PARCEL #18-02093-000:

PART OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 31, TOWNSHIP 21 NORTH, RANGE 28 WEST, MORE PARTICULARLY DESCRIBED AS BEGINNING AT THE NW CORNER OF THE SAID SW ¼ OF SE ¼ SAME POINT BEING IN THE GARFIELD CITY LIMITS; THENCE N89 53' 18" E 30.00 FEET; THENCE S00 00'00" E 355.05 FEET; THENCE S89 31'57" E 360.07 FEET; THENCE N00 00'00"E 121.00 FEET; THENCE S89 31'57" W 151.37 FEET; THENCE N00 00'00" E 236.52 FEET; THENCE N89 53'18"E 350.35 FEET; THENCE S00 00'00" W 1329.09 FEET; THENCE S89 41'35"W 589.05 FEET; THENCE N00 00'00" W 1331.10 FEET TO THE POINT OF BEGINNING.

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.

FILED

FEB 07 2017

Arkansas Secretary of State

2017 0140

FILED

2017 JAN -5 PM 2:33

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.

TEMP. RECORD
NO. 2 PL. STATE CLERK
BEAVER COUNTY, ARK.

PASSED AND APPROVED THIS 13th DAY OF December, 2016.

Camy Blalock Mayor Jessie D. King Attest

2017 0141

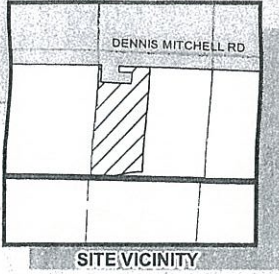
FILED

2017 JAN 13 AM 10:33

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

Exhibit A

Garfield Annexation Doyle, Dewell Ellis & Donna



PAUL PRATT RD

NW SE

DENNIS MITCHELL RD

31-21-28

SE SW

SW SE

Area to be Annexed



SE SE

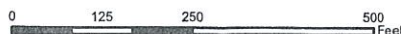
06-20-28

NE NW

NW NE

NE NE

Disclaimer: This map was developed from the best available sources and constitutes a graphic representation of these data sources. No guarantee of accuracy is granted, nor is any responsibility for reliance thereon assumed. In no event shall the NWARPC or any other entity be liable for direct, indirect, incidental, consequential or special damages of any kind, including, but not limited to, loss of anticipated profits or benefits arising out of use of or reliance on this data. The NWARPC and/or any other entity are in no way responsible for or liable for any misrepresentation or re-use of this map. Distribution of this map is intended for information purposes only and should not be considered authoritative for engineering, legal and other site-specific uses.



Map Features	
	Area to be Annexed
	Roads
	S-T-R
	QQ Sections
	Garfield_City_Limits



NWARPC_GIS-SJS
Annexation_Doyle100716.mxd

2017 0111 A

FILED

2016 OCT 20 PM 2:23

TEHA SHERIFF
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

DEWELL & DONNA DOYLE
PETITIONER(S)

COUNTY COURT NO. CC 2016-44

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.

Robert D. Clinard
HON. ROBERT CLINARD, County Judge

October 20, 2014
Date

FILED

FEB 07 2017

Arkansas
Secretary of State

2016 4669

FILED

2017 JAN 20 PM 1:17



ARKANSAS
GIS OFFICE

TELETYPE
CLERK
OFFICE

October 14, 2016

Mr. & Mrs. Dewell and Donna Doyle
17187 Dennis Mitchell Rd
Garfield, AR 72732

RE: City of Garfield Annexation Coordination Requirement

Mr. & Mrs. Doyle,

Thank you for coordinating with our office as you seek to annex property into the City of Garfield, AR in the Southwest quarter of the Southeast quarter of Section 31, Township 12 North, Range 28 West.

After consultation and review with John Thornton, Arkansas State Surveyor, on your legal description, we request you amend the legal description to change the less and except clause as follows: LESS AND EXCEPT THE RIGHT-OF-WAY OF THE MISSOURI AND ARKANSAS RAILROAD SHOWN ON TRACT 1, SHOWN ON THE SURVEY PLAT RECORDED ON APRIL 23RD, 2009 IN BOOK 2009 PAGE 221 OF THE BENTON COUNTY CIRCUIT CLERK OFFICE.

We also request you include a copy of that plat along with the other documentation associated with the petition due to it being filed and recorded.

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,

Shelby D Johnson, State Geographic Information Officer
/sdj

Attachments:

GIS Office Map of Proposed Annexation
Doyle Petition for Annexation (Revised)
Rideout Survey Plat Book 2009 Page 221, Filed April 23, 2009
Secretary of State Municipal Change Checklist

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

PHONE (501) 682-2767 · www.gis.arkansas.gov · FAX (501) 682-6077

Proposed Annex: City of Garfield
October 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

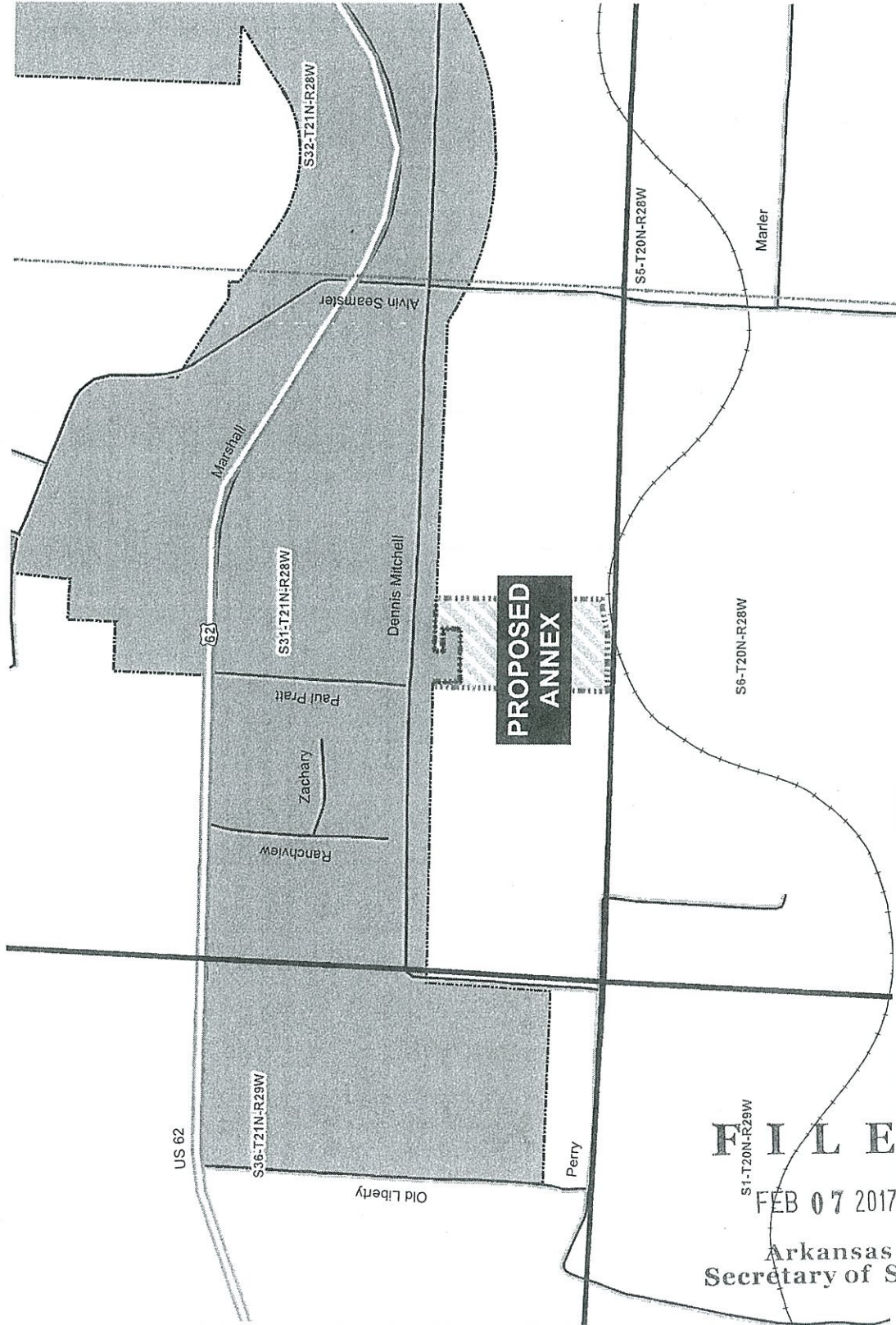
- Proposed Annex
- Township-Range
- Sections
- Highway
- Minor Road
- Railroad
- Existing City
- County Boundary

2017 JAN 20 PM 1:17

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Miles



ARKANSAS
GIS OFFICE



FILED
FEB 07 2017
Arkansas
Secretary of State

2016 OCT 19 PM 3: 28

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

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

DEWELL & DONNA DOYLE

PETITIONERS

CC 2016-44

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

FILED

2016 OCT 19 PM 3:28

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



Date: October 19, 2016

Subject: Petition for Annexation (CC2016-44)

Parcel Numbers and owners:

Owners: Dewell and Donna Doyle 18-02125-000 (1993-50522)

And part of 18--02094-000 (1996-45595)

I have reviewed the subject petition for annexation of territory into the City of Bentonville, AR and find the following:

1. The property to be annexed is contiguous with the existing city boundary of Garfield, AR.
2. The submitted description substantially conforms to the size and location of the property.
3. The submitted description closes mathematically and generally conforms to the deed(s) of record noted above.
4. The owners that signed the petition match the owners of record.
5. The proposed annexation does not appear to create any enclaves.

Please contact me if you have any questions.

Michael D. Million
Manager – Mapping Dept.
Benton County Assessor's Office
Phone: 479-271-1037, ext. 7004
Email: michael.million@bentoncountyar.gov

FILED

2016 OCT 10 PM 2:47

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

PETITION FOR ANNEXATION

CC 2016 - 44

DATE: _____

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

Come now the undersigned petitioners, and state as follows:

1. That we, owning 100% of the property in the following described area, do hereby petition, pursuant to A.C.A. 14-40-609, the City Council of Garfield, Arkansas, to annex the following lands to the City of Garfield, Arkansas:

ALL OF THE FOLLOWING DESCRIBED PROPERTY NOT ALREADY WITHIN THE GARFIELD CITY LIMITS, LESS AND EXCEPT A 4,807 SQUARE FOOT AREA ALONG PART OF THE SOUTHERN BOUNDARY OF THE TERRITORY TO BE ANNEXED WITHIN THE ARKANSAS MISSOURI RAILROAD RIGHT-OF-WAY, SAME BEING A PART OF BENTON COUNTY PARCEL #18-02093-000:

PART OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 31, TOWNSHIP 21 NORTH, RANGE 28 WEST, MORE PARTICULARLY DESCRIBED AS BEGINNING AT THE NW CORNER OF THE SAID SW ¼ OF SE ¼, SAME POINT BEING IN THE GARFIELD CITY LIMITS; THENCE N89°53'18"E 30.00 FEET; THENCE S00°00'00"E 355.05 FEET; THENCE S89°31'57"E 360.07 FEET; THENCE N00°00'00"E 121.00 FEET; THENCE S89°31'57"W 151.37 FEET; THENCE N00°00'00"E 236.52 FEET; THENCE N89°53'18"E 350.35 FEET; THENCE S00°00'00"W 1329.09 FEET; THENCE S89°41'35"W 589.05 FEET; THENCE N00°00'00"W 1331.10 FEET TO THE POINT OF BEGINNING.

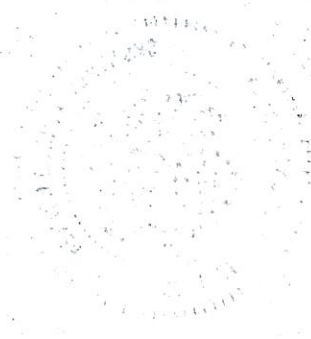
2. We further state that this petition is signed by 100% of the real estate owners owning 100% of the acreage in said area.

FILED

3. That said property described herein is contiguous to and adjoining the present Garfield city limits, as shown on the map attached hereto as Exhibit A.

FEB 07 2017

Arkansas
Secretary of State



4. That no enclaves will be created if this petition is accepted and the territory annexed into the City of Garfield.

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

Dewell Ellis Doyle
Signature of Property Owner

Witness

Dewell Ellis Doyle

Yerna O'Brien
Signature of Attesting

1785 D. Mitchell Rd Garfield, Ar
Address 72732

Donna Doyle
Signature of Property Owner

Donna Doyle

Yerna O'Brien
Signature of Attesting Witness

Signature of Attesting Witness

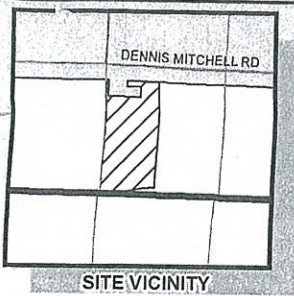
17185 Dennis Mitchell Rd
Address Garfield, Ar. 72732

2016 OCT 10 PM 2:47
YERNA O'BRIEN
CLERK
CO & PROBATE
BENTON COUNTY, AR

FILED

Exhibit A

Garfield Annexation
Doyle, Dewell Ellis & Donna



PAUL PRATT RD

NW SE

DENNIS MITCHELL RD

31-21-28

SE SW

SW SE

Area to be Annexed

FILED
2016 OCT 10 PM 2:47
TENA O'BRIEN
CO & PROBATE CLERK
BENTON COUNTY, AR

SE SE

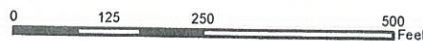
06-20-28

NE NW

NW NE

NE NE

Disclaimer: This map was developed from the best available sources and constitutes a graphic representation of these data sources. No guarantee of accuracy is granted, nor is any responsibility for reliance thereon assumed. In no event shall the NWARPC or any other entity be liable for direct, indirect, incidental, consequential or special damages of any kind, including, but not limited to, loss of anticipated profits or benefits arising out of use of or reliance on the data. The NWARPC and/or any other entity are in no way responsible for or liable for any misrepresentation or re-use of this map. Distribution of this map is intended for information purposes only and should not be considered authoritative for engineering, legal and other site-specific uses.



Map Features

- Area to be Annexed
- Roads
- S-T-R
- QQ Sections
- Garfield_City_Limits

