



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 169

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: 169

Dated: 12/13/2016

County Court Order: CC 2016-29

Dated: 09/27/2016

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: Garfield
City Ordinance/Resolution No: 169 Date approved: 12-13-16
County Court Case No: CC 2016-29 Date of Order: 9-27-16
Filing Type: 100% Annexation ACA 14-40-609

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

Date Change Effective: 12/13/2016 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: 14655 S WIMPY JONES RD

City: GARFIELD St: AR Zip code: 72732

City/County Official:

Signature: Tiffany Underwood Title: Deputy Clerk

Date: 1-13-17

(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: 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: Scherry Jackson & James Reed
City of Garfield Annexation
Benton County Court Case No. CC# 2016-29

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 September 27, 2016
3. Ordinance No. 169 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 T. Underwood

FILED

2017 JAN -5 PM 2: 33

ORDINANCE NO.. 169

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 a part of the City of Garfield, Arkansas to wit:

BEGINNING AT THE NW CORNER OF THE SW ¼ OF THE SW ¼ OF SECTION 32 TOWNSHIP 21 NORT RANGE 28 WEST OF BENTON COUNTY, ARKANSAS, ALSO BEING ON THE CITY LIMITS OF GARFIELD, THENCE SOUTH 0 DEGREES 36' 4" WEST, 1155.39 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY ON A CURVE TO THE LEFT WITH A RADUS OF 1108.26 FEET WITH A CHORD OF NORTH 58 DEGREES 02' 23" EAST, 1048.8 FEET; THENCE CONTINUING NORTHWESTERLY ALONG SAID RIGHT-OF-WAY ON A CURVE TO THE LEFT WITH A RADIUS OF 1102.22 FEET WITH A CHORD OF NORTH 19 DEGREES 03' 38" EAST 409.06 FEET; THENCE NORTH 2 DEGREES 46' 18" EAST, 192.45 FEET, TO THE CITY LIMITS OF GARFIELD; THENCE CONTINUING WESTERLY ALONG THE CITY LIMITS NORTH 88 DEGREES 48' 15" WEST, 459.09 FEET; THENCE NORTH 88 DEGREES 48' 15" WEST, 561.76 FEET TO THE POINT OF BEGINNING CONTAINING 19.88 ACRES MORE OR LESS; SAME BEING ALL OF BENTON COUNTY PARCELS #18-02125-000 AND #18-02125-002.

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 the expedite the procedure outlined above. Therefore, it is declared that an emergency exists and the Ordinance is immediately effective

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

Conny Blackman Mayor

James King -Attest

Recorder/Treasurer

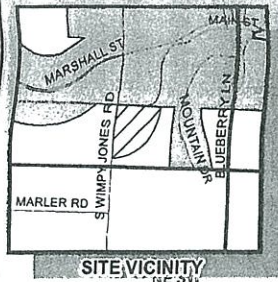
FILED

FEB 07 2017

Arkansas Secretary of State

Exhibit A

Garfield Annexation
Jackson Revocable Trust, Scherry L (18-02125-000)
and Reed, James V (18-02125-002)



SITE VICINITY

NW SE

NE SE

DENNIS MITCHELL RD

MOUNTAIN DR

32-21-28

Annexation Area

S WIMPY JONES RD

SE SW

SW SE

SE SE



05-20-28 NE NW

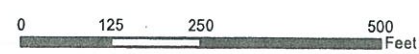
NW NE

NE NE

Disclaimer: This map was developed from the best available source and constitutes a graphic representation of these data sources. No guarantee of accuracy is granted, nor is any responsibility for machine rendered errors. In no event shall the NWA/PC or any other entity be liable for direct, indirect, 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 NWA/PC and/or any other entity are in no way responsible for or liable for any misrepresentation or 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.



Prepared: July 1, 2016



	Roads
	S-T-R
	Quarter Sections
	QQ Sections
	Jackson, Reed
	Railroads
	State Highway
	Garfield, City Limits

FILED

2017 JAN 20 PM 12: 27



ARKANSAS
GIS OFFICE

TIFFANY UNDERWOOD
CLERK & PUBLIC CLERK
BENTON COUNTY, AR

January 20, 2017

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 CC2016-29. 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,

Richie Pierce, Sr. GIS Analyst
/rp

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

City: Garfield
Mayor: Gary Blackburn

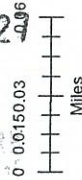
Arkansas Code 14-40-101.

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, if the entity has met requirements of Arkansas Code 14-40-101.

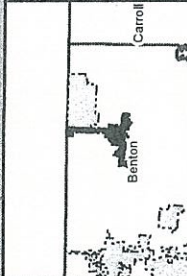
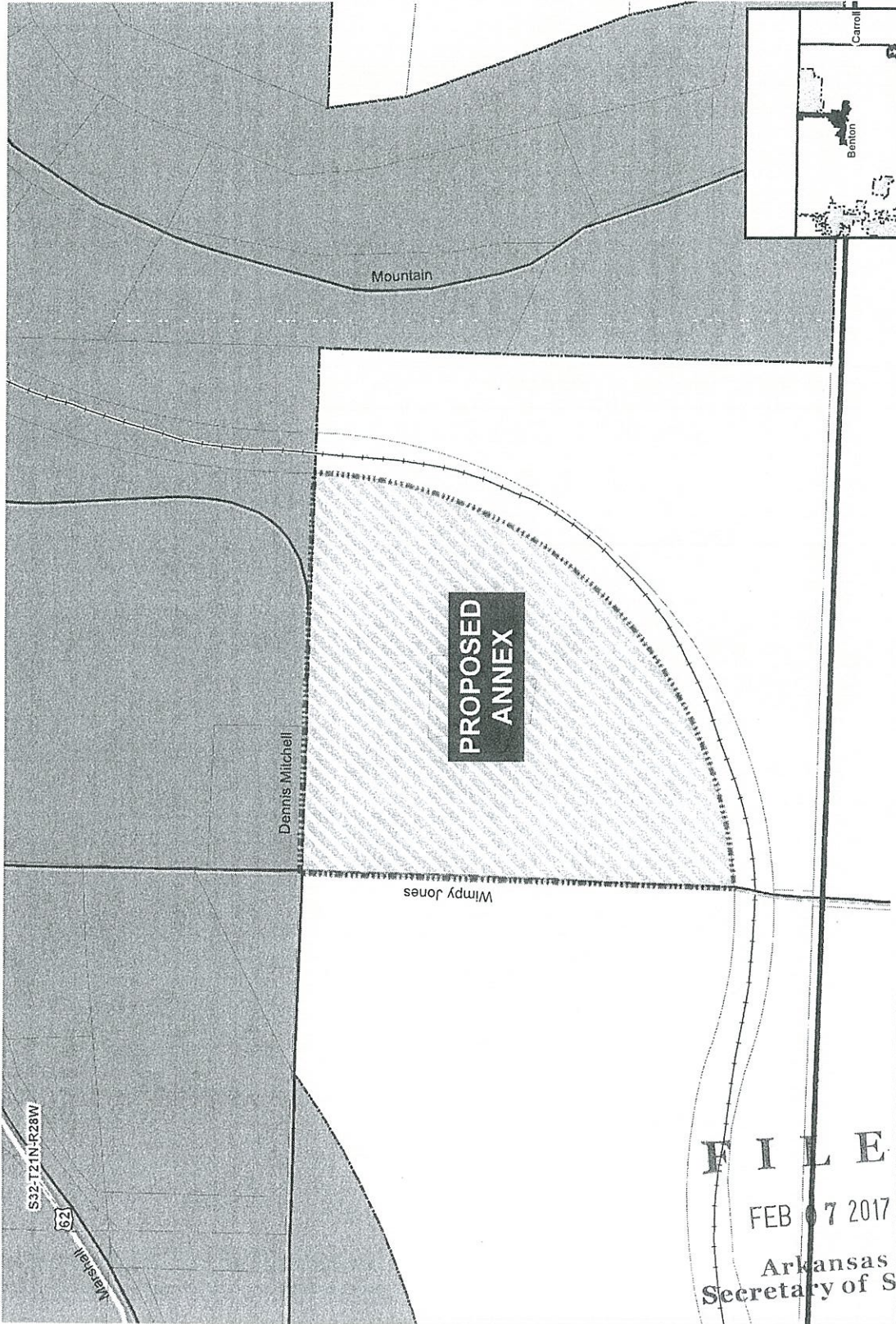
- Proposed Annex
- Township-Range
- Sections
- Parcels
- Highway
- Minor Road
- Railroad
- Existing City
- Neighboring City
- County Boundary

2017 JAN 20 PM 12:29



ARKANSAS
GIS OFFICE
Garfield-20170117

Proposed Annex: City of Garfield
January 2017



FILED
 FEB 07 2017
 Arkansas
 Secretary of State

FILED

2016 SEP 27 AM 10:50

TENA FERRICK
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

SCHERRY JACKSON AND JAMES REED
PETITIONER(S)

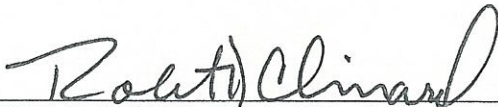
COUNTY COURT NO. CC 2016-29

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

9/27/16

Date

FILED

FEB 07 2017

Arkansas
Secretary of State

2016 4246

FILED

2016 SEP 26 PM 3:40

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

SCHERRY JACKSON & JAMES REED

PETITIONERS

CC 2016-29

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 SEP 23 AM 10: 53

PETITION FOR ANNEXATION

TENA SHERIN
CLERK & PROCLAMATION CLERK
BENTON COUNTY, ARK.

DATE: Sept 15, 2016

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:

BEGINNING AT THE NW CORNER OF THE SW ¼ OF THE SE ¼ OF SECTION 32 TOWNSHIP 21 NORT RANGE 28 WEST OF BENTON COUNTY, ARKANSAS, ALSO BEING ON THE CITY LIMITS OF GARFIELD, THENCE SOUTH 0 DEGREES 36' 4" WEST, 1155.39 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY OF THE ARKANSAS AND MISSOURI RAILROAD; THENCE CONTINUING NORTHWESTERLY ALONG SAID RIGHT-OF-WAY ON A CURVE TO THE LEFT WITH A RADIUS OF 1108.26 FEET WITH A CHORD OF NORTH 58 DEGREES 02' 23" EAST, 1048.8 FEET; THENCE CONTINUING NORTHWESTERLY ALONG SAID RIGHT-OF-WAY ON A CURVE TO THE LEFT WITH A RADIUS OF 1102.22 FEET WITH A CHORD OF NORTH 19 DEGREES 03' 38" EAST, 409.06 FEET; THENCE NORTH 2 DEGREES 46' 18" EAST, 192.45 FEET, TO THE CITY LIMITS OF GARFIELD; THENCE CONTINUING WESTERLY ALONG THE CITY LIMITS NORTH 88 DEGREES 48' 15" WEST, 459.09 FEET; THENCE NORTH 88 DEGREES 48' 15" WEST, 561.76 FEET TO THE POINT OF BEGINNING, CONTAINING 19.88 ACRES MORE OR LESS; SAME BEING ALL OF BENTON COUNTY PARCELS #18-02125-000 AND #18-02125-002.


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

FILED

FEB 07 2017

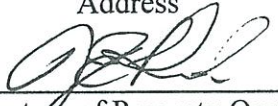
Arkansas
Secretary of State

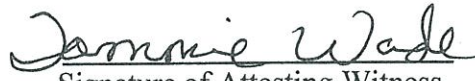
Protection – (NEBCO) Immediately; Public Street Maintenance – Immediately;
and Zoning and Code Enforcement – Immediately.


Signature of Property Owner
Jackson Revocable Trust
Scherry L. Jackson


Signature of Attesting Witness

17949 Dennis Mitchell
Address


Signature of Property Owner
James V. Reed


Signature of Attesting Witness

17947 Dennis Mitchell
Address

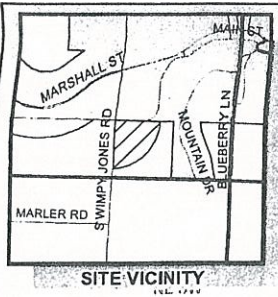
TERESA BARNETT
CLERK PROBATE CLERK
BENICOLA COUNTY, OREGON

2016 SEP 23 AM 10:53

FILED

Exhibit A

Garfield Annexation
Jackson Revocable Trust, Scherry L (18-02125-000)
and Reed, James V (18-02125-002)



SITE VICINITY
1:25,000

NW SE

DENNIS MITCHELL RD

NE SE

MOUNTAIN DR

32-21-28

Annexation Area

S WIMPY JONES RD

SE SW

SW SE

SE SE

TERESA W. BROWN
COUNTY CLERK
BRITTON COUNTY, GA

2016 SEP 23 AM 10:53

FILED

05-20-28 NE NW

NW NE

NE NE

Disclaimer: This map was developed from the best available source and constitutes a graphic representation of that data source. No guarantee of accuracy is granted, nor is any liability for reliance thereon assumed. It is the user's responsibility to verify the accuracy of any data, including, but not limited to, the location of any road, railroad, or other feature shown on this map. The NWA and its staff are not responsible for any misrepresentation or use of this map. Calculation of the map is intended for information purposes only and should not be considered authoritative for engineering, legal, and other site-specific uses.



Prepared: July 1, 2016

