



# JOHN THURSTON

ARKANSAS SECRETARY OF STATE

December 15, 2019

The Hon. Betsy Harrell  
Benton County Clerk  
215 East Central, Suite 217  
Bentonville, AR 72712-5373

Re: City of Gentry Annexation Ordinance 19-806

Dear Ms. Harrell

This letter acknowledges receipt and filing of the following notice of municipal boundary change by the Office of the Arkansas Secretary of State:

Filing Type: Annexation pursuant to A.C.A §14-40-609 (annexation by petition of all landowners)

Effective Date: 11/04/2019

County: Benton

City Ordinance: 19-806

County Court Order: 2019-10

City: Gentry

Dated: 11/04/2019

Date Filed: 11/06/2019

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 change by the Arkansas Secretary of State.

If you have any questions or concerns regarding this filing, please do not hesitate to contact our Office at 501-683-3717.

Sincerely,

A handwritten signature in cursive script that reads "Shantell McGraw".

Shantell McGraw  
Elections Division

cc: Arkansas Geographic Information Systems Office (w/encl)  
Arkansas Department of Transportation Mapping Department (w/encl)  
Department of Finance and Administration (w/encl)  
Arkansas Public Service Commission (w/encl)  
Arkansas Economic Development Institute (w/encl)  
The Hon. Kevin Johnston, Mayor of Gentry (w/encl)  
Ms. Tonya Carney, Gentry Financial Director (w/encl)



# Arkansas Secretary of State

**John Thurston** Arkansas Secretary of State, 500 Woodlane Ave, Little Rock, AR 72201-1094

## Municipal Boundary Change Checklist

Act 655 of 2017 and A.C.A. §14-40-103

County: Benton City/Town: Gentry

City Ordinance/Resolution No: 19-806 Date approved: 11/04/2019

County Court Case No: 2019-10 Date Order Filed: 10/04/2019 11/26/2019

Type: Annexation by Petition of all Landowners A.C.A. 14-40-609 sm 11/25/19

Date Change Effective: 11/04/2019 Set by:  Municipal Ordinance  Emergency Clause  Court  Default  
*(Required by Act 655 of 2017)*

For Circuit Court Challenge: Date Order Filed: \_\_\_\_\_  Upheld  Overturned  Other *(attach explanation)*

Please indicate which ward(s) the territory will be assigned to: \_\_\_\_\_  
*(See A.C.A § 14-40-203)*

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 *(required)*
  - File marked copy of County Court Order or certified annexation election results *(required except for A.C.A. §14-40-501)*
  - Copy of Arkansas GIS approved printed map and certification letter *(required)*
  - Proof of Publication for all Legal Notices *(include Hearing, Election, and City Ordinance/Resolution notices)*
  - File marked copy of Petition Part *(if applicable)*
  - File marked copy of Complaint and final Circuit Court Order *(Court Challenge only)*

Municipal Contact:  
Name: Tonya Carney Title: Finance Director  
Street Address: 101 W Main Street  
City: Gentry St: AR Zip code: 72734

*Complete one form per ordinance/resolution, attach it as a cover page to the supporting document set and submit to the County Clerk's Office within 45 days of the Effective Date as required by Act 655 of 2017*

County Official:  
Signature: Cleemasters Title: Deputy Clerk  
Date: NOV 08 2019

*Pursuant to Act 655 of 2017, County Officials must submit a file-marked copy of municipal boundary change documents within 30 days of receipt to: Arkansas Secretary of State, Attn: Municipal Boundary Filing, 500 Woodlane Ave Suite 256, Little Rock, AR 72201-1094*

Office of the Arkansas Secretary of State use only

Received by: \_\_\_\_\_

ORDINANCE NO. 19-806

**AN ORDINANCE ACCEPTING THE ANNEXATION OF CERTAIN LANDS TO THE CITY OF GENTRY; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES**

WHEREAS, a petition was filed in the County Court of Benton County, Arkansas, County Case No. CC 2019-10, seeking the annexation of certain lands into the City of Gentry, Arkansas pursuant to A.C.A. § 14-40-609, by Steele Development, Inc. and Turning Point Fellowship; and

WHEREAS, the Honorable Barry Moehring, Benton County Judge, did review and approve said Petition for Annexation; and

WHEREAS, it is the desire of the City Council for the City of Gentry that said territory be annexed into City limits;

NOW, THEREFORE, BE IT ORDAINED by the City Council for the City of Gentry:

SECTION 1. That having given due consideration to the Decree of Annexation attached hereto as Exhibit "A"; and the map of the territory to be annexed attached hereto as Exhibit "B", the City Council of the City of Gentry, Arkansas does hereby accept the described territory, as evidenced by the adoption of this Ordinance.

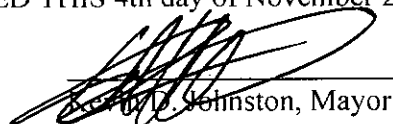
SECTION 2. That the following schedule of services shall be extended to the area by and through the City of Gentry within the statutorily required three-year period after the date the annexation becomes final, as follows:

- a) Police Protection
- b) Fire Protection
- c) Trash Service
- d) Water Service
- e) Wastewater Service

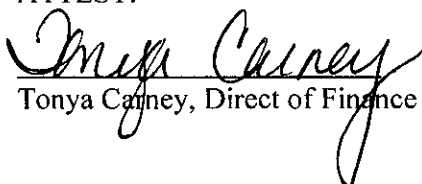
SECTION 3. Notice. The city clerk shall certify and send one (1) copy of the plat of the annexed territory and one (1) copy of this ordinance to the Benton County Clerk.

SECTION 4. Emergency. Certain factors exist to make completion of such annexation urgent, including the need to proceed with development and rezoning of the annexed lands. Accordingly, the immediate operation of the provisions of this Ordinance is necessary and proper for the preservation of the peace, health, safety, and welfare of the residents of Gentry, Arkansas; and, therefore, an emergency is declared to exist. This Ordinance shall be in full force and effect from and after its passage and approval.

PASSED, APPROVED AND ADOPTED THIS 4th day of November 2019.

  
Scott D. Johnston, Mayor

ATTEST:

  
Tonya Carney, Director of Finance

FILED

2019 NOV -7 PM 3:47

BETSY HARRELL  
CO & PROBATE CLERK  
BENTON COUNTY, AR

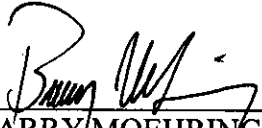
IN THE MATTER OF ANNEXING TO THE  
CITY OF GENTRY, ARKANSAS  
CERTAIN TERRITORY CONTIGUOUS TO SAID  
CITY OF GENTRY, ARKANSAS

CC 2019-10

ORDER CONFIRMING ANNEXATION

Now on this day is presented to the Court the complete file for the annexation of certain land to the City of GENTRY, Benton County, Arkansas, under this file number, including specifically a copy of the plat of the annexed property and a copy of the resolution or ordinance of the governing body of the city or town accepting the property for annexation, and having reviewed the file and all things considered, the Court finds that all the requirements of § 14-40-609 of the Arkansas Code have been complied with and further that the annexation is in all respects proper, including if applicable, that the annexing city or town has included in the legal description included with its resolution or ordinance accepting the property for annexation certain dedicated public roads and rights of way abutting or traversing the property to be annexed if required by the Court's previous order entered in this file.

IT IS THEREFORE CONSIDERED AND ORDERED that the annexation of the above described lands to the City of GENTRY, Benton County, Arkansas, is hereby confirmed and that the same is and shall hence forth comprise a part of the City of GENTRY, Benton County, Arkansas.

  
\_\_\_\_\_  
HON. BARRY MOEHRING, County Judge

\_\_\_\_\_  
Date

11/6/2019

2019 3599

FILED

2019 OCT -4 PM 1:23

BETSY HARRELL  
CO & PROBATE CLERK  
BENTON COUNTY, AR

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

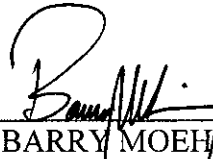
COUNTY COURT ORDER NO. CC 2019-10

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

I, Barry Moehring, County Judge of Benton County, having reviewed the attached petition for annexation and verification of petition, hereby find that the petition:

- 1) is in writing;
- 2) contains an attestation signed before a notary or notaries by the property owner or owners of the relevant property or properties confirming their desire to be annexed;
- 3) contains an accurate description of the relevant property or properties;
- 4) contains a letter or title opinion from a certified abstractor or title company verifying that the petitioners are all owners of record of the relevant property or properties;
- 5) contains a letter or verification from a certified surveyor or engineer verifying that the relevant property or properties are contiguous with the annexing city or town and that no enclaves will be created if the property or properties are accepted by the city or town – additionally a copy of the letter from the State of Arkansas GIS office approving the legal description for the annexation was provided; and
- 6) includes a schedule of services of the annexing city or town that will be extended to the area within three (3) years after the date the annexation becomes final.

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

  
\_\_\_\_\_  
HON. BARRY MOEHRING, County Judge

October 4th, 2019  
Date



2019 3413

City: Gentry  
Mayor: Kevin Johnston

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

- Boundary
- Annex
- Proposed Annex
- City Limits
- Major Road
- Unincorporated Area

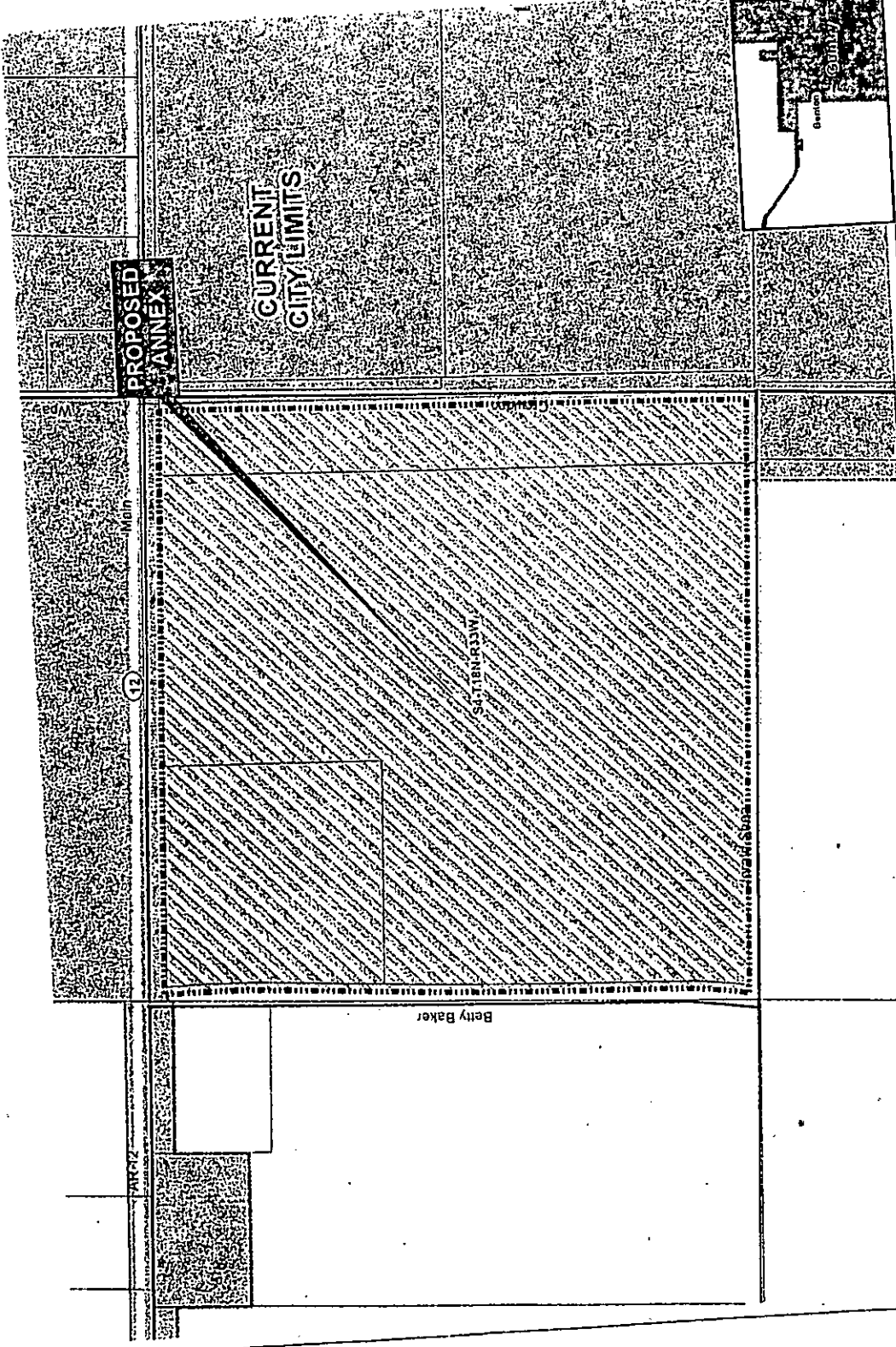
# Exhibit B

0 0.0125 0.25 Miles

2019 OCT -4 AM 10:00

BEISTY HARRELL  
CO & PROBATE CLERK  
BENTON COUNTY, AR

Proposed Annex: City of Gentry  
October 2019



*Kevin D. Johnston*  
Kevin D. Johnston, Mayor

*Tonya Carnay*  
Tonya Carnay, Director of Finance

Attest:

Seal

2019 3582

FILED

Revised Legal Description

2019 OCT -4 AM 10: 32

BEISTY HARRELL  
CO & PROBATE CLERK  
BENTON COUNTY, AR

TRACT 1 OF A PLAT FILED AS L201317183 IN THE CIRCUIT CLERK AND EX-  
OFFICIO RECORDER OF BENTON COUNTY ARKANSAS, CONTAINING 36.24  
ACRES MORE OR LESS.

Copy of Tract 1 description in L201317183

SURVEY DESCRIPTION TRACT 1:

PART OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 04, TOWNSHIP 18 NORTH, RANGE 33 WEST, BENTON COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT N 87°23'26" W 19.80' AND N 01°54'53" E 17.81' FROM THE SE CORNER OF THE NE 1/4 OF THE SW 1/4 OF SAID SECTION 04; THENCE N 88°59'31" W 1288.74'; THENCE N 09°51'17" E 31.86'; THENCE WITH A CURVE TURNING TO THE LEFT WITH AN ARC LENGTH OF 122.80', WITH A RADIUS OF 940.97', WITH A CHORD BEARING OF N 08°07'20" E, WITH A CHORD LENGTH OF 122.51', THENCE N 02°23'23" E 397.65'; THENCE N 03°53'51" E 472.19'; THENCE WITH A CURVE TURNING TO THE LEFT WITH AN ARC LENGTH OF 146.07', WITH A RADIUS OF 1821.29', WITH A CHORD BEARING OF N 02°01'30" E, WITH A CHORD LENGTH OF 146.03', THENCE N 00°16'21" W 72.80'; THENCE N 03°53'00" W 19.53'; THENCE S 87°20'30" E 1240.06'; THENCE S 01°54'53" W 1288.70' TO THE POINT OF BEGINNING AND CONTAINING 36.24 ACRES. PROPERTY IS SUBJECT TO ANY EASEMENT OF RECORD.

2019 3583



FILED

2019 JUL -3 PM 4:08

3866 W. Sunset Avenue  
Springdale, AR 72762  
479-582-9383  
www.realtytitleinc.com

BETSY HARRELL  
CO & PROBATE CLERK  
BENTON COUNTY, AR

I, Cayenna Lea Gaither, a Licensed Title Agent for Realty Title & Closing Services, LLC, do hereby certify that I have researched the Land Records of Benton County, Arkansas as to the following described property:

A PART OF TRACT 1 OF A TRACT SPLIT RECORDED AS DOCUMENT L201817183 OF THE PLAT RECORDS OF BENTON COUNTY, ARKANSAS AND BEING A PART OF THE NE¼ OF THE SW¼ OF SECTION 04, TOWNSHIP 18 NORTH, RANGE 33 WEST, BENTON COUNTY, ARKANSAS. BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT A PK NAIL FOUND AT THE SOUTHEAST CORNER OF SAID NE¼ OF THE SW¼; THENCE N 87°23'26" W 19.80 FEET; THENCE N 01°54'53" E 17.81 FEET TO THE SOUTHEAST CORNER OF SAID TRACT 1 AND THE POINT OF BEGINNING; THENCE N 86°59'31" W 1268.74 FEET; THENCE N 09°51'17" E 31.86 FEET; THENCE N 06°07'20" E 122.51 FEET; THENCE N 02°23'23" E 397.65 FEET THENCE N 03°53'51" E 240.83 FEET; THENCE S 87°20'30" E 469.64 FEET TO AN IRON PIN FOUND; THENCE N 01°54'53" E 469.57 FEET TO AN IRON PIN FOUND; THENCE S 87°20'30" E 773.95 FEET; THENCE S 01°54'52" W 1269.70 FEET TO THE POINT OF BEGINNING, CONTAINING 31.25 ACRES, MORE OR LESS. SUBJECT TO EASEMENTS, COVENANTS OR RESTRICTIONS OF RECORD OR FACT.

and, as the result of said research and to the effective date of June 18, 2019 at 7:00 a.m., I also certify that

Steele Development, Inc.

is the current vested title holder of the above said lands.

Cayenna Lea Gaither  
Title Agent  
Realty Title & Closing Services, LLC





**FILED**  
 3866 W. Sunset Avenue  
 Springdale, AR 72762  
 2019 JUL -3 PM 4:05 582-9383  
 www.realtytitleinc.com  
**BETSY HARRELL**  
 CO & PROBATE CLERK  
 BENTON COUNTY, AR

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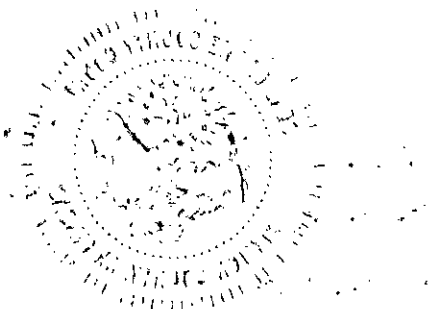
PART OF THE NE¼ OF THE SW¼ OF SECTION 04, TOWNSHIP 18 NORTH, RANGE 33 WEST, BENTON COUNTY, ARKANSAS, MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT A POINT 817.90 FEET N 87°25'44" W AND 33.68 FEET S 01°54'53" W OF THE NE CORNER OF SAID NE¼ OF THE SW¼; THENCE S 01°54'53" W 469.57 FEET; THENCE N 87°20'30" W 469.64 FEET; THENCE N 03°53'51" E 231.36 FEET; THENCE WITH A CURVE TURNING TO THE LEFT WITH AN ARC LENGTH OF 146.07 FEET, WITH A RADIUS OF 1821.25 FEET, WITH A CHORD BEARING OF N 02°01'30" E, WITH A CHORD LENGTH OF 146.03 FEET, THENCE N 00°16'21" W 72.90 FEET; THENCE N 03°53'00" W 19.53 FEET; THENCE S 87°20'30" E 466.11 FEET, TO THE POINT OF BEGINNING, AS SHOWN ON A BOUNDARY SURVEY BY MICHAEL E. JAMES, REGISTERED PROFESSIONAL LAND SURVEYOR, STATE OF ARKANSAS NO. 985, DATED MAY 25, 2018 AND DESIGNATED AS JOB NUMBER JS15557A.

and, as the result of said research and to the effective date of June 18, 2019 at 7:00 a.m., I also certify that

Turning Point Fellowship, an Arkansas non-profit corporation

is the current vested title holder of the above said lands.

Cayenna Lea Gaither  
 Title Agent  
 Realty Title & Closing Services, LLC



2019 3585

# BENTON COUNTY

STATE OF ARKANSAS

**BETSY HARRELL**

**COUNTY CLERK & VOTER REGISTRAR**

215 EAST CENTRAL, SUITE 217  
BENTONVILLE, AR 72712-5373  
479-271-1013  
Fax: 479-271-1019

October 4, 2019

**PROBATE COURT CLERK**

COURTHOUSE, 102 N.E. "A" STREET  
BENTONVILLE, AR 72712-5350  
479-271-5727  
FAX: 479-271-1712

Honorable Kevin Johnston  
City of Gentry  
101 W Main St  
Gentry, AR 72734

Re: In the Matter of Annexing to the City of Gentry, Arkansas Certain  
Territory Contiguous To Said City of Gentry, Arkansas

Dear Mayor Johnston:

The County has received and processed a proposed annexation pursuant to ACA § 14-40-609 related to annexations by 100% of the property owners. I am transmitting to you a copy of the documents relating to the proposed annexation for consideration by the Gentry City Council.

If your council and you approve the annexation, please ask your clerk or recorder to return to me one (1) certified copy of the plat of the annexed property and one (1) certified copy of the ordinance or resolution approving the annexation so that I can send those on to the Secretary of State as required by the statute.

Please feel free to contact me if you have questions.

Sincerely,

*Betsy Harrell by eemasters*

BETSY HARRELL, County Clerk

enc

ROGERS OFFICE  
2111 W. WALNUT  
(479) 636-3727  
FAX (479) 636-4922

ROGERS ARCHIVES  
2111 W. WALNUT  
(479) 636-1037  
FAX (479) 636-1053

SILAM SPRINGS OFFICE  
707 S. LINCOLN  
479-271-1013  
FAX (479) 524-8534

FILED

2019 OCT -4 AM 10: 31

BETSY HARRELL  
CO & PROBATE CLERK  
BENTON COUNTY, AR

CC 2019-10

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

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

We, Betsy Harrell, County Clerk of Benton County, and Roderick Grieve, 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 the petition:

- (A) is in writing;
- (B) contains an attestation signed before a notary or notaries by the property owner or owners of the relevant property or properties confirming the desire to be annexed;
- (C) contains an accurate description of the relevant property or properties;
- (D) contains a letter or title opinion from a certified abstractor or title company verifying that the petitioners are all owners of record of the relevant property or properties;
- (E) contains a letter or verification from a certified surveyor or engineer verifying that the relevant property or properties are contiguous with the annexing city or town and that no enclaves will be created if the property or properties are accepted by the city or town; and
- (F) include a schedule of services of the annexing city or town that will be extended to the area within three (3) years after the date the annexation becomes final.

  
\_\_\_\_\_  
HON. BETSY HARRELL, County Clerk

  
\_\_\_\_\_  
HON. RODERICK GRIEVE, County Assessor



FILED  
2019 OCT -4 AM 10: 31

BEISY HARRELL  
CO & PROBATE CLERK  
BENTON COUNTY, AR

Date: September 30, 2019  
Subject: Proposed Annexation Checklist  
CC 2019-10 Gentry, AR (Revised)

(A) is in writing;

(B) contains an attestation signed before a notary or notaries by the property owner or owners of the relevant property or properties confirming the desire to be annexed;

*SEE ATTACHED* (C) contains an accurate description of the relevant property or properties;

(D) contains a letter or title opinion from a certified abstractor or title company verifying that the petitioners are all owners of record of the relevant property or properties;

(E) contains a letter or verification from a certified surveyor or engineer verifying that the relevant property or properties are contiguous with the annexing city or town and that no enclaves will be created if the property or properties are accepted by the city or town; and

(F) include a schedule of services of the annexing city or town that will be extended to the area within three (3) years after the date the annexation becomes final.

*NA* [Additionally, we note that the legal description in (B) does not include in its description certain dedicated public roads and rights of way abutting or traversing the property to be annexed, the legal descriptions for which are included on the attached Exhibit "A"]

Please contact me if you have any questions.

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

FILED

CC 2019-10

Concerning item (C) "contains an accurate description of the relevant property or properties" **2019 OCT 14 AM 10:31**

BETSY HARRELL  
CO & PROBATE CLERK  
BENTON COUNTY, AR

The description on the petition references instrument number L201317183, the correct instrument number should be L201817183. This instrument number is referenced correctly in the title company's statement further in the petition.

FILED

PETITION FOR ANNEXATION

2019 SEP 18 PM 1:38

DATE : August 25, 2019

BETSY HARRELL  
CO & PROBATE CLERK  
BENTON COUNTY, AR

IN THE MATTER OF ANNEXING TO THE CITY OF GENTRY, ARKANSAS CERTAIN  
TERRITORY CONTIGUOUS TO THE CITY OF GENTRY, ARKANSAS.

Come now the undersigned petitioners, and state as follows:

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 Gentry, Arkansas, to annex the following lands to the City of Gentry, Arkansas:

TRACT 1 OF A PLAT FILED AS L201317183 IN THE CIRCUIT CLERK AND EX-OFFICIO RECORDER OF BENTON COUNTY ARKANSAS, CONTAINING 36.24 ACRES MORE OR LESS.

We further state that this petition is signed before a notary by one hundred percent (100%) of the real estate owners owning one hundred percent (100%) of the acreage in said area and that the area to be annexed does not contain property whose owners do not wish to have their property annexed.

Accompanying this petition is a title opinion verifying that the petitioners are all owners of record of the relevant properties attached hereto as Exhibit A.

That said property described herein is contiguous to and adjoining the present City of Gentry limits, and no enclaves will be created through this annexation, as indicated by the surveyor's letter attached hereto as Exhibit B.

That the following schedule of services shall be extended to the area by the City of Gentry within three (3) years after the date the annexation becomes final:

- Public Water
- Public Sewer

FILED

Revised Legal Description

2019 OCT -4 AM 10: 32

BETSY HARRELL  
CO & PROBATE CLERK  
BENTON COUNTY, AR

TRACT 1 OF A PLAT FILED AS L201317183 IN THE CIRCUIT CLERK AND EX-  
OFFICIO RECORDER OF BENTON COUNTY ARKANSAS, CONTAINING 36.24  
ACRES MORE OR LESS.

Copy of Tract 1 description in L201317183

SURVEY DESCRIPTION TRACT 1:

PART OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 04, TOWNSHIP 18 NORTH, RANGE 33 WEST, BENTON COUNTY, ARKANSAS. BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT N 87°23'26" W 19.80' AND N 01°54'53" E 17.81' FROM THE SE CORNER OF THE NE 1/4 OF THE SW 1/4 OF SAID SECTION 04; THENCE N 86°59'31" W 1268.74'; THENCE N 09°51'17" E 31.86'; THENCE WITH A CURVE TURNING TO THE LEFT WITH AN ARC LENGTH OF 122.60', WITH A RADIUS OF 940.97', WITH A CHORD BEARING OF N 06°07'20" E, WITH A CHORD LENGTH OF 122.51', THENCE N 02°23'23" E 397.65'; THENCE N 03°53'51" E 472.19'; THENCE WITH A CURVE TURNING TO THE LEFT WITH AN ARC LENGTH OF 146.07', WITH A RADIUS OF 1821.25', WITH A CHORD BEARING OF N 02°01'30" E, WITH A CHORD LENGTH OF 146.03', THENCE N 00°16'21" W 72.90'; THENCE N 03°53'00" W 19.53'; THENCE S 87°20'30" E 1240.06'; THENCE S 01°54'53" W 1269.70' TO THE POINT OF BEGINNING AND CONTAINING 36.24 ACRES. PROPERTY IS SUBJECT TO ANY EASEMENT OF RECORD.



**CIVIL DESIGN ENGINEERS, INC.**

P.O. Box 56, Cave Springs, AR 72718

Phone: (479) 381-1066

Email: [ffourie@civilde.com](mailto:ffourie@civilde.com)

**FILED**

**TRANSMITTAL SHEET**

**2019 SEP 18 PM 1:38**

TO:  
Benton County

FROM:  
Ferdie Fourie

BETSY HARRELL  
CO & PROBATE CLERK  
BENTON COUNTY, AR

ATTENTION:

DATE:  
SEPTEMBER 18, 2019

ADDRESS:  
102 NE A Street  
Bentonville, AR 72718

PROJECT:  
Crowder Subdivision

CONTACT NUMBER:  
(479) 751-5751

JOB NUMBER:  
1125 Crowder Subdivision

RE:

CC:

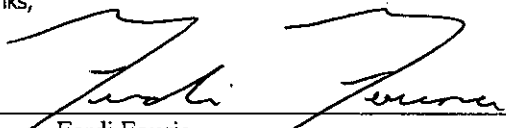
Copies:	Date:	No.:	Description:
1	09-18-2019		Revised Petition to Annexation
1	09-18-2019		Revised verification

AS REQUESTED    FOR REVIEW    PLEASE COMMENT    PLEASE REPLY    FOR YOUR USE

NOTES/COMMENTS:

Please find enclosed revised petition for annexation for the properties adjacent to Gentry, along Crowder and W. Main Street. Please let me know if you have any questions.

Thanks,



Ferdie Fourie



FILED

PETITION FOR ANNEXATION

2019 SEP 18 PM 1:38

DATE : August 25, 2019

BETSY HARRELL  
CO & PROBATE CLERK  
BENTON COUNTY, AR

IN THE MATTER OF ANNEXING TO THE CITY OF GENTRY, ARKANSAS CERTAIN TERRITORY CONTIGUOUS TO THE CITY OF GENTRY, ARKANSAS.

Come now the undersigned petitioners, and state as follows:

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 Gentry, Arkansas, to annex the following lands to the City of Gentry, Arkansas:

TRACT 1 OF A PLAT FILED AS L201317183 IN THE CIRCUIT CLERK AND EX-OFFICIO RECORDER OF BENTON COUNTY ARKANSAS, CONTAINING 36.24 ACRES MORE OR LESS.

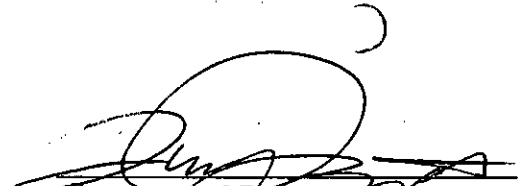
We further state that this petition is signed before a notary by one hundred percent (100%) of the real estate owners owning one hundred percent (100%) of the acreage in said area and that the area to be annexed does not contain property whose owners do not wish to have their property annexed.

Accompanying this petition is a title opinion verifying that the petitioners are all owners of record of the relevant properties attached hereto as Exhibit A.

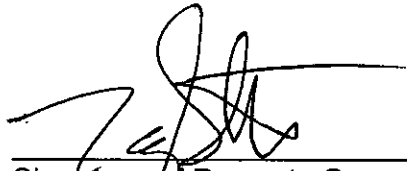
That said property described herein is contiguous to and adjoining the present City of Gentry limits, and no enclaves will be created through this annexation, as indicated by the surveyor's letter attached hereto as Exhibit B.

That the following schedule of services shall be extended to the area by the City of Gentry within three (3) years after the date the annexation becomes final:

- Public Water
- Public Sewer

  
Signature of Property Owner  
DWAYNE DRIGGERS  
TURNING POINT FELLOWSHIP  
Address: PO BOX 876  
GENTRY, AR 72734

**FILED**  
2019 SEP 18 PM 1:38  
BETSY HARRELL  
CO & PROBATE CLERK  
BENTON COUNTY, AR

  
Signature of Property Owner  
TONY STEELE  
STEELE DEVELOPMENT INC.  
Address: 400 PEACH ORCHARD RD.  
BENTONVILLE, AR 72712


**ACKNOWLEDGEMENT**

**STATE OF ARKANSAS**  
**COUNTY OF BENTON**

On this AUGUST 30, 2019, before me the undersigned Notary Public, dully commissioned, qualified and acting, within and for the said County and State, appeared in person the within named Dwayne Driggers, authorized agent of Turning Point Fellowship, and Tony Steele, authorized agent of Steele Development, Inc. known to me (or satisfactorily proven) to be the person(s) whose names are subscribed to the within instrument and acknowledged that they executed the same for the purposes therein contained.

IN WITNESS WHEREOF, I Have hereunto set my hand and official seal this 30<sup>th</sup> day of

August, 2019.

  
Notary Public

My Commission Expires:  
Dec. 9, 2023





# CIVIL DESIGN ENGINEERS, INC.

P.O. Box 56, Cave Springs, AR 72718

Phone: (479)381-1066

Email: [ffourie@civilde.com](mailto:ffourie@civilde.com)

**FILED**

September 18, 2019

2019 SEP 18 PM 1:38

BETSY HARRIS and Ferdi Fourie, P.E.  
Project Manager  
CO & PROBATE CLERK  
BENTON COUNTY, AR  
P.O. Box 56  
Cave Springs, Arkansas 72762  
479.381.1066 Telephone

**Re: Property verification for annexation  
Crowder Subdivision  
CDE Project No. 1125**

This letter is provided as virifaction that the following proposed area for annexation into the City of Gentry, is infact adjacent to the City of Gentry, and that no enclaves will be created through this annexation.

TRACT 1 OF A PLAT FILED AS L201317183 IN THE CIRCUIT CLERK AND EX-OFFICIO RECORDER OF BENTON COUNTY ARKANSAS, CONTAINING 36.24 ACRES MORE OR LESS.

Please let me know if you have any questions.

Thank you,

Ferdi Fourie, P.E.  
Project Manager  
FF/FF

PETITION FOR ANNEXATION

CC 2019-10

DATE : April 3, 2019

IN THE MATTER OF ANNEXING TO THE CITY OF GENTRY, ARKANSAS CERTAIN TERRITORY CONTIGUOUS TO THE CITY OF GENTRY, ARKANSAS.

Come now the undersigned petitioners, and state as follows:

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 Gentry, Arkansas, to annex the following lands to the City of Gentry, Arkansas:

THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 4, TOWNSHIP 18 NORTH, RANGE 33 WEST, BENTON COUNTY, ARKANSAS

We further state that this petition is signed before a notary by one hundred percent (100%) of the real estate owners owning one hundred percent (100%) of the acreage in said area and that the area to be annexed does not contain property whose owners do not wish to have their property annexed.

Accompanying this petition is a title opinion verifying that the petitioners are all owners of record of the relevant properties attached hereto as Exhibit A.

That said property described herein is contiguous to and adjoining the present City of Gentry limits, and no enclaves will be created through this annexation, as indicated by the surveyor's letter attached hereto as Exhibit B.

That the following schedule of services shall be extended to the area by the City of Gentry within three (3) years after the date the annexation becomes final:

- Public Water
- Public Sewer

  
Signature of Property Owner

  
Attesting Witness

2019 JUL -3 PM 4: 04  
FILED  
BETSY HARRELL  
CO & PROBATE CLERK  
BENTON COUNTY, AR

Address: TURNING POINT FELLOWSHIP  
PO BOX 876  
GENTRY, AR 72734

  
Signature of Property Owner

**FILED**  
2019 JUL -3 PM 4:05  
BETSY HARRELL  
CO & PROBATE CLERK  
BENTON COUNTY, AR

Address: 400 PEACH ORCHARD RD.  
BENTONVILLE, AR 72712

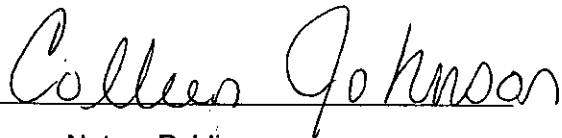
**ACKNOWLEDGEMENT**

**STATE OF ARKANSAS**  
**COUNTY OF BENTON**

On this JUNE 19<sup>TH</sup>, 2019, before me the undersigned Notary Public, dully commissioned, qualified and acting, within and for the said County and State, appeared in person the within named Dwayne Driggers, authorized agent of Turning Point Fellowship, and Tony Steele, authorized agent of Steele Development, Inc. known to me (or satisfactorily proven) to be the person(s) whose names are subscribed to the within instrument and acknowledged that they executed the same for the purposes therein contained.

IN WITNESS WHEREOF, I Have hereunto set my hand and official seal this 19<sup>th</sup> day of

June, 2019.

  
Notary Public

My Commission Expires:

11/8/20

OFFICIAL SEAL  
COLLEEN JOHNSON  
NOTARY PUBLIC, ARKANSAS  
BENTON COUNTY  
COMMISSION # 12374703  
COMMISSION EXP. 01/08/2020



FILED

2019 JUL -3 PM 4:05

3866 W. Sunset Avenue  
Springdale, AR 72762  
479-582-9383

BETSY HARRELL  
CO & PROBATE CLERK  
BENTON COUNTY, AR

[www.realtytitleinc.com](http://www.realtytitleinc.com)

I, Cayenna Lea Gaither, a Licensed Title Agent for Realty Title & Closing Services, LLC, do hereby certify that I have researched the Land Records of Benton County, Arkansas as to the following described property:

A PART OF TRACT 1 OF A TRACT SPLIT RECORDED AS DOCUMENT L201817183 OF THE PLAT RECORDS OF BENTON COUNTY, ARKANSAS AND BEING A PART OF THE NE $\frac{1}{4}$  OF THE SW $\frac{1}{4}$  OF SECTION 04, TOWNSHIP 18 NORTH, RANGE 33 WEST, BENTON COUNTY, ARKANSAS. BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT A PK NAIL FOUND AT THE SOUTHEAST CORNER OF SAID NE $\frac{1}{4}$  OF THE SW $\frac{1}{4}$ ; THENCE N 87°23'26" W 19.80 FEET; THENCE N 01°54'53" E 17.81 FEET TO THE SOUTHEAST CORNER OF SAID TRACT 1 AND THE POINT OF BEGINNING; THENCE N 86°59'31" W 1268.74 FEET; THENCE N 09°51'17" E 31.86 FEET; THENCE N 06°07'20" E 122.51 FEET; THENCE N 02°23'23" E 397.65 FEET THENCE N 03°53'51" E 240.83 FEET; THENCE S 87°20'30" E 469.64 FEET TO AN IRON PIN FOUND; THENCE N 01°54'53" E 469.57 FEET TO AN IRON PIN FOUND; THENCE S 87°20'30" E 773.95 FEET; THENCE S 01°54'52" W 1269.70 FEET TO THE POINT OF BEGINNING, CONTAINING 31.25 ACRES, MORE OR LESS. SUBJECT TO EASEMENTS, COVENANTS OR RESTRICTIONS OF RECORD OR FACT.

and, as the result of said research and to the effective date of June 18, 2019 at 7:00 a.m., I also certify that

Steele Development, Inc.

is the current vested title holder of the above said lands.

A handwritten signature in black ink that reads "Cayenna Lea Gaither". The signature is written in a cursive style and is positioned above a horizontal line.

Cayenna Lea Gaither  
Title Agent  
Realty Title & Closing Services, LLC



**FILED**  
3866 W. Sunset Avenue  
Springdale, AR 72762  
2019 JUL -3 PM 4:05 582-9383  
[www.realtytitleinc.com](http://www.realtytitleinc.com)  
BETSY HARRELL  
CO & PROBATE CLERK  
BENTON COUNTY, AR

I, Cayenna Lea Gaither, a Licensed Title Agent for Realty Title & Closing Services, LLC, do hereby certify that I have researched the Land Records of Benton County, Arkansas as to the following described property:

PART OF THE NE¼ OF THE SW¼ OF SECTION 04, TOWNSHIP 18 NORTH, RANGE 33 WEST, BENTON COUNTY, ARKANSAS, MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT A POINT 817.90 FEET N 87°25'44" W AND 33.68 FEET S 01°54'53" W OF THE NE CORNER OF SAID NE¼ OF THE SW¼; THENCE S 01°54'53" W 469.57 FEET; THENCE N 87°20'30" W 469.64 FEET; THENCE N 03°53'51" E 231.36 FEET; THENCE WITH A CURVE TURNING TO THE LEFT WITH AN ARC LENGTH OF 146.07 FEET, WITH A RADIUS OF 1821.25 FEET, WITH A CHORD BEARING OF N 02°01'30" E, WITH A CHORD LENGTH OF 146.03 FEET, THENCE N 00°16'21" W 72.90 FEET; THENCE N 03°53'00" W 19.53 FEET; THENCE S 87°20'30" E 466.11 FEET, TO THE POINT OF BEGINNING, AS SHOWN ON A BOUNDARY SURVEY BY MICHAEL E. JAMES, REGISTERED PROFESSIONAL LAND SURVEYOR, STATE OF ARKANSAS NO. 985, DATED MAY 25, 2018 AND DESIGNATED AS JOB NUMBER JS15557A.

and, as the result of said research and to the effective date of June 18, 2019 at 7:00 a.m., I also certify that

Turning Point Fellowship, an Arkansas non-profit corporation

is the current vested title holder of the above said lands.

A handwritten signature in black ink, appearing to read "Cayenna Lea Gaither", is written over a horizontal line.

Cayenna Lea Gaither  
Title Agent  
Realty Title & Closing Services, LLC



# CIVIL DESIGN ENGINEERS, INC.

4024 Wagon Wheel Road, Springdale, AR 72762 Phone: (479)381-1066 Email: ffourie@civilde.co

July 3, 2019

**Re: Property verification for Annexation  
Crowder Subdivision  
CDE Project No. 1125**

Ferdinand Fourie, P.E.  
Project Manager  
4024 Wagon Wheel Road  
Springdale, Arkansas 72762  
479.381.1066 Telephone  
479.872.7118 Facsimile

This letter is provided as verification that the following proposed area for annexation to the City of Gentry, is in fact adjacent to the City of Gentry, and that no enclaves will be created through this annexation.

THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 4, TOWNSHIP 18 NORTH, RANGE 33 WEST, BENTON COUNTY, ARKANSAS

Please let me know if you have any questions.

Thank you,



*Ferdinand Fourie*

Ferdinand Fourie, P.E.  
Project Manager  
FF/FF

FILED  
2019 JUL -3 PM 4:05  
DESSY HARRELL  
CLERK OF PROBATE  
BENTON COUNTY, AR







# ARKANSAS GIS OFFICE

FILED

A Division of the Department of Transformation and Shared Services  
2019 OCT -4 AM 10:31

October 2, 2019

BETSY HARRELL  
CO & PROBATE CLERK  
BENTON COUNTY, AR

Mr. Ferdinand Fourie, P.E.  
Civil Division Engineers, Inc.  
4024 Wagon Wheel Road  
Springdale, AR 72762

RE: City of Gentry Annexation Coordination Requirement

Mr. Fourie,

Thank you for coordinating with our office as you seek to annex property into the City of Gentry, AR located in Section 4, Township 18 North, Range 33 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 90<sup>th</sup> General Assembly.

We understand that the previous legal description provided to us has been revised in a Petition for Annexation dated August 25<sup>th</sup>, 2019 and filed on September 18<sup>th</sup>, 2019 to reference Tract 1 of a plat filed as L201317183. We have updated our files and mapping of the revision to the legal description. This letter and attached map should replace the previous letter from our office dated July 19<sup>th</sup>, 2019.

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,

Jennifer Wheeler, GIS Analyst  
/jw

Attachments:  
GIS Office Map of Proposed Annexation  
Petition for Annexation Filed 9/18/2019  
Legal Description  
Secretary of State Municipal Change Checklist

H:\City\_Annexations\Cities\Gentry\20190709\Doc\20191002\_Gentry\_Annexation\_Coordination\_Letter\_Revised.docx

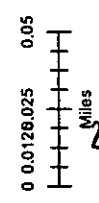
City: Gentry  
Mayor: Kevin Johnston

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.

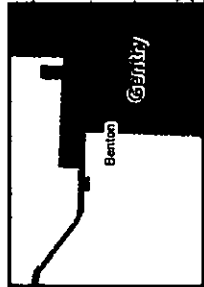
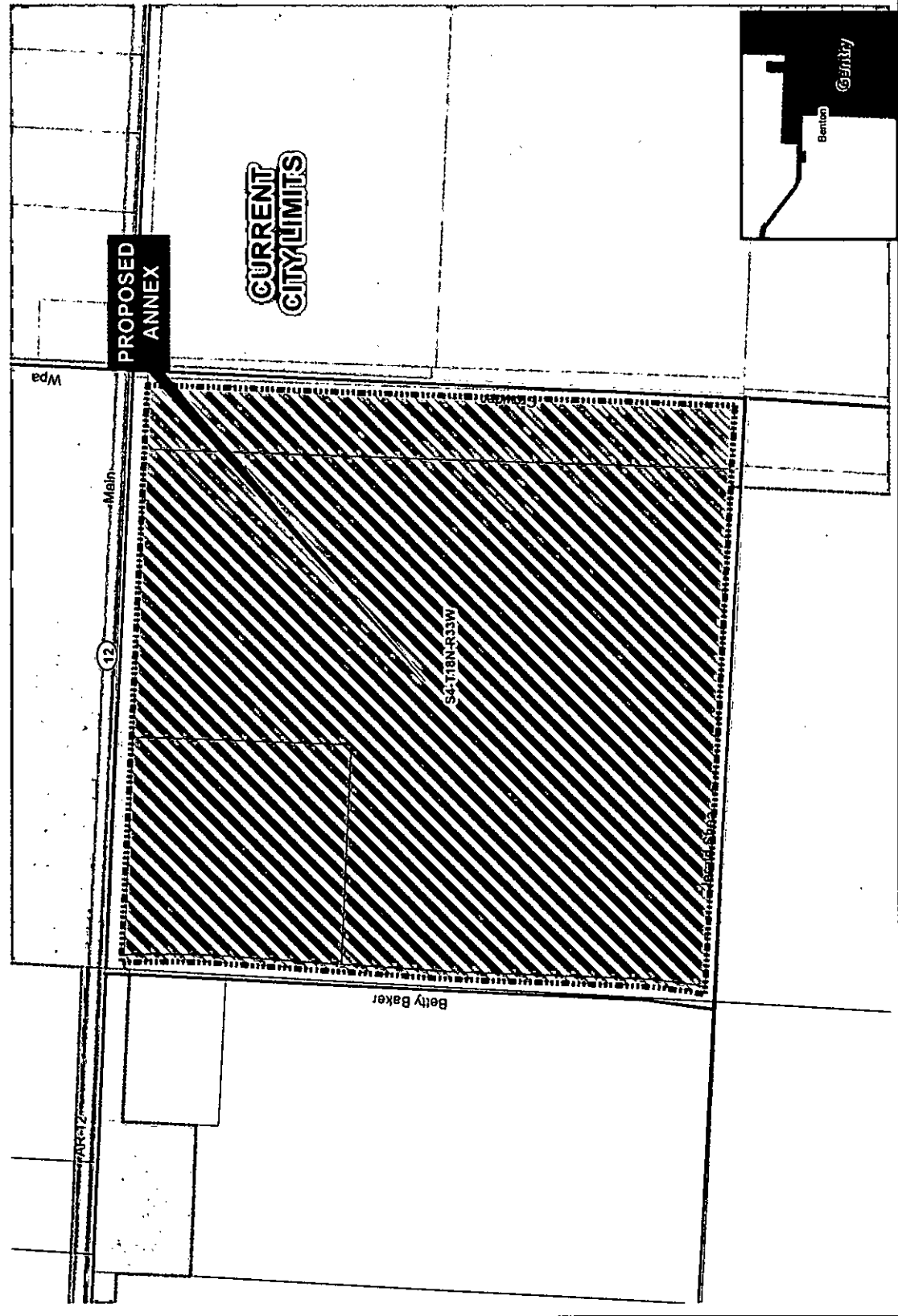
The map contained herein, is evidence the entity has met requirements of AC 14-40-101.

- Existing
- Permits
- Proposed Annex
- Highway
- Major Road
- Existing City



FILE  
2019 OCT -4 AM 10:00  
BETSY HARRELL  
CO & PROBATE CLERK  
BENTON COUNTY, AR

Proposed Annex: City of Gentry  
October 2019



# BENTON COUNTY

STATE OF ARKANSAS

**BETSY HARRELL**

**COUNTY CLERK & VOTER REGISTRAR**

215 EAST CENTRAL, SUITE 217  
BENTONVILLE, AR 72712-5373  
479-271-1013  
Fax: 479-271-1019

November 8, 2019

**PROBATE COURT CLERK**

COURTHOUSE, 102 N.E. "A" STREET  
BENTONVILLE, AR 72712-5350  
479-271-5727  
FAX: 479-271-1712

Honorable John Thurston  
Secretary of State  
Room 256 State Capitol  
Little Rock, AR 72201-1094

RE: The City of Gentry  
Turning Point Fellowship, Steele Development Inc. Annexation  
Benton County Court Case No. CC# 2019-10

Dear Secretary Thurston:

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 10/04/2019
3. Ordinance 19-806 adopted on November 4, 2019, by the City of Gentry.

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

Sincerely,

*Betsy Harrell*  
Betsy Harrell by *clerkmasters*

BH/cnl  
Enclosures

cc: Roderick Grieve  
Benton County Assessor

NW Arkansas Regional Planning Commission  
1311 Clayton Street  
Springdale, AR 72765

Benton County 9-1-1 Administration

ROGERS OFFICE  
2111 W. WALNUT  
(479) 636-3727  
FAX (479) 636-4922

ROGERS ARCHIVES  
2111 W. WALNUT  
(479) 636-1037  
FAX (479) 636-1053

SILAM SPRINGS OFFICE  
707 S. LINCOLN  
479-271-1013  
FAX (479) 524-8534