



ARKANSAS SECRETARY OF STATE

MARK MARTIN

January 26, 2018

The Honorable Sharon Barnett
Yell County Clerk and Circuit Clerk
108 Union St # 105
Dardanelle, AR 72834

Re: City of Havana Annexation Ordinance 9-29-16-2

Dear Ms. Barnett,

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

Effective Date: 10/29/2016

County: Yell

City: Havana

City Ordinance: 9-29-16-2

Dated: 09/29/2016

County Court Order: CC-2016-2

Filed 08/30/2016

Hon. Mark Thone, Yell County Judge

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)
Department of Finance and Administration (w/encl)
Arkansas Public Service Commission (w.encl)
UALR Institution for Economic Advancement (w/encl)
Tom-Tom (w/encl)
Ms. Hope Patton, Havana Recorder/Treasurer (w/encl)



Arkansas Secretary of State

Mark Martin Arkansas Secretary of State, 500 Woodlane Ave, Little Rock, AR 72201-1094

Municipal Boundary Change Checklist

County: Yell City/Town: Havana

City Ordinance/Resolution No: 9-29-16-2 Date approved: 09/29/2016

County Court Case No: CC-2016-2 Date Order Filed: 08/30/2016

Type: Annexation by Petition of all Landowners A.C.A §14-40-609

Date Change Effective: 10/29/2016 Set by: Municipal Ordinance Emergency Clause Court Default
(Required by Act 653 of 2017)

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 *(required)*
- File marked copy of County Court Order or certified annexation election results *(required except for island annexation)*
- Copy of Arkansas GIS Office 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: Ms. Hope Patton Title: Havana Recorder/Treasurer

Street Address: P.O. Box 7

City: Havana St: AR Zip code: 72842

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: _____ Title: Yell County Clerk

Date: _____

Pursuant to Act 655 of 2017, County Officials must submit a file-marked copy of municipal boundary change documentation 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

FILED

IAN 29 2017

Received by: *Cynthia Fisher*

Arkansas
Secretary of State

ORDINANCE NO. 9-29-16-2

AN ORDINANCE ACCEPTING THE ANNEXATION OF CERTAIN TERRITORY TO THE CITY OF HAVANA, ARKANSAS, AND MAKING SAME A PART OF THE CITY OF HAVANA, AND ASSIGNING SAME TO WARDS.

WHEREAS, a petition was filed with County Clerk of Yell County, Arkansas, by the majority of the real estate owners of the hereinafter described territory praying that said territory be annexed to, and made a part of the City of Havana, Arkansas; and,

WHEREAS, on August 26, 2016, the County Court of Yell, Arkansas, found that the petition was signed by a majority of the real estate owners in said territory; that said territory was contiguous and adjoining the present corporate limits of the City of Havana, Arkansas; that an accurate plat or map of said territory had been filed with and made a part of said petition; that proper notice had been given for the time and in the manner prescribed by law, and that all things pertaining thereto had been done in the manner prescribed by law, and that said lands and territory should be annexed to and made a part of the City of Havana, Arkansas, subject to the acceptance of same by the City Council of said City at the proper time, as provided by law; and

WHEREAS, the time fixed by law for appealing from said order of annexation made by the County Court has expired and no appeal has been taken from said order.

Now, therefore, be it ordained by the city council of the City of Havana, Arkansas:

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

A part of the West half of the SW ¼ of the SW ¼, of Section 2, T-5-n, R-24-W, Yell County, Arkansas and being more particularly described as beginning at a stone marking at the SW corner of the SW ¼ of the SW ¼, thence N along the West line of Section 2, 259.87 feet to a cotton spindle in the center of Highway 309. Thence S along the center of Highway 309, 240.79 feet. Thence S along the center of Highway 309, 119.19 feet. Thence along the center of Highway 309 to a cotton spindle on the South line of Section 2. Thence W 530.40 feet to the point of beginning and containing 2.29 acres, more or less.

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

Passed and approved September 29, 2016.

APPROVED: Rick Bryant
Rick Bryant, Mayor

ATTEST: Hope Patton
Hope Patton, RTC


FILED
2016 OCT 18 AM 8:32
SHARON BARRETT
CLERK
CIRCUIT & COUNTY CLERK
YELL COUNTY, ARKANSAS

FILED


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Arkansas
Secretary of State

A part of the West half of the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$, of Section 2, T-5-N, R-24-W, Yell County, Arkansas and being more particularly described as beginning at a stone marking at the SW corner of the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$, thence N along the West line of Section 2, 259.87 feet to a cotton spindle in the center of Highway 309. Thence S along the center of Highway 309, 240.79 feet. Thence S along the center of Highway 309, 119.19 feet. Thence along the center of Highway 309 to a cotton spindle on the South line of Section 2. Thence W 530.40 feet to the point of beginning and containing 2.29 acres, more or less.


Stephen W. Brown


Rick Bryant, Mayor


Jennifer L. Brown

6400 Northgate Rd; Rogers, AR 72758
Address

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

CC-2016-2
ORDER NO. 2016- 50

FILED

2016 AUG 30 AM 8:22

SHARON BARNETT
CIRCUIT & COUNTY CLERK
YELL CO. HANVILLE, ARK.

Shelley

Now on this 26th day of August 2016, comes on before the Yell County Court the need for the annexing to the city of Havana, Arkansas, certain territories contiguous to the city of Havana, Arkansas. After hearing all sides concerned, Yell County Court is satisfied that the allegations of the petitions were sustained by the proof and the court is satisfied that the requirements for signature have been complied with, the court is satisfied that the limits of the territory to be annexed have been accurately described and an accurate map thereof made and filed. The court is hereby ordering that the petition and annexation of the territory be granted. The order shall be recorded by the clerk.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that Havana, Arkansas have annexed these certain territories.

Mark Thone
Mark Thone, Yell County Judge

FILED

JAN 24 2017

Arkansas
Secretary of State

Op 527



ARKANSAS
GIS OFFICE

January 26, 2018

Ms. Cynthia Fisher
Special Projects Manager
Arkansas Secretary of State Legal Divisions
500 Woodland St Ste 256
Little Rock, AR 72201

RE: City of Havana Annexation Coordination Requirement

Ms. Fisher,

Thank you for working with our office as we assist the City of Havana and Yell County with filing this 2016 annexation located in Section 2, Township 5 North, Range 24 West; Ordinance 9-29-16-2. 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,

Jennifer Wheeler, GIS Analyst
/jjw

FILED

JAN 26 2017

Arkansas
Secretary of State

Attachments:
GIS Office Map of Proposed Annexation
Ordinance 9-29-16-2/CC-2016-2/Order NO. 2016-50
Secretary of State Municipal Change Checklist

H:\City_Annexations\Cities\Havana\20180117\Doc\2018_Havana_Annexation_Coordination_Letter_ORD9-16-16-2.docx

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

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

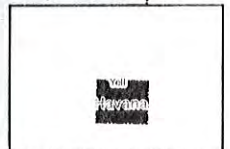
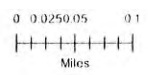
Proposed Annex: City of Havana Ord 9-29-16-2 of 2016
January 2018

City: Havana
Mayor: Rick Bryant

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
- Section
- Parcel
- Minor Road
- Easement
- Township
- County Boundary



ARKANSAS GIS OFFICE

City: Annexation\GIS\Havana\20180110

FILED
JAN 26 2017
Arkansas
Secretary of State

758CC-2016-2

FILED

IN THE YELLCOUNTY COURT IN THE MATTER 2016 JUL 18 AM 9:15

OF ANNEXING TO THE CITY OF HAVANA, ARKANSAS SHARON BARNETT
CLERK & COUNTY CLERK
YELL CO. ARKANSAS

CERTAIN TERRITORY CONTIGUOUS

TO THE SAID CITY OF HAVANA, ARKANSAS

PETITION

We, as property owners of the following described area, do hereby petition the County Court of Yell, Arkansas, to annex the following lands to the City of Havana, Arkansas. We further state that the petition is signed by a majority of the real estate owners owning more than one-half of the acreage in said area, and do further by our petition appoint Rick Bryant and Hope Patton to act on behalf of the petitioners in presenting this matter to the court.

Description of the area to be annexed to the City of Havana, Arkansas: