



ARKANSAS SECRETARY OF STATE

MARK MARTIN

January 24, 2018

The Honorable Gaylon Hale
Prairie County Clerk
200 Courthouse Square, Suite 104
Des Arc, AR 72040

Re: City of Hazen Annexation Ordinance 481

Dear Ms. Hale,

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: 8/31/2017

County: Prairie

City: Hazen

City Ordinance: 481

Dated: 9/7/2017

County Court Order: 59S2017-1

Filed 08/31/2017

Hon. Mike Skarda, Prairie 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)
Mr. Randall Gammill, Hazen City Attorney (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: PRAIRIE City/Town: HAZEN

City Ordinance/Resolution No: 481 Date approved: 9/7/2017

County Court Case No: 59S2017-1 Date Order Filed: 08/31/2017

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

Date Change Effective: 08/31/2017 Set by: Municipal Ordinance Emergency Clause Default Court
(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 *(required except for island annexation and annexation approved by election)*
- 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 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: Randall Gammill Title: Hazen City Attorney

Street Address: 103 South Hazen Avenue

City: Hazen St: AR Zip code: 72064

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: *Dayton Hale* Title: Prairie County/ Circuit Clerk

Date: 09/07/2017

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

Received by: *Cynthia Fisher*

F I L E D
JAN 24 2018
Arkansas
Secretary of State

Prairie County Clerk's Office

Gaylon Hale, County/Circuit Clerk



200 Courthouse Square, Suite 104
Des Arc, AR 72040
prairieclerk@arkansasclerks.com
870-256-4434 phone and fax 870-256-1369

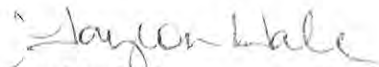
September 7, 2017

Arkansas Secretary of State Legal Division
Cynthia Fisher, Special Projects Manager
500 Woodlane St, Room 256
Little Rock, AR 72201

Ms. Fisher,

I have enclosed the Municipal Boundary Change Checklist, and paperwork requested to annex the property of Phillip & Janet Boothe into the City of Hazen. I have wrote in court following the Change Effective date on the Checklist form. Thank you for your help and time. Should you have any questions do not hesitate to call.

Sincerely,


Gaylon Hale

**ORDINANCE NO. 481
 AN ORDINANCE ACCEPTING THE ANNEXATION
 OF CERTAIN TERRITORY TO THE CITY OF
 HAZEN; AND APPROVING THE SCHEDULE OF
 SERVICES TO BE EXTENDED TO SAID AREA.**

WHEREAS, a petition was filed, pursuant to Arkansas Code Annotated section 14-40-609, for the annexation of certain territory into the City of Hazen, Arkansas; and,

WHEREAS, the Prairie County Assessor and the Prairie County Clerk have (A) Verified the identity of the petitioners; (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 of Hazen; and presented the petition and their respective verifications to the Prairie 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; (D) found that the territory to be annexed consists of lands that are held for use as municipal property, represent the actual growth of the municipality beyond its legal boundary and are valuable by reason of their adaptability for perspective municipal uses; and (E) issued an order articulating these findings and forwarded the petition and order to the contiguous City of Hazen for consideration; and,

WHEREAS, it is the desire of the City Council of Hazen that said territory be annexed.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HAZEN, ARKANSAS:

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

A PART OF THE NORTHEAST QUARTER OF SECTION 7, TOWNSHIP 2 NORTH, RANGE 5 WEST, SOUTHERN DISTRICT, PRAIRIE COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID NORTHEAST QUARTER; THENCE NORTH 00°22'26" WEST ALONG THE EAST LINE OF SAID NORTHEAST QUARTER, 40.07 FEET; NORTH 00°22'26" WEST ALONG THE EAST LINE OF SAID NORTHEAST QUARTER, 559.68 FEET;

I L E

IAN 24 2018

Arkansas Secretary of Sta

THENCE NORTH 00°22'26" WEST ALONG THE EAST LINE OF SAID NORTHEAST QUARTER, 511.02 FEET; THENCE SOUTH 89°37'34" WEST LEAVING SAID EAST LINE, 656.67 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 89°37'34" WEST, 656.05 FEET; THENCE NORTH 00°16'22" WEST, 1492.15 FEET TO A POINT AT THE NORTH LINE OF SAID NORTHEAST QUARTER; THENCE SOUTH 88°11'10" EAST ALONG SAID NORTH LINE, 527.16 FEET TO A 1/2" REBAR WITH CAP (PS 1352); THENCE SOUTH 01°51'07" WEST LEAVING SAID NORTH LINE, 56.17 FEET TO A 1/2" REBAR WITH CAP (PS 1352); THENCE SOUTH 88°24'59" EAST, 130.07 FEET TO A 1/2" REBAR WITH CAP (PS 1352); THENCE SOUTH 00°19'35" EAST, 374.91 FEET TO A 1/2" REBAR WITH CAP (PS 1352); THENCE SOUTH 79°39'43" WEST, 120.03 FEET TO A 1/2" REBAR WITH CAP (PS 775); THENCE SOUTH 00°55'10" WEST, 289.86 FEET TO A 1/2" REBAR WITH AN ILLEGIBLE CAP; THENCE SOUTH 86°27'40" EAST, 124.70 FEET TO A 1/2" REBAR WITH CAP (PS 1352); THENCE SOUTH 00°19'58" EAST, 717.48 FEET TO THE POINT OF BEGINNING, AND CONTAINING 21.25 ACRES MORE OR LESS.

SECTION 2. That the following schedule of services shall be extended to the area by the City of Hazen within the statutorily required three (3) year period after the date the annexation becomes final, as follows: Water, Sewer, Gas and Fire and Police Protection.

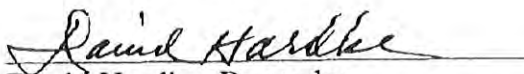
SECTION 3. That the above described territory shall be annexed to and made a part of Ward 3 of the City of Hazen, and the same shall henceforth be a part of said ward as fully as existing parts of said ward.

SECTION 4. Thirty (30) days after passage and publication or posting of this Ordinance as authorized by law, the annexation shall be final and the property shall be within the corporate limits of the city, except as otherwise ordered by the Circuit Court pursuant to a cause of action filed within said thirty (30) day period.

PASSED AND APPROVED this 7th day of September, 2017.


 David Duch, Mayor

ATTEST:


 David Hardke, Recorder

Prairie County Clerk's Office

Gaylon Hale, County/Circuit Clerk



200 Courthouse Square, Suite 104
Des Arc, AR 72040
870-256-4434 phone
870-256-1369 fax

183 Prairie Street
P.O. Box 283
DeValls Bluff, AR 72041
870-998-2314 phone
870-998-2010

FAX

To: <u>Cynthia Fisher</u>	From: <u>Gaylon Hale</u>
Fax: <u>501-682-1213</u>	Pages: <u>3</u> (including cover)
Phone: 870	Date: <u>1-23-18</u>
Re: <u>Boothe Property County Court</u>	cc: <u>5952017-01</u>

Urgent For Review Please Comment Please Reply Please Recycle

Comments:

Mrs. Fisher,

Would you please send a email. Let us know you received this or should you have any questions do not hesitate to call. Thank you for your help 3 time.

Sincerely,
Gaylon Hale, DC

email: prairieclerk@arkans

Confidentiality Notice: This fax message, including any attachments, is for the sole use of the intended recipient(s) and may contain confidential and/or privileged information. Any unauthorized review, use, disclosure or distribution is prohibited. If you are not the intended recipient, please contact the sender by phone or fax and destroy all copies of the original message.

FILED
11:50 A.M. O'CLOCK

AUG 31 2017

GAYLON HALE
CIRCUIT AND COUNTY CLERK
PRAIRIE CO., NO. DISTRICT

Jamell Taylor

IN THE COUNTY COURT OF PRAIRIE COUNTY, ARKANSAS
SOUTHERN DISTRICT

IN THE MATTER OF THE ANNEXATION TO
THE CITY OF HAZEN, ARKANSAS, OF
CERTAIN CONTIGUOUS PROPERTY

NO. 595 2017-01

ORDER OF ANNEXATION

On this regular day of a regular term of the County Court of Prairie County, Arkansas, there is presented to the County by Randall L. Gammill, Attorney and agent for the petitioners, Phillip Boothe and Janet Boothe, the petition of real estate owners desiring the annexation of territory to the City of Hazen, Arkansas, more particularly described therein. The Court has received the verification of the county clerk and county assessor required by Arkansas Code Annotated §14-40-609. This Court being fully advised of the facts and the law, does hereby find as follows:

1. The Court finds that the petition and verifications are complete and accurate.
2. The Court further finds that no enclaves will be created by the annexation.
3. The Court finds that the petition contains a schedule of services.
4. The Court further finds that the territory to be annexed consists of lands that are held

for use as municipal property, represent the actual growth of the municipality beyond its legal boundary and are valuable by reason of their adaptability for perspective municipal uses.

Therefore, the Court hereby Orders that the petition and this Order be delivered to the City of Hazen, Arkansas.

IT IS SO ORDERED this 30 day of August, 2017.

FILED

AUG 23 2017

Arkansas
Secretary of State

Mike Skarda
Mike Skarda, County Judge

FILED
9:00 A.M. O'CLOCK

AUG 16 2017

GAYLON HALE
CIRCUIT AND COUNTY CLERK
PRAIRIE CO., SO. DISTRICT
Gaylon Hale

IN THE COUNTY COURT OF PRAIRIE COUNTY, ARKANSAS
SOUTHERN DISTRICT

IN THE MATTER OF THE ANNEXATION TO
THE CITY OF HAZEN, ARKANSAS, OF
CERTAIN CONTIGUOUS PROPERTY

NO. 595 2017-001

PETITION FOR ANNEXATION

Come now the undersigned petitioners, and state as follows:

1. We, Phillip Boothe and Janet Boothe, owning one-hundred percent (100%) of the property in the following described area, do hereby petition, pursuant to Arkansas Code Annotated Section 14-40-609, the City Council of Hazen, Arkansas, to annex the following lands to the City of Hazen, Arkansas:

A PART OF THE NORTHEAST QUARTER OF SECTION 7, TOWNSHIP 2 NORTH, RANGE 5 WEST, SOUTHERN DISTRICT, PRAIRIE COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID NORTHEAST QUARTER; THENCE NORTH 00°22'26" WEST ALONG THE EAST LINE OF SAID NORTHEAST QUARTER, 40.07 FEET; NORTH 00°22'26" WEST ALONG THE EAST LINE OF SAID NORTHEAST QUARTER, 559.68 FEET; THENCE NORTH 00°22'26" WEST ALONG THE EAST LINE OF SAID NORTHEAST QUARTER, 511.02 FEET; THENCE SOUTH 89°37'34" WEST LEAVING SAID EAST LINE, 656.67 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 89°37'34" WEST, 656.05 FEET; THENCE NORTH 00°16'22" WEST, 1492.15 FEET TO A POINT AT THE NORTH LINE OF SAID NORTHEAST QUARTER; THENCE SOUTH 88°11'10" EAST ALONG SAID NORTH LINE, 527.16 FEET TO A 1/2" REBAR WITH CAP (PS 1352); THENCE SOUTH 01°51'07" WEST LEAVING SAID NORTH LINE, 56.17 FEET TO A 1/2" REBAR WITH CAP (PS 1352); THENCE SOUTH 88°24'59" EAST, 130.07 FEET TO A 1/2" REBAR WITH CAP (PS 1352); THENCE SOUTH 00°19'35" EAST, 374.91 FEET TO A 1/2" REBAR WITH CAP (PS 1352); THENCE SOUTH 79°39'43" WEST, 120.03 FEET TO A 1/2" REBAR WITH CAP (PS 775); THENCE SOUTH 00°55'10" WEST, 289.86 FEET TO A 1/2" REBAR WITH AN ILLEGIBLE CAP; THENCE SOUTH 86°27'40" EAST, 124.70 FEET TO A 1/2" REBAR WITH CAP (PS 1352); THENCE SOUTH 00°19'58" EAST, 717.48 FEET TO THE POINT OF BEGINNING, AND CONTAINING 21.25 ACRES MORE OR LESS.

FILED

AUG 24 2017

Arkansas
Secretary of State


2. We further state that this petition is signed 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.


3. Pursuant to A.C.A. §14-40-101, petitioners have properly coordinated their annexation request with the Arkansas GIS Office. Said property described herein is contiguous to and adjoining the present city limits, as shown by the letter and map attached hereto as Exhibit A.

4. No enclaves will be created if this petition is accepted and the territory annexed into the City of Hazen.

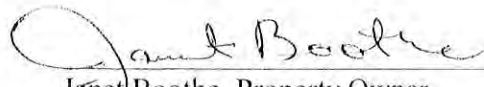
5. The following schedule of services shall be extended to the area by the City of Hazen within three (3) years after the date the annexation becomes final: Water, Sewer, Gas and Fire and Police Protection.

6. Petitioner designate Randall L. Gammill, Attorney at Law, as their agent to present this petition to the County Court.


Cindy L. Jones, Attesting Witness
to the signature of Phillip Boothe


Phillip Boothe, Property Owner
P.O. Box 77
Hazen, Arkansas 72064


Cindy L. Jones, Attesting Witness
to the signature of Janet Boothe

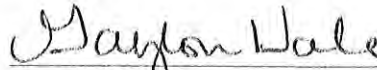

Janet Boothe, Property Owner
P.O. Box 77
Hazen, Arkansas 72064

VERIFICATION

I, Gaylon Hale, County Clerk for the County of Prairie, Arkansas, with respect to the annexation by one-hundred percent (100%) petition filed by Phillip Boothe and Janet Boothe on the 16th day of August, 2017, do hereby verify:

1. The identity of the petitioners as listed on the petition are accurate.
2. All property owners are included in the petition.
3. The property is contiguous to the City of Hazen.
4. No enclaves will be created if the petition is accepted by the City of Hazen.

DATED this 16th day of August, 2017.


Gaylon Hale, County Clerk



VERIFICATION

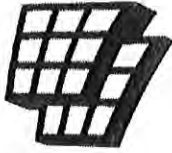
I, Jeannie Lott, County Assessor for the County of Prairie, Arkansas, with respect to the annexation by one-hundred percent (100%) petition filed by Phillip Boothe and Janet Boothe on the 24th day of August, 2017, do hereby verify:

1. The identity of the petitioners as listed on the petition are accurate.
2. All property owners are included in the petition.
3. The property is contiguous to the City of Hazen.
4. No enclaves will be created if the petition is accepted by the City of Hazen.

DATED this 24th day of August, 2017.


Jeannie Lott, County Assessor

EXHIBIT A



ARKANSAS
GIS OFFICE

August 2, 2017

Gammill & Gammill
PO Box 532
Hazen, AR 72064

RE: City of Hazen Annexation Coordination Requirement

Gammill & Gammill,

Thank you for coordinating with our office as you seek to annex property into the City of Hazen, AR Tract III located in Section 7, Township 2 North, Range 5 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 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 24 2018

Arkansas
Secretary of State

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

H:\City_Annexations\Cities\Hazen\20170728\Doc\20170808_Hazen_Annexation_Coordination_Letter.docx

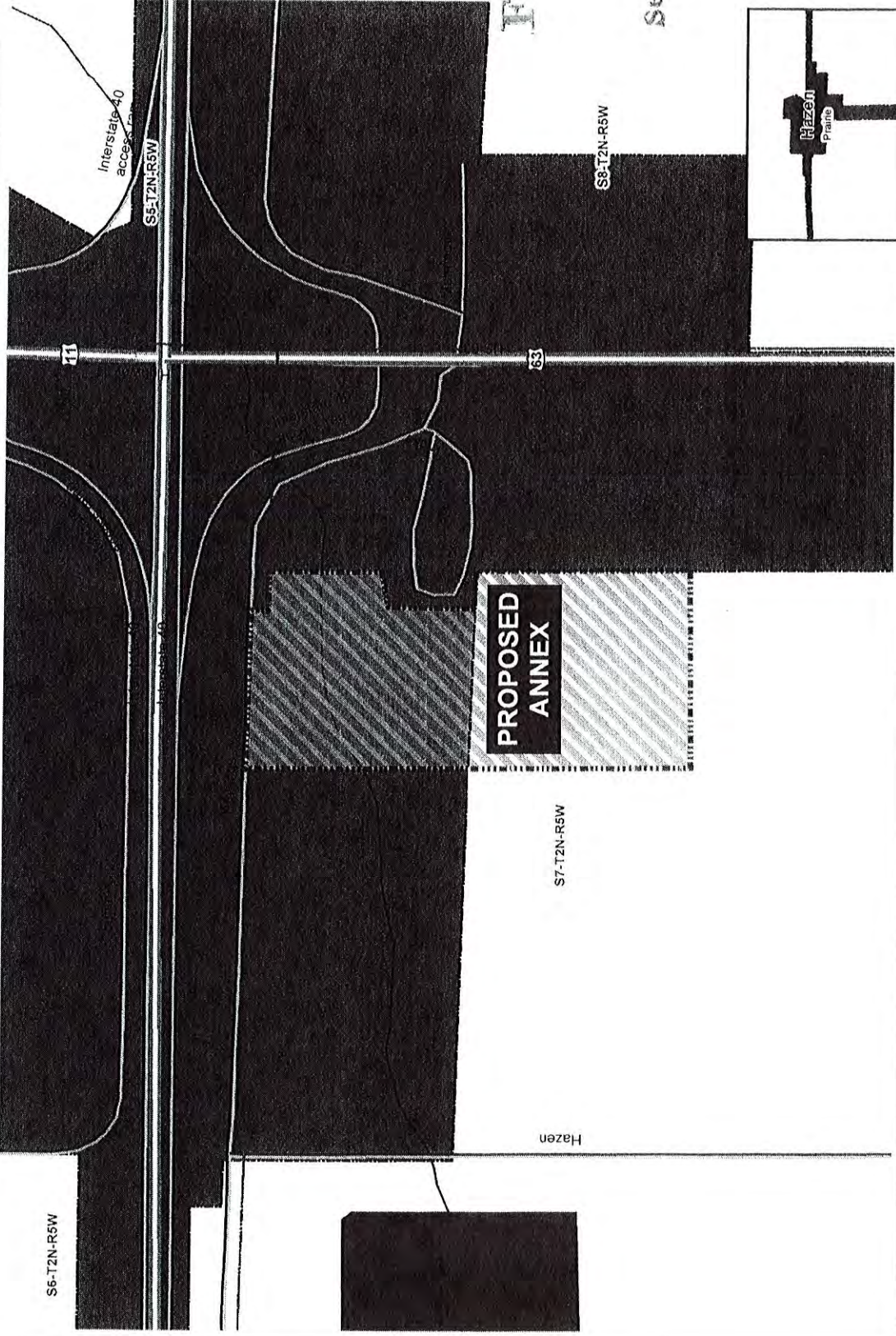
Proposed Annex: City of Hazen
August 2017

City: Hazen
Mayor: David Duch

Arkansas Code 14-40-701.
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
- Sections
- Parcels
- Highway
- Minor Road
- River Flowline
- River
- Smaller Rivers
- Smaller Water Bodies
- Existing City
- Neighboring City
- County Boundary

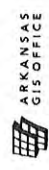


PROPOSED ANNEX

FILED

JAN 24 2017

AR 002 004 008
Arkansas
Secretary of State
Miles



TRACT III SURVEYED DESCRIPTION (TO BE ACQUIRED FROM BOOTHE):

A PART OF THE NORTHEAST QUARTER OF SECTION 7, TOWNSHIP 2 NORTH, RANGE 5 WEST, SOUTHERN DISTRICT, PRAIRIE COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID NORTHEAST QUARTER; THENCE NORTH 00°22'26" WEST ALONG THE EAST LINE OF SAID NORTHEAST QUARTER, 40.07 FEET; NORTH 00°22'26" WEST ALONG THE EAST LINE OF SAID NORTHEAST QUARTER, 559.68 FEET; THENCE NORTH 00°22'26" WEST ALONG THE EAST LINE OF SAID NORTHEAST QUARTER, 511.02 FEET; THENCE SOUTH 89°37'34" WEST LEAVING SAID EAST LINE, 656.67 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 89°37'34" WEST, 656.05 FEET; THENCE NORTH 00°16'22" WEST, 1492.15 FEET TO A POINT AT THE NORTH LINE OF SAID NORTHEAST QUARTER; THENCE SOUTH 88°11'10" EAST ALONG SAID NORTH LINE, 527.16 FEET TO A 1/2" REBAR WITH CAP (PS 1352); THENCE SOUTH 01°51'07" WEST LEAVING SAID NORTH LINE, 56.17 FEET TO A 1/2" REBAR WITH CAP (PS 1352); THENCE SOUTH 88°24'59" EAST, 130.07 FEET TO A 1/2" REBAR WITH CAP (PS 1352); THENCE SOUTH 00°19'35" EAST, 374.91 FEET TO A 1/2" REBAR WITH CAP (PS 1352); THENCE SOUTH 79°39'43" WEST, 120.03 FEET TO A 1/2" REBAR WITH CAP (PS 775); THENCE SOUTH 00°55'10" WEST, 289.86 FEET TO A 1/2" REBAR WITH AN ILLEGIBLE CAP; THENCE SOUTH 86°27'40" EAST, 124.70 FEET TO A 1/2" REBAR WITH CAP (PS 1352); THENCE SOUTH 00°19'58" EAST, 717.48 FEET TO THE POINT OF BEGINNING, AND CONTAINING 21.25 ACRES MORE OR LESS.