



Arkansas Secretary of State

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

Municipal Boundary Change Checklist

County: Garland City/Town: Hot Springs

City Ordinance/Resolution No: 6169 Date approved: 09/20/2016

County Court Case No: N/A Date of Order: _____

Type: Annexation of surrounded unincorporated area (island/doughnut holes) by ordinance A.C.A. §14-40-501

Date Change Effective: _____ 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: Mr. Lance Spicer Title: Hot Springs City Clerk

Street Address: P.O.Box 700

City: Hot Springs St: AR Zip code: 71902

City/County Official:

Signature: _____ Title: Garland County Clerk

Date: _____

Complete one form for each ordinance/resolution and attach it as a cover page to the supporting document set. Submit the documents to Arkansas Secretary of State, Atten: Municipal Boundary Filing, 500 Woodlane Ave, Little Rock, AR 72201-1094

Office of the Arkansas Secretary of State use only

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NOV 10 2016

Received by: *Cynthia Fisher*

Arkansas
Secretary of State



City of Hot Springs
Office of the City Clerk

133 Convention Blvd.
Post Office Box 700
Hot Springs National Park,
Arkansas 71902
(501) 321-6805
(501) 321-6809 Fax

November 2, 2016

Ms. Sarah Smith
County Clerk
Garland County Courthouse
501 Ouachita
Hot Springs, AR 71901

Re: Hot Springs Annexation Ordinance No. 6169

Dear Sarah:

Enclosed are the recorded and certified copies of Ordinance No. 6169, including the legal description and map for the Annexation of the Lakeside Enclave. This lake enclave consists of approximately 40 acres that was previously surrounded by the Hot Springs incorporated limits and bound by Lakeside prior to annexation proceedings. I will forward the ordinance, legal description and map to the Secretary of State's Office, Director of the Tax Division of the Arkansas Public Service Commission and the Excise Tax Office of the Department of Finance and Administration. Please note that the area in Ordinance No. 6169 has been assigned to District 6.

Thank you for your assistance on this matter. Should you have any questions or comments, please do not hesitate to contact me.

Sincerely,



Lance Spicer

FILED

NOV 10 2016

Arkansas
Secretary of State

Enc: as noted

cc: Rob Hammons, Secretary of State's Office
Tom Atchley, Department of Finance & Administration
Sarah Bradshaw, Public Service Commission

RECEIVED

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ORDINANCE NO. 6169

AN ORDINANCE ANNEXING CERTAIN LANDS THAT ARE COMPLETELY SURROUNDED BY THE INCORPORATED LIMITS OF THE CITY OF HOT SPRINGS (LAKESIDE ENCLAVE); AND FOR OTHER PURPOSES.

WHEREAS, A.C.A. 14-40-501—14-40-503 provides that unincorporated islands of land that have been surrounded by the incorporated limits of a municipality may be annexed by that municipality.

WHEREAS, the City of Hot Springs desires to annex certain lands more completely described below; and

WHEREAS, all necessary urban services, such as fire and police protection, are to be extended to such area within the time prescribed by law; and that

WHEREAS, the area to be annexed complies with the standards for lands qualifying for annexation which are set forth in ACA 14-40-302 and ACA 14-40-501; and

WHEREAS, H.S.C. 16-2-32 (d) establishes the procedure for zones annexed; and that

WHEREAS, a public hearing was held on September 6, 2016, regarding this proposed annexation; and

WHEREAS, on August 15, 2016, a legal notice was published setting out the legal description of the territory proposed to be annexed, and all known property owners within the area were notified by certified mail of their right to appear at the public hearing.

NOW, THEREFORE, BE IT ORDAINED by the Board of Directors of the City of Hot Springs, Arkansas, as follows:

SECTION 1. That the following described unincorporated area which is completely surrounded by the city limits of the City of Hot Springs is hereby annexed to the City of Hot Springs

GARLAND COUNTY PARCEL ID NUMBERS 4161 AS CONVEYED TO OUACHITA GIRL SCOUT COUNCIL, 84512 AS CONVEYED TO THE MARIE W. GARDNER LIVING TRUST, 84513 AS CONVEYED TO CHALRES L. WRAY AND CAROLYN M. GARDNER WRAY, 4159 AS CONVEYED TO WRAY THERAPY SERVICES INC., 4164 AS CONVEYED TO WHELAN FAMILY TRUST, 4163 AS CONVEYED TO PATRICIA ANN AND JAMES V. HARDISTER, 4166 AS CONVEYED TO PATRICIA ANN AND JAMES V. HARDISTER, AND 4168 AS CONVEYED TO PATRICIA ANN AND JAMES V. HARDISTER; BEING A PART SOUTHWEST 1/4 OF SECTION 11 AND PART OF THE SOUTHEAST QUARTER, SECTION 11, BOTH IN TOWNSHIP 3 SOUTH, RANGE 19 WEST, GARLAND COUNTY,

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NOV 10 2016

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ARKANSAS; BEING CONTIGUOUS WITH THE EXISTING CITY OF HOT SPRINGS CITY LIMITS; AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF LOT 3 OF LAKESIDE VALLEY AS FILED IN BOOK 13 AT PAGE 51 IN THE RECORDS OF GARLAND COUNTY, ARKANSAS; THENCE SOUTHERLY ALONG THE EAST LINE OF SAID SUBDIVISION, 204.61 FEET MORE OR LESS TO THE CENTERLINE OF LAKESIDE ROAD; THENCE EASTERLY ALONG CENTERLINE 1608 FEET MORE OR LESS; THENCE NORTH 25 FEET MORE OR LESS TO SOUTHEAST CORNER OF GARLAND COUNTY PID NUMBER 4168 AS CONVEYED TO PATRICIA ANN AND JAMES V. HARDISTER BY WARRANTY DEED FILED AS BOOK 3435 AT PAGE 626 IN THE RECORDS OF GARLAND COUNTY, ARKANSAS, BEING THE SAME AS THE SOUTHWEST CORNER OF A TRACT CONVEYED TO DAVID AND NANCY BARTLETT BY WARRANTY DEED FILED AS BOOK 1895, PAGE 317 IN THE RECORDS OF GARLAND COUNTY, ARKANSAS; THENCE NORTHERLY ALONG SAID BARTLETT TRACT, 443.78 FEET MORE OR LESS TO THE NORTHEAST CORNER OF GARLAND COUNTY PID NUMBER 4166 AS CONVEYED TO PATRICIA ANN AND JAMES V. HARDISTER BY WARRANTY DEED FILED AS BOOK 3435 AT PAGE 626 IN THE RECORDS OF GARLAND COUNTY, ARKANSAS; THENCE WESTERLY CONTINUING ALONG SAID BARTLETT TRACT, 434.12 FEET MORE OR LESS; THENCE NORTHERLY CONTINUING ALONG SAID BARTLETT TRACT, 786.29 FEET MORE OR LESS TO THE NORTHEAST CORNER OF GARLAND COUNTY PID NUMBER 4164 AS CONVEYED TO THE WHELAN FAMILY TRUST BY WARRANTY DEED FILED AS BOOK 2613, PAGE 637 IN THE RECORDS OF GARLAND COUNTY, ARKANSAS, BEING AT THE NORTHWEST CORNER OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 11; THENCE WESTERLY ALONG THE NORTH LINE OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 11, 528.7 FEET MORE OR LESS TO THE SOUTHEAST CORNER OF LOT 5 OF EASTGATE II PHASE III SUBDIVISION AS FILED IN THE RECORDS OF GARLAND COUNTY, ARKANSAS; THENCE WESTERLY ALONG THE SOUTH LINE OF SAID SUBDIVISION 781 FEET MORE OR LESS TO THE NORTHWEST CORNER OF GARLAND COUNTY PARCEL ID NUMBER 4161 AS CONVEYED TO THE OUACHITA GIRL SCOUT COUNCIL BY WARRANTY DEED FILED AS BOOK 553, PAGE 363 IN THE RECORDS OF GARLAND COUNTY, ARKANSAS BEING AT THE NORTHWEST CORNER OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 11 AS DESCRIBED IN SAID DEED; THENCE SOUTHERLY ALONG THE WEST LINE OF SAID SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER 773 FEET MORE OR LESS TO A POINT ON THE NORTH LINE OF GARLAND COUNTY PARCEL ID NUMBER 4162 AS CONVEYED TO MATTHEW AND KRISTEN EVERHART BY WARRANTY DEED FILED AS BOOK 3415 AT PAGE 98; THENCE EASTERLY ALONG SAID TRACT, 159 FEET MORE OR LESS TO THE NORTHEAST CORNER OF SAID TRACT; THENCE SOUTHERLY ALONG THE EAST LINE OF SAID TRACT, 308.93 FEET MORE OR LESS TO THE POINT OF BEGINNING.

SECTION 2. Necessary urban services, such as police and fire protection, shall be extended to such area at the time prescribed by law.

SECTION 3. Pursuant to H.S.C. 16-2-32(d), islands annexed by ordinance shall be assigned a temporary zoning classification of Rural Residential (R-1) at the time the board of directors annexes the territory by ordinance.

SECTION 4. The Board of Directors request that the Planning Commission hold a public hearing and recommend a permanent zoning classification to the Board of Directors prior to December 31, 2017.

SECTION 5. Construction-related permit fee waivers for new single family homes on lands annexed by this Ordinance shall be effective for a period of 36 months, elapsing on September 20, 2019.

SECTION 6. Lakeside Enclave owners who do not at this time have a current survey or professionally prepared legal description required to assign a permanent zoning district shall have the option to pursue permanent zoning without Planning Commission application fee through December 31, 2019

SECTION 7. Lands within Lakeside Enclave shall be assigned to City of Hot Springs Board District Six (6).

PASSED: September 20, 2016

APPROVED: Ruth Carney
RUTH CARNEY, MAYOR

ATTEST: Lance Spicer
LANCE SPICER, CITY CLERK

APPROVED AS TO LEGAL FORM: Brian W. Albright
BRIAN W. ALBRIGHT, CITY ATTORNEY

ACKNOWLEDGMENT

STATE OF ARKANSAS

COUNTY OF GARLAND

SUBSCRIBED AND SWORN to before me this 21 day of September, 2016.

Sheila Winter
Notary Public

My Commission Expires:

2/27/2025





Legend



Existing City Limits

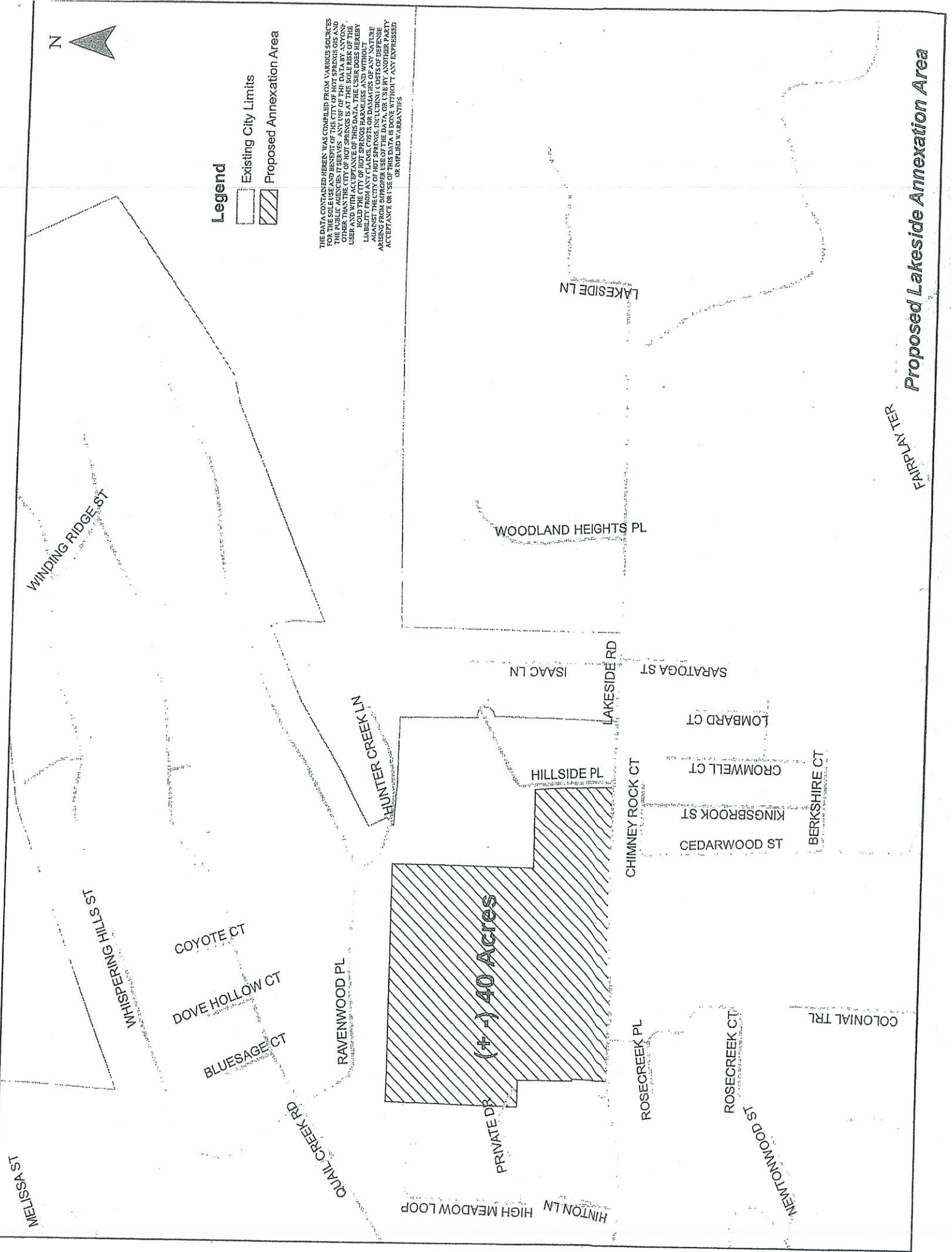


Proposed Annexation Area

THE DATA CONTAINED HEREIN WAS COMPILED FROM VARIOUS SOURCES AND IS PROVIDED AS IS FOR YOUR INFORMATION AND USE AND BENEFIT OF THE CITY OF HOT SPRINGS AND THE PUBLIC. THE CITY OF HOT SPRINGS IS NOT RESPONSIBLE FOR THE ACCURACY OF THE DATA BY ANYONE OTHER THAN THE CITY OF HOT SPRINGS. THE USER DOES HEREBY ACCEPT AND WITH ACCEPTANCE OF THIS DATA, THE USER DOES HEREBY WAIVE AND RELEASE THE CITY OF HOT SPRINGS, HARBURG, MISSOURI, AND THE CITY OF HOT SPRINGS HARBURG, MISSOURI, FROM ALL LIABILITY AND DAMAGES OF ANY NATURE ARISING FROM IMPROPER USE OF THE DATA, OR USE BY ANOTHER PARTY WITHOUT THE EXPRESS WRITTEN CONSENT OF THE CITY OF HOT SPRINGS. ACCEPTANCE OF USE OF THIS DATA IS DONE WITHOUT ANY EXPRESSED OR IMPLIED WARRANTIES.

Proposed Lakeside Annexation Area

FARPLAT TER



(±) 40 Acres

WINDING RIDGE ST

WHISPERING HILLS ST

COYOTE CT

DOVE HOLLOW CT

BLUESAGE CT

RAVENWOOD PL

QUAIL CREEK RD

HINTON LN

PRIVATE DR

HILLSIDE PL

ISAAC LN

LAKESIDE RD

ROSECREEK PL

ROSECREEK CT

NEWTONWOOD ST

COLONIAL TRL

BERKSHIRE CT

CEDARWOOD ST

KINGSBROOK ST

CROMWELL CT

LOMBARD CT

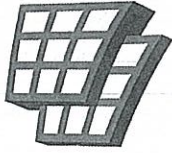
SARATOGA ST

WOODLAND HEIGHTS PL

LAKESIDE LN

HUNTER CREEK LN

MELISSA ST



**ARKANSAS
GIS OFFICE**

November 9, 2016

Mrs. Cynthia Fisher
Special Projects Manager
AR Secretary of State Legal Division
State Capitol, Suite 256
500 Woodlane Avenue
Little Rock, AR 72201

RE: City of Hot Springs Annexation Coordination Requirement

Mrs. Fisher,

Thank you for coordinating with our office as you seek to annex property into the City of Hot Springs, AR ordinance number 6169. 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

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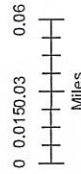
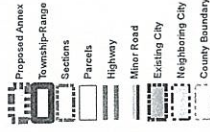
Proposed Annex: City of Hot Springs
November 2016

City: Hot Springs
Mayor: Ruth Carney

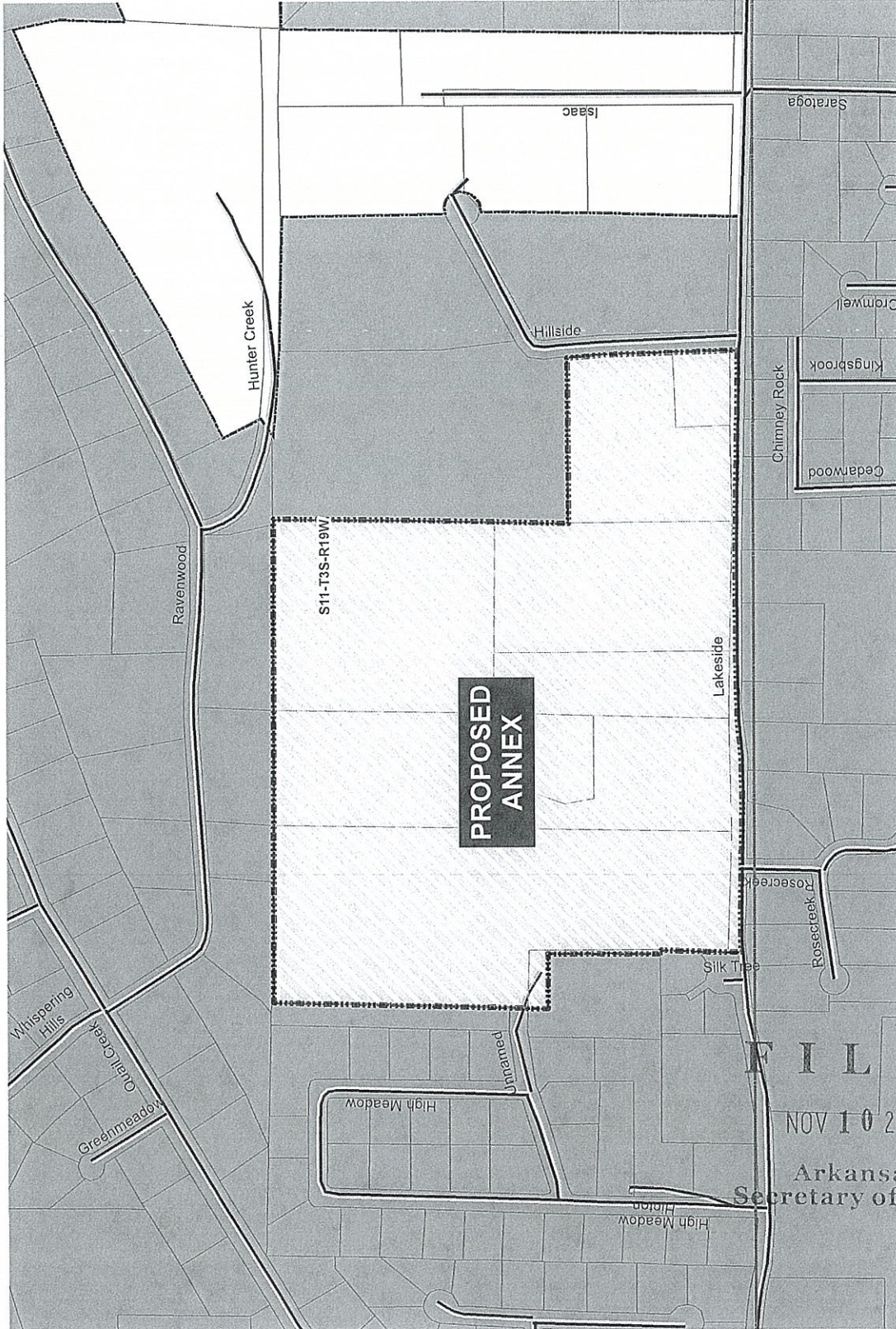
Arkansas Code 14-40-101.

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, in evidence, the entity has met requirements of Act 914 of 2015



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Hot_Springs-20161109



PROPOSED ANNEX

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