



## ARKANSAS SECRETARY OF STATE

MARK MARTIN

September 29, 2017

The Honorable Sarah Smith  
Garland County Clerk  
501 Ouachita Ave, #301  
Hot Springs, AR 71901

Re: City of Hot Springs Annexation Ordinance 6200

Dear Ms. Smith,

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 § 14-40-602 (petition of a majority of landowners)

Effective Date: unknown

County: Garland

City: Hot Springs

City Ordinance: 6200

Dated: 06/20/2017

County Court Order: CC-2017-38 Filed: 05/18/2017 Hon. Rick Davis, Garland 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

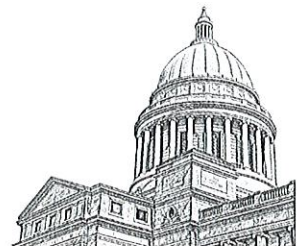
cc: Arkansas Geographic Information Systems Office (w/ encl)  
Arkansas Highway and Transportation Department Mapping Department (w/ encl)  
Department of Finance and Administration (w/encl)  
Arkansas Public Service Commission (w/encl)  
UALR Institution for Economic Advancement (w/encl)  
Tom-Tom (w/encl)

Ms. Jennifer Shryock, Deputy City Clerk Hot Springs

Room 256 State Capitol • Little Rock, Arkansas 72201-1094

501-682-1010 • Fax 501-682-3510

e-mail: [arsos@sos.arkansas.gov](mailto:arsos@sos.arkansas.gov) • [www.sos.arkansas.gov](http://www.sos.arkansas.gov)





# 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: 6200 Date approved: 06/20/2017

County Court Case No: CC-2017-38 Date Order Filed: 05/18/2017

Type: Annexation by Petition majority of Landowners A.C.A §14-40-602

Date Change Effective: \_\_\_\_\_ 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. Jennifer Shryock Title: Deputy City Clerk Hot Springs

Street Address: 133 Convention Blvd.

City: Hot Springs St: AR Zip code: 71901

*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: Garland 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

Received by: *Cynthia Fisher*

**F I L E D**

SEP 29 2017

Arkansas  
Secretary of State

FILED

ORDINANCE NO. 6200

2017 SEP 28 PM 3:08

AN ORDINANCE ACCEPTING THE ANNEXATION OF CERTAIN TERRITORY, LOCATED ON 8.87 ACRES GENERALLY AT 2804 ALBERT PIKE ROAD, TO THE CITY OF HOT SPRINGS, ARKANSAS; MAKING SAME A PART OF THE CITY OF HOT SPRINGS; ASSIGNING SAID LANDS TO A ZONING DISTRICT; ASSIGNING SAID LANDS TO A BOARD DISTRICT; AND FOR OTHER PURPOSES

GARLAND COUNTY CLERK BY [Signature]

WHEREAS, a Petition was filed with the County Clerk of Garland County, Arkansas, pursuant to Arkansas Code Annotated §14-40-601 et seq. by the majority of real estate owners of the hereinafter described territory praying that said territory be annexed to, and made a part of the City of Hot Springs, Arkansas; and that

WHEREAS, on the 18<sup>th</sup> of May, 2017, the County Court of Garland County, 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 Hot Springs, 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 Hot Springs, Arkansas; and that

WHEREAS, Hot Springs Code §16-2-32(c) states: Following the entering of an order by the county court granting a petition for annexation, and during the 30 day waiting period during which proceedings may be instituted for having the annexation prevented, the planning commission shall conduct a public hearing to discuss the zoning of the proposed annexed areas and any modifications to the comprehensive plan that might be appropriate; 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; and that

WHEREAS, the Petitioners requested C-4(Regional Commercial/ Open Display District) zone district; and that

WHEREAS, Planning Commission duly advertised and held a public hearing on May 11, 2017, to recommend a permanent zoning classification for the subject property and by unanimous vote recommend the Board of Directors zone the subject property C-4(Regional Commercial/ Open Display District) consistent with the Future Land Use Plan Map designation Linear Commercial Corridor;

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

FILED  
SEP 29 2017  
Arkansas  
Secretary of State

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

Description of Land known as Lot 1R and 2R of Tract One filed in Book 15/190, Sand Beach Acres, filed Book 15/242 and Tract Two, Part of NE1/4 SE1/4, Section 3 and Part of NW1/4 SW1/4, Section 2 of Township 3 South, Range 20 West, Garland County, AR. Filed in Book 1850/524 and Book 1051/268.

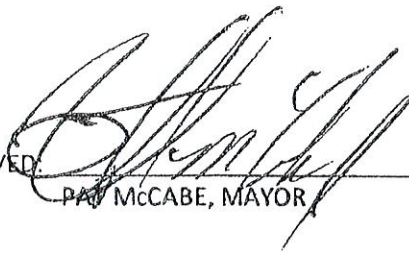
Begin at the NW Corner Lot 2R; Thence, S 43°-36'-48" W along East R-O-W of Bull Bayou Road a Distance Of 60.0' to NW Corner Lot 1R; thence, continue on R-O-W as follows: S 43°-01'-40" W - 162.20', S 44°-18'-44" W- 162.50', S 47°-43'-43" W- 130.34' to AHTD R-O-W of U.S. Hwy. 270; Thence, southerly on R-O-W as follows; S27°-20'-20" W - 24.70'; S 8°-42'-04" E - 231.33' to SW Corner Tract 2, filed in Book 15/190, Also NW Corner Guillory Property. Thence, continue along R.O.W S 8°-42'-04" E a Distance Of 537.96'; Thence, leaving said R-O-W N 79°-25'-38" E a Distance Of 31.01' to 400' contour of Lake Hamilton; Thence, along contour as follows: N38° - 43'-16"E a Distance Of 136.60'; Thence, N31°-15'-04" E a Distance Of 141.11'; Thence, N 25°-48'-47" E a Distance Of 84.93' to NE Corner Of Johnson-Robertson Property And SE Corner Of Guillory Property; Thence, continue on Contour N 23°-52'-13" E a Distance Of 248.36' to SE Corner Of Tract two filed Book 15/190; Thence, continue on contour at N 19° -43'- 07" E a Distance Of 352.18' to SE Corner Of Lot 1R filed in Book 15/242 Thence, Northerly on contour a Distance Of 340' to NE Corner Of Lot 2R filed in Book 15/242; Thence, leaving Contour at N 68° - 15' -00" W a Distance Of 290.37' to point of beginning. Tract contains 8.87 Acres ±


**SECTION 2.** That the above-described territory shall be and is hereby zoned C-4 Regional Commercial/ Open Display District, and the zoning map as adopted by the Zoning Code is hereby amended to the extent necessary to designate this zoning classification.

**SECTION 3.** Future development is subject to local, state, and federal requirements in effect at the time of development.

**SECTION 4.** That the above-described territory shall be made a part of District 3 of the City of Hot Springs, Arkansas, and the same shall, henceforth, be a part of said District as fully as the existing part of said District.

PASSED: June 20, 2017

APPROVED:   
PAT MCCABE, MAYOR

ATTEST:   
LANCE SPICER, CITY CLERK



APPROVED AS TO LEGAL FORM:

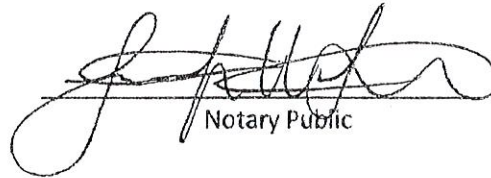
BRIAN W. ALBRIGHT, CITY ATTORNEY

ACKNOWLEDGMENT

STATE OF ARKANSAS

COUNTY OF GARLAND

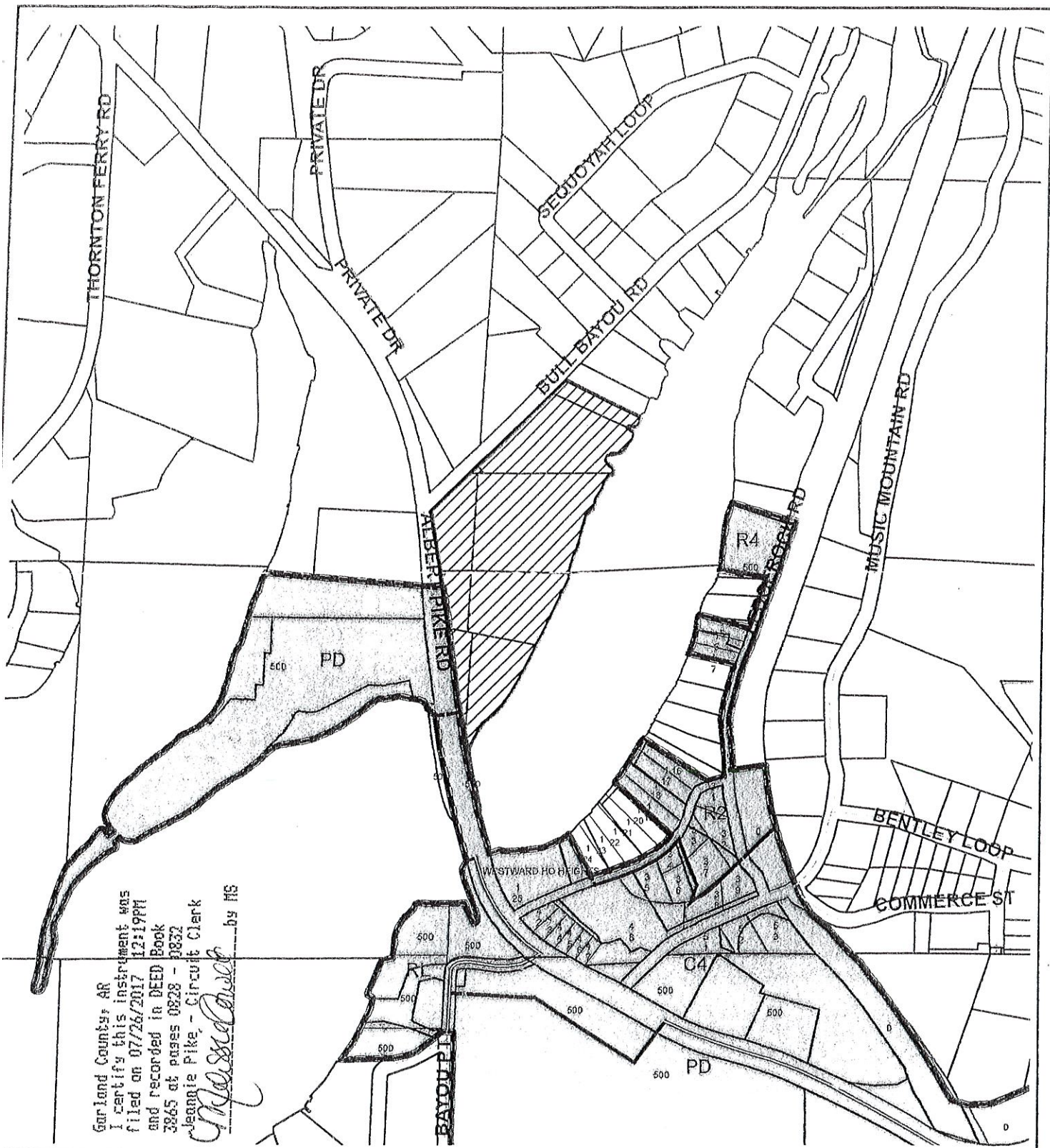
SUBSCRIBED AND SWORN to before me this 20 day of June, 2017.

  
Notary Public

My Commission Expires:

12-01-2021

Jennifer M. Shryock  
Comm. # 12385218  
Notary Public- Arkansas  
Union County  
Exp Date: 12-01-2021



Garland County, AR  
 I certify this instrument was  
 filed on 07/26/2017 12:19PM  
 and recorded in DEED Book  
 3865 at pages 0828 - 0832  
 Jeannie Pike, - Circuit Clerk  
*Jeannie Pike*  
 by ME



**CITY OF HOT SPRINGS**  
 PLANNING & DEVELOPMENT DEPARTMENT

Book 3865 Page 0832

**INITIAL ZONING CONSIDERATION FOR C-4 ZONING  
 GOSLEE BULL BAYOU VOLUNTARY ANNEXATION  
 ALBERT PIKE RD. & BULL BAYOU RD. VICINITY  
 BOARD OF DIRECTORS**


06/20/2017

IN THE GARLAND COUNTY COURT

FILED

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

2017 MAY 18 PM 12 29

SARAH SMITH  
NO. CC 2017-38 GARLAND CO. CLERK  
BY 

**DECREE OF ANNEXATION**

ON THIS 24<sup>th</sup> day of April, 2017 there is presented to the Court by Joseph Goslee and Michael Tankersley, agent(s) of the Petitioners, a Petition for Annexation of certain territory, hereinafter more particularly described, to the City of Hot Springs, Arkansas, and the Court being fully advised of the facts and the law, doth hereby find, judge and decree as follows:

The Court finds that the Petition was filed more than thirty (30) days prior to this date and that in said Petition the said Joseph Goslee and Michael Tankersley were selected by the Petitioners to act on their behalf in filing and presenting the Petition. Notice of Hearing has been proven pursuant to *A.C.A. § 14-40-602*.

The Court doth find that a majority of the total number of real estate owners in the area affected by this Petition have signed said Petition and that such majority owns more than one-half (1/2) of the acreage affected.

The Court further finds that the territory sought to be annexed was accurately described in said Petition and that said territory is contiguous to the boundaries of the City of Hot Springs, Arkansas.

The Court further finds that attached to and made a part of said Petition is an accurate map of the territory sought to be annexed to the City of Hot Springs.

The Court further finds that the Prayer of the Petition is right and proper.

THEREFORE, the Court doth hereby ORDER, JUDGE and DECREE that the following described territory be and the same is hereby annexed to and made a part of the City of Hot Springs, Arkansas, to-wit:

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SEP 29 2017

Arkansas  
Secretary of State

*Description of Land known as Lot 1R and 2R of Tract One filed in Book 15/190, Sand Beach Acres, filed Book 15/242 and Tract Two, Part of NE1/4 SE1/4, Section 3 and Part of NW1/4 SW1/4, Section 2 of Township 3 South, Range 20 West, Garland County, AR. Filed in Book 1850/524 and Book 1051/268.*

*Begin at the NW Corner Lot 2R; Thence, S 43°-36'-48" W along East R-O-W of Bull Bayou Road a Distance Of 60.0' to NW Corner Lot 1R; thence, continue on R-O-W as follows: S 43°-01'-40" W – 162.20', S 44°-18'-44" W- 162.50', S 47°-43'-43" W- 130.34' to AHTD R-O-W of U.S. Hwy. 270; Thence, southerly on R-O-W as follows; S27°-20'-20" W – 24.70'; S 8°-42'-04" E – 231.33' to SW Corner Tract 2, filed in Book 15/190, Also NW Corner Guillory Property. Thence, continue along R.O.W S 8°-42'-04" E a Distance Of 537.96'; Thence, leaving said R-O-W N 79°-25'-38" E a Distance Of 31.01' to 400' contour of Lake Hamilton; Thence, along contour as follows: N38° -43'-16"E a Distance Of 136.60'; Thence, N31°-15'-04" E a Distance Of 141.11'; Thence, N 25°-48'-47" E a Distance Of 84.93' to NE Corner Of Johnson-Robertson Property And SE Corner Of Guillory Property; Thence, continue on Contour N 23°-52'-13" E a Distance Of 248.36' to SE Corner Of Tract two filed Book 15/190; Thence, continue on contour at N 19° -43' - 07" E a Distance Of 352.18' to SE Corner Of Lot 1R filed in Book 15/242 Thence, Northerly on contour a Distance Of 340' to NE Corner Of Lot 2R filed in Book 15/242; Thence, leaving Contour at N 68° -15' -00" W a Distance Of 290.37' to point of beginning. Tract contains 8.87 Acres ±.*

The Court doth further order that the original papers in this cause be delivered to the Clerk of Garland County, Arkansas, same to be properly recorded upon the records of Garland County, Arkansas, and the Clerk, after properly recording and filing the original papers, prepare transcripts of same; that one of the certified transcripts be delivered to the City of Hot Springs, Arkansas, one copy to the Secretary of State, and one copy to the Director of the Tax Division of the Arkansas Public Service Commission.

IT IS SO ORDERED.



HONORABLE RICK DAVIS

Garland County Judge

DATE 5-18-17





# ARKANSAS GIS OFFICE

June 13, 2017

Mr. Lance Spicer  
Assistant City Manager  
133 Convention Blvd  
Hot Springs, AR 71901

RE: City of Hot Springs Annexation Coordination Requirement

Mr. Spicer,

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

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

Attachments:  
GIS Office Map of Proposed Annexation  
Secretary of State Municipal Change Checklist  
2804 Albert Pike Survey  
Executed Annexation Decree

**F I L E D**

SEP 29 2017

Arkansas  
Secretary of State

H:\City\_Annexations\Templates\Folder  
Structure\Doc\20170303\_HotSprings\_Annexation\_Coordination\_Letter\_AlbertPike.docx

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

PHONE (501) 682-2767 · [www.gis.arkansas.gov](http://www.gis.arkansas.gov) · FAX (501) 682-6077

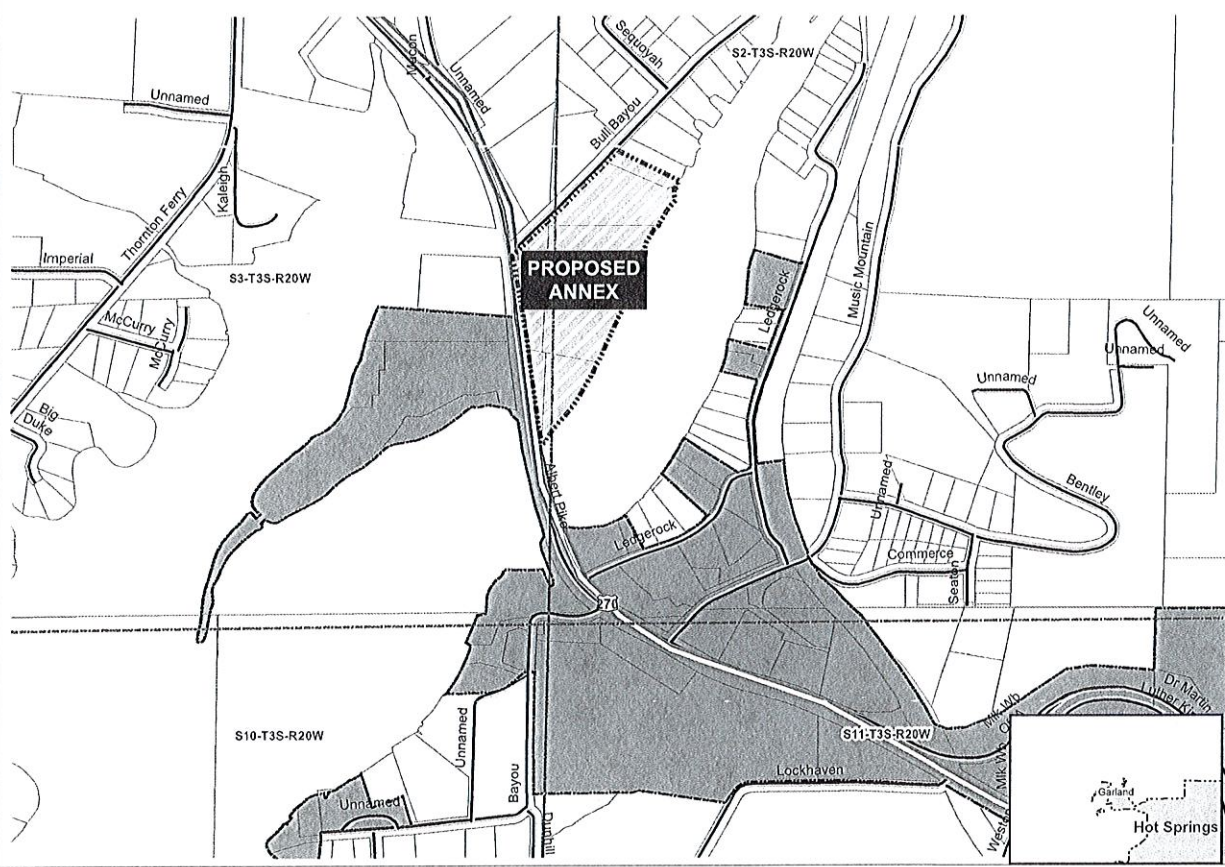
Proposed Annex: City of Hot Springs  
June 2017

City: Hot Springs  
Mayor: Pat McCabe

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
- Sections
- Parcels
- Highway
- Minor Road
- Existing City
- Neighboring City
- County Boundary

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Miles



ARKANSAS GIS OFFICE

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SEP 29 2017  
Arkansas  
Secretary of State