



## 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 6201

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: 6201

Dated: 06/20/2017

County Court Order: CC-2017-40 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 • 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: 6201 Date approved: 06/20/2017

County Court Case No: CC-2017-40 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. 6201

2017 SEP 26 PM 3 09

AN ORDINANCE ACCEPTING THE ANNEXATION OF CERTAIN TERRITORY, LOCATED ON 27.366 ACRES GENERALLY AT SHADY HEIGHTS SUBDIVISION, 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.

BY SARAH SMITH  
GARLAND COUNTY CLERK

*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 R-4 (Medium / High Density Residential) 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 R-4 (Medium / High Density Residential) 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:

**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-PHASE 1

A part of the NW1/4 of the NW1/4 of Section 24, Township 3 South, Range 19 West, Garland County, Arkansas, more particularly described as follows:

Beginning at the NE corner of the NW1/4-NW1/4 of Section 24, Township 3 South, Range 19 West, said point being a found 2" pipe and the POINT OF BEGINNING; then S00°17'21"W, a distance of 1,053.77 feet; then N81°56'38"W, a distance of 110.05 feet; then S79°14'43"W, a distance of 43.71 feet; then S74°23'35"W, a distance of 41.96 feet; then S65°36'07"W, a distance of 21.43 feet; then S01°53'17"E, a distance of 204.67 feet to a point on the Northerly r/w of Shady Heights Rd; then along said r/w S88°01'26"W, a distance of 195.48 feet; then leaving said r/w N01°16'51"E, a distance of 220.83 feet; then N45°31'06"E, a distance of 326.79 feet; then N62°27'49"W, a distance of 60.83 feet; then N86°47'10"W, a distance of 160.00 feet; then N03°12'50"E, a distance of 150.00 feet; then N86°47'10"W, a distance of 12.04 feet; then N00°58'21"E, a distance of 221.16 feet; then N00°35'09"E, a distance of 40.04 feet; then N00°59'25"E, a distance of 221.16 feet; then N14°59'28"W, a distance of 42.11 feet; then N00°17'21"E, a distance of 134.45 feet; then S87°31'50"E, a distance of 387.78 feet to the POINT OF BEGINNING. Containing 414,740 square feet or 9.52 acres, more or less.

## DESCRIPTION-PHASE 2

A part of the NW1/4 of the NW1/4 of Section 24, Township 3 South, Range 19 West, Garland County, Arkansas, being more particularly described as follows:

Commencing at the NE corner of said NW1/4-NW1/4, then N87°31'50"W, a distance of 387.78 feet to the POINT OF BEGINNING; then S00°17'21"W, a distance of 134.45 feet; then S14°59'28"E, a distance of 42.11 feet; then S00°59'25"W, a distance of 221.16 feet; then S00°35'09"W, a distance of 40.04 feet; then S00°58'21"W, a distance of 221.16 feet; then S86°47'10"E, a distance of 12.04 feet; then S03°12'50"W, a distance of 150.00 feet; then S86°47'10"E, a distance of 160.00 feet; then S62°27'49"E, a distance of 60.83 feet; then S45°31'06"W, a distance of 326.79 feet; then S01°16'51"W, a distance of 112.84 feet; then S86°04'58"W, a distance of 136.84 feet; then N02°15'05"E, a distance of 142.86 feet; then N02°52'56"E, a distance of 253.58 feet; then N86°47'10"W, a distance of 414.05 feet; then N01°39'05"E, a distance of 799.75 feet; then S87°31'50"E, a distance of 525.10 feet to the POINT OF BEGINNING. Containing 519,518 square feet or 11.93 acres, more or less.

## DESCRIPTION-(6 Plex Property)

A part of the NW1/4 of the NW1/4 of Section 24, Township 3 South, Range 19 West, Garland County, Arkansas, more particularly described as follows:

Commencing at the NE corner of said NW1/4-NW1/4; then S17°37'21"W, a distance of 1,340.85 feet to a point on the Northerly r/w line of Shady Heights Road and the POINT OF BEGINNING; then S86°04'28"W, a distance of 138.84 feet; then N02°19'58"E, a distance of 108.21 feet; then N02°15'05"E, a distance of 116.30 feet; then S89°47'40"E, a distance of 134.33 feet; then S01°16'51"W, a distance of 214.39 feet to the POINT OF BEGINNING. Containing 29,882 square feet or 0.686 acres, more or less.

Description (From RLS 1459 Survey Plat dated 5/25/16)

A part of the SW 1/4 NW 1/4 and a part of the NW 1/4 NW 1/4 of Section 24, Township 3 South, Range 19 West, Garland County, Arkansas, being more particularly described as follows: Commence at the Northwest corner of said SW 1/4 NW 1/4, said point being a found 1/2" pipe



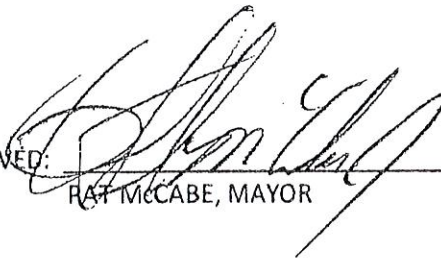
in a rock mound; Then S 88°00'03" E 408.38' to the Point of Beginning; Then N 2°26'16" E 524.68' to a found 1/2" pipe; Then S 86°11'47" E 414.05' to a found iron pin; Then S 3°28'19" W 253.58' to a found iron pin; Then S 2°52'44" W 266.16' to a found 1/2" rebar w/cap on the Northerly right of way line of Shady Heights Road; Then along said right of way S 83°46'54" W 412.00' to a set 1/2" rebar w/cap; Then N 2°26'16" E 66.89' to the Point of Beginning; Containing 5.23 acres, more or less.


**SECTION 2.** That the above-described territory shall be and is hereby zoned R-4 Medium / High Density Residential District, and the zoning map as adopted by the Zoning Code is hereby amended to the extent necessary to designate this zoning classification.

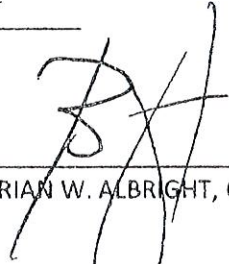
**SECTION 3** Future development is subject to local, state, and federal requirements in effect at the time of development. Provided further, any existing/future street extensions are not accepted until construction in accordance with certain acceptance policies now or hereinafter be adopted by the Board of Directors.

**SECTION 5.** That the above-described territory shall be made a part of Board District 6 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

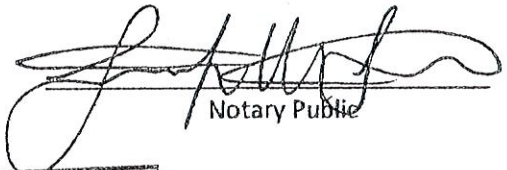
APPROVED AS TO LEGAL FORM:   
BRIAN W. ALBRIGHT, CITY ATTORNEY

**ACKNOWLEDGMENT**

STATE OF ARKANSAS

COUNTY OF GARLAND

SUBSCRIBED AND SWORN to before me this 20<sup>th</sup> 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 07/25/2017 12:19PM  
 and recorded in DEED Book  
 3865 at pages 0833 - 0837  
 Jeannie Pike - Circuit Clerk  
*Jeannie Pike* by MS

**INITIAL ZONING CONSIDERATION FOR R-4 ZONING  
 GUNN VOLUNTARY ANNEXATION  
 421 SHADY HGTS., 105 CLUBHOUSE & PH. I & II OF SHADY HGTS.  
 BOARD OF DIRECTORS**

06/20/2017

PARCEL LOCATION

SELECTED PARCEL





**DESCRIPTION-PHASE 1**

A part of the NW1/4 of the NW1/4 of Section 24, Township 3 South, Range 19 West, Garland County, Arkansas, more particularly described as follows:

Beginning at the NE corner of the NW1/4-NW1/4 of Section 24, Township 3 South, Range 19 West, said point being a found 2" pipe and the POINT OF BEGINNING; then S00°17'21"W, a distance of 1,053.77 feet; then N81°56'38"W, a distance of 110.05 feet; then S79°14'43"W, a distance of 43.71 feet; then S74°23'35"W, a distance of 41.96 feet; then S65°36'07"W, a distance of 21.43 feet; then S01°53'17"E, a distance of 204.67 feet to a point on the Northerly r/w of Shady Heights Rd; then along said r/w S88°01'26"W, a distance of 195.48 feet; then leaving said r/w N01°16'51"E, a distance of 220.83 feet; then N45°31'06"E, a distance of 326.79 feet; then N62°27'49"W, a distance of 60.83 feet; then N86°47'10"W, a distance of 160.00 feet; then N03°12'50"E, a distance of 150.00 feet; then N86°47'10"W, a distance of 12.04 feet; then N00°58'21"E, a distance of 221.16 feet; then N00°35'09"E, a distance of 40.04 feet; then N00°59'25"E, a distance of 221.16 feet; then N14°59'28"W, a distance of 42.11 feet; then N00°17'21"E, a distance of 134.45 feet; then S87°31'50"E, a distance of 387.78 feet to the POINT OF BEGINNING. Containing 414,740 square feet or 9.52 acres, more or less.

**DESCRIPTION-PHASE 2**

A part of the NW1/4 of the NW1/4 of Section 24, Township 3 South, Range 19 West, Garland County, Arkansas, being more particularly described as follows:

Commencing at the NE corner of said NW1/4-NW1/4, then N87°31'50"W, a distance of 387.78 feet to the POINT OF BEGINNING; then S00°17'21"W, a distance of 134.45 feet; then S14°59'28"E, a distance of 42.11 feet; then S00°59'25"W, a distance of 221.16 feet; then S00°35'09"W, a distance of 40.04 feet; then S00°58'21"W, a distance of 221.16 feet; then S86°47'10"E, a distance of 12.04 feet; then S03°12'50"W, a distance of 150.00 feet; then S86°47'10"E, a distance of 160.00 feet; then S62°27'49"E, a distance of 60.83 feet; then S45°31'06"W, a distance of 326.79 feet; then S01°16'51"W, a distance of 112.84 feet; then S86°04'58"W, a distance of 136.84 feet; then N02°15'05"E, a distance of 142.86 feet; then N02°52'56"E, a distance of 253.58 feet; then N86°47'10"W, a distance of 414.05 feet; then N01°39'05"E, a distance of 799.75 feet; then S87°31'50"E, a distance of 525.10 feet to the POINT OF BEGINNING. Containing 519,518 square feet or 11.93 acres, more or less.

**DESCRIPTION-(6 Plex Property)**

A part of the NW1/4 of the NW1/4 of Section 24, Township 3 South, Range 19 West, Garland County, Arkansas, more particularly described as follows:

Commencing at the NE corner of said Nw1/4-Nw1/4; then S17°37'21"W, a distance of 1,340.85 feet to a point on the Northerly r/w line of Shady Heights Road and the POINT OF BEGINNING; then S86°04'28"W, a distance of 138.84 feet; then N02°19'58"E, a distance of 108.21 feet; then N02°15'05"E, a distance of 116.30 feet; then S89°47'40"E, a distance of 134.33 feet; then S01°16'51"W, a distance of 214.39 feet to the POINT OF BEGINNING. Containing 29,882 square feet or 0.686 acres, more or less.



*Description (From RLS 1459 Survey Plat dated 5/25/16)*

*A part of the SW 1/4 NW 1/4 and a part of the NW 1/4 NW 1/4 of Section 24, Township 3 South, Range 19 West, Garland County, Arkansas, being more particularly described as follows: Commence at the Northwest corner of said SW 1/4 NW 1/4, said point being a found 1/2" pipe in a rock mound; Then S 88°00'03" E 408.38' to the Point of Beginning; Then N 2°26'16" E 524.68' to a found 1/2" pipe; Then S 86°11'47" E 414.05' to a found iron pin; Then S 3°28'19" W 253.58' to a found iron pin; Then S 2°52'44" W 266.16' to a found 1/2" rebar w/cap on the Northerly right of way line of Shady Heights Road; Then along said right of way S 83°46'54" W 412.00' to a set 1/2" rebar w/cap; Then N 2°26'16" E 66.89' to the Point of Beginning; Containing 5.23 acres, more or less.*

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  
ANNEX DESCRIPTIONS-4  
Executed Annexation Decree  
Gunn Proposed Vol. Annex. Map

**F I L E D**

SEP 29 2017

Arkansas  
Secretary of State

H:\City\_Annexations\Templates\Folder  
Structure\Doc\20170613\_HotSprings\_Annexation\_Coordination\_Letter\_ShadySprings.docx



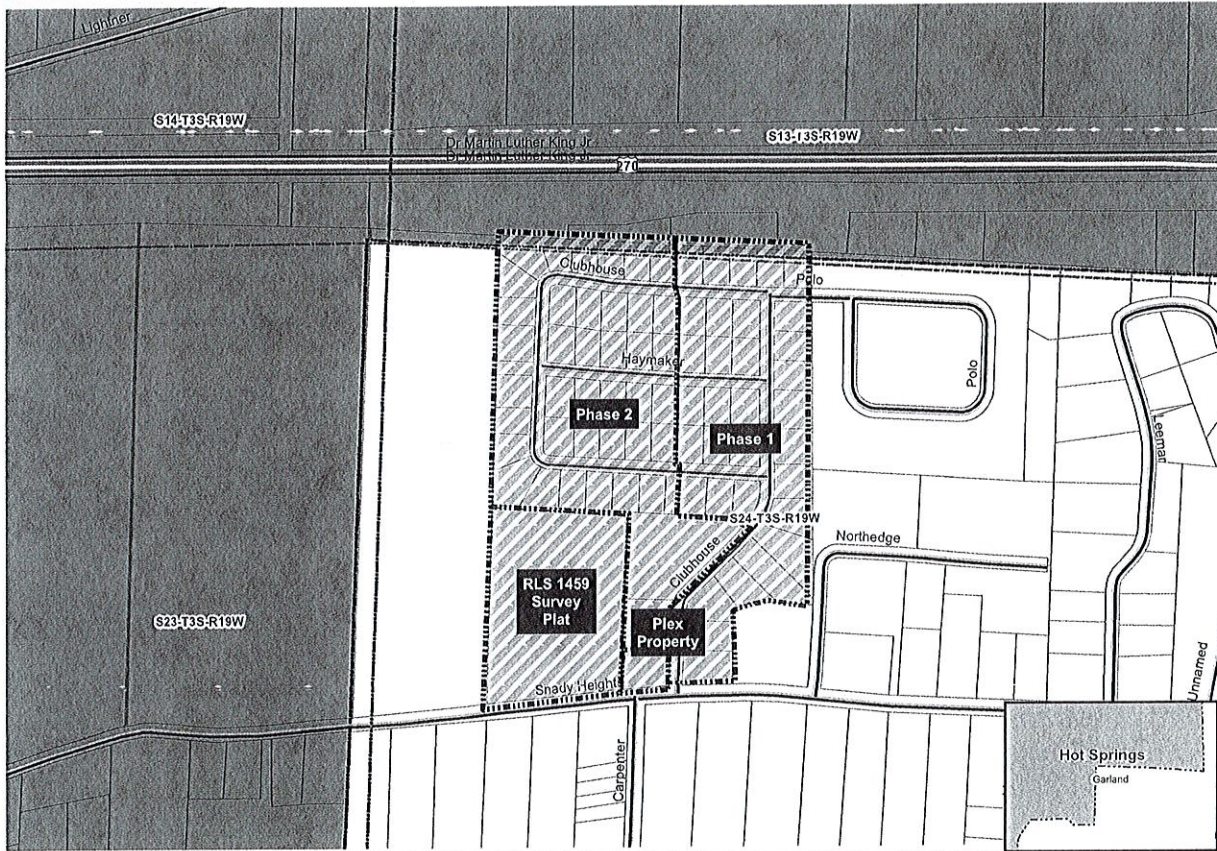
Proposed Annex: City of Hot Springs  
June 2017

City: Hot Springs  
Mayor: Pat McCabe

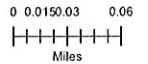
Arkansas Code 14-40-101.

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



\\City\_Annexations\Cities\Hot\_Springs\20170612\_ShadyHeights

FILED

SEP 29 2017

Arkansas  
Secretary of State