



ARKANSAS SECRETARY OF STATE

MARK MARTIN

January 5, 2018

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

Re: City of Hot Springs Annexation Ordinance 6209

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: 6209

Dated: 09/19/2017

County Court Order: CC-2017-89

Filed: 07/26/2017 Honorable 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,

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. Lance Spicer, Hot Springs City Clerk (w/encl)

enclosures





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: 6209 Date approved: 09/19/2017

County Court Case No: CC 2017-89 Date Order Filed: 07/26/2017

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: Mr. Lance Spicer Title: Hot Springs City Clerk

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: _____

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

JAN 05 2018

Received by: *Lynthia Fisher*

Arkansas
Secretary of State

Sarah Smith

Garland County & Probate Clerk
501 Ouachita Avenue, Room 103
Hot Springs, Arkansas 71901

December 18, 2017

Secretary of State
Shelly Roberts
State Capitol
500 Woodlane Ave., Room 25
Little Rock, AR 72201

Dear Ms. Roberts

Enclosed, you will find information related to completed annexations which occurred within Garland County in 2017. Should you need any further information, please contact our office at the number below.

Thank you



Leslie Kauffman
Chief Deputy Clerk
Garland County

Attachments

Garland County Court CC-17-28, Hot Springs Ordinance No. 17-6210
Garland County Court CC-17-89, Hot Springs Ordinance No. 17-6209
Garland County Court CC-17-90, Hot Springs Ordinance No. 17-6208
Garland County Court CC-17-100, Hot Springs Ordinance No. 17-6213

FILE

ORDINANCE NO. 6209

2017 NOV 29 PM 12:53

AN ORDINANCE ACCEPTING THE ANNEXATION OF CERTAIN TERRITORY, LOCATED AT 2461 PARK AVENUE, TO THE CITY OF HOT SPRINGS, ARKANSAS; MAKING SAME A PART OF THE CITY OF HOT SPRINGS; ASSIGNING SAID LANDS TO A ZONING DISTRICT; REVISING THE FUTURE LAND USE MAP; ASSIGNING SAID LANDS TO A BOARD OF ZONING DISTRICT; AND FOR OTHER PURPOSES.

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 26th of July, 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

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:

BEING A PORTION OF THAT CERTAIN PARCEL OF LAND DEEDED TO WILLIAM ROBERT IRWIN, SR. & SUZANNE CARUTH IRWIN, CO-TRUSTEES OF THE IRWIN FAMILY TRUST, RECORDED IN BOOK 2855 PAGE 0285, DEED RECORDS OF GARLAND COUNTY, ARKANSAS; BEING PART OF THE SW ¼ OF THE SW ¼ OF SECTION 14, TOWNSHIP 2 SOUTH, RANGE 19 WEST, GARLAND COUNTY, ARKANSAS; AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SW ¼ OF THE SW ¼ OF SECTION 14; THENCE NORTH 89° 46' 52" EAST, ALONG THE SOUTH LINE OF SAID SW ¼ OF THE SW ¼ OF SECTION 14, 649.95 FEET TO THE POINT OF BEGINNING; THENCE NORTH 44° 53' 21" EAST, DEPARTING SAID SOUTH LINE, 66.42 FEET; THENCE SOUTH 45° 32' 07" EAST, 66.67 FEET TO THE AFOREMENTION SOUTH LINE; THENCE SOUTH 89° 46' 52" WEST, 94.46 FEET TO THE POINT OF BEGINNING.

NOTE: THE ABOVE LEGAL DESCRIPTION IS BASED ON OAKBROOK HEIGHTS PHASE 1A SUBDIVISION, AN ADDITION TO THE CITY OF HOT SPRINGS, ARKANSAS

FILED

JAN 05 2018

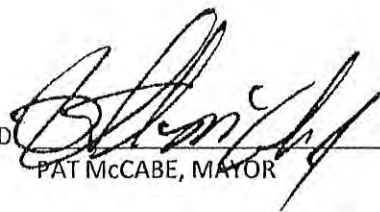
Arkansas
Secretary of State


SECTION 2. That the above-described territory shall be and is hereby zoned Rural Residential (R-1), 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 1 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: September 19, 2017

APPROVED: 
PAT McCABE, MAYOR

ATTEST: 
LANCE SPICER, CITY CLERK

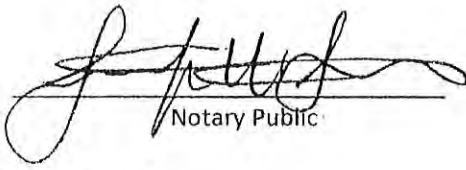
APPROVED AS TO LEGAL FORM: 
BRIAN W. ALBRIGHT, CITY ATTORNEY

ACKNOWLEDGMENT

STATE OF ARKANSAS

COUNTY OF GARLAND

SUBSCRIBED AND SWORN to before me this 19th day of September, 2017.

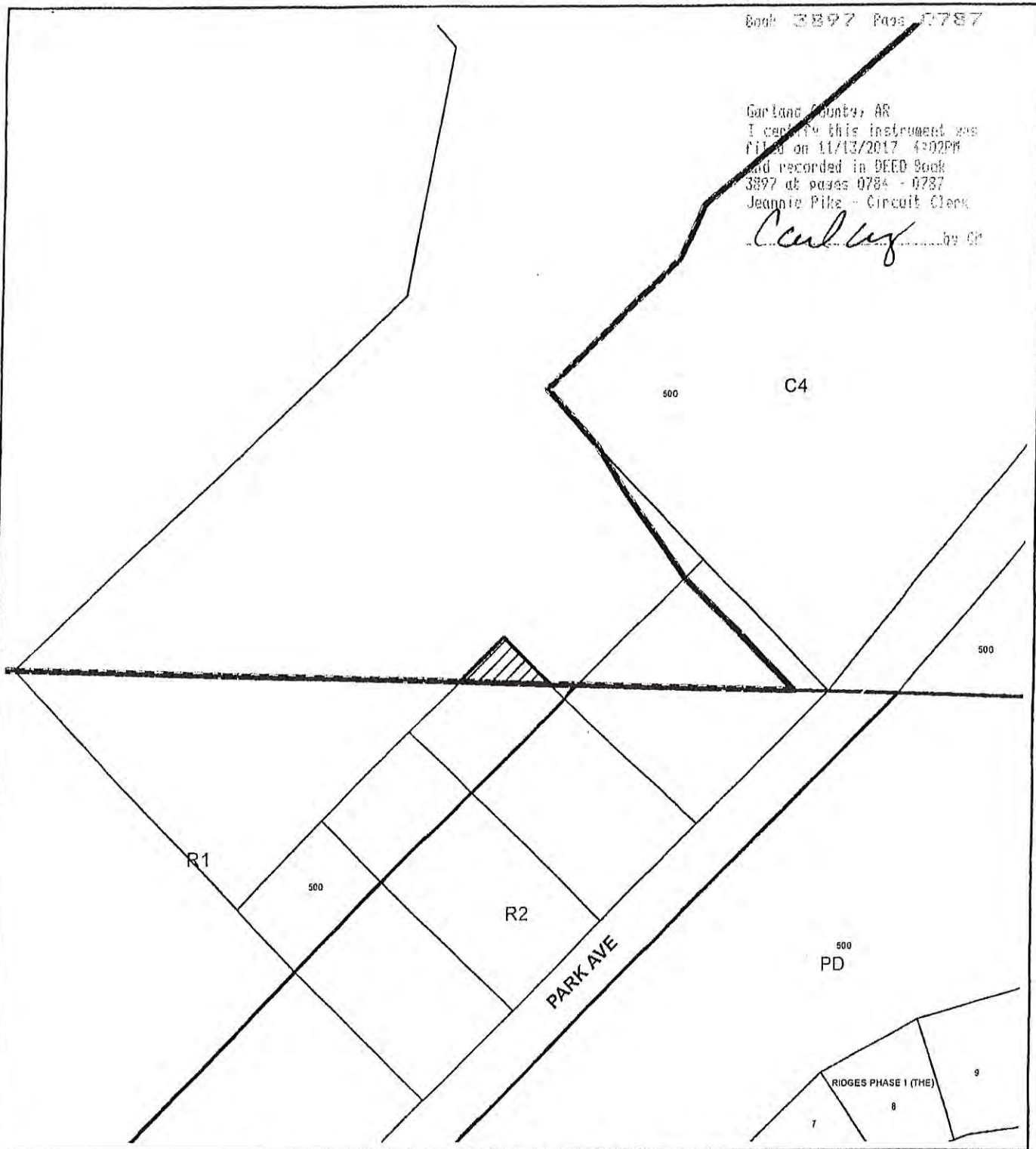

Notary Public

My Commission Expires:
12-01-2021

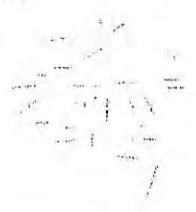
Jennifer M. Shryock
Comm. # 12385218
Notary Public- Arkansas
Union County
Exp Date: 12-01-2021

Garland County, AR
I certify this instrument was
filed on 11/13/2017 4:02PM
and recorded in DEED Book
3897 at pages 0784 - 0787
Jeannie Pike - Circuit Clerk

Caulley by GP



PARCEL LOCATION



SELECTED PARCEL

CITY OF HOT SPRINGS
PLANNING & DEVELOPMENT DEPARTMENT

IRWIN ANNEXATION PARCEL # 3644

09/19/2017

FILED

CERTIFICATE

2017 NOV 29 PM 12 53

2017 NOV 29 PM 12 53
RECEIVED
CITY CLERK
HOT SPRINGS, ARKANSAS

I, Lance Spicer, City Clerk of the City of Hot Springs, Arkansas, do hereby
certify that the foregoing is a true and perfect copy of Ordinance No. 6209,
BY *[Signature]* approved at the Regular Meeting of the City Board of Directors, at 7:00 o'clock p.m.
on the 19th day of September, 2017, and the same is now in full force and effect.

GIVEN under my hand and seal this 13th day of November, 2017.

[Signature]

LANCE SPICER, CITY CLERK


(SEAL)

IN THE GARLAND COUNTY COURT

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

FILED

2017 JUL 26 AM 9 02

SARAH SMITH
GARLAND CO. CLERK
BY  CC NO. 17-89

DECREE OF ANNEXATION

ON THIS 26th day of July, 2017 there is presented to the Court by William and Suzanne Irwin, the Petitioners and authorized Agents of the Irwin Family Trust, 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 William and Suzanne Irwin 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.

FILED

JAN 05 2018

Arkansas
Secretary of State

SCANNED

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:


BEING A PORTION OF THAT CERTAIN PARCEL OF LAND DEEDED TO WILLIAM ROBERT IRWIN, SR. & SUZANNE CARUTH IRWIN, CO-TRUSTEES OF THE IRWIN FAMILY TRUST, RECORDED IN BOOK 2855 PAGE 0285, DEED RECORDS OF GARLAND COUNTY, ARKANSAS; BEING PART OF THE SW ¼ OF THE SW ¼ OF SECTION 14, TOWNSHIP 2 SOUTH, RANGE 19 WEST, GARLAND COUNTY, ARKANSAS; AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SW ¼ OF THE SW ¼ OF SECTION 14; THENCE NORTH 89° 46' 52" EAST, ALONG THE SOUTH LINE OF SAID SW ¼ OF THE SW ¼ OF SECTION 14, 649.95 FEET TO THE POINT OF BEGINNING; THENCE NORTH 44° 53' 21" EAST, DEPARTING SAID SOUTH LINE, 66.42 FEET; THENCE SOUTH 45° 32' 07" EAST, 66.67 FEET TO THE AFOREMENTION SOUTH LINE; THENCE SOUTH 89° 46' 52" WEST, 94.46 FEET TO THE POINT OF BEGINNING.

NOTE: THE ABOVE LEGAL DESCRIPTION IS BASED ON OAKBROOK HEIGHTS PHASE 1A SUBDIVISION, AN ADDITION TO THE CITY OF HOT SPRINGS, ARKANSAS

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 7-26-17



**ARKANSAS
GIS OFFICE**

June 19, 2017

Mrs. Jennifer Shryock
City of Hot Springs - Deputy City Clerk
133 Convention Blvd.
Hot Springs, AR 71901

RE: City of Hot Springs Annexation Coordination Requirement

Ms. Shryock,

Thank you for coordinating with our office as you seek to annex property into the City of Hot Springs, AR case number CC-2017-28 and two parcels described as 3642 and 3644. 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

Attachments:
GIS Office Map of Proposed Annexation
Secretary of State Municipal Change Checklist
Guerrero Legal Description
Irwin Annex Parcel 3644
Merlith Annex Parcel 3642

F I L E D

JAN 05 2018

Arkansas
Secretary of State

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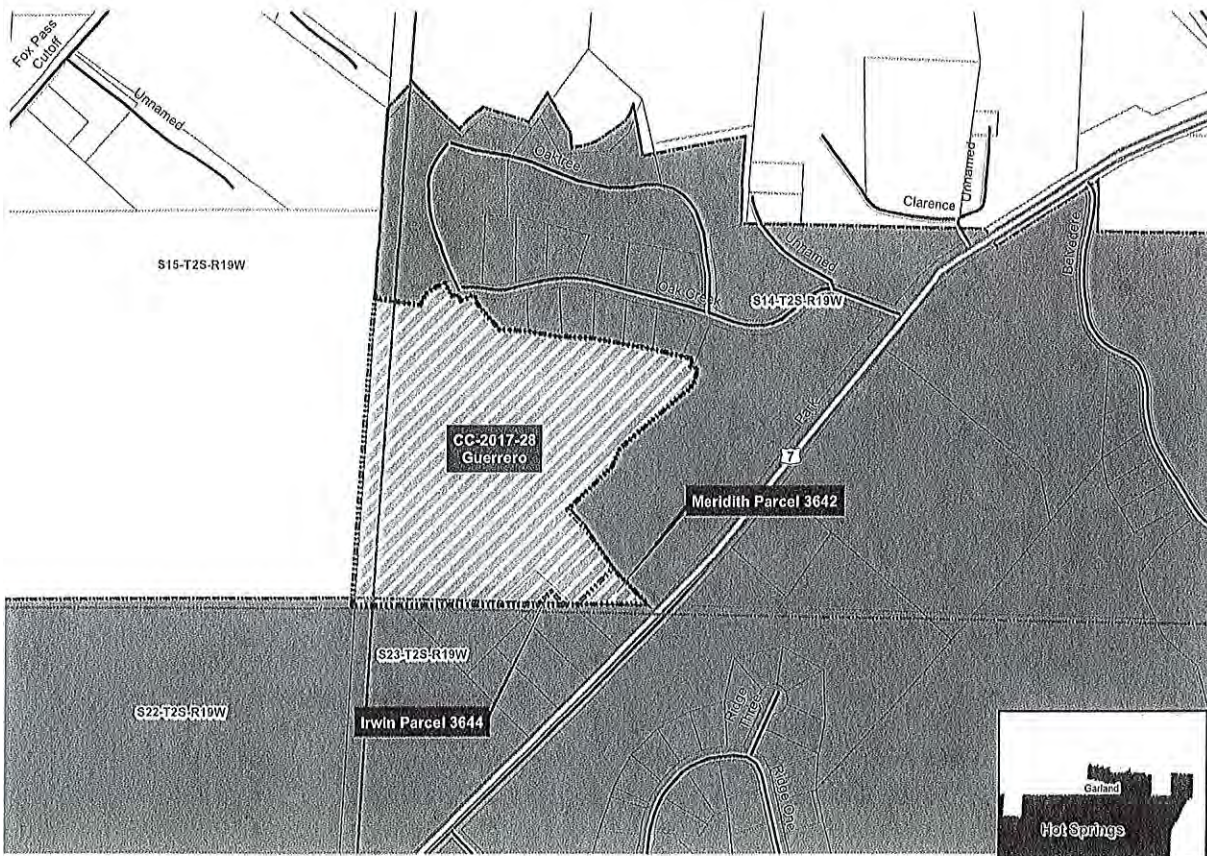
Proposed Annex: City of Hot Springs CC-2017-28, Parcel 3642, and Parcel 3644
June 2017

City: Hot Springs
Mayor: Pat McCabe

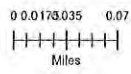
Arkansas Code 14-40-101.

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, in 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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FILED
JAN 05 2018
Arkansas
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