

ARKANSAS SECRETARY OF STATE

MARK MARTIN

December 05, 2018

The Honorable Donnie Davis Newton County and Circuit Clerk 100 Court St Jasper, AR 72641

Re: City of Jasper Annexation Ordinance 2018-4 correcting Ordinance 33 of 1991

Dear Mr. Davis,

This letter acknowledges receipt and filing of the following notice of a correction to the legal description in Ordinance 33 of 1991 by the Office of the Secretary of State:

Filing Type: Amendment to existing boundary change ordinance

Effective Date: 11/21/1991

County: Newton

City: Jasper

City Ordinance: 2018-4

Dated: 09/20/2018

County Court Order: CC-1991-04

Date Filed: 09/28/2018 Hon. Warren Campbell, Newton 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)

Honorable Jan Larson, Mayor of Jasper (w/encl)

Legal Division • 500 Woodlane Street • Suite 256 • Little Rock, Arkansas 72201-1094

501-682-3401 • Fax: 501-682-1213

e-mail: legal@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: Vew ton City/Town: Jas no | 2~ | | | |
|---|-----------------------------------|--|--|--|
| City Ordinance/Resolution No: $2018-4$ Cov year Date approved: $8-10$ | ke-18 | | | |
| County Court Case No: <u>CC - 1991 - O4</u> Date Order Filed: <u>//-</u> | 25-91 | | | |
| Type: Amexation of Land by Fehhm of Mayrity of A | Lordowness - Legal Description | | | |
| Date Change Effective: 416 98 Set by: Municipal Ordinance Emergo (Required by Act 655 of 2017) | ency Clause O Court O Default | | | |
| For Circuit Court Challenge: Date Order Filed:OUpheldOovertu | urned Oother (attach explanation) | | | |
| Initiating party: | | | | |
| O All Landowners O Majority Landowners O Municipal Governing Body O Stat | te Oother <u>Cryxeching</u> | | | |
| Supporting Documentation attached (check all that apply): | 1 2 10 11 12 12 | | | |
| File marked copy of City Ordinance/Resolution (required) as for many states | <i>7 3</i> | | | |
| File marked copy of County Court Order (required except for island annexation and | annexation approved by election) | | | |
| Copy of Arkansas GIS approved printed map and certification letter (required) | 6 4 4 | | | |
| Proof of Publication for all Legal Notices (include Hearing, Election, and City Ordinal File marked copy of Petition Part or File marked copy of the certified special ele | | | | |
| File marked copy of Complaint and final Circuit Court Order (Court Challenge only | - | | | |
| 12 18 M | , | | | |
| Municipal Contact: | | | | |
| Name: Un Lorson Title: Worgon | | | | |
| Street Address: 101 E Elm | | | | |
| City: Naspa St: H Zip code: | : 72641 | | | |
| Complete one form per ordinance/resolution, attach it as a cover page to the supporting document set and submit ta the County Clerk's Office within 45 days of the Effective Date as required by A ct 655 of 2017 | | | | |
| County Official: | | | | |
| Signature: Johnson Com Title: County | Clerk | | | |
| Date: <u>8-20-2018</u> | | | | |
| Pursuant to Act 655 of 2017, Caunty Officials must submit a file-marked copy of municipal boundary receipt to: Arkansas Secretary of State, Attn: Municipal Boundary Filing, 500 Waadlane Ave Suit | | | | |
| Office of the Arkansas Secretary of State use only | FILED | | | |
| Production of -11 - file | DEC & E 2010 | | | |

DEC **05** 2018

Arkansas Secretary of State AN ORDINANCE AMENDING ORDINANCE 33 OF 1991; CORRECTING THE LEGAL DESCRIPTION OF PROPERTY WHICH WAS ANNEXED INTO THE CORPORATE LIMITS OF THE CITY OF JASPER, NEWTON COUNTY, ARKANSAS; ASSINGING SAME TO WARD 1, DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES

WHEREAS, the City Council in Ordinance 33 of 1991 annexed certain property into the corporate limits of the City of Jasper, Arkansas based on an Order of the County Court entered on September 4, 1991; and

WHEREAS, the City Council has been advised that the legal description which was provided to the City had errors within it which have since been corrected; and

WHEREAS, the County Court of Newton County on or about September 28, 2018 entered an Order Amending Decree of Annexation authorizing the annexation and correcting the legal description; and

WHEREAS, more than thirty (30) days has expired since entry of said amended decree and the City of Jasper desires to accept said property into the City.

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

Section 1: Ordinance 33 of 1991 is amended and the property hereinafter described is hereby annexed and made a part of the City of Jasper, Newton County, Arkansas, and being more fully described as follows, to wit:

A part of Section 26, 23 and 27 of Township 16 North, Range 21 West, described as commencing at a point where the eastern border of Arkansas Highway 7 rightof-way transects the northern border of the City of Jasper, Arkansas; thence East 250 feet; thence on a northerly line 250 feet east of the right-of way of Highway 7 and running parallel to and with the meander of said highway to the northern line of Section 26; thence West along said north line to the east border of the right-ofway of Highway 7; thence North with the meander of said right-of-way 716 feet; Othence West approximately 895 feet to a point 250 feet west of a roadway; thence Southeasterly to the north line of Section 26, a point 250 feet due west of the point where the right-of-way of Highway 7 transects said north line of Section 26; thence Southeast to a point 250 feet north of the centerline of Old Highway 7 and 250 feet west of the right-of-way of the western border of Highway 7; thence South parallel to and with the meander of Old Highway 7 to a point 250 feet from the west rightof-way of Highway 7; thence Southwesterly parallel to Highway 7 and with its meander to a point 250 feet North of the north right-of-way line of Highway 74;

ORRecting Ord # 2018-4

DEC 05 2018

Arkansas Secretary of State

thence West parallel to Highway 74 and with its meander around the first hairpin curve to a point where the parallel meander ceases to be southwesterly and commences to be northwesterly, thence South 500 feet; thence East to the western right-of-way line of Highway 74; thence parallel to and with the meander of said Highway 74 to the point where Highway 327 merges with Highway 74; thence South to a point 100 feet South of the southern right-of-way line of Highway 74; thence East parallel to and with the meander of Highway 74 to a point 250 feet West of the western border of Highway 74 right-of-way; thence South to the north border of the City of Jasper and thence with the north border line of the city limits of Jasper to the point of beginning.

AND ALSO

A PART OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION TWENTY-THREE (23), A PART OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER AND A PART OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION TWENTY-SIX (26), ALL IN TOWNSHIP SIXTEEN (16) NORTH, RANGE TWENTY-ONE (21) WEST, NEWTON COUNTY ARKANSAS, DESCRIBED AS FOLLOWS:

From the Southwest Corner of the said Southeast of the Northwest of Section Twenty-Six (26), go along the West Line North 01°15'02" East 437.38 Feet to the point of beginning of tract being described, said point being on the East Line of the Carroll Electric Property, then continue North 01°15'02" East 2215.99 Feet to the Northwest Corner of the said Northeast of the Northwest, then go along the West line of the Southeast of the Southwest of Section Twenty Three (23) North 01°26'49" East 652.65 Feet, then go South 87°50'12" East 500.00 Feet, North 01°26'49" East 652.50 Feet to the North line of the Southeast of the Southwest, then go along the North line South 87°49'11" East 827.67 Feet to the Northeast Corner, then go along the East Line South 01°25'03" West 652.25 Feet to the North Line of the Jasper City limits, then go South and West along the City Limits approximately 3400 Feet to the East Line of the Carroll Electric property, then go along the East Line North 27°54'49" West 332.74 Feet to the point of beginning.

Section 2: That the above described territory shall be annexed to and made a part of Ward 1 of the City of Jasper, and the same shall henceforth be a part of said ward as fully as existing parts of said ward.

Section 3: The effective date of the annexation is November 21, 1991, the date of passage of Ordinance 33 of 1991.

<u>Section 4:</u> Because of the short period of time available for action and the need to keep services, uniform and available in the annexed area, the adoption of this ordinance is necessary for the public peace, health, safety and welfare, AN EMERGENCY is declared to exist. Therefore, this ordinance shall be in full force and effect from and after the date of its passage.

PASSED AND APPROVED THIS 18 DAY OF October 2018

Jan Larson, Mayor

J. MAILLE

Tiffany Davis, Recorder

FILED
OFFICE OF THE CIRCUIT CLERK
NEWTON COUNTY ARKANSAS

SEP 28 2018

A.M. // OC P.M. BOOK X PAGE 664

DONNIE DAVIS

IN THE COUNTY COURT OF NEWTON COUNTY, ARKANSAS

IN THE MATTER OF: ANNEXING TO THE CITY OF JASPER, ARKANSAS CERTAIN TERRITORY CONTIGUOUS TO SAID CITY OF JASPER, ARKANSAS

FILED

DEC 0 5 2018

NO. CC-1991-04

Arkansas Secretary of State

ORDER AMENDEDING DECREE OF ANNEXATION

Comes now for hearing the request of the Petitioner, the City of Jasper, Arkansas, and for its petition to annex certain real property to the City of Jasper, Arkansas, Newton County, Arkansas pursuant to Chapter 40 of Title 14 of the Arkansas Code, and after all things considered the County Court of Newton County, Arkansas does hereby find, and order as follows:

 The County Court on or about September 4, 1991 entered a Decree of Annexation in the above-captioned matter releasing the following described property to be annexed into the City of Jasper, Arkansas:

A part of Section 26, 23 and 27 of Township 16 North, Range 21 West, described as commencing at a point where the eastern border of Arkansas Highway 7 right-of-way transects the northern border of the City of Jasper, Arkansas; thence East 250 feet; thence on a northerly line 250 feet east of the right-of-way of Highway 7 and running parallel to and with the meander of said highway to the northern line of Section 26; thence West along said north line to the east border of the right-of-way of Highway 7;

thence North with the meander of said right-of-way 716 feet; thence West approximately 895 feet to a point 250 feet west of a roadway; thence Southeasterly to the north line of Section 26, a point 250 feet due west of the point where the right-of-way of Highway 7 transects said north line of Section 26; thence Southeast to a point 250 feet north of the centerline of Old Highway 7 and 250 feet west of the right-of-way of the western border of Highway 7; thence South parallel to and with the meander of Old Highway 7 to a point 250 feet from the west right-of-way of Highway 7; thence Southwesterly parallel to Highway 7 and with its meander to a point 250 feet North of the north right-of-way line of Highway 74; thence West parallel to Highway 74 and with its meander around the first hairpin curve to a point where the parallel meander ceases to be southwesterly and commences to be northwesterly, thence South 500 feet; thence East to the western right-of-way line of Highway 74; thence parallel to and with the meander of said Highway 74 to the point where Highway 327 merges with Highway 74; thence South to a point 100 feet South of the southern rightof-way line of Highway 74; thence East parallel to and with the meander of Highway 74 to a point 250 feet West of the western border of Highway 74 right-of-way; thence South to the north border of the City of Jasper and thence with the north border line of the city limits of Jasper to the point of beginning.

- The legal description contained in the Decree of Annexation omitted property that was intended to be included in the annexation owned by landowners who had signed the original petition.
- 3. The legal description included in the September 4, 1991 Decree of Annexation is hereby amended and corrected as follows:

A part of Section 26, 23 and 27 of Township 16 North, Range 21 West, described as commencing at a point where the eastern border of Arkansas Highway 7 right-of-way transects the northern border of the City of Jasper, Arkansas; thence East 250 feet; thence on a northerly line 250 feet east of the right-of- way of Highway 7 and running parallel to and with the meander of said highway to the northern line of Section 26; thence West along said north line to the east border of the right-of-way of Highway 7; thence North with the meander of said right-of-way 716 feet; thence West approximately 895 feet to a point 250 feet west of a roadway; thence Southeasterly to the north line of Section 26, a point 250 feet due west of

the point where the right-of-way of Highway 7 transects said north line of Section 26; thence Southeast to a point 250 feet north of the centerline of Old Highway 7 and 250 feet west of the right-of-way of the western border of Highway 7; thence South parallel to and with the meander of Old Highway 7 to a point 250 feet from the west right-of-way of Highway 7; thence Southwesterly parallel to Highway 7 and with its meander to a point 250 feet North of the north right-of-way line of Highway 74; thence West parallel to Highway 74 and with its meander around the first hairpin curve to a point where the parallel meander ceases to be southwesterly and commences to be northwesterly, thence South 500 feet; thence East to the western right-of-way line of Highway 74; thence parallel to and with the meander of said Highway 74 to the point where Highway 327 merges with Highway 74; thence South to a point 100 feet South of the southern rightof-way line of Highway 74; thence East parallel to and with the meander of Highway 74 to a point 250 feet West of the western border of Highway 74 right-of-way; thence South to the north border of the City of Jasper and thence with the north border line of the city limits of Jasper to the point of beginning.

AND ALSO

A PART OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION TWENTY-THREE (23), A PART OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER AND A PART OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION TWENTY-SIX (26), ALL IN TOWNSHIP SIXTEEN (16) NORTH, RANGE TWENTY-ONE (21) WEST, NEWTON COUNTY ARKANSAS, DESCRIBED AS FOLLOWS:

From the Southwest Corner of the said Southeast of the Northwest of Section Twenty-Six (26), go along the West Line North 01°15'02" East 437.38 Feet to the point of beginning of tract being described, said point being on the East Line of the Carroll Electric Property, then continue North 01°15'02" East 2215.99 Feet to the Northwest Corner of the said Northeast of the Northwest, then go along the West line of the Southeast of the Southwest of Section Twenty Three (23) North 01°26'49" East 652.65 Feet, then go South 87°50'12" East 500.00 Feet, North 01°26'49" East 652.50 Feet to the North line of the Southeast of the Southwest, then go along the North line South 87°49'11" East 827.67 Feet to the Northeast Corner, then go along the East Line South 01°25'03" West 652.25 Feet to the North Line of the Jasper City limits, then go South and West along the

City Limits approximately 3400 Feet to the East Line of the Carroll Electric property, then go along the East Line North 27°54'49" West 332.74 Feet to the point of beginning.

4. The County Court hereby reaffirms its release of the above-described property and allows the above-described lands to be annexed into the City of Jasper, Newton County, Arkansas.

IT IS SO ORDERED this 28 day of September, 2018

Wown Courty Judge



October 2, 2018

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

RE: City of Jasper Annexation Coordination Requirement

Ms. Fisher,

Thank you for coordinating with our office as you seek to file an annexation of property into the City of Jasper, AR in Sections 23, 26 and 27, Township 16 North, Range 21 West as described in Amended Order CC-1991-04. 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 /jiw

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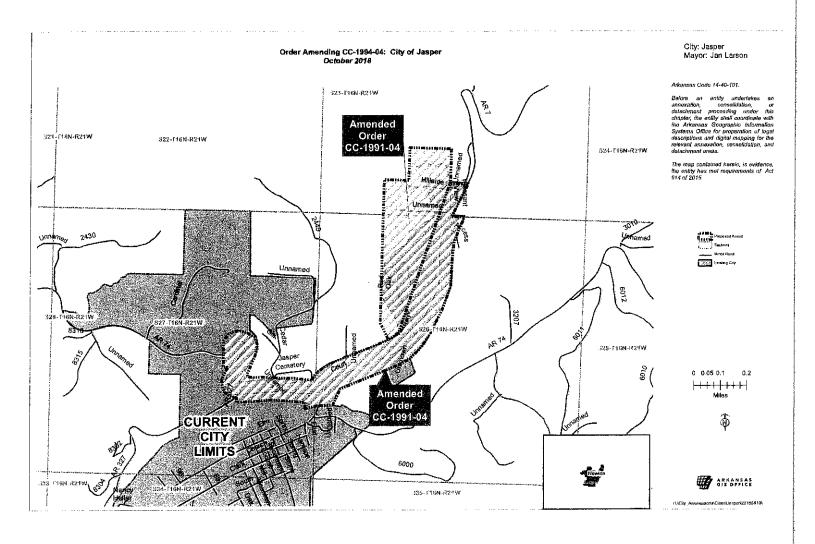
Arkansas Secretary of State

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

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

PHONE (501) 682-2767 + www.gis.arkansas.gov + FAX (501) 682-6077



CITY OF JASPER, ARKANSAS CITY COUNCIL

1991-33-125

ordinance no. 33 -

AN ORDINANCE ACCEPTING THE ANNEXATION OF CERTAIN TERRITORY TO THE CITY OF JASPER, ARKANSAS, AND MAKING SAME A PART OF THE CITY OF JASPER, ARKANSAS, AND ASSIGNING SAME TO WARD(S)

WHEREAS, petition was filed with the County Clerk of Newton County, Arkansas, by the majority of the real estate owners of the hereinafter described territory praying that said territory be annexed to and made a part of the City of Jasper, Arkansas, and,

WHEREAS on the 4th day of September, 1991, the County Court of Newton 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 Jasper, 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 Jasper, Arkansas, subject to the acceptance of same by the City Council of said City at the proper time as provided by law; 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.

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

Section 1. That the following described lands and territory continguous and adjoining the City of Jasper, Arkansas, be and the same is hereby accepted as part of and annexed to and made a part of the City of Jasper:

DEC 0 5 2018

Arkansas Secretary of State

IN THE NEWTON COUNTY, ARKANSAS COURT

IN THE MATTER OF ANNEXING TO THE CITY OF JASPER, ARKANSAS, CERTAIN TERRITORY CONTIGUOUS TO THE SAID CITY OF JASPER, ARKANSAS.

No. 91-4

PETITION

We, as property owners of the following described area, do hereby petition the County Court of Newton County, Arkansas to annex the following lands to the City of Jasper, Arkansas.

We further state that the petition is signed by a majority of the real estate owners owning more than one-half of the acreage in said area, and do further by our petition appoint FRED to act on behalf of the petitioners in presenting this matter to the court.

Description of the area to be annexed to the City of Jasper, Arkansas:

A part of Sections 26, 23 and 27 of Township 16 North, Range 21 West described as commencing at a point where the eastern border of Arkansas Highway #7's right-of-way transects the northern border of the City of Jasper, Arkansas; thence East 250 feet; thence on a northerly line 250 feet east of the right-of-way of Highway #7 and running parallel to and with the meander of said highway to the northern line of Section 26, thence West along said north line to the east border of the right-of-way of Highway #7; thence North with the meander of said right-of-way 716 feet; thence West approximately 895 feet to a point 250 feet west of a roadway; thence Southeasterly to the north line of Section 26, a point 250 feet due west of the point where the right-of-way of Highway #7 transects said north line of Section 26; thence Southeast to a point 250 feet north of the centerline of Old Highway #7 and 250 feet West of the right-of-way of Highway #7's western border; thence South parallel to and with the meander of Old Highway #7 to a point 250 feet from the west right-of-way of Highway #7; thence Southwesterly parallel to Highway #7 and with its meander to a point 250 feet North of the north right of the line of Highway #74; thence West parallel to Highway #74 and with with its meander around the first hairpin curve to a point where the parallel meander ceases to be southwesterly and commences to be northwesterly; thence South 500 feet; thence East to the western right-of-way line of Highway #74; thence parallel to and with the meander of said Highway #74 to the point where Highway #327 merges with Highway #74; thence South to a point 100 feet South of the southern right-of-way line of Highway #74; thence East parallel to and with the meander of Highway #74 to a point 250 feet West of the western border of Highway #7's right-of-way; thence South to the north border of the City of Jasper and thence with the north border line of the city limits of Jasper to the point of beginning.

| NAME | ADDRESS |
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| Brily Norak | P.O. Box 51 Jaspen 72641 |
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Petition continued

| · A Comment | : | | |
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A part of Section 26, 23 and 27 of Township 16 North, Range 21 West, described as commencing at a point where the eastern border of Arkansas Highway #7's right-of-way transects the northern border of the City of Jasper, Arkansas; thence East 250 feet; thence on a northerly line 250 feet east of the right-ofway of Highway #7 and running parallel to and with the meander of said highway to the northern line of Section 26; thence West along said north line to the east border of the right-of-way of Highway #7; thence North with the meander of said right-of-way 716 feet; thence West approximately 895 feet to a point 250 feet west of a roadway; thence Southeasterly to the north line of Section 26, a point 250 feet due west of the point where the right-of-way of Highway #7 transects said north line of Section 26; thence Southeast to a point 250 feet north of the centerline of Old Highway #7 and 250 feet west of the right-of-way of Highway #7's western border; thence South parallel to and with the meander of Old Highway #7 to a point 250 feet from the west right-of-way of Highway #7; thence Southwesterly parallel to Highway #7 and with its meander to a point 250 feet North of the north right-of-way line of Highway #74; thence West parallel to Highway #74 and with its meander around the first hairpin curve to a point where the parallel meander ceases to be southwesterly and commences to be northwesterly, thence South 500 feet; thence East to the western right-of-way line of Highway #74; thence parallel to and with the meander of said Highway #74 to the point where Highway #327 merges with Highway #74; thence South to a point 100 feet South of the southern right-of-way line of Highway #74; thence East parallel to and with the meander of Highway #74 to a point 250 feet West of the western border of Highway #7's right-of-way; thence South to the north border of the City of Lagran and thousand with the north border line of the the City of Jasper and thence with the north border line of the city limits of Jasper to the point of beginning.

Section 2. That the above described territory shall be annexed to and made a part of Ward One of the City of Jasper, and the same shall henceforth be a part of said ward as fully as existing parts of said ward.

Passed and approved this 21 day of Yournler, 1991.

Approved: Welen Young, Mayor

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| ATTESTED: Oxford Hamilton, Recorder TATE OF ARKANSAS) SS OUNTY OF NEWTON) I, HUBERT ROSERSON, CONSTRUMENT OF WRITING ATTEMPTORY AND FOR THE COUNTY & STATE OR THE ALD CONT IN TESTINATIVE DAY OF DAY OF OR ALL OF SAID COURT THE THE DAY OF | Filed for record in my office on the 1991 day of |
| Trouved Continent | |