



ARKANSAS SECRETARY OF STATE

MARK MARTIN

December 19, 2018

The Honorable Teresa Rouse
Poinsett County Clerk
401 Market St
Harrisburg, AR 72432

Re: City of Lepanto Annexation Ordinance 479

Dear Ms. Rouse,

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 pursuant to A.C.A § 14-40-302 (voter approval by election)
Effective Date: 12/16/2018
County: Poinsett City: Lepanto
City Ordinance: 479 Dated: 07/07/2018
County Court Order: N/A

A file marked copy of the ordinance, election results 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)
Hon. Dale Dunlap, Mayor of Lepanto (w/encl)





Arkansas Secretary of State

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

Municipal Boundary Change Checklist

County: Poinsett City/Town: Lepanto

City Ordinance/Resolution No: 479 Date approved: 07/17/2018

County Court Case No: _____ Date Order Filed: _____

Type: Annexation by Election (contiguous land) A.C.A. §14-40-302

Date Change Effective: 12/16/2018 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: Honorable Dale Dunlap Title: Mayor of Lepanto

Street Address: P.O. Box 610

City: Lepanto St: AR Zip code: 72354

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: Poinsett County Clerk

Date: 12/29/2018

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

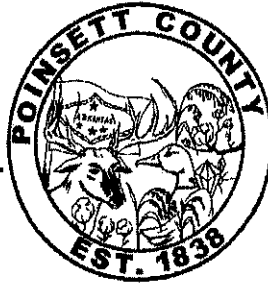
Received by: *Cynthia Fisher*

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DEC 19 2018

**Arkansas
Secretary of State**

Teresa Rouse



Poinsett County Clerk

401 Market Street
Harrisburg, Arkansas 72432

Phone 870-578-4410
Fax 870-578-2441
E-mail: countyclerk@poinsettcounty.us

November 28, 2018

Arkansas Secretary of State
Attn: Legal Division
500 Woodlane Ave Suite 256
Little Rock AR 72201-1092

Re: Lepanto Annexation Election

To Whom It May Concern:

Enclosed please find documentation regarding the recent Annexation election for the city of Lepanto. The documentation includes a copy of the original ordinance (Ordinance No. 479) calling for the election which was submitted to my office, a copy of the letter from the Arkansas GIS office and the Abstract of Ballots Cast for the election which was held on November 6, 2018 during the general election.

If you have any questions, or need further documentation, please feel free to contact our office at the number listed above.

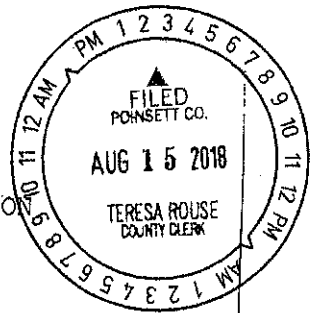
Sincerely,

A handwritten signature in cursive script that reads "Teresa Rouse".

Teresa Rouse
Poinsett County Clerk

enclosures

ORDINANCE NO. 479



AN ORDINANCE SUBMITTING TO THE VOTERS OF THE CITY OF LEPANTO, ARKANSAS, AND OTHER AFFECTED PERSONS, THE QUESTION OF ANNEXATION TO SAID CITY OF CERTAIN CONTIGUOUS TERRITORY; AND DECLARING AN EMERGENCY

WHEREAS, it appears to the City Council of the City of Lepanto, Arkansas, that the annexation of certain hereinafter described territory, contiguous to the City of Lepanto, is necessary for the orderly growth and development of the City;

WHEREAS, the lands furnish the abode for a densely settled community or represent the actual growth of the municipality beyond its legal boundary; and

WHEREAS, the lands are platted and held for sale or use as municipal lots, or whether platted or not, the lands are held to be sold as suburban property;

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

1. That there shall be submitted to the qualified electors of the City and of the following described area the question of annexation of the following described territory to the City of Lepanto:

TRACT I:

A 38.00 acre tract of land lying in Section 34 and 35, T-12-N, R-7-E, Poinsett County, Arkansas, and being more particularly described as follows: Beginning at a point on the northern city limits line of the City of Lepanto which lies on the East line of the Replat of the Grady Watkins 1st. Addition, Subdivision to the City of Lepanto, said point being 208.70 feet East of the East right of way of State Highway 140; thence northerly parallel with the East right of way of State Highway 140 and said Replat of the Grady Watkins 1st. Addition to a point lying in the center of Ditch No. 51; thence northwesterly along the centerline of said Ditch No. 51 to a point lying 250 feet west of the west right of way of Highway 140; thence southerly parallel with the west right of way of State Highway 140; to a point on the north line of the existing city limits of the City of Lepanto; thence S84°55'00"E a distance of 250.00 feet; thence N5°05'00"E a distance of 57.10 feet; thence S84°51'01"E along the existing

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**Arkansas
Secretary of State**

city limits line to the point of beginning, containing 38.00 acres, more or less.

TRACT II:

A 28.50 acre tract of land lying in Section 3, T-11-N, R-7-E, Poinsett County, Arkansas, and being more particularly described as follows: Beginning at a point on the East line of the existing city limits and the centerline of Didemma Street; thence East along the centerline of Didemma Street to the point of intersection with the centerline of J. Martin Road; thence South along the centerline of J. Martin Road a distance of 1550.00 feet; thence West a distance of 800.00 feet more or less to a point; thence North along the existing city limits line to the point of beginning, containing 28.50 acres, more or less.

A map depicting said annexation area is attached hereto as Exhibit "A" and made a part hereof.

2. The question of annexation of the territory described above in Section 1 shall be submitted to the electors qualified to vote on this issue at the general election to be held on Tuesday, November 6, 2018. Once this ordinance takes effect, the City Clerk shall immediately notify the County Election Commission and the County Clerk by forwarding to each a certified copy of this ordinance and the map showing the area to be annexed.

3. If at such election a majority of the qualified electors voting in such election shall vote for such annexation, the annexation shall be effective and the territory included within the corporate limits of the City thirty [30] days following the county clerk's certification of the election results and recording of the same, along with the description and a map of the annexed area, in the county records, and filing a certified copy thereof with the Secretary of State; or in the event an action is filed with the circuit court, on the date the judgment of said court becomes final. If a majority of the qualified electors voting on the issue at the election vote against the annexation, the annexation ordinance shall be null and void.

4. No later than forty-five (45) days prior to the election, the City shall identify all persons who reside within the area proposed to be annexed, and the County Clerk shall assist the City in determining the names and addresses of all qualified electors residing within that area.

5. The City Clerk shall give notice of the election by publication by at least one [1] insertion in some newspaper having a general circulation in the City.

6. If the annexation is approved and becomes final, the governing body of the City shall, by ordinance, as soon as practical after the annexation, attach and incorporate such annexed territory into one [1] or more wards of the City lying adjacent thereto, and the territory so assigned and attached to a ward shall thereafter be considered and become a part thereof as fully as any other part of the City.

7. If the annexation is approved and becomes final, the following services shall be extended to the area within three [3] years:

SERVICE	DATE
Police Protection	Immediately
Fire Protection	Immediately
Solid Waste Collection	Upon Annexation

The schedule of services shall be included in the annual written report required by A.C.A. § 14-40-2201.

8. The ballots used at said election on the question of annexation shall be marked as follows:

[] FOR annexation of the territory described in Ordinance

No. _____.

[] AGAINST annexation of the territory described in Ordinance

No. _____.

9. Notice. Within forty-five (45) days of the effective date of this ordinance the City Clerk shall provide written notice, along with complete documentation, to the County Clerk.

10. Emergency clause. This ordinance being necessary for the immediate preservation of the public peace, health, safety, and welfare, as well as compliance with election statutes, an emergency is hereby declared to exist and this ordinance shall be effective and in full force and effect from and after its passage and approval.

PASSED AND ADOPTED this 17th day of July, 2018:

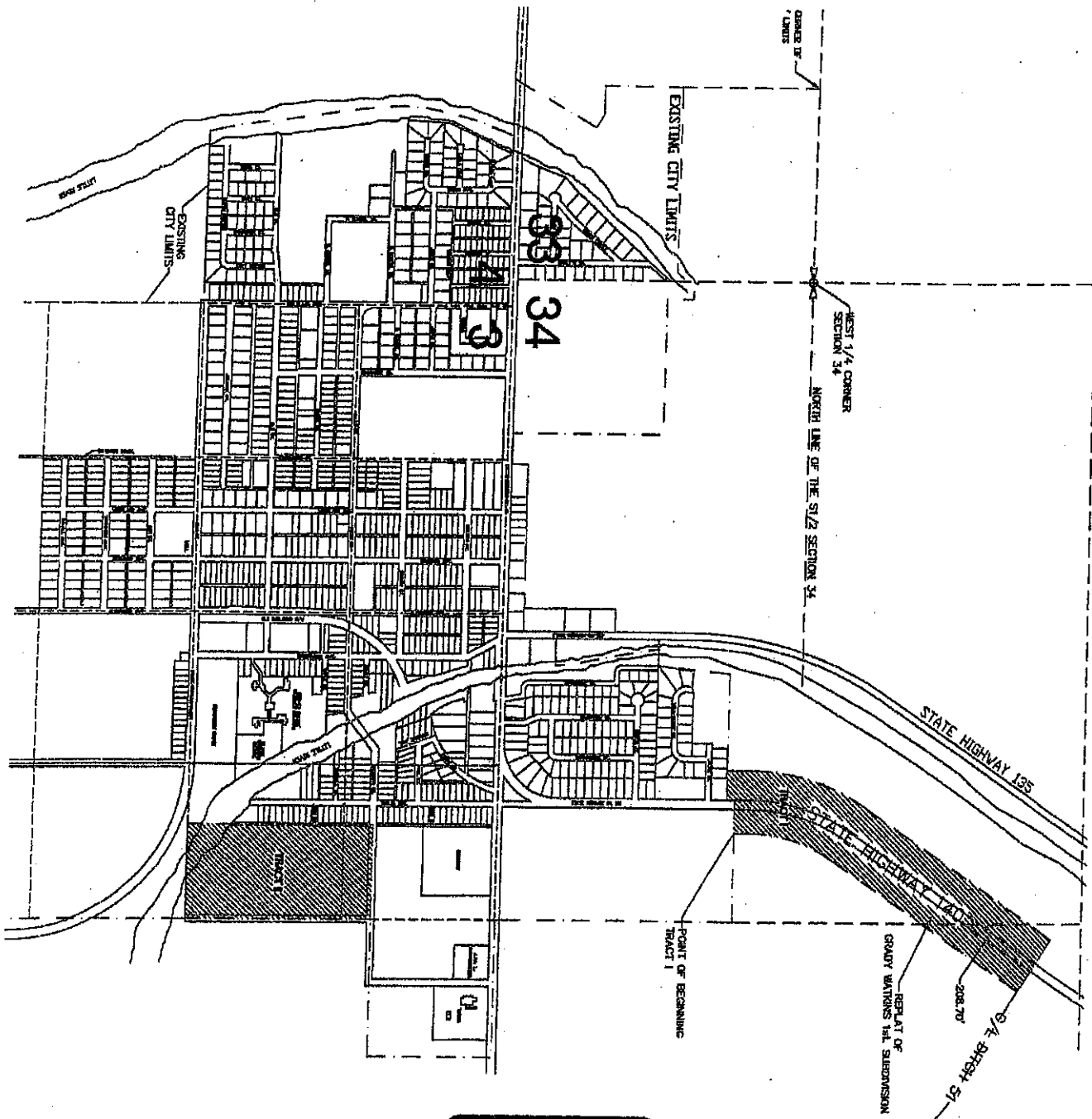
City of Lepanto

ATTEST:

Janara Wyatt
City Clerk

BY:

Rolo Dunlap
Mayor



ALL-STATE LEGAL®

EXHIBIT

"A"

Certificate

I, Tamara Wyatt City Clerk of the City of Lepanto, hereby certify that this ordinance was duly passed and approved by a two-thirds vote of the total number of members the City Council of the City of Lepanto, Arkansas, on the 17th day of July, 2018.

Seal

Tamara Wyatt
City Clerk

City of: Lepanto



August 17, 2018

Ms. Regina Gipson
Lepanto District
City Attorney
PO Box 610
Lepanto, AR 72354

RE: City of Lepanto Annexation Coordination Requirement

Ms. Gipson,

Thank you for coordinating with our office as you seek to annex property into the City of Lepanto, 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 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,

Wes Garrett, Sr. GIS Analyst
/lwg

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

H:\City_Annexations\Cities\Lepanto\20180517\Doc\20180518_Lepanto_Annexation_Coordination_Letter.docx



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City: Lepanto
Mayor: Dale Dunlap

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.

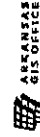
The map contained herein, is evidence, the entity has met requirements of Act 514 of 2015

- Proposed Annex
- Sections
- Parcels
- Minor Road
- River Flowline
- Existing City

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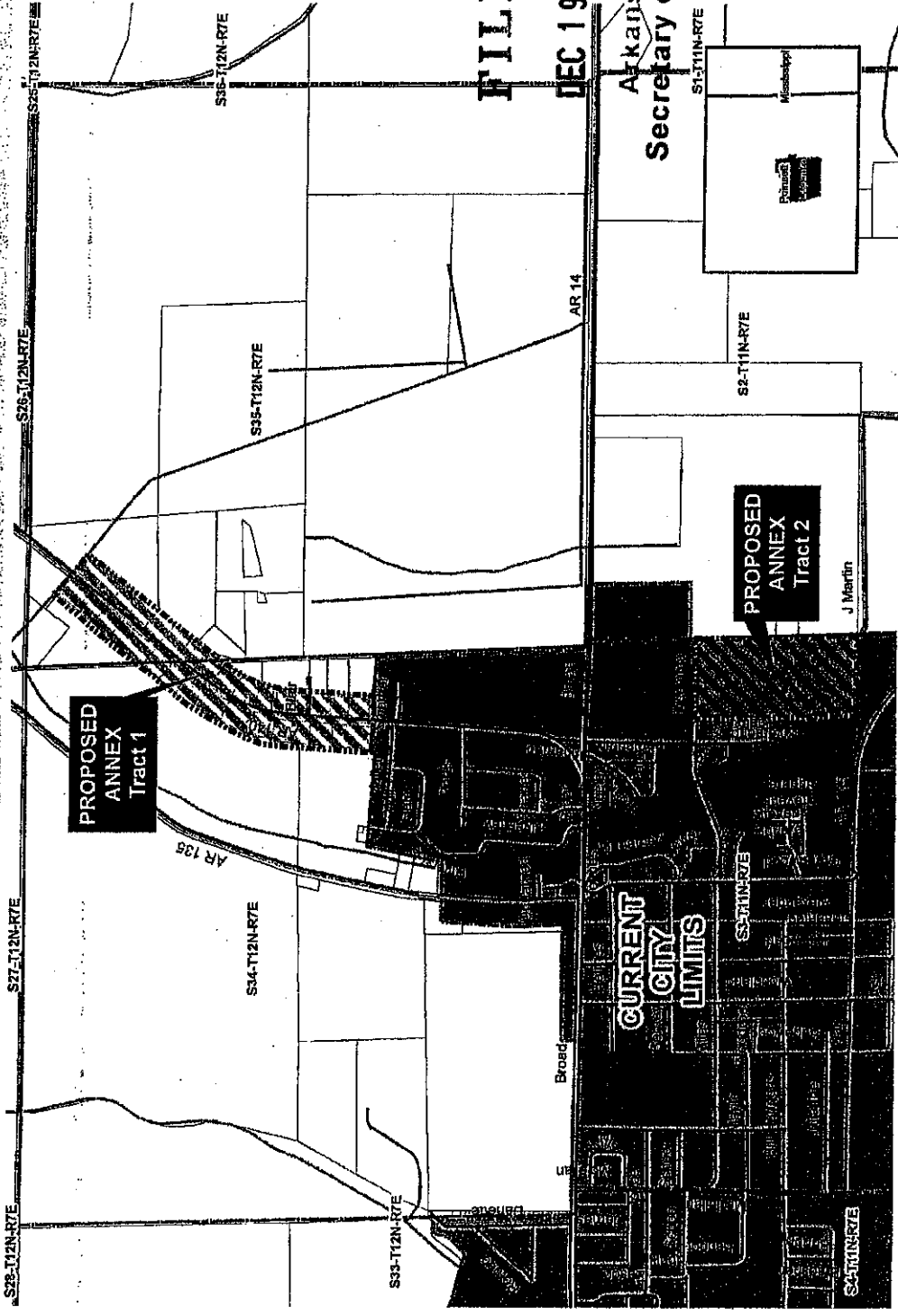
Arkansas GIS Office

Proposed Annex: City of Lepanto
August 2018

PROPOSED ANNEX Tract 1

PROPOSED ANNEX Tract 2

CURRENT CITY LIMITS



A-12
586

TRACT I LEGAL DESCRIPTION

A 38.00 acre tract of land lying in Section 34 and 35, T-12-N, R-7-E, Polk County, Arkansas, and being more particularly described as follows:

Beginning at a point on the northern city limits line of the City of Lepanto which lies on the East line of the Replat of the Grady Watkins 1st. Addition, Subdivision to the City of Lepanto, said point being 208.70 feet East of the East right of way of State Highway 140; thence northerly parallel with the East right of way of State Highway 140 and said Replat of the Grady Watkins 1st. Addition to a point lying in the center of Ditch No. 51; thence northwesterly along the centerline of said Ditch No. 51 to a point lying 250 feet west of the west right of way of Highway 140; thence southerly parallel with the west right of way of State Highway 140; to a point on the north line of the existing city limits of the City of Lepanto; thence S84°55'00"E a distance of 250.00 feet; thence N5°05'00"E a distance of 87.10 feet; thence S84°51'01"E along the existing city limits line to the point of beginning, containing 38.00 acres, more or less.

TRACT II LEGAL DESCRIPTION

A 28.50 acre tract of land lying in Section 3, T-11-N, R-7-E, Polk County, Arkansas, and being more particularly described as follows:

Beginning at a point on the East line of the existing city limits and the centerline of Didemma Street; thence East along the centerline of Didemma Street to the point of intersection with the centerline of J. Martin Road; thence South along the centerline of J. Martin Road a distance of 1550.00 feet; thence West a distance of 800.00 feet more or less to a point; thence North along the existing city limits line to the point of beginning, containing 28.50 acres, more or less.

A-12
585

COPY

Abstract of Ballots Cast
at the 2018 General Election and Nonpartisan Judicial
Runoff
held in Poinsett County, Arkansas
on the 6th of November, 2018

We hereby certify that the attached is a true and correct abstract of ballots for the candidates and/or issues named herein at the 2018 General Election and Nonpartisan Judicial Runoff held in Poinsett County, Arkansas on the 6th of November, 2018, as shown by the attached returns.

Witness our hands as Members of the Poinsett County Board of Election Commissioners this 16 day of November, 2018.

Democratic Commissioner: Sandy Zeamer
Republican Commissioner: [Signature]
Third Member Commissioner: [Signature]

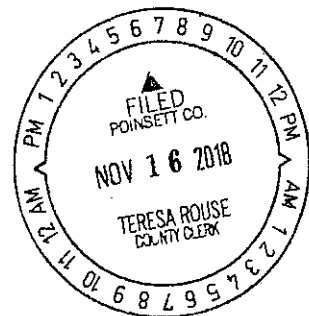
* This abstract is to be mailed to the Secretary of State Elections Division, State Capitol, Room 026, Little Rock, Arkansas 72201, no later than the fifteenth calendar day after the election.

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Handwritten initials and number: A-18 / 549

Totals	4291	1751	3	113	6158
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Special Election POINSETT COUNTY

#1-FOR (NON)

#2-AGAINST (NON)

Precinct	Candidates/Choices		Over Votes	Under Votes	TOTAL
	1	2			
Bolivar	636	494	1	24	1155
Greenfield - Greenfield	39	59	1	3	102
Scott VV and WH	113	138	0	8	259
West Prairie	155	120	0	7	282
Dobson	20	18	0	2	40
Greenfield - Buffalo Lick	100	131	0	2	233
Greenwood and Rivervale	292	351	0	14	657
Little River and Payneway	386	481	0	22	889
Owen - Fisher	38	33	0	4	75
Owen - Waldenburg	25	26	0	0	51
Tyronza	164	113	0	4	281
Willis	676	1368	2	32	2078
Lunsford	33	22	0	0	55
Totals	2677	3354	4	122	6157

SPECIAL ELECTION CITY OF LEPANTO

#1-FOR annexation of the territory de (NON)

#2-AGAINST annexation of the territor (NON)

Precinct	Candidates/Choices		Over Votes	Under Votes	TOTAL
	1	2			
Greenwood and Rivervale	269	266	0	20	555
Totals	269	266	0	20	555

A-12
502

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REPORT-EL45A PAGE 007

	TOTAL VOTES	%	EV IVO	EV M100	ED IVO	ED M100	AB M100
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Special Election POINSETT COUNTY

VOTE FOR 1

FOR	2,677	44.39	251	358	303	1,677	88
AGAINST	3,354	55.61	188	420	271	2,349	126
Total	6,031		439	778	574	4,026	214

Harrisburg School District Tax

VOTE FOR 1

FOR tax	998	52.69	138	205	130	512	13
AGAINST tax.	896	47.31	158	270	81	371	16
Total	1,894		296	475	211	883	29

SPECIAL ELECTION CITY OF LEPANTO

VOTE FOR 1

FOR annexation of the territory de	269	50.28	5	8	23	227	6
AGAINST annexation of the territor	266	49.72	2	8	28	228	0
Total	535		7	16	51	455	6

Lee D 11/16/18
Sandy Deque 11/16/18
Shontz 11/16/18

A-12
576