



# ARKANSAS SECRETARY OF STATE

## MARK MARTIN

February 26, 2018

The Honorable Becky Lewallen  
Washington County Clerk  
280 N. College, Suite 300  
Fayetteville, AR 72701

Re: City of Lincoln Annexation Ordinance 2011-4

Dear Ms. Lewallen,

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

Effective Date: 12/12/2011 (emergency declared)

County: Washington

City Ordinance: 2011-4

County Court Order: 2011-2

City: Lincoln

Dated: 12/12/2011

Date Filed: 09/12/2011 Hon. Marilyn Edwards, Washington 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)  
Ms. Becky Carter, Lincoln City Clerk/Treasurer

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: Washington City/Town: Lincoln

City Ordinance/Resolution No: 2011-4 Date approved: 12/12/2011

County Court Case No: 2011-2 Date Order Filed: 09/12/2011

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

Date Change Effective: 12/12/2011 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. Becky Carter Title: Lincoln City Clerk/Treasurer

Street Address: P.O. Box 967

City: Lincoln St: AR Zip code: 72744

*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: Washington 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*

FILED  
26  
Secretary of State

ORDINANCE NO. 2011- 4

2018 FEB 12 PM 3:04  
RECORDED  
2018 FEB 12 PM 3:04  
CLERK

AN ORDINANCE TO ACCEPT AN ANNEXATION OF ADJOINING LANDS AND FOR OTHER PURPOSES.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LINCOLN, ARKANSAS, THAT:

Section One: Title. This Ordinance shall be known as the Spinks Annexation Ordinance of 2011.

Section Two: Findings of Fact. On September 12, 2011, the Washington County Court entered an order annexing the following described lands lying adjacent to the City of Lincoln into the City of Lincoln. Said annexation was done at the request of a majority of the landowners of the following described lands:

A part of the SE ¼ of the NE ¼ of Section Thirty-one, Township 15 North, Range 32 West, described as follows, to-wit: beginning at the Northwest corner of the said 40 acre tract of land, running thence South 48.35 rods for the beginning place; running thence East 417.12 feet; thence running North 498 feet; thence running West 417.12 feet; thence running South 498 feet to the point of beginning.

Section Three: Annexation Accepted. The City Council hereby finds that acceptance of this annexation is in the best interests of the City of Lincoln and accepts the proposed lands into the City of Lincoln.

Section Four: Ward Assignment. The lands being annexed by virtue of their physical location are assigned to Ward 3 of the City.

Section Five: Effective Date. This Ordinance shall become effective from and after 30 days of its passage, unless an Emergency Clause is adopted.

Section Six: Repealing Clause. Ordinances or parts thereof in force at the time that this ordinance shall take effect that are in conflict herewith, are hereby repealed.

FEB 12 2018  
CLERK

Section Seven: Saving Clause. Nothing herein shall be deemed to affect any rights or obligations existing at the time of the passage of this ordinance.

Section Eight: Severability Clause. In the event any portion of this ordinance is declared inoperative or invalid as a result of a statute or judicial decision, then only that portion expressly so declared to be inoperative or invalid shall be affected thereby and all other provisions hereof shall remain in full force and effect.

Section Nine: Emergency Clause. The City Council specifically finds that the owner desires to immediately develop this property, that this development is dependent on the property's annexation into the City of Lincoln, and that time is of the essence in this matter; and therefore makes a finding that an emergency exists and declares that this Ordinance shall take effect immediately.

Approved this 12<sup>th</sup> day of September, 2011.

  
Rob Hulse, Mayor

(Attest)

  
Becky Carter, Clerk-Treasurer

IN THE WASHINGTON COUNTY COURT

IN THE MATTER OF ANNEXING TO THE CITY OF  
LINCOLN, ARKANSAS, CERTAIN  
TERRITORY CONTIGUOUS TO THE CITY OF  
LINCOLN, ARKANSAS

Case No. 2011-2

2011 SEP 12 AM 8:27

DECREE OF ANNEXATION

On this, the 12<sup>th</sup> day of September, 2011, there is presented to the Court, by Gentry Spinks, agent of the petitioners, a petition for annexation of certain territory, hereinafter more particularly described, to the City of Lincoln, Arkansas; and the Court being fully advised of the facts and the law, doth hereby find, judge and decree as follows.

- (1) That the petition was filed more than thirty (30) days prior to this date, and that in said petition, the said Gentry Spinks was selected to act on behalf of the petitioners in filing and presenting the petition;
- (2) 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 of the acreage affected;
- (3) 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 Lincoln, Arkansas;
- (4) 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 Lincoln;
- (5) That between the time the petition was filed, and the date of this hearing, the petitioners did cause a notice to be published once each week, for three (3) consecutive weeks, in a newspaper of general circulation in the county; and
- (6) 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 Lincoln, Arkansas: A part of the SE ¼ of the NE ¼ of S31, T15N, R32W, described as follows, to-wit: Beginning at the NW corner of the said 40 acre tract of land, running thence south 48.35 rods for the beginning place; running thence east 417.12 feet; thence running north 498 feet; thence running west 417.12 feet; thence running south 498 feet to the P.O.B.

The Court doth further order that the original papers in this cause be delivered to the Clerk of Washington County, same to be properly recorded and filed pursuant to law

IT IS SO ORDERED.

*Marilyn Edwards*  
Marilyn Edwards, County Judge

FILED

113-333

*Handwritten initials*

SECRET

# City of Lincoln - Spinks Annexation

Exhibit A

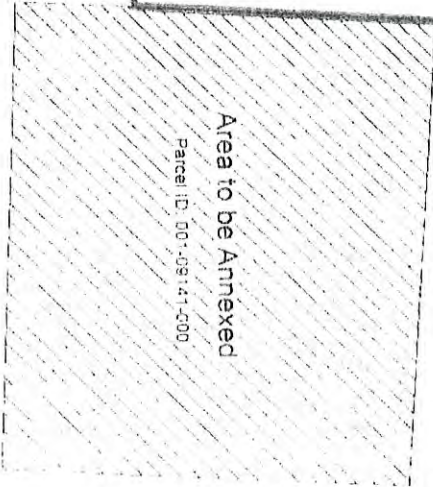
13-335

E SOUTH ST

Lincoln

PARKS WQ 3407

Area to be Annexed  
Parcel ID: 001-09141-000



*Green = city limits*

	Spinks Annexation
	Parcels
	Roads





ARKANSAS  
GIS OFFICE

February 20, 2018

Honorable Becky Lewallen  
Washington County Clerk  
280 N. College Ave Ste 300  
Fayetteville, AR 72701

RE: City of Lincoln Historic Annexation Coordination Requirement

Honorable Lewallen,

Thank you for coordinating with our office as you seek to correctly file an historic annexation for the City of Lincoln described as Ordinance 2011-4; CC 2011-2 located in Section 31, Township 15 North, Range 32 West. 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

H:\City\_Annexations\Cities\Lincoln\20180220\_OldAnnexFromCounty\Doc\20180220\_Lincoln\_Annexation\_Coordination\_Letter.docx

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

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

F I L E D  
APR 10 2018  
Secretary of State

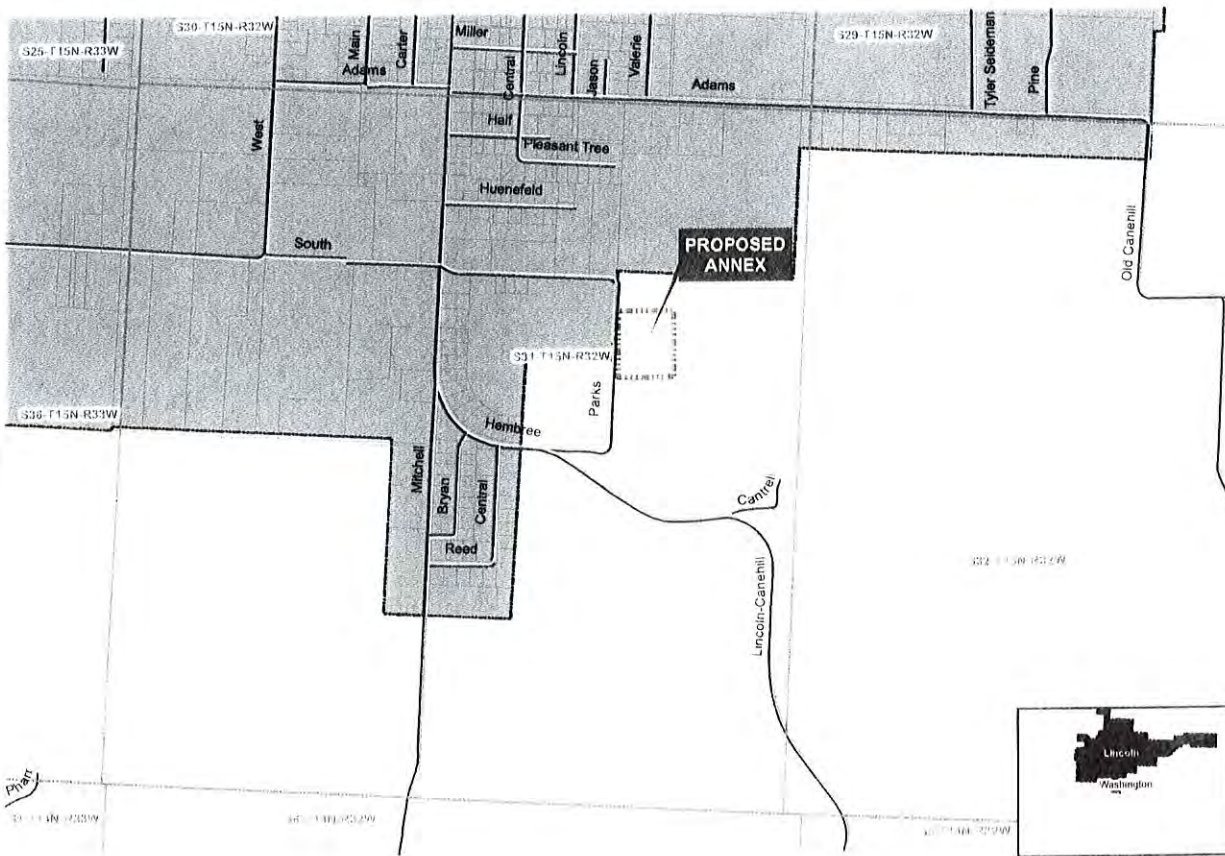
Proposed Annex: City of Lincoln - Historic Annexation Ord 2011-4; CC 2011-2  
February 2018

City: Lincoln  
Mayor: Rob Hulse

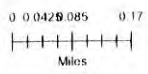
Arkansas Code 14-40-101

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
- Section
- Town
- Major Road
- Existing City
- Neighboring T.T.W.
- County Boundary



ARKANSAS GIS OFFICE

City: Annexation\GIS\esri\arcgis\20180720\_CNA\Annex

FILED  
10/17/18  
Arkansas  
Secretary of State



IN THE WASHINGTON COUNTY COURT

IN THE MATTER OF ANNEXING TO THE CITY OF  
LINCOLN, ARKANSAS, CERTAIN  
TERRITORY CONTIGUOUS TO THE CITY OF  
LINCOLN, ARKANSAS

Case No. 2011- 2

On this the 9<sup>th</sup> day of August, 2011 is filed the petition of real estate owners desiring the annexation of territory to the City of Lincoln, Arkansas, more particularly described therein, and this Court does hereby fix September 12, 2011 as the date for hearing on said petition, and Gentry Spinks, the agent named by said petitioners, shall cause to be given notice of such hearing as provided by law, said hearing to be held in the Office of the County Judge at 9:00 a.m.

*Marilyn Edwards, Jr.*  
Marilyn Edwards, County Judge

MADE BY SIMHS  
2011-08-09

H3-17

Washington County  
State of Arkansas  
Washington County Clerks Office  
280 North College Ave, Suite 300  
Fayetteville, AR 72701  
Telephone: (479)-444-1711  
Fax: (479)-444-1894

## FAX TRANSMISSION

<b>To:</b>	<b>N W Reg Planning Comm</b>	<b>Date:</b>	<b>08/05/11</b>
<b>Fax #:</b>		<b>Pages:</b>	<b>5, including cover sheet</b>
<b>From:</b>	<b>Shirley Brown</b>		
<b>Subject</b> <b>:</b>	<b>Petition for the New Annexation to the City of Lincoln --- County Court Case #2011-2 Petitioner: Garland Spinks</b>		

Washington County  
State of Arkansas  
Washington County Courthouse

2011 AUG -5 PM 3:06

CLERK OF COURT  
COURT HOUSE  
WASHINGTON COUNTY  
ARKANSAS

IN THE COUNTY COURT OF WASHINGTON COUNTY, ARKANSAS

IN RE:

ANNEXATION OF CERTAIN LANDS

TO THE CITY OF LINCOLN, ARKANSAS No. CC 2011-22

512 E. South St., Lincoln, Ark. 72744

Pt31-15-32 PtSE NE Cont. 4.78 Acres, Washington, County, Arkansas

COMES NOW the petitioner 'Garland Ray Spinks', being duly sworn and for h is petition herein,  
does state as follows:

- 1. The petitioner is the owner of the hereinafter described real property.
- 2. The petitioner is a resident of Washington County, Arkansas and is the owner of the following described real estate situated in Washington County, Arkansas

512 E. South St., Lincoln, Ark. 72744

Pt31-15-32 PtSE NE Cont. 4.78 Acres, Washington, County, Arkansas

- 3. The foregoing described lands are contiguous to and adjoining the corporate limits of the City of Lincoln, Ark., and the petitioner desires to be annexed to it.
- 4. The petitioner is the owner of all the real estate affected by this petition.
- 5. The petitioner seeks annexation to the City of Lincoln, Arkansas\

WHEREFORE, the petitioner prays that the court set a time and place for a hearing on the substance of this petition no less than 30 days hence, hold the same after proper notice and that the lands be ordered annexed into the City of Lincoln, Arkansas.

Petitioner Garland Spinks

STATE OF ARKANSAS)

COUNTY OF WASHINGTON)

Subscribed and sworn to before me, a notary public, on this 3<sup>rd</sup> day of August 2011.

My Commission Expires: April 15, 2020

*Julie West*

NOTARY PUBLIC



## EXHIBIT B

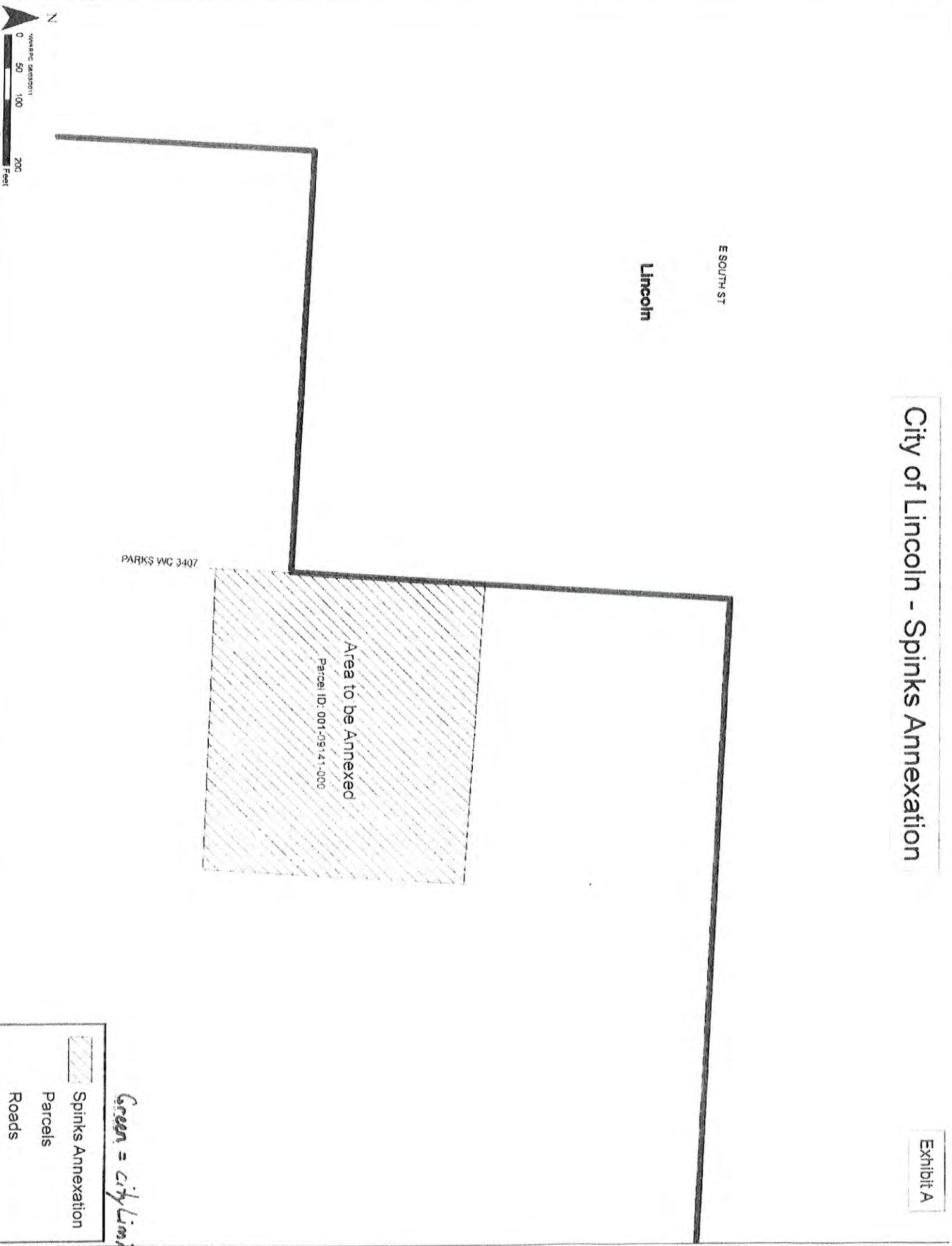
### Annexation Description

A part of the SE  $\frac{1}{4}$  of the NE  $\frac{1}{4}$  of S31, T15N, R32W, described as follows, to-wit:  
Beginning at the NW corner of the said 40 acre tract of land, running thence south 48.35 rods for the beginning place; running thence east 417.12 feet; thence running north 498 feet; thence running west 417.12 feet, thence running south 498 feet to the P.O.B.






# City of Lincoln - Spinks Annexation

Exhibit A



*Green = city limits*

	Spinks Annexation
	Parcels
	Roads



1311 CLAYTON ST. • SPRINGDALE, ARKANSAS 72762  
(479) 751-7125 FAX (479) 751-7150

August 8, 2011

**NWARPC Memorandum:**

To: Washington County Clerk  
280 North College Street, Suite 300  
Fayetteville, AR 72701  
Attention: Shirley Brown

From: Jeff Hawkins, Director *JH*  
Northwest AR Regional Planning Commission  
1311 Clayton Street  
Springdale, AR 72762

Re: CC-2011-2 (Voluntary Annexation to Lincoln - Spinks).

Please note that we have reviewed the description and examined the map accompanying the petition filed for the above referenced County Court case. The description appears to be accurate, and the map correctly depicts the location of the subject property in relation to the current corporate limits of Lincoln, which as shown, are contiguous.

Should additional information be required, please advise.

CO. & PRODUCE BLDG. PM  
 WASHINGTON COUNTY ARK  
 2011 AUG -8 PM 4:07  
 FILE

# AFFIDAVIT OF PUBLICATION

I, Holly Andrews, do solemnly swear that I am the Legal Clerk for the Northwest Arkansas Newspapers, LLC, and do solemnly swear that the attached advertisement was published in the following weekly paper(s):

\_\_\_\_\_ McDonald County Press  
 X  Washington County Enterprise  
\_\_\_\_\_ Bella Vista Weekly Vista  
\_\_\_\_\_ The Times of NE Benton County (Pea Ridge)  
\_\_\_\_\_ Siloam Springs Herald Leader  
\_\_\_\_\_ La Prensa  
\_\_\_\_\_ Westside Eagle Observer  
of general and bona fide circulation in  
(WASHINGTON COUNTY, ARKANSAS)

GARLAND SPINKS  
NOTICE OF ANNEXATION HEARING

Date of Publication: Aug. 17, 2011

Charges: \$ 55.75

Holly Andrews  
Holly Andrews

Sworn to and subscribed before me

This  1  day of  August  2011.

John R. Spink  
Notary Public

My Commission Expires: \_\_\_\_\_

NOTICE OF ANNEXATION HEARING  
Notice is hereby given that there has been filed in the County Court of Washington County, Arkansas, the petition of Garland R. Spinks and Gentry Spinks, asking for the annexation to the City of Lincoln of the following described lands situated in Washington County, Arkansas, and contiguous to said City, to-wit: A part of the SE 1/4 of the NE 1/4 of S31, T15N, R32W, described as follows, to-wit: Beginning at the NW corner of the said 40 acre tract of land, running thence south 48.35 rods for the beginning place; running thence east 417 1/2 feet, thence running north 498 feet; thence running west 417 1/2 feet; thence running south 498 feet to the P.O.B. A map showing said land proposed for annexation is on file with said petition in the Office of the Clerk of said Court, and Gentry Spinks has been named by the petitioners as the person authorized to act for them. The Court has fixed the 12th day of September, 2011 at 9:00 am in the County Judge's Office on the 5th floor of the Washington County Courthouse, as the date and time for a hearing on said petition, and all interested persons are now notified to be present at the time and date so fixed.  
Karen Combs Pritchard  
Washington County Clerk  
70379206 Aug 17, 2011

2011 SEP 12 AM 8:54

# AFFIDAVIT OF PUBLICATION


I, Holly Andrews, do solemnly swear that I am the Legal Clerk for the Northwest Arkansas Newspapers, LLC, and do solemnly swear that the attached advertisement was published in the following weekly paper(s):

- McDonald County Press
  - Washington County Enterprise
  - Bella Vista Weekly Vista
  - The Times of NE Benton County (Pea Ridge)
  - Siloam Springs Herald Leader
  - La Prensa
  - Westside Eagle Observer
- of general and bona fide circulation in  
(WASHINGTON COUNTY, ARKANSAS)

GARLAND SPINKS  
NOTICE OF ANNEXATION HEARING

Date of Publication: Aug. 24, 31, 2011

Charges: \$ 111.50

  
\_\_\_\_\_  
Holly Andrews

Sworn to and subscribed before me

This 1 day of September, 2011.

  
\_\_\_\_\_  
Notary Public  
My Commission Expires:

NOTICE OF ANNEXATION HEARING  
Notice is hereby given that there has been filed in the County Court of Washington County, Arkansas, the petition of Garland R. Spinks and Gentry Spinks, asking for the annexation to the City of Lincoln of the following described lands situated in Washington County, Arkansas, and contiguous to said City, to-wit: A part of the SE 1/4 of the NE 1/4 of S31, T15N, R32W, described as follows, to-wit: Beginning at the NW corner of the said 40 acre tract of land, running thence south 48 35 rods for the beginning place; running thence east 417 12 feet; thence running north 498 feet, thence running west 417.12 feet; thence running south 498 feet to the P O B. A map showing said land proposed for annexation is on file with said petition in the Office of the Clerk of said Court, and Gentry Spinks has been named by the petitioners as the person authorized to act for them. The Court has fixed the 12th day of September, 2011 at 9:00 am in the County Judge's Office on the 5th floor of the Washington County Courthouse, as the date and time for a hearing on said petition, and all interested persons are now notified to be present at the time and date so fixed  
Karen Combs Pritelhard  
Washington County Clerk  
70379206 Aug 24, 31, 2011

2011 SEP 12 AM 8:50

**\*\*NOTE\*\* Please do not pay from Affidavit. Invoice will be sent.**