



# ARKANSAS SECRETARY OF STATE

MARK MARTIN

May 11, 2017

The Honorable Tena O'Brien  
Benton County Clerk  
215 E Central Ave, Suite 217  
Bentonville, AR 72712-5304

Re: Little Flock Annexation Ordinance 2016-006 with Bentonville Detachment Ordinance 2016-145

Dear Ms. O'Brien,

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 § 14-40-2101 (with detachment from adjoining municipality)

Effective Date:

County: Benton

City: Little Flock

City Ordinance: 2016-006

Dated: 9/19/2016

Court Order No: N/A

A file marked copy of the ordinance 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. Linda Usrey, Little Flock City Recorder & Treasurer





# Arkansas Secretary of State

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

## Municipal Boundary Change Checklist

County: Benton City/Town: Little Flock

City Ordinance/Resolution No: 2016-006 Date approved: 09/19/2016

County Court Case No: \_\_\_\_\_ Date Order Filed: \_\_\_\_\_

Type: Annexation with Detachment from adjoining city at city request A.C.A §14-40-2101

Date Change Effective: \_\_\_\_\_ Set by:  Municipal Ordinance  Emergency Clause  Other

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 (not required for A.C.A §14-40-1801)
- File marked copy of County Court Order (not required for A.C.A. §14-40-501)
- Proof of Publication for all Legal Notices (Hearing, Election, City Ordinance/Resolution)
- Copy of Arkansas GIS approved printed map and certification letter
- File marked copy of Petition Part or File marked copy of the certified special election results (if applicable)
- File marked copy of Complaint and final Circuit Court Order (Court Challenge only)

### Municipal Contact:

Name: Ms. Linda Usrey Title: Little Flock Recorder/Treasurer

Street Address: 1500 Little Flock Drive

City: Little Flock St: AR Zip code: 72756

### City/County Official:

Signature: \_\_\_\_\_ Title: \_\_\_\_\_

Date: \_\_\_\_\_

Complete one form for each ordinance/resolution and attach it as a cover page to the supporting document set. Submit the documents to Arkansas Secretary of State, Atten: Municipal Boundary Filing, 500 Woodlane Ave, Little Rock, AR 72201-1094

Office of the Arkansas Secretary of State use only

Received by: Cynthia Fisher

FILED

MAY 11 2017

Arkansas Secretary of State

# BENTON COUNTY

STATE OF ARKANSAS

TENA O'BRIEN

COUNTY CLERK & VOTER REGISTRAR

215 EAST CENTRAL, SUITE 217  
BENTONVILLE, AR 72712-5373

PROBATE COURT CLERK

COURTHOUSE, 102 N.E. "A" STREET  
BENTONVILLE, AR 72712-5350

RECEIVED

MAY 09 2017

Arkansas  
Secretary of State

May 2, 2017

Honorable Mark Martin  
Secretary of State  
Room 256 State Capitol  
Little Rock, AR 72201-1094

RE: City of Little Flock Ordinance #2016-006 and  
City of Bentonville Ordinance #2016-145  
Detach Certain Land from the City of Bentonville

Dear Secretary Martin:

Enclosed please find a certified copy of the City of Little Flock Ordinance No. 2016-006 detaching certain real property from the City of Bentonville and the City of Bentonville Ordinance No. 2016-145 approving the detachment.

If you have any questions regarding this matter, please do not hesitate to call my office.

Very truly yours,

*Tena O'Brien*

Tena O'Brien *By T. Underwood*

COUNTY CLERK  
(479) 271-1013  
FAX (479) 271-1019

VOTER REGISTRAR  
(479) 271-5704

BENTONVILLE  
(479) 271-1013  
FAX (479) 271-1019

SILOAM SPRINGS  
(479) 238-0120  
FAX (479) 524-8534

PROBATE COURT CLERK  
(479) 271-5727  
FAX (479) 271-1712

ROGERS  
(479) 636-3727  
FAX (479) 636-4922  
ARCHIVIST (479) 636-1037  
FAX (479) 636-1053

Brenda Deshields-Circuit Clerk  
Benton County, AR  
Book/Pg: 2016/64222  
Term/Cashier: CASH3/Jill Modick  
10/21/2016 10:39:46AM  
Tran: 400849  
Total Fees: \$30.00

**ORDINANCE NO. 2016- 006**

**CITY OF LITTLE FLOCK, BENTON COUNTY, ARKANSAS**

**AN ORDINANCE PROPOSING THE DETACHMENT OF CERTAIN TERRITORY FROM THE CITY OF BENTONVILLE, ARKANSAS AND THE ANNEXATION THEREOF INTO THE CITY OF LITTLE FLOCK, ARKANSAS, AND MAKING SAME A PART OF THE CITY OF LITTLE FLOCK, ASSIGNING SAME A WARD, AND ASSIGNING SAME TO A ZONING DISTRICT.**

CO. 2 PUBLIC CLERK  
BENTON COUNTY, AR

2017 MAY -1 PM 2:42

FILED

**WHEREAS**, the owner, Saddle Lake Investment, Inc. and purchaser, Bart Bauer and The Meadows of Woods Creek, Inc., of the below described property wish to develop said property into a residential subdivision and are requesting the detachment of the territory from the City of Bentonville and the annexation of same into the City of Little Flock; and

**WHEREAS**, the City Council of the City of Little Flock desires to detach certain contiguous territory located within the City of Bentonville as more particularly described in the attached Exhibit "A" (the "Proposed Detached Territory") from the City of Bentonville and annex the same into the City of Little Flock to become part and parcel of the municipal limits of the City of Little Flock; and

**WHEREAS**, the City Council of the City of Little Flock has determined that the Proposed Detached Territory represents the actual growth of the City of Little Flock beyond its legal boundary, that the territory was needed for the extension of police and fire protection services and that the territory was valuable and needed by reason of their adaptability for prospective municipal purposes; and

**WHEREAS**, §14.04.04 of the Little Flock Municipal Code provides that property annexed into Little Flock will be zoned A-Agricultural unless the annexing ordinance accepts such annexed area in a district other than Agricultural; and

**WHEREAS**, the owner, Saddle Lake Investment, Inc. and purchaser, Bart Bauer and The Meadows of Woods Creek, Inc., of the below described property wish said property to be annexed into the City of Little Flock as zoning district R-1-Residential in accordance with §14.04.04 of the Little Flock Municipal Code; and

**WHEREAS**, the City Council has determined that the public interest and welfare will not be adversely affected by the requested zoning.

**NOW THEREFORE, BE IT ENACTED**, by the City Council of the City of Little Flock, as follows:

FILED

MAY 11 2017

Section 1. The City Council of the City of Little Flock calls for the simultaneous detachment of the following described lands and territory contiguous and adjoining the City of Little Flock from the City of Bentonville and that the same be hereby accepted as part of and annexed to and made a part of the City of Little Flock:

See attached Exhibit "A" – Legal Description and Map of Proposed Detached Territory

Section 2. The above described Proposed Detached Territory, following completion of the process set forth in A.C.A. §14-40-2101, shall be annexed to and made a part of Ward 2 of the City of Little Flock, and the same shall henceforth be a part of said Ward as fully as existing parts of said Ward.

Section 3. Upon passage and approval of this Ordinance calling for the simultaneous detachment and annexation of the Proposed Detached Territory from the City of Bentonville, the City of Little Flock, through its authorized municipal officers and agents, shall send this Ordinance to the Mayor and City Council of the City of Bentonville for consideration pursuant to the provisions of A.C.A. § 14-40-2101.

Section 4. Pursuant to §14.04.04 of the Little Flock Municipal Code the Proposed Detached Territory described in the attached Exhibit "A" upon its annexation into the City of Little Flock is hereby zoned as R-1-Residential District.

Section 5. The official zoning map of the City of Little Flock is hereby amended to include the Proposed Detached Territory described in the attached Exhibit "A" and to reflect the zoning thereof as provided in Section 4 hereof.

Section 6. Any ordinances in conflict herewith are hereby repealed to the extent of that conflict.

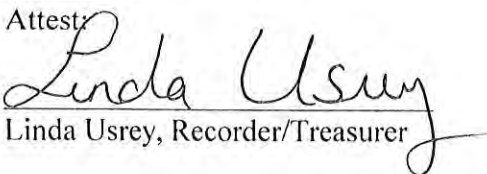
Section 7. If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distant and independent provision and such holdings shall not affect the validity of the remaining portions thereof.

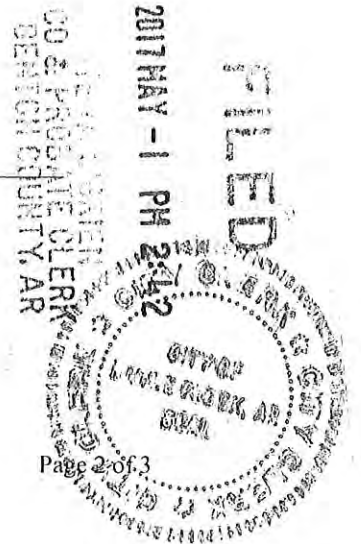
**PASSED AND APPROVED** this 19th day of September, 2016.

**APPROVED:**

  
Buddy Blue, Mayor

Attest:

  
Linda Usrey, Recorder/Treasurer





**EXHIBIT "A"**

**PROPOSED DETACHED TERRITORY**

**SURVEY DESCRIPTION**

A TRACT OF LAND BEING A PART OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER AND A PART OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION TWENTY SEVEN ALSO A PART OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER AND A PART OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION TWENTY SIX ALSO A PART OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION THIRTY FOUR AND A PART OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION THIRTY FIVE, ALL IN TOWNSHIP TWENTY NORTH, RANGE THIRTY WEST OF THE FIFTH PRINCIPAL MERIDIAN, CITY OF BENTONVILLE, COUNTY OF BENTON, STATE OF ARKANSAS BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

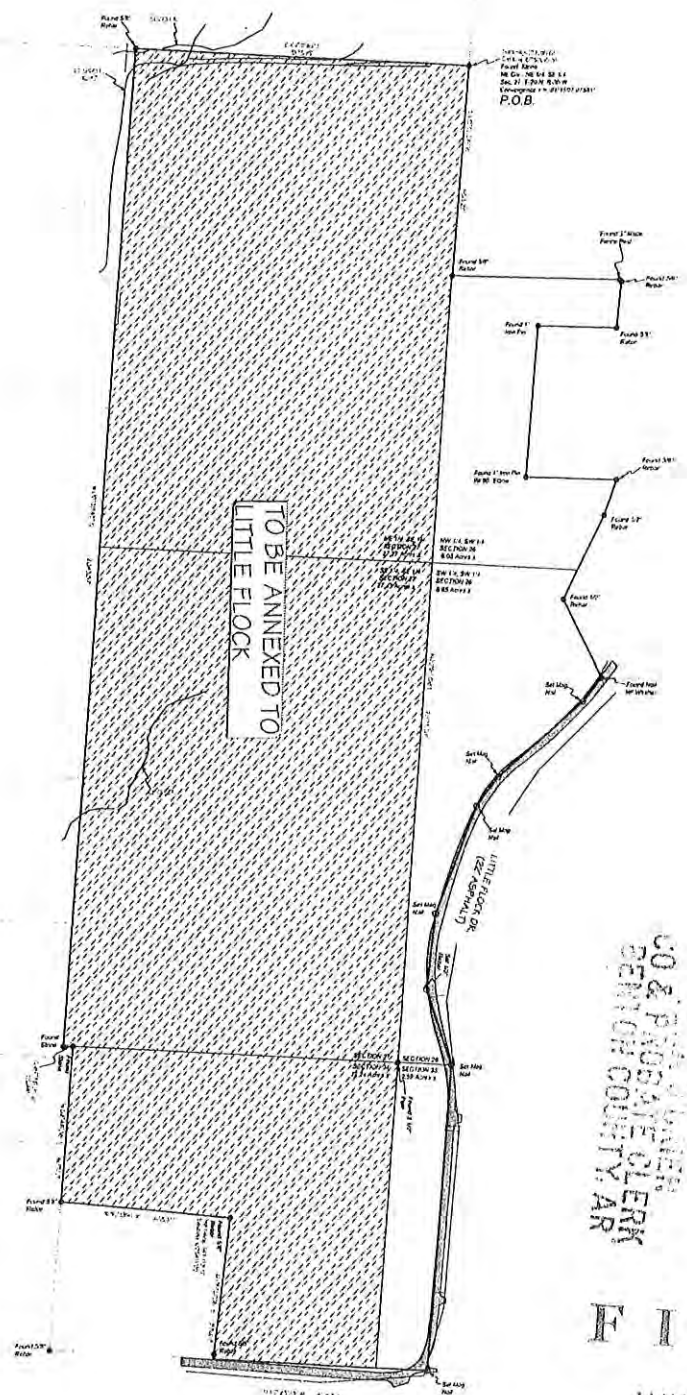
BEGINNING AT A FOUND STONE BEING THE NORTHEAST CORNER OF THE NORTHEAST QUARTER OF SOUTHEAST QUARTER, SECTION TWENTY SEVEN, TOWNSHIP TWENTY NORTH, RANGE THIRTY WEST; THENCE S02°52'26"W 556.21 FEET TO A FOUND 5/8" REBAR; THENCE S02°28'09"W 2879.38 FEET; THENCE N87°28'23"W 438.30 FEET; THENCE N05°21'26"E 371.67 FEET TO A FOUND 5/8" REBAR; THENCE N85°13'41"W 465.70 FEET TO A FOUND 5/8" REBAR; THENCE N02°46'08"E 409.10 FEET TO A FOUND STONE; THENCE S87°39'01"W 25.44 FEET TO A FOUND STONE; THENCE N02°39'43"E 2643.57 FEET TO A FOUND 5/8" REBAR; THENCE S87°11'44"E 903.16 FEET TO THE POINT OF BEGINNING AND CONTAINING 2,918,778.48 SQUARE FEET OR 67.06 ACRES MORE OR LESS SUBJECT TO EASEMENTS AND RIGHTS OF WAY OF RECORD.

FILED  
2017 MAY -1 PM 2:42  
CO. CLERK  
BENTON COUNTY, AR

2017 1511

Benton County, AR  
 I certify this instrument was filed on  
 10/21/2016 10:39:46AM  
 and recorded in DEED Book  
 2016 at pages 64222 - 64225  
 Brenda DeShields-Circuit Clerk

ok 2016 Page 64225  
 recorded in the Above  
 DEED Book & Page  
 10/21/2016



FILED  
 2017 MAY -1 PM 2:42  
 CO & PASSAGE CLERK  
 BENTON COUNTY, AR

FILED  
 MAY 11 2017

Arkansas  
 Secretary of State

2017 1512

**Exhibit**

BLEW & ASSOCIATES, PA  
 CIVIL ENGINEERS & LAND SURVEYORS

1 inch = 150 ft

Project Number: 16-141 Certificate of Authorization # 1534 Date: 08-15-2016

FILED

ORDINANCE NO. 2016- 145

2017 MAY -1 PM 2:42

CITY OF BENTONVILLE, BENTON COUNTY, ARKANSAS

AN ORDINANCE APPROVING ORDINANCE NO. 2016-006 OF  
THE CITY OF LITTLE FLOCK, BENTON COUNTY, ARKANSAS  
FOR THE DETACHMENT OF CERTAIN TERRITORY FROM  
THE CITY OF BENTONVILLE, ARKANSAS AND THE  
ANNEXATION THEREOF INTO THE CITY OF LITTLE FLOCK,  
ARKANSAS.

DEBRA S. JEN  
CO. & PROBATE CLERK  
BENTON COUNTY, AR

WHEREAS, Ark. Code Ann. § 14-40-2101 provides a procedure by which property may be simultaneously detached from one municipality and annexed into an adjoining municipality; and

WHEREAS, the City of Little Flock, Arkansas passed Ordinance No. 2016-006 on the 19<sup>th</sup> day of September, 2016 approving the detachment of certain contiguous territory located within the City of Bentonville as more particularly described in the attached Exhibit "A" (the "Proposed Detached Territory") from the City of Bentonville, Arkansas and the annexation thereof into the City of Little Flock, Arkansas, making the same a part of the City of Little Flock in accordance with Ark. Code Ann. § 14-40-2101; and

WHEREAS, the City of Bentonville, Arkansas is in receipt of said Ordinance from the City of Little Flock, Arkansas approving the simultaneous detachment of the Proposed Detached Territory located in the City of Bentonville and the annexation thereof into the jurisdiction of the City of Little Flock, a copy of said Ordinance being attached hereto as Exhibit "A"; and

WHEREAS, after due notice as required by law, the City of Bentonville has, at the time and place mentioned in the published notice thereof, held the public hearing required pursuant to Ark. Code Ann. § 14-40-2101, and has heard all persons desiring to be heard on the question and has ascertained that the simultaneous detachment of the Proposed Detached Territory from the City of Bentonville and the annexation thereof into the City of Little Flock should be approved; and

WHEREAS, the Bentonville City Council has determined that the public interest and welfare will not be adversely affected by the proposed simultaneous detachment and annexation.

NOW THEREFORE, BE IT ENACTED, by the City Council of the City of Bentonville, as follows:

Section 1. The City Council of the City of Bentonville, Arkansas approves the attached City of Little Flock Ordinance No. 2016-006 (Exhibit "A") and the simultaneous

2017 1513



detachment of the following described lands and territory which are contiguous and adjoining the City of Little Flock, being the Proposed Detached Territory, from the City of Bentonville and the annexation thereof into the City of Little Flock:

See attached Exhibit "A" – City of Little Flock, Arkansas Ordinance No. 2016-006 with attached Legal Description and Map of Proposed Detached Territory

Section 2. The official city map of the City of Bentonville is hereby amended to exclude the Proposed Detached Territory described in the attached Exhibit "A" from the city limits of the City of Bentonville, Arkansas.

Section 3. Any ordinances in conflict herewith are hereby repealed to the extent of that conflict.

Section 4. If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distant and independent provision and such holdings shall not affect the validity of the remaining portions thereof.

**PASSED AND APPROVED** this 25<sup>th</sup> day of October, 2016.

**APPROVED:**

*Bob McCaslin*  
Bob McCaslin, Mayor

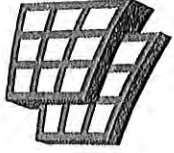
Attest:

*Linda Spence*  
Linda Spence, City Clerk



FILED  
2016 OCT -1 PM 2:43  
CITY CLERK  
BENTONVILLE, AR

2017 1514



**ARKANSAS  
GIS OFFICE**

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May 10, 2017

Mrs. Cynthia Fisher  
Special Projects Manager  
AR Secretary of State

RE: City of Little Flock Annexation Coordination Requirement

Mrs. Fisher,

Thank you for coordinating with our office as you seek to detach property from the City of Bentonville and annex said property into the City of Little Flock, AR ordinance 2016-006. 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

**F I L E D**

MAY 11 2017

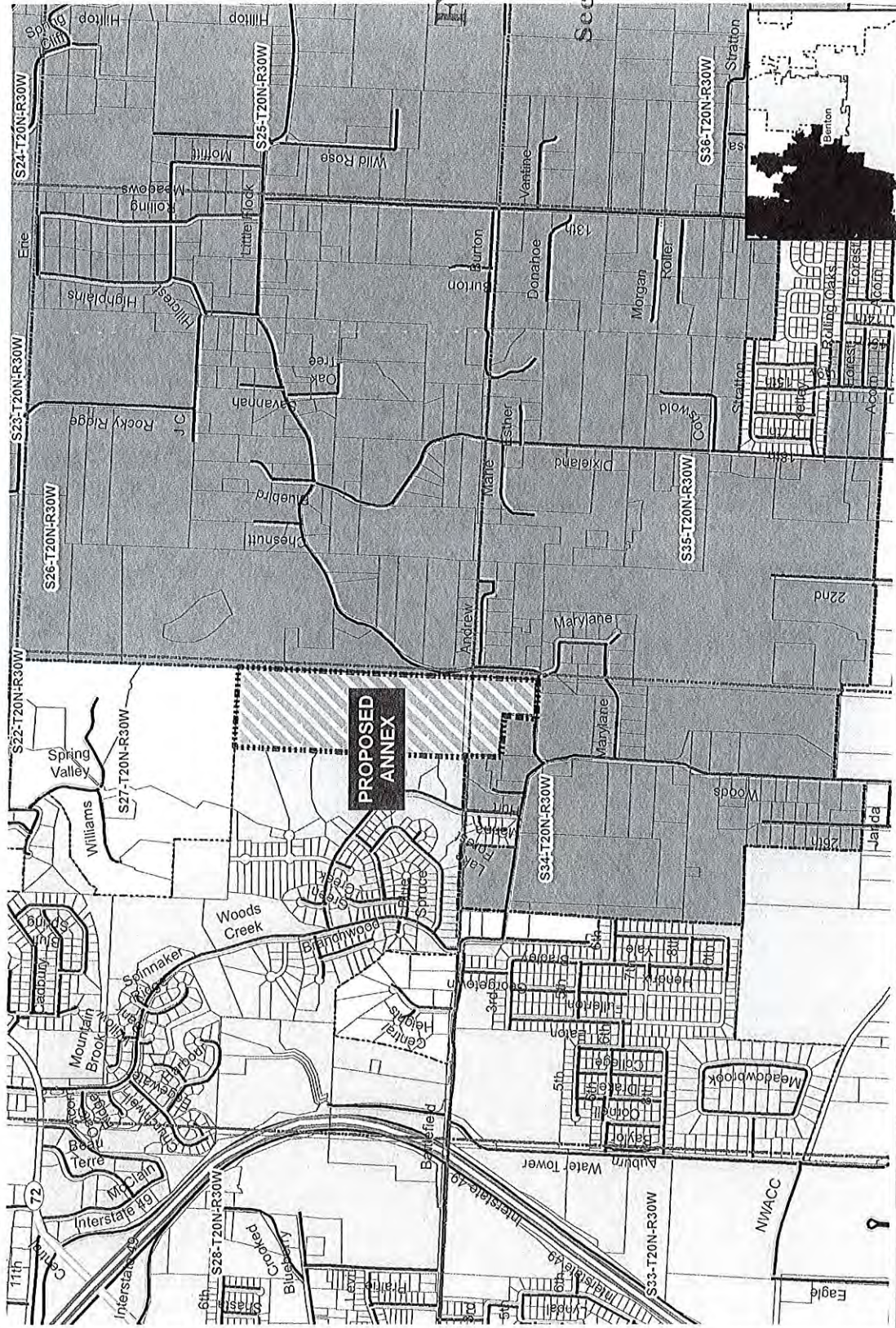
Arkansas  
Secretary of State

H:\City\_Annexations\Cities\Little\_Flock\20170510\Doc\20170510\_LittleFlock\_Annexation\_Coordination\_Letter.docx

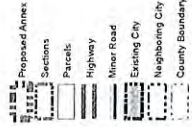


Proposed Annex: City of Little Flock  
May 2017

City: Little Flock  
Mayor: Buddy Blue



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



H I L L I F L O C K

MAY 11 2017

Arkansas  
Secretary of State

