



JOHN THURSTON

ARKANSAS SECRETARY OF STATE

June 10, 2019

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

Re: City of Lincoln Annexation Ordinance 2019-07

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. §14-40-609 (annexation by 100% of the landowners)

Effective Date: 5/16/19

County: Washington

City Ordinance: 2019-07

County Court Order: 2019-03

City: Lincoln

Dated: 4/16/19

Date Filed: 4/2/19

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 filing, please contact our office at 501-682-3478.

Sincerely,

Rusty Jackson
Elections Division
Room 26
501-682-3478

cc: Arkansas Geographic Information Systems Office (w/encl)
Arkansas Department of Transportation Mapping Department (w/encl)
Department of Finance and Administration (w/encl)
Arkansas Public Service Commission (w/encl)
Arkansas Economic Development Institute (w/encl)
The Honorable Doug Hutchens, Mayor of Lincoln (w/encl)
The Honorable Belinda Beasley, City Clerk of Lincoln (w/encl)



Arkansas Secretary of State

John Thurston

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

Room 26 Elect

Municipal Boundary Change Checklist

Act 655 of 2017 and A.C.A. §14-40-103

2019 MAY - 1 AM 9:16
FILED
CLERK
WASHINGTON, AR

County: Washington City/Town: Lincoln

City Ordinance/Resolution No: 2019-07 Date approved: 04-16-2019

County Court Case No: CC 2019-03 Date Order Filed: 4/2/19

Type: Annexation by Petition of all Landowners A.C.A. 14-40-609

Date Change Effective: May 16, 2019 Set by: Municipal Ordinance Emergency Clause Court Default
(Required by Act 655 of 2017)

For Circuit Court Challenge: Date Order Filed: _____ Upheld Overturned Other *(attach explanation)*

Please indicate which ward(s) the territory will be assigned to: Ward 3
(See A.C.A § 14-40-203)

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 A.C.A. §14-40-501)*
 - Copy of Arkansas GIS 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: Belinda Beasley Title: City Clerk
 Street Address: 101 E Bean
 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: Dennis Shawshaw Title: Chief Deputy County Clerk
 Date: 5/6/19

Pursuant to Act 655 of 2017, County Officials must submit a file-marked copy of municipal boundary change documents 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: [Signature]



Arkansas Secretary of State

John Thurston Arkansas Secretary of State, 500 Woodlane Ave, Little Rock, AR 72201-1094

Municipal Boundary Change Checklist

Act 655 of 2017 and A.C.A. §14-40-103

County: Washington City/Town: Lincoln
 City Ordinance/Resolution No: 2019-07 Date approved: 04-16-2019
 County Court Case No: _____ Date Order Filed: _____
 Type: Annexation by Petition of all Landowners A.C.A. 14-40-609

RECEIVED
 COUNTY CLERK
 WASHINGTON COUNTY
 2019 MAY -1 AM 9:16

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County Official:

Signature: Jennifer Shaw Title: Chief Deputy County Clerk
 Date: 5/16/19

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Office of the Arkansas Secretary of State use only

Received by: _____



**ARKANSAS
GIS OFFICE**

April 10, 2019

Ms. Rhonda Hulse
City of Lincoln
PO Box 967
Lincoln, AR 72744

RE: City of Lincoln Annexation Coordination Requirement

Ms. Hulse,

Thank you for coordinating with our office as you seek to annex property into the City of Lincoln, AR located in Section 29, 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 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
/jw

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

FILED
JUN 11 2019
Arkansas
Secretary of State

H:\City_Annexations\Cities\Lincoln\20190410\Doc\20190410_Lincoln_Annexation_Coordination_Letter.docx

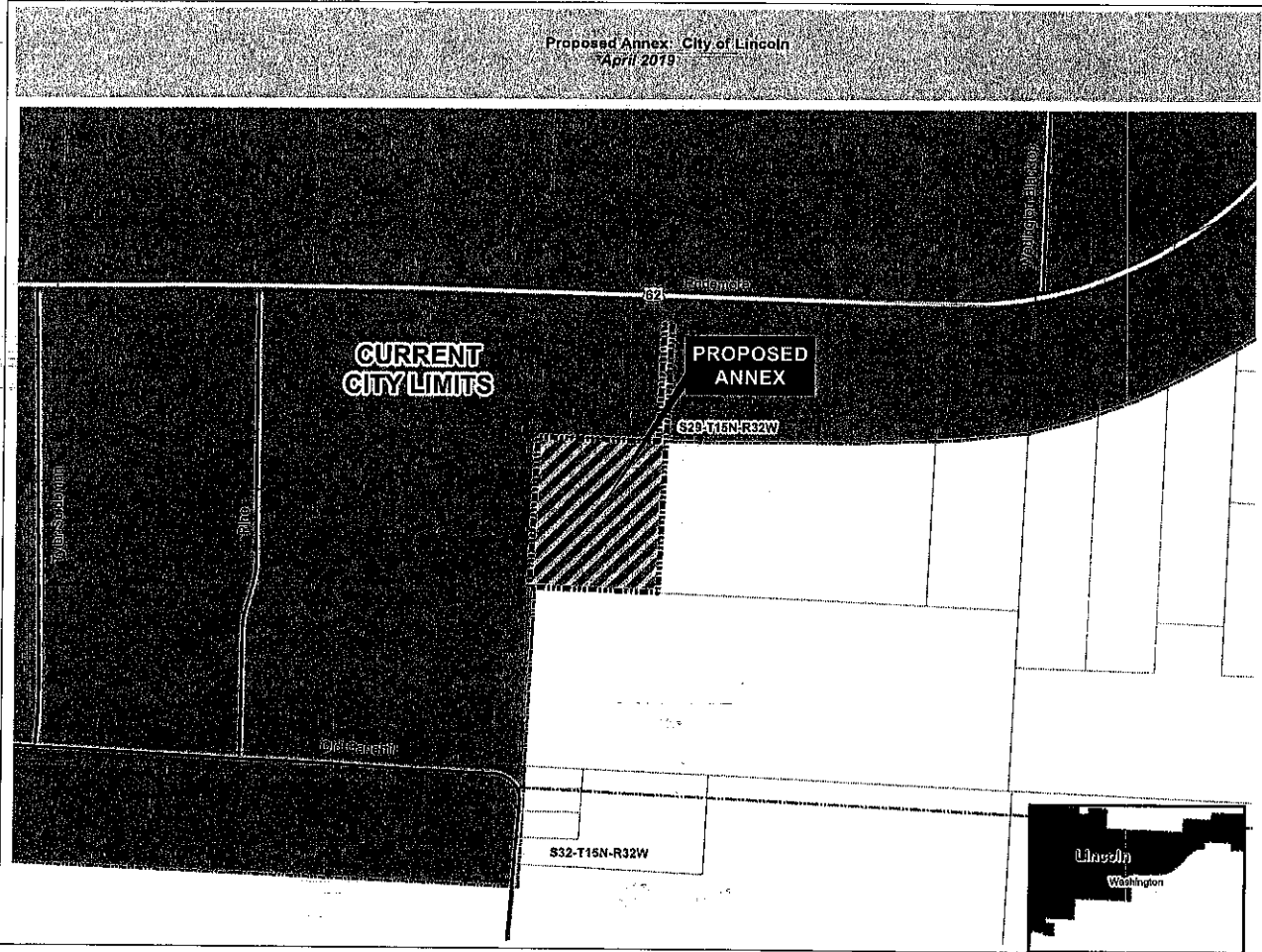
Proposed Annex: City of Lincoln
April 2019

City: Lincoln
Mayor: Doug Hutchens

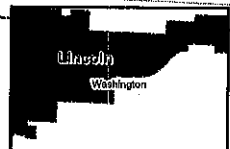
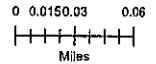
Arkansas Code 14-40-101.

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



- Proposed Annex
- Existing City
- Sections
- Parcels
- Freeway
- Highway
- Minor Road



ARKANSAS GIS OFFICE

H:\City_Annexations\Cities\Lincoln\20190416

FILED

JUN 11 2019

Arkansas
Secretary of State

A PART OF THE SOUTHWEST QUARTER (SW 1/4) OF THE SOUTHEAST QUARTER (SE 1/4) OF SECTION TWENTY-NINE (29), TOWNSHIP FIFTEEN (15) NORTH, RANGE THIRTY-TWO (32) WEST OF THE FIFTH PRINCIPAL MERIDIAN, CITY OF LINCOLN, WASHINGTON COUNTY ARKANSAS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTH QUARTER (S 1/4) CORNER OF SAID SECTION 29, SAID POINT BEING A FOUND 1 INCH CRIMPED PIPE; THENCE ALONG THE WEST LINE OF SAID SW 1/4 OF THE SE 1/4, N02°35'45"E A DISTANCE OF 495.58 FEET TO THE POINT OF BEGINNING, SAID POINT BEING A SET IRON PIN WITH CAP "PLS 1156"; THENCE CONTINUING ALONG SAID WEST LINE, N02°35'45"E A DISTANCE OF 359.93 FEET TO A SET IRON PIN WITH CAP "PLS 1156"; THENCE LEAVING SAID WEST LINE, S87°24'15"E A DISTANCE OF 310.00 FEET TO A SET IRON PIN WITH CAP "PLS 1156"; THENCE N02°35'45"E A DISTANCE OF 376.47 FEET TO THE SOUTHERLY RIGHT OF WAY LINE OF U.S. HIGHWAY 62 (EAST PRIDEMORE DRIVE) AND A SET IRON PIN WITH CAP "PLS 1156"; THENCE ALONG SAID SOUTHERLY RIGHT OF WAY LINE, S86°33'13"E A DISTANCE OF 4.05 FEET TO A POINT; THENCE N86°26'21"E A DISTANCE OF 16.23 FEET TO A SET IRON PIN WITH CAP "PLS 1156"; THENCE LEAVING SAID SOUTHERLY RIGHT OF WAY LINE, S02°28'15"W A DISTANCE OF 737.00 FEET TO A SET IRON PIN WITH CAP "PLS 1156"; THENCE N87°35'31"W A DISTANCE OF 331.80 FEET TO THE POINT OF BEGINNING, CONTAINING 2.91 ACRES, MORE OR LESS, AND SUBJECT TO ALL RIGHTS-OF-WAY, EASEMENTS AND RESTRICTIVE COVENANTS OF RECORD OR FACT.

FILED
2019 MAY -1 AM 8:04
JIMMY LEWIS, CLERK
CO. & PROBATE COURT
WASHINGTON COUNTY

ORDINANCE NO. 2019- 07

AN ORDINANCE ANNEXING CERTAIN TERRITORY INTO THE CITY OF LINCOLN, ARKANSAS, MAKING THE SAME A PART OF THE CITY OF LINCOLN, ARKANSAS, AND ASSINGING THE SAME TO A WARD

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

Section One: Findings. The City Council hereby finds that:

- a. There is territory, consisting of certain real property (“the parcel”), described hereinbelow, adjoining and abutting property owned one hundred percent (100%) by Lincoln Consolidated School District No. 48 (“the owner”);
- b. The parcel is not currently within the boundaries of the City of Lincoln, Arkansas. It is wholly within the unincorporated territory of Washington County. However, the parcel is contiguous to the City limits;
- c. The owner of the parcel submitted, in accordance with ARK. CODE ANN. § 14-40-609, a petition for annexation of the parcel into the City of Lincoln to the Washington County Court.
- d. On April 2, 2019, the Washington County Court, Hon. Joseph K. Wood, presiding, entered an Order, incorporating findings of the County Clerk and the County Assessor, finding, among other things, that:
 - (i) The owner’s petition and verifications were complete and accurate;
 - (ii) No enclaves would be created by the proposed annexation;
 - (iii) The owner’s petition contained a schedule of services;
 - (iv) The proposed annexation consisted of lands that:
 - A. Whether platted or not, are held to be sold as suburban property;

- B. Represent the actual growth of the City of Lincoln beyond its legal boundary; and
- C. Are needed for proper municipal purposes such as the extension of needed police regulations.

The City Council concurs in the County Court's findings and adopts them as its own.

Section Two: Territory Annexed. From and after the date specified below, the parcel, more particularly described as follows, is hereby annexed into, and shall be a part of the body corporate and politic, of the City of Lincoln, Arkansas:

A PART OF THE SOUTHWEST QUARTER (SW 1/4) OF THE SOUTHEAST QUARTER (SE 1/4) OF SECTION TWENTY-NINE (29), TOWNSHIP FIFTEEN (15) NORTH, RANGE THIRTY-TWO (32) WEST OF THE FIFTH PRINCIPAL MERIDIAN, CITY OF LINCOLN, WASHINGTON COUNTY ARKANSAS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTH QUARTER (S 1/4) CORNER OF SAID SECTION 29, SAID POINT BEING A FOUND 1 INCH CRIMPED PIPE; THENCE ALONG THE WEST LINE OF SAID SW 1/4 OF THE SE 1/4, N02°35'45"E A DISTANCE OF 495.58 FEET TO THE **POINT OF BEGINNING**, SAID POINT BEING A SET IRON PIN WITH CAP "PLS 1156"; THENCE CONTINUING ALONG SAID WEST LINE, N02°35'45"E A DISTANCE OF 359.93 FEET TO A SET IRON PIN WITH CAP "PLS 1156"; THENCE LEAVING SAID WEST LINE, S87°24'15"E A DISTANCE OF 310.00 FEET TO A SET IRON PIN WITH CAP "PLS 1156"; THENCE N02°35'45"E A DISTANCE OF 376.47 FEET TO THE SOUTHERLY RIGHT OF WAY LINE OF U.S. HIGHWAY 62 (EAST PRIDEMORE DRIVE) AND A SET IRON PIN WITH CAP "PLS 1156"; THENCE ALONG SAID SOUTHERLY RIGHT OF WAY LINE, S86°33'13"E A DISTANCE OF 4.05 FEET TO A POINT; THENCE N86°26'21"E A DISTANCE OF 16.23 FEET TO A SET IRON PIN WITH CAP "PLS 1156"; THENCE LEAVING SAID SOUTHERLY RIGHT OF WAY LINE, S02°28'15"W A DISTANCE OF 737.00 FEET TO A SET IRON PIN WITH CAP "PLS 1156"; THENCE N87°35'31"W A DISTANCE OF 331.80 FEET TO THE **POINT OF BEGINNING**, CONTAINING 2.91 ACRES, MORE OR LESS, AND SUBJECT TO ALL RIGHTS-OF-WAY, EASEMENTS AND RESTRICTIVE COVENANTS OF RECORD OR FACT.

Section Three: Effective Date. In accordance with ARK. CODE ANN. § 14-40-609, this Ordinance shall become effective from and after 30 days following its passage by the City Council.

Section Four: Compliance with Arkansas Law.

a. The City Clerk or her duly appointed designee shall, before the effective date of this Ordinance, coordinate with the Arkansas Geographic Systems Office for preparation of legal descriptions and digital mapping for the relevant annexation area, in accordance with ARK. CODE ANN. § 14-40-101.

b. The City Clerk or her duly appointed designee shall, within forty-five (45) days of the effective date of this Ordinance, forward written notice of the annexation, along with the complete City application for annexation and all other documents pertaining to this annexation in the City's possession, to the Washington County Clerk, in accordance with ARK. CODE ANN. § 14-40-103 (b)(1).

Section Five: Assignment of Ward. Upon the effective date of this Ordinance, and subject to such further action of the City Council in re-drawing ward boundaries, the parcel is assigned to and shall be part of Ward 3 in the City of Lincoln.

Section Six: Schedule of City-Provided Services. The following schedule of services shall be extended to the parcel by the City of Lincoln within the statutorily provided three (3) year period after the date this annexation becomes final, as follows: water service, sewer service, sanitation service, police service, fire service, and ambulance service.

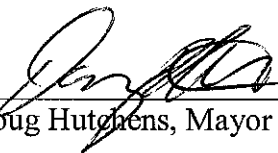
Section Seven: Repealing Clause. Ordinances or parts thereof in effect at the time that this ordinance shall take effect that are in conflict herewith, are repealed.

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

Section Nine: 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.

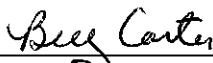
PASSED AND APPROVED this 16th day of April, 2019.

APPROVED:



Doug Hutchens, Mayor

ATTEST:



Becky Carter, Clerk-Treasurer



FILED
JUN 11 2019
Arkansas
Secretary of State

IN THE COUNTY COURT OF WASHINGTON COUNTY, ARKANSAS

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

CC NO. 2019-03

CLERK OF THE COUNTY COURT
WASHINGTON COUNTY, ARKANSAS

2019 APR -2 PM 2:42

FILED

ORDER CONCERNING ANNEXATION

On this regular day of a regular term of the County Court of Washington County, Arkansas, there is presented to the Court by Lincoln Consolidated School District, No. 48, an Arkansas public school district, the petition of the real estate owner desiring the annexation of territory to the City of Lincoln, Arkansas, more particularly described therein. The court has received the verification of the county assessor and county clerk required by A.C.A § 14-40-609.

This Court being fully advised of the facts and the law does hereby find as follows:

1. The Court finds that the petition and verifications are complete and accurate.
2. The Court further finds that no enclaves will be created by the annexation.
3. The Court finds that the petition contains a schedule of services.
4. The Court finds that the territory consists of lands that:
 - a.. whether platted or not, are held to be sold as suburban property;
 - b. represent the actual growth of the municipality beyond its legal boundary; and
 - c. are needed for proper municipal purposes such as the extension of need police regulations.

Therefore, the Court hereby ORDERS that the petition and this Order be delivered to the City of Lincoln, Arkansas.

DocuSigned by:
Joseph Wood
34F19462757444F...

JOSEPH K. WOOD, COUNTY JUDGE

DATED: March 8, 2019

DocuSigned by:
RSC
ABF7527CDFBB45C...

FILED
JUN 11 2019
Arkansas
Secretary of State

I CERTIFY THAT THIS INSTRUMENT IS A TRUE COPY OF THE ORIGINAL FILED IN THIS OFFICE ON 5/21/19
Becky LeWallen
BECKY LEWALLEN, COUNTY CLERK
Jennifer Stover
D.C.

January 22, 2019

Mary Ann Spears
Superintendent
Lincoln Consolidated School District
107 E. School Street
Lincoln, AR 72744

Re: Annexation of 2.91 acres.

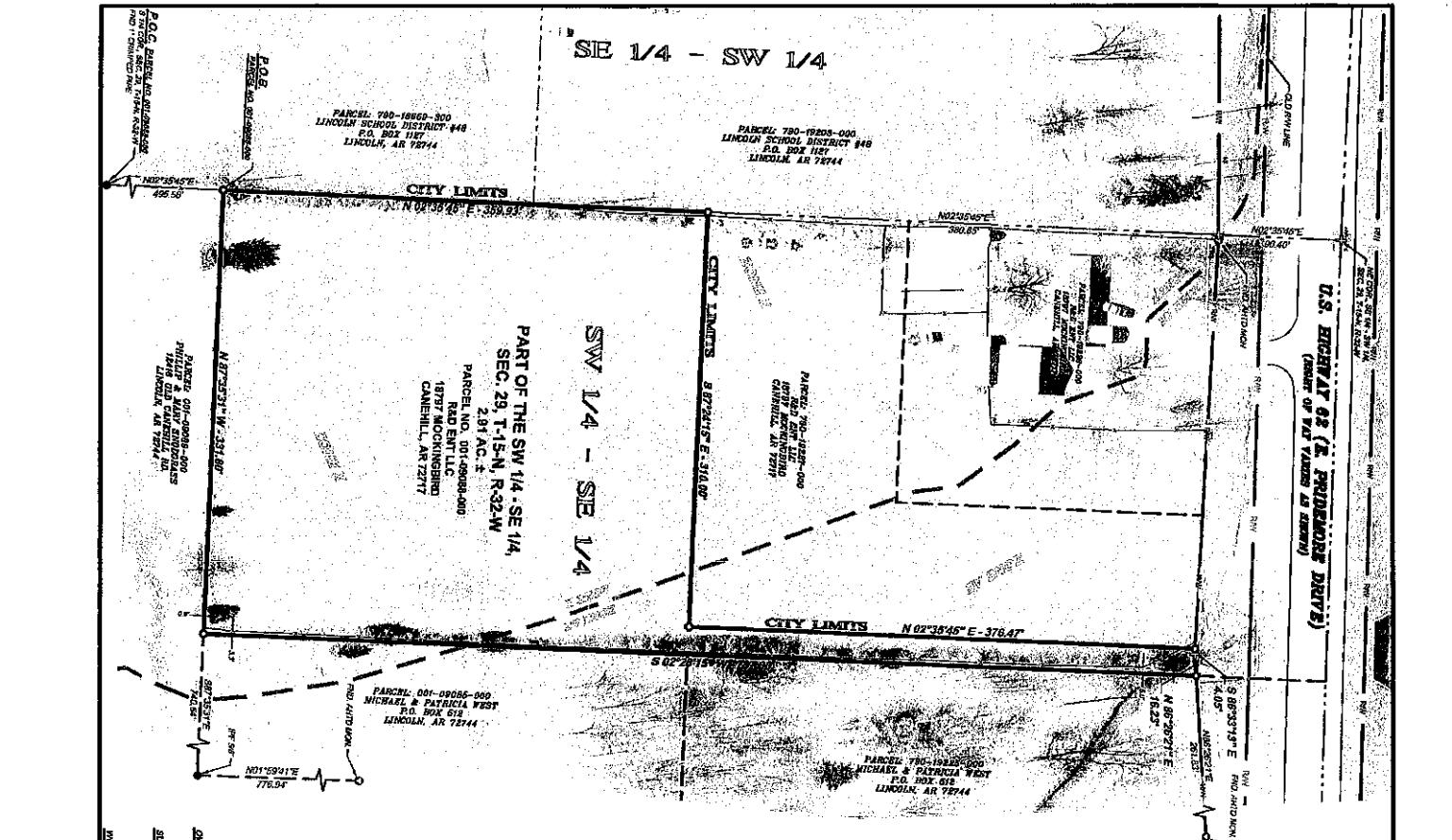
Dear Ms. Spears:

I, S. Craig Davis, A licensed professional land surveyor in the State of Arkansas, hereby certify that the 2.91 acre parcel that is designated as Arkansas Parcel Number: 001-09088-000, and is currently situated in Washington County, Arkansas. This parcel of land that is currently contiguous with the City Limits of Lincoln, Arkansas (the annexing city). I further certify that no enclaves will be created if the property is accepted to be annexed into the City of Lincoln, Washington County, Arkansas.



S. Craig Davis, PLS
Survey Dept. Manager
Engineering Services, Inc.
1207 S. Old Missouri Road
Springdale, AR 72764
PH: 479.751.8733
cdavis@engineeringservices.com





LEGEND

P.O.C. POINT OF COMMENCEMENT
P.O.B. POINT OF BEGINNING
H.O.P. HORN POINT (AS NOTED)
H.P.S. HORN POINT (SOUTH) (AS NOTED)
S.H.P. SOUTH HORN POINT (AS NOTED)
C.P. CORNER POINT

PROPERTY LINE
PROPERTY & RIGHT OF WAY LINE
SECTION LINE
40-ACRE LINE
ADJACENT OWNER
RIGHT-OF-WAY
CENTERLINE OF ROAD
FENCE LINE

LEGEND

P.O.C. POINT OF COMMENCEMENT
P.O.B. POINT OF BEGINNING
H.O.P. HORN POINT (AS NOTED)
H.P.S. HORN POINT (SOUTH) (AS NOTED)
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C.P. CORNER POINT

PROPERTY LINE
PROPERTY & RIGHT OF WAY LINE
SECTION LINE
40-ACRE LINE
ADJACENT OWNER
RIGHT-OF-WAY
CENTERLINE OF ROAD
FENCE LINE

Michael West
MICHAEL WEST
REGISTERED SURVEYOR
No. 1159
Arkansas
4/18/19

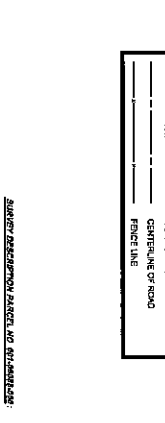
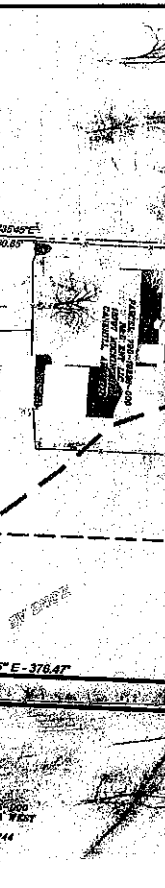
BOUNDARY SURVEY
FOR R&D ENT, LLC
WASHINGTON COUNTY, ARKANSAS
SCALE 1"=60' DATE APRIL 27, 2018 DRAWN BY ERB
ENGINEERING SERVICES, INCORPORATED
SPRINGDALE, ARKANSAS

WASHINGTON COUNTY, ARKANSAS
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SCALE 1"=60' DATE APRIL 27, 2018 DRAWN BY ERB
ENGINEERING SERVICES, INCORPORATED
SPRINGDALE, ARKANSAS



WASHINGTON COUNTY

STATE OF ARKANSAS

Washington County Courthouse
280 North College Avenue, Suite 300
Fayetteville, Arkansas 72701
Telephone: (479) 444-1711
Fax: (479) 444-1894

BECKY LEWALLEN
County And Probate Clerk

May 21, 2019

To Whom it may Concern:

You will find enclosed an Annexation to the City of Lincoln. If you have any further questions please don't hesitate to call.

Thanks,

Jennifer Sharpshair
Chief Deputy County Clerk