



ARKANSAS SECRETARY OF STATE

MARK MARTIN

July 30, 2018

The Honorable Phyllis Rhymes
Greene County Clerk
320 W. Court St, Room 102
Paragould, AR 72450

Re: City of Marmaduke Annexation Resolution 061918

Dear Ms. Rhymes,

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 (petition by 100% of the landowners)

Effective Date: 07/19/2018

County: Greene

City: Marmaduke

City Resolution: 061918

Dated: 06/19/2018

County Court Order: CO-2018-21

Date Filed: 04/25/2018 Honorable Rusty A. McMillon, Greene County Judge

A file marked copy of the resolution, 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,

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)
Hon. Steve Dixon, Mayor of Marmaduke (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: Greene City/Town: Marmaduke

City Ordinance/Resolution No: 061918 Date approved: 06-19-18

County Court Case No: CD-2018-21 Date Order Filed: 04-25-18

Type: Annexation by Petition of all landowners A.C.A. 14-40-601
(Choose from the list of Arkansas Code Sections located on the back)

Date Change Effective: 07-19-18 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)

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 (required except for island annexation and annexation approved by election)
- 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 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: Steve Dixon Title: Mayer

Street Address: P.O. Box 208

City: Marmaduke St: AR Zip code: 72443

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: Phyllis Rhynes Title: County Clerk

Date: 6-28-18

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: Cynthia Fisher

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*Office of the Greene County Clerk
Phyllis Rhynes, County and Probate Clerk
320 West Court Street, Room 102
Paragould, AR 72450
Phone: (870)239-6311 Fax: (870)239-6320*

June 28, 2018

Arkansas Secretary of State
Attn: Municipal Boundary Filing
500 Woodlane Street, Room 256
Little Rock, AR 72201-1094


RE: City of Marmaduke—Annexation

Dear Sir:

Enclosed, you will find the Municipal Boundary Change Checklist, a copy of Resolution 061918 from the City of Marmaduke, a copy of the Order Concerning Annexation from CO-2018-21, and a copy of the Arkansas GIS approved printed map and certification letter.

If you have any questions, please do not hesitate to contact me.

Sincerely,


Phyllis Rhynes
Greene County Clerk

RESOLUTION NO. 061918

**A RESOLUTION CONFIRMING ANNEXATION OF CERTAIN
TERRITORY TO THE CITY OF MARMADUKE, ARKANSAS,
AND MAKING THE SAME A PART OF THE CITY AND ASSIGN
SUCH LANDS TO WARDS.**

WHEREAS, the County Court of Greene County, Arkansas, has entered its Order granting annexation of the lands hereinafter described to the City of Marmaduke, Arkansas, and 30 days has expired from the making of such Order of Annexation by the County Court and no notice has been given appealing such Order of Annexation;

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF
MARMADUKE, ARKANSAS:**

SECTION 1. That the following lands and territory contiguous to and adjoining the City of Marmaduke, Arkansas be and the same are hereby accepted and assigned to wards as follows:

That part of the South Half of the Southeast Quarter of Section 13, Township 18 North, Range 6 East, described as follows: Beginning at the Southeast corner of said Section 13, run thence North 40 rods, thence West 96 rods, run thence South 40 rods, thence East 96 rods to the place of beginning, containing 24 acres, more or less.

The land in this annexation is assigned to Ward 2.

SECTION 2. That the following lands and territory contiguous to and adjoining the City of Marmaduke, Arkansas be and the same are hereby accepted and assigned to wards as follows:

That part of the Southwest Quarter of Section 18, Township 18 North, Range 7 East, described as follows: Beginning at the Southwest corner of said Section 18, run thence North 0 degrees 46 minutes West 2414.1 feet to the East right-of-way of Highway 49, run thence North 42 degrees 58 minutes East along said right-of-way 63.2 feet to the centerline of a ditch, run thence along said ditch the following calls: South 32 degrees 18 minutes East 91.0 feet, South 39 degrees 45 minutes East 531.6 feet, South 42

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degrees 40 minutes East 437.1 feet, South 66 degrees 55 minutes East 188.9 feet, South 47 degrees 41 minutes East 534.3 feet, South 31 degrees 44 minutes East 90.9 feet, South 1 degree 14 minutes East 446.2 feet, South 0 degrees 58 minutes West 686.8 feet, run thence South 89 degrees 36 minutes West 1310.1 feet to the true point of beginning, containing 53.96 acres, more or less. SUBJECT TO the right-of-way of Highway 34 off the South side thereof, and all utility easements.

The land in this annexation is assigned to Ward 2.

THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MARMADUKE, ARKANSAS, This resolution:

PASSED AND APPROVED THIS 19th DAY OF JUNE, 2018

A handwritten signature in black ink, appearing to read "D. D. [unclear]", written over a horizontal line.

Mayor

ATTEST:

A handwritten signature in black ink, appearing to read "Betty Jackson", written over a horizontal line.

City Clerk and Recorder

IN THE COUNTY COURT OF GREENE COUNTY, ARKANSAS
IN THE MATTER OF ANNEXING TO THE CITY OF MARMADUKE,
ARKANSAS, CERTAIN TERRITORY CONTIGUOUS TO THE SAID CITY OF
MARMADUKE, ARKANSAS. APR 25 P 3: 29

ORDER CONCERNING ANNEXATION
SIVILLIS CUMMES, CLERK

On this regular day of a regular term of the County Court of Greene County, Arkansas, there is presented to the Court by American Railcar Industries, Inc. a petition desiring the annexation of territory to the City of Marmaduke, 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 petition and verifications are complete and accurate.
2. No enclaves will be created by the annexation.
3. The petition contains a schedule of services.
4. The territory consists of lands that represent the actual growth of the municipality beyond its legal boundary.
5. The territory consists of lands that, although contiguous, may be annexed because none of the facts or circumstances enumerated in A.C.A. § 14-40-302(b)(1) exist, in that (a) the highest and best use of the lands is not for agricultural or horticultural purposes; (b) no new community is to be constructed on the lands with funds guaranteed in whole or in part by the federal government; (c) the lands include the resident petitioner, American Railcar Industries, Inc.; and (d) there are no public road right-of-ways or public road easements within the lands sought to be annexed.

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

SO ORDERED THIS 25 DAY OF APRIL, 2018.


County Judge

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ARKANSAS GIS OFFICE

March 27, 2018

Mr. Jon Cline
Associate – Armstrong Teasdale LLP
7700 Forsyth Blvd, STE 1800
St. Louis, MO 63105-1847

RE: City of Marmaduke Annexation Coordination Requirement

Mr. Cline,

Thank you for coordinating with our office as you seek to annex property into the City of Marmaduke, AR located in Section 13, Township 18 North, Range 6 East and Section 18, Township 18 North, Range 7 East. 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
/jjw

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

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H:\City Annexations\Cities\Marmaduke\20180327\Doc\20180327_Marmaduke Annexation_Coordination_Letter.docx

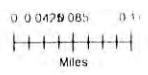
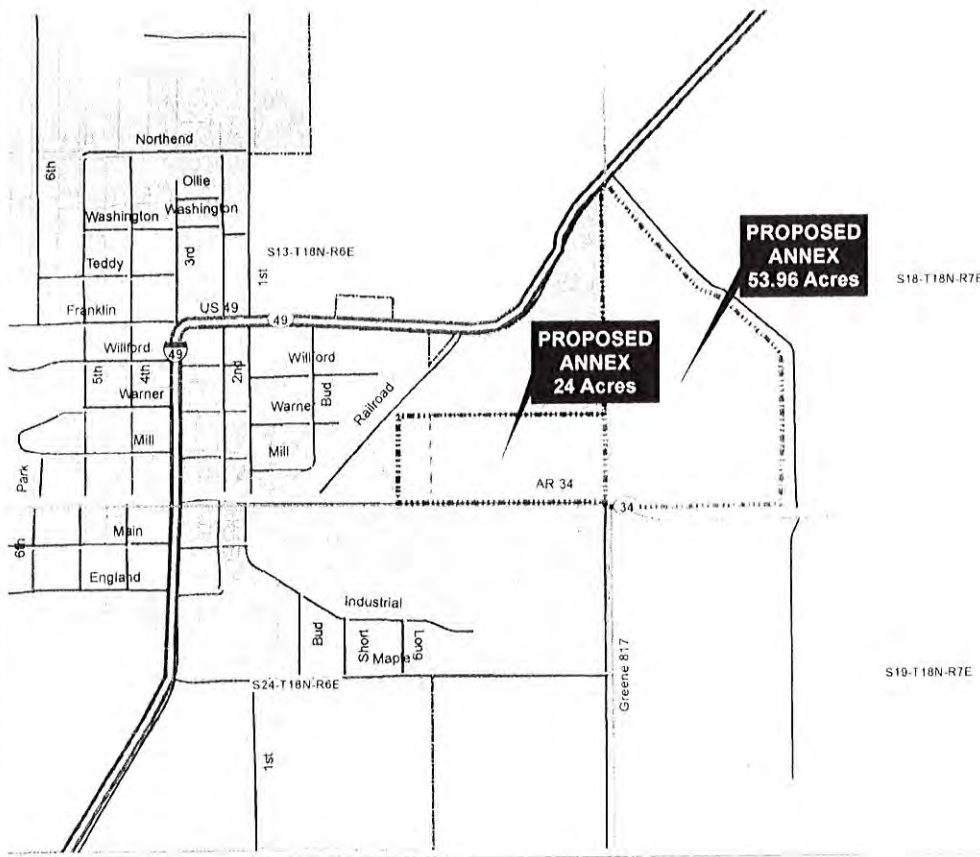
Proposed Annex: City of Marmaduke
March 2018

City, Marmaduke
Mayor, Steve Dixon

Arkansas Code 14-10-101

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.



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West Parcels:

That part of the South Half of the Southeast Quarter of Section 13, Township 18 North, Range 6 East, described as follows: Beginning at the Southeast corner of said Section 13, run thence North 40 rods, thence West 96 rods, run thence South 40 rods, thence East 96 rods to the place of beginning, containing 24 acres, more or less.

East Parcel:

That part of the Southwest Quarter of Section 18, Township 18 North, Range 7 East, described as follows: Beginning at the Southwest corner of said Section 18, run thence North 0 degrees 46 minutes West 2414.1 feet to the East right-of-way of Highway 49, run thence North 42 degrees 58 minutes East along said right-of-way 63.2 feet to the centerline of a ditch, run thence along said ditch the following calls: South 32 degrees 18 minutes East 91.0 feet, South 39 degrees 45 minutes East 531.6 feet, South 42 degrees 40 minutes East 437.1 feet, South 66 degrees 55 minutes East 188.9 feet, South 47 degrees 41 minutes East 534.3 feet, South 31 degrees 44 minutes East 90.9 feet, South 1 degree 14 minutes East 446.2 feet, South 0 degrees 58 minutes West 686.8 feet, run thence South 89 degrees 36 minutes West 1310.1 feet to the true point of beginning, containing 53.96 acres, more or less. SUBJECT TO the right-of-way of Highway 34 off the South side thereof, and all utility easements.