



ARKANSAS SECRETARY OF STATE

MARK MARTIN

May 10, 2018

The Honorable Shelly Downing
Izard County Clerk
400 Court Street
Melbourne, AR 72556

Re: City of Melbourne Annexation Court Order CO-80-2 (Historical Filing)

Dear Ms. Downing,

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 by petition pursuant to A.C.A § 14-40-602 (Petition by a majority of the landowners)
Effective Date: unknown
County: Izard City: Melbourne
City Ordinance: unknown
County Court Order: CO-80-2 Dated: 11/21/1980

A file marked copy of the 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. Alecia Bray, Melbourne City Recorder and Treasurer (w/encl)



Historic Annexation Filing
for city boundary reconsolidation



Arkansas Secretary of State

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

Municipal Boundary Change Checklist

County: Izard City/Town: Melbourne

City Ordinance/Resolution No: Unknown Date approved: _____

County Court Case No: CO-80-2 Date Order Filed: 11/21/1980

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

Date Change Effective: _____ 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. Alecia Bray Title: Melbourne Recorder & Treasurer

Street Address: P.O. Box 800

City: Melbourne St: AR Zip code: 72556

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: Ms. Shelly Downing Title: Izard 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

MAY 10 2018

Arkansas
Secretary of State

IN THE COUNTY COURT OF IZARD COUNTY, ARKANSAS

IN THE MATTER OF ANNEXING TO THE CITY OF MELBOURNE, IZARD COUNTY, ARKANSAS, CERTAIN TERRITORY CONTIGUOUS TO THE SAID CITY

COUNTY COURT No. Co-80-2

ORDER OF ANNEXATION

On this 24th day of November, 1980, the same being a regular and designated County Court day in and for Izard County, Arkansas, and the day set for hearing of this cause, comes on to be heard the petition of the city of Melbourne and Color Tile, Inc. and from said petition, the plat attached hereto as exhibit A which accurately describes and reflects the lands to be annexed, along with describing and reflecting the present existing boundary lines of the incorporated city of Melbourne, Izard County, Arkansas; the proof of publication of the notice of the hearing thereon, reflecting publication for three (3) consecutive weeks; and from all of which and other matters and things before the Court, this Court finds:

1. That the petition and plat for annexation of the following described lands, to-wit:

The SE¼ of the SW¼ and the S½ of the SW¼ of the SE¼ of Section 2, Township 16 North, Range 9 West, containing 60 acres more or less.

was filed herein on October 7, 1980, and that notice of the filing thereof, its contents and of the hearing on said petition, was published in the Melbourne Times, a weekly newspaper having a bona fide circulation in Izard County, Arkansas, for three (3) consecutive weeks on October 16, 23, and 30, and that over thirty (30) days have elapsed since the first publication thereof; that petitioners are the owners of the above described lands and own over a majority of the acreage and represent a majority of the owners (being owners of 100% of the above described lands); that petitioners have complied with the statutes applicable hereto and that this Court now and here has exclusive original jurisdiction over the subject matter of this cause of action.

2. That no objections by remonstrates, answer, invention or otherwise have been filed or made known to the Court.

FILE I
MAY 10 2018
Arkansas
Secretary of St

3. That petitioners constitute 100% of the land owners of the land sought to be annexed by said petition, and that said lands are contiguous to, and adjoining, the present and existing corporate city limits of the town of Melbourne, Izard County, Arkansas, and said lands are now in the process of being developed, and appear to constitute a part of the city, and are so located as to need and deserve city facilities, supervision, and management prior to further development.

4. That the petition is sustained by good and sufficient proof; that all statutory requirements have been met; that the limits of the territory sought to be annexed have been accurately described in the accurate plat of the present corporation, together with the area sought to be annexed which is attached hereto; that the correct description of the entire corporate limits of the city of Melbourne, Izard County, Arkansas, including the lands herein sought to be annexed, are as follows:

SEE ATTACHED SHEETS

5. That said lands should be a part of said city for the best interest of petitioners and it's inhabitants, and that it is in the best interest of the city that said lands be annexed.

WHEREFORE, IT IS CONSIDERED, ORDERED, DECREED AND ADJUDGED as follows:

1. That petitioners prayer for annexation of the above described lands be, and by the same is hereby, granted.

2. That after thirty (30) days from this date, providing no proceedings have been instituted to prevent annexation as prayed also, provided that the city of Melbourne has, by certified copy of it's acceptance resolution filed herein accepted said annexation, then the clerk of this Court is hereby ordered and directed to prepare certified copies of this order, the plat filed herein and of said resolution to be filed by the city of Melbourne, which said three certified copies shall constitute one instrument and to transmit one such copy to the Secretary of the State of Arkansas; one to the director of the tax division of the Arkansas Public Service Commission, and one to the city council of Melbourne, Izard County, Arkansas, following which the said described and plated land shall become an integral part of the in-

incorporated city of Melbourne, IZARD County, Arkansas.

Richard L. A. [Signature]
COUNTY JUDGE
IZARD COUNTY, ARKANSAS

NEW CITY LIMITS

The NE $\frac{1}{4}$ NW $\frac{1}{4}$, 40 acres; the N $\frac{1}{2}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$, 20 acres; the E $\frac{1}{2}$ NE $\frac{1}{4}$, 80 acres; all in Section 7, Township 16 North, Range 8 West.

The SE $\frac{1}{4}$ SW $\frac{1}{4}$, 40 acres; the S $\frac{1}{2}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$, 20 acres; and the S $\frac{1}{2}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$, 20 acres, all in Section 6, Township 16 North, Range 8 West.

The S $\frac{1}{2}$ S $\frac{1}{2}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$, 10 acres; the S $\frac{1}{2}$ S $\frac{1}{2}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$, 10 acres; the W $\frac{1}{2}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$, 20 acres; the S $\frac{1}{2}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$, 5 acres; and the S $\frac{1}{2}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$, 5 acres, all in Section 5, Township 16 North, Range 8 West.

The N $\frac{1}{2}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$, 20 acres; the N $\frac{1}{2}$ N $\frac{1}{2}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$, 10 acres; the N $\frac{1}{2}$ N $\frac{1}{2}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$, 10 acres; the N $\frac{1}{2}$ N $\frac{1}{2}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$, 10 acres; the S $\frac{1}{2}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$, 5 acres; all in Section 8 Township 16 North, Range 8 West.

And the S $\frac{1}{2}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$, 5 acres; the N $\frac{1}{2}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$, 5 acres; the SE $\frac{1}{4}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$, 10 acres; the N $\frac{1}{2}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$, 20 acres; the SE $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$, 10 acres; the W $\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$, 20 acres; the N $\frac{1}{2}$ N $\frac{1}{2}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$, 10 acres; the S $\frac{1}{2}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$, 5 acres; the S $\frac{1}{2}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$, 5 acres; the SW $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$, 10 acres; the SE $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$, 10 acres; the NE $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$, 10 acres; the SE $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$, 10 acres; and the NE $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$, 10 acres, all in Section 9, Township 16 North, Range 8 West.

Also, the S $\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$, 20 acres; the North 7 chains of the NW $\frac{1}{4}$ SE $\frac{1}{4}$, 14 acres; the N $\frac{1}{2}$ N $\frac{1}{2}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$, 10 acres; the N $\frac{1}{2}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$, 5 acres; the S $\frac{1}{2}$ S $\frac{1}{2}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$, 10 acres; and the S $\frac{1}{2}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$, 5 acres, all in Section 11, Township 16 North, Range 9 West.

The N $\frac{1}{2}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$, 5 acres, in Section 7, Township 16 North, Range 8 West.

The S $\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$, 20 acres; the NW $\frac{1}{4}$ SE $\frac{1}{4}$, 40 acres; the S $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$, 20 acres; and the NE $\frac{1}{4}$ SE $\frac{1}{4}$, 40 acres, all in Section 12, Township 16 North, Range 9 West.

All that part of the NW $\frac{1}{4}$ NE $\frac{1}{4}$ lying North of Mill Creek, approximately 35 acres, in Section 11, Township 16 North, Range 9 West.

The N $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$, 20 acres; the N $\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$, 20 acres; the N $\frac{1}{2}$ N $\frac{1}{2}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$, 10 acres; the S $\frac{1}{2}$ S $\frac{1}{2}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$, 10 acres; the N $\frac{1}{2}$ N $\frac{1}{2}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$, 10 acres; the S $\frac{1}{2}$ S $\frac{1}{2}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$, all in Section 2, Township 16 North, Range 9 West.

The S $\frac{1}{2}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$, 20 acres; the S $\frac{1}{2}$ N $\frac{1}{2}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$, 10 acres; the N $\frac{1}{2}$ S $\frac{1}{2}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$, 10 acres; the S $\frac{1}{2}$ N $\frac{1}{2}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$, 10 acres; and the N $\frac{1}{2}$ S $\frac{1}{2}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$, 10 acres; all in Section 3, Township 16 North, Range 9 West.

The S $\frac{1}{2}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$, 20 acres; the N $\frac{1}{2}$ S $\frac{1}{2}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$, 10 acres; the S $\frac{1}{2}$ N $\frac{1}{2}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$, 10 acres; the N $\frac{1}{2}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$, 5 acres; all in Section 1, Township 16 North, Range 9 West.

The W. 10 chains of the S $\frac{1}{2}$ SE $\frac{1}{4}$, 20 acres, in Section 31, Township 17 North, Range 8 West.

The W $\frac{1}{2}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$, 5 acres; and the SW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$, 10 acres, in Section 26, Township 17 North, Range 9 West.

The SW $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$, 10 acres; the E $\frac{1}{2}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$, 20 acres; and all that part of the W $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ that lies North of Little Hurricane Creek, 15 acres, all in Section 35, Township 17 North, Range 9 West.

The SE $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$, 10 acres, in Section 36, Township 17 North, Range 9 West.

Part of the West half of Section 7, Township 16 North, Range 8 West, described as BEGINNING 21 poles North of the Quarter Section corner between Sections 7 and 12, on the Range line between Range 8 and 9, run thence East 5 $^{\circ}$ 30' South 101 poles 5 links, find Bearing Trees P. O. 2" South 3 $^{\circ}$ West 40 links; Hickory 12" North 32 $^{\circ}$ East 75 links, thence continuing on same line, 12 poles; thence South parallel to East line of said W $\frac{1}{2}$ of Section 7 a distance of 8 poles; thence East 5 $^{\circ}$ 30' South 18 poles; thence North, parallel to East line of said W $\frac{1}{2}$ of Section 7 a distance of 83 poles to the South line of the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 7, thence West, along South line of NE $\frac{1}{4}$ NW $\frac{1}{4}$, to the SE corner of the NW $\frac{1}{4}$ NW $\frac{1}{4}$, thence North, along East line of NW $\frac{1}{4}$ NW $\frac{1}{4}$ to the SE corner of the N $\frac{1}{2}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$ of said Section; thence West, along the South line of said N $\frac{1}{2}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$ to the Range line between Ranges 8 and 9, thence South 99 poles to or to the point of beginning.

NEW CITY LIMITS

The $S\frac{1}{2}$ of the $NW\frac{1}{4}$ of the $SW\frac{1}{4}$; the $SW\frac{1}{4}$ of the $SW\frac{1}{4}$ of Section 6; the $N\frac{1}{2}$ of $EW\frac{1}{4}$ $NW\frac{1}{4}$, in Section 7, Township 16 North, Range 8 West.

The $W\frac{1}{2}$ of the $NW\frac{1}{4}$; the $SE\frac{1}{4}$ of the $NW\frac{1}{4}$; the $S\frac{1}{2}$ of the $NE\frac{1}{4}$ of the $NW\frac{1}{4}$; and the $S\frac{1}{2}$ of Section 1. The $N\frac{1}{2}$ of the $NE\frac{1}{4}$ of the $NE\frac{1}{4}$ and the $E\frac{1}{2}$ of the $SE\frac{1}{4}$ of Section 2. All of that part of the $E\frac{1}{2}$ of the $NE\frac{1}{4}$ lying North of Mill Creek, Section 11. The North $\frac{3}{4}$ ths of the $N\frac{1}{2}$ and all that part of the $S\frac{1}{2}$ of the $SW\frac{1}{4}$ of the $NW\frac{1}{4}$ that lies North of Mill Creek in Section 12, Township 16 North, Range 9 West. Also, the $E\frac{1}{2}$ of the $SE\frac{1}{4}$; all that part of the $SE\frac{1}{4}$ of the $NE\frac{1}{4}$ and of the $E\frac{1}{2}$ of the $NW\frac{1}{4}$ of the $SE\frac{1}{4}$ that lies South and East of Hurricane Creek, in Section 35, Township 17 North, Range 9 West.

Part of the $NW\frac{1}{4}$ of the $SW\frac{1}{4}$ of Section 6, Township 16 North, Range 8 West, described as follows, to-wit: Starting at the SW corner of the $NW\frac{1}{4}$ of the $SW\frac{1}{4}$ Section 6, Township 16 North, Range 8 West, thence North $0^{\circ} 21' 03''$ West 660.89 feet to the point of beginning, thence North $0^{\circ} 21' 03''$ West 660.89 feet to a point, thence North $82^{\circ} 22'$ East 725.84 feet to a point, thence South $10^{\circ} 46' 34''$ East 155.40 feet to a point, thence South $16^{\circ} 35' 10''$ East 100.43 feet to a point, thence South $14^{\circ} 50' 40''$ East 75.31 feet to a point, thence South $16^{\circ} 55' 40''$ East 100.43 feet to a point, thence South $10^{\circ} 23' 10''$ East 203.3 feet to a point, thence South $14^{\circ} 46' 13''$ East to the point of intersection of the North line of the South $\frac{1}{2}$ of the $NW\frac{1}{4}$ of the $SW\frac{1}{4}$ of Section 6, Township 16 North Range 8 West, thence West along said line to the point of beginning.

The $SE\frac{1}{4}$ of the $SW\frac{1}{4}$ and the $S\frac{1}{2}$ of the $SW\frac{1}{4}$ of the $SE\frac{1}{4}$ of Section 2, Township 1 North, Range 9 West, containing 60 acres more or less.



**ARKANSAS
GIS OFFICE**

April 27, 2018

Ms. Cynthia Fisher
Special Projects Manager
Arkansas Secretary of State Legal Division
500 Woodland St. Suite 256
Little Rock, AR 72201

RE: City of Melbourne Historic Annexation Coordination Requirement

Ms. Fisher,

Thank you for coordinating with our office as we seek to file an historic annexation of property into the City of Melbourne, AR County Court 80-2. 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
County Court No. CO-80-2
Secretary of State Municipal Change Checklist

FILED

MAY 10 2018

**Arkansas
Secretary of State**

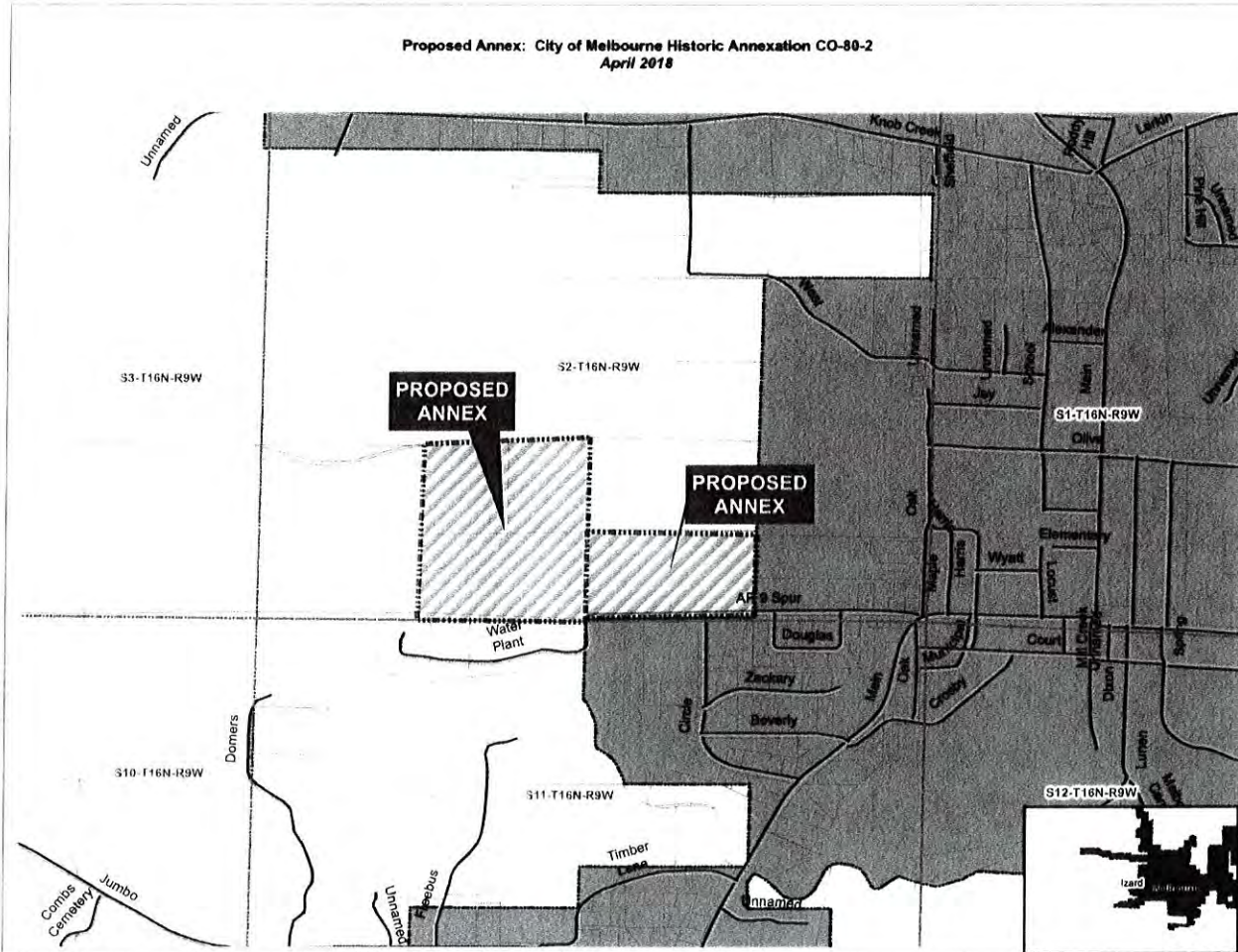
H:\City_Annexations\Cities\Melbourne\20180427\Doc\ 20180427_MelbourneHistoricAnnexation.docx

Proposed Annex: City of Melbourne Historic Annexation CO-80-2
 April 2018

City: Melbourne
 Mayor: Rhonda Halbrook

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



FILED

MAY 10 2018

**Arkansas
 Secretary of State**