



ARKANSAS SECRETARY OF STATE

MARK MARTIN

December 30, 2016

The Honorable Canda Reese
Baxter County Clerk and Circuit Clerk
1 east 7th Street
Mountain Home, AR 72653

Re: City of Mountain Home Annexation Ordinance 2016-14

Dear Ms. Reese,

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

Effective Date: unknown

County: Baxter

City: Mountain Home

City Ordinance: 2016-14

Dated: 10/20/2016

County Court Order: CO-2016-3 Filed: 08/30/2016

A file marked copy of the court order submitted to our Office is 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 501-682-3401.

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)
UALR Institution for Economic Advancement (w/encl)
Tom-Tom (w/encl)
Mr. Brian A. Plumlee, Mountain Home City Clerk (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: Baxter City/Town: Mountain Home

City Ordinance/Resolution No: 2016-14 Date approved: 10/20/2016

County Court Case No: CO-2016-3 Date of Order: 08/30/2016

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

Date Change Effective: 10/20/2016 Emergency clause: Yes No

For Circuit Court Challenge: Date 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: Brian A. Plumlee Title: City Clerk

Street Address: 720 South Hickory Street

City: Mountain Home St: AR Zip code: 72653

City/County Official:

Signature: Kayla Smith, SC Title: Deputy Clerk

Date: 12-15-16

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

F I L E D

DEC 30 2016

Arkansas
Secretary of State

IN THE COUNTY COURT OF BAXTER COUNTY, ARKANSAS

IN THE MATTER OF ANNEXING TO THE
CITY OF MOUNTAIN HOME, ARKANSAS,
CERTAIN LANDS CONTIGUOUS TO THE SAID
CITY OF MOUNTAIN HOME, ARKANSAS

NO.CO-2016-3

ORDER

On this 29th day of August, 2016, being the day set for the hearing of this cause, comes on for consideration, the questions of the annexation of the following described property to the City of Mountain Home, Arkansas, to-wit:

Part of the NE ¼ NE ¼ Sec. 03 T19N R13W, also part of the SE ¼ SE ¼ Sec. 34 T20N R13W Baxter County, Arkansas. Described as follows: Beginning at the NE corner of the NE ¼ NE ¼ Sec. 03 T19N R13W, thence S 02 deg. 13 min. 21 sec. W 301.72 feet, thence S 02 deg. 31 min. 28 sec. W 341.27 feet, thence N 84 deg. 13 min. 23 sec. W: 312.99 feet, thence N 54 deg. 07 min. 49 sec. W 182.55 feet, thence N 02 deg. 29 min. 58 sec. E 156.98 feet, thence N 81 deg. 39 min. 48 sec. W 405.44 feet, Thence N 03 deg. 17 min. 15 sec. E 200.25 feet, Thence N 16 deg. 08 min. 27 sec. W 124.66 feet, thence N 88 deg. 08 min. 57 sec. W 37.71 feet, to the South right of way of U.S. Highway 62B, thence along said right of way the following: N 61 deg. 31 min. 24 sec. E 109.98 feet, N 60 deg. 42 min. 51 sec. E 321.70 feet, N 67 deg. 32 min. 48 sec. E 322.92 feet, N 75 deg. 42 min. 23 sec. E 48.20 feet, N 75 deg. 53 min. 49 sec. E 48.00 feet, N 80 deg. 52 min. 24 sec. E 96.12 feet, N 81 deg. 59 min. 54 sec. E 81.95 feet, N 87 deg. 43 min. 44 sec. E 51.01 feet, thence leaving said right of way S 01 deg. 15 min. 45 sec. W 419.23 feet, to the SE corner of the SE ¼ SE ¼ Sec. 34 T20N R13W, thence N 88 deg. 30 min. 57 sec. W 45.54 feet, to the point of beginning. Containing 15.53 acres.

AND

Part of the Northeast Quarter of the Northeast Quarter of Section 3, Township 19 North, Range 13 West, Baxter County, Arkansas, specifically described as follows: From the Northwest Corner of the NE ¼ NE ¼ of Section 3, go North 89 degrees 52' 57" East 47.83 feet to the Southwest Corner of the SE ¼ SE ¼ of Section 34, Township 20 North, Range 13 West, then go North 89 degrees 58' 28" East 355.56 feet to a 3/8 inch rebar on the southerly right-of-way of Arkansas Highway 62/412, to Point of Beginning of the tract being described; Then go along said right-of-way the following; South 59 degrees 36' 33" West 114.19 feet to a 3/8 inch rebar; South 59 degrees 45' 12" West 47.52 feet to a 3/8 inch rebar; Then go South 10 degrees 35' 00" East 221.90 feet to a 3/8 inch rebar; Then South 83 degrees 47' 32" East 171.66 feet to a 3/8 inch rebar; Then go North 01 degrees 15' 35" East 200.00 feet to a 3/8 inch rebar; Then go North 18 degrees 01' 04" West 124.58 feet to a 3/8 inch rebar; then go South 89 degrees 58' 28" West 37.72 feet to the point of beginning.

F I L E D

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C201607362
FILED FOR RECORD
BY: KAYLA SMITH
08-30-2016 01:29:47 PM


File Type

ORDER COUNTY

CANDA REESE
COUNTY AND CIRCUIT CLERK

That on the 19th day of July, 2016, there was filed with the Clerk of this Court, a petition requesting the annexation to the City of Mountain Home, Arkansas, of the above described lands. That said territory is contiguous to and adjoining the present corporate limits of the City of Mountain Home, Arkansas, and is within Baxter County, Arkansas; that an accurate plat or map of said territory is attached to the petition and made a part thereof; that proper notice has been given for the time and in the manner prescribed by law for the hearing on said petition; and that said lands should be annexed to the City of Mountain Home, Arkansas, subject to the acceptance of same by the City Council of said City at the proper time as provided by law.

IT IS, THEREFORE, ORDERED, that the territory above described be, and the same is hereby annexed to and made a part of the City of Mountain Home, Arkansas, subject to the acceptance of same by the City Council of said City as provided by law.


MICKEY PENDERGRASS,
COUNTY JUDGE

ORDINANCE NO. 2016-14

FILED
1:54 PM

AN ORDINANCE ANNEXING PROPERTY CONTIGUOUS THEREWITH TO THE CITY OF MOUNTAIN HOME, ARKANSAS; ACCEPTING THE ANNEXATION OF CERTAIN TERRITORY TO THE CITY OF MOUNTAIN HOME, ARKANSAS AND TO ANNEX PROPERTY TO THE CITY OF MOUNTAIN HOME, ARKANSAS, AS COMMERCIAL C-2.

Candace J. Paine, Clerk
by D.C. [Signature]

WHEREAS, an amended petition was filed with the County Clerk of Baxter County, Arkansas, by the real estate owner of the land hereinafter described, praying that said lands be annexed to and made a part of the City of Mountain Home, Arkansas; and

WHEREAS, on the 19th day of August, 2016, the County Court of Baxter County, Arkansas, found that said amended petition was signed by the fee simple owner of the said property; that the said territory, showing its relationship to the present city, has been filed and made a part of said annexation petition; that proper notice has been given for the time and in the manner prescribed by law; that said lands and territory should be annexed to the City of Mountain Home, subject to the acceptance of the same by the City Counsel of said City at the proper time as provided by law; and

WHEREAS, the time fixed by law for appealing from said Order of annexation made by the County Court has expired, and no appeal has been taken from said Order; and

WHEREAS, the same petitioners have petitioned in writing to the City of Mountain Home, Arkansas, praying that said property be annexed to the City of Mountain Home, Arkansas, for the purposed hereinafter set out; and

WHEREAS, after due notice as required by law, the City Council of the City of Mountain Home, Arkansas, has heard all persons desiring to be heard and has ascertained that said amended petition was signed by all the owners of real property in said territory; and

WHEREAS, a proper amended petition was filed by the property owners requesting a zoning; that said petition was submitted to the Planning Commission of the City of Mountain Home, Arkansas; that notice of said petition and a public hearing hereon was published in a newspaper having local circulation as required by ordinance; that a public hearing was held; that all remonstrance's were heard, after which the Planning Commission recommended that all property described hereinafter be annexed to the City of Mountain Home, Arkansas, as Commercial C-2.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Mountain Home, Arkansas:

Section 1. That the following described lands in territory contiguous to and adjoining the City of Mountain Home, Arkansas be and the same are hereby accepted and annexed to the City of Mountain Home, Arkansas.

FILED

That the following described property is annexed to the City of Mountain Home, Arkansas, as Commercial C-2, to wit:

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Part of the NE ¼ NE ¼ Sec. 03 T19N R13W, also part of the SE ¼ SE ¼ Sec. 34 T20N R13W Baxter County, Arkansas. Described as follows: Beginning at the NE corner of the NE ¼ NE ¼ Sec. 03 T19N R13W, thence S 02 deg. 13 min. 21 sec. W 301.72 feet, thence S 02 deg. 31 min. 28 sec. W 341.27 feet, thence N 84 deg. 13 min. 23 sec. W. 312.99 feet, thence N 54 deg. 07 min. 49 sec. W 182.55 feet, thence N 02 deg. 29 min.

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AND

Part of the Northeast Quarter of the Northeast Quarter of Section 3, Township 19 North, Range 13 West, Baxter County, Arkansas, specifically described as follows: From the Northwest Corner of the NE ¼ NE ¼ of Section 3, go North 89 degrees 52' 57" East 47.83 feet to the Southwest Corner of the SE ¼ SE ¼ of Section 34, Township 20 North, Range 13 West, then go North 89 degrees 58' 28" East 355.56 feet to a 3/8 inch rebar on the southerly right-of-way of Arkansas Highway 62/412, to Point of Beginning of the tract being described; Then go along said right-of-way the following; South 59 degrees 36' 33" West 114.19 feet to a 3/8 inch rebar; South 59 degrees 45' 12" West 47.52 feet to a 3/8 inch rebar; Then go South 10 degrees 35' 00" East 221.90 feet to a 3/8 inch rebar; Then South 83 degrees 47' 32" East 171.66 feet to a 3/8 inch rebar; Then go North 01 degrees 15' 35" East 200.00 feet to a 3/8 inch rebar; Then go North 18 degrees 01' 04" West 124.58 feet to a 3/8 inch rebar; then go South 89 degrees 58' 28" West 37.72 feet to the point of beginning.

Section 2. Extensions to the existing sanitary sewer and water systems as may now exist may be built to serve the property within bounds of the above described territory in such manner and with such materials as the Commissioners to the City of Mountain Home, Arkansas and the Northeast Water Association may they deem to be in the best interest of the said Districts. The cost hereof shall be assessed upon the real properties hereinabove described as benefits thereto.

PASSED AND APPROVED THIS 26th day of October, 2016.



Joe Dillard, Mayor

ATTEST:



Brian A. Plumlee, City Clerk

PETITION

TO: PLANNING COMMISSION
CITY OF MOUNTAIN HOME
MOUNTAIN HOME, ARKANSAS

MAYOR AND CITY COUNCIL
CITY OF MOUNTAIN HOME
MOUNTAIN HOME, ARKANSAS

The undersigned, being the owner of the real estate described in this petition hereinbelow, hereby petitions you as follows:

- (1) To annex said property to the City of Mountain Home, Arkansas.
- (2) To annex said property to Water & Sewer Improvement District No. 3 of Mountain Home, Arkansas.
- (3) To annex said property to the City of Mountain Home, Arkansas, as Commercial C-2.

That said property is situated in Baxter County, Arkansas, and described as follows, to-wit:

Part of the NE ¼ NE ¼ Sec. 03 T19N R13W, also part of the SE ¼ SE ¼ Sec. 34 T20N R13W Baxter County, Arkansas. Described as follows: Beginning at the NE corner of the NE ¼ NE ¼ Sec. 03 T19N R13W, thence S 02 deg. 13 min. 21 sec. W 301.72 feet, thence S 02 deg. 31 min. 28 sec. W 341.27 feet, thence N 84 deg. 13 min. 23 sec. W. 312.99 feet, thence N 54 deg. 07 min. 49 sec. W 182.55 feet, thence N 02 deg. 29 min. 58 sec. E 156.98 feet, thence N 81 deg. 39 min. 48 sec. W 405.44 feet, Thence N 03 deg. 17 min. 15 sec. E 200.25 feet, Thence N 16 deg. 08 min. 27 sec. W 124.66 feet, thence N 88 deg. 08 min. 57 sec. W 37.71 feet, to the South right of way of U.S. Highway 62B, thence along said right of way the following: N 61 deg. 31 min. 24 sec. E 109.98 feet, N 60 deg. 42 min. 51 sec. E 321.70 feet, N 67 deg. 32 min. 48 sec. E 322.92 feet, N 75 deg. 42 min. 23 sec. E 48.20 feet, N 75 deg. 53 min. 49 sec. E 48.00 feet, N 80 deg. 52 min. 24 sec. E 96.12 feet, N 81 deg. 59 min. 54 sec. E 81.95 feet, N 87 deg. 43 min. 44 sec. E 51.01 feet, thence leaving said right of way S 01 deg. 15 min. 45 sec. W 419.23 feet, to the SE corner of the SE ¼ SE ¼ Sec. 34 T20N R13W, thence N 88 deg. 30 min. 57 sec. W 45.54 feet, to the point of beginning.
Containing 15.53 acres.

AND

FILED

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ARKANSAS
GIS OFFICE

December 28, 2016

Mrs. Cynthia Fisher
Special Projects Manager
AR Secretary of State Legal Division

RE: City of Mountain Home Annexation Coordination Requirement

Mrs. Fisher,

Thank you for coordinating with our office as you seek to annex property into the City of Springdale, AR Ordinance No. 2016-14. 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,

Richie Pierce, Sr. GIS Analyst
/rp

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

FILED

DEC 30 2016

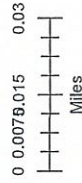
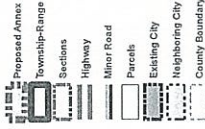
Arkansas
Secretary of State

City: Mountain Home
Mayor: Joe Dillard

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.

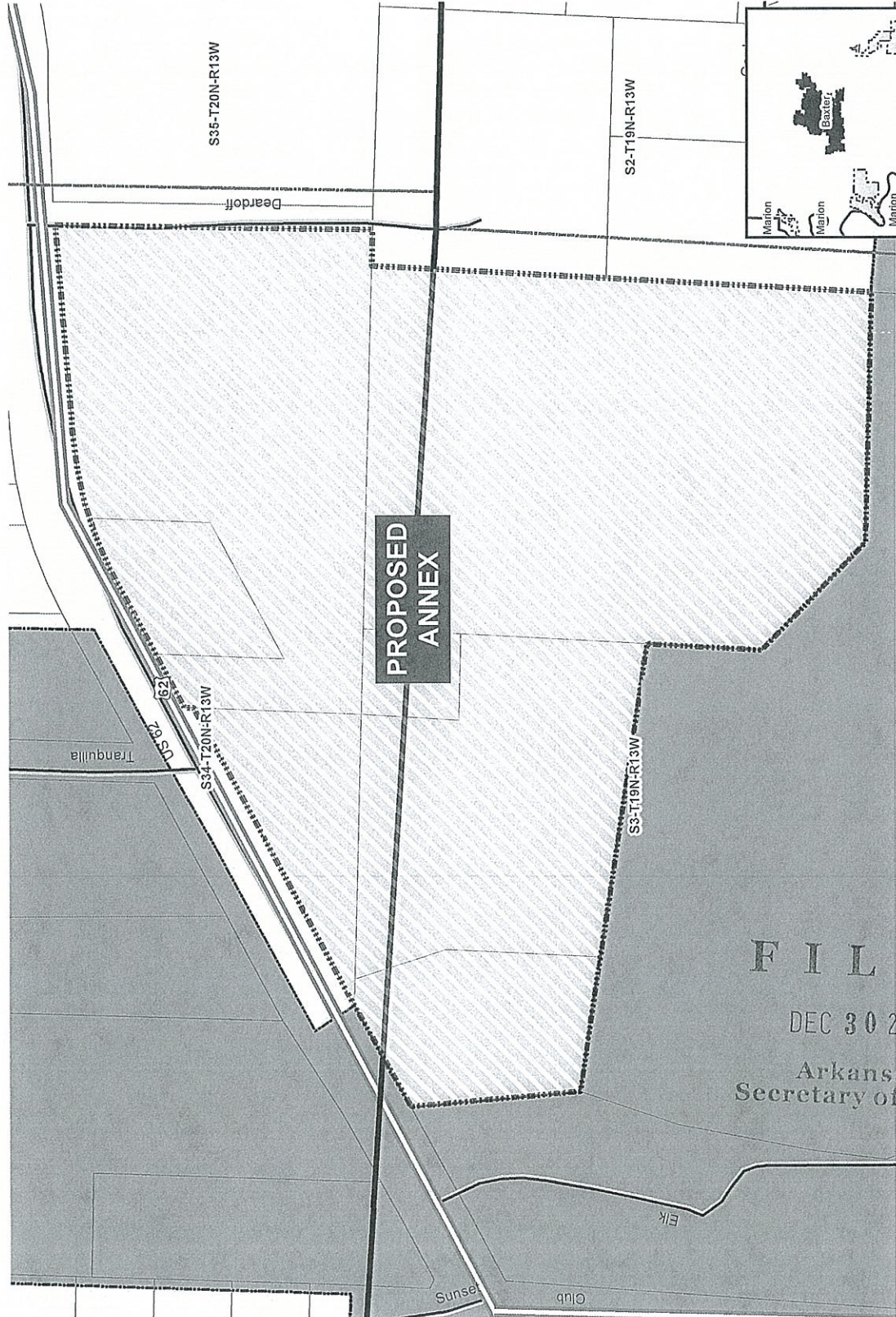
The map contained herein, in evidence, the entity has met requirements of Act 914 of 2015



ARKANSAS
GIS OFFICE

Mountain Home-20161228

Proposed Annex: City of Mountain Home
December 2016



FILED
DEC 30 2016
Arkansas
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