



JOHN THURSTON  
ARKANSAS SECRETARY OF STATE

August 7, 2019

The Hon. Tammy Sisson  
Franklin County Clerk  
211 West Commercial  
Ozark, AR 72949

Re: City of Ozark Annexation Ordinance 2006-11

Dear Ms. Sisson,

This letter acknowledges receipt and filing of the following notice of municipal boundary change by the Office of the Arkansas Secretary of State:

Filing Type: Annexation pursuant to A.C.A §14-40-609(annexation by 100% of the landowners)

Effective Date: 07/10/06

County: Franklin

City Ordinance: 2006-11

County Court Order: Unknown

City: Ozark


Dated: 07/10/06

Date Filed: 05/16/06

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 change by the Arkansas Secretary of State.

If you have any questions or concerns regarding this filing, please do not hesitate to contact our Office at 501-682-3478.

Sincerely,

  
Brad Bowman  
Elections Division

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 Roxie Hall, Mayor of Ozark (w/encl)  
The Honorable Rickey Bowman, County Judge of Franklin County (w/encl)  
Mr. Cecil Zolliecoffer, Manager of Ozark Water Department (w/encl)



# Arkansas Secretary of State

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

# FILED

## Municipal Boundary Change Checklist

AUG 07 2019

Act 655 of 2017 and A.C.A. §14-40-103

Arkansas  
Secretary of State

County: Franklin City/Town: Ozark

City Ordinance/Resolution No: 2000-11 Date approved: 7.10.2000

County Court Case No: UNK Date Order Filed: 5.16.2000

Type: A.C.A. § 14-40-609

(Choose from the list of Arkansas Code Sections located on the back)

Date Change Effective: 7-10-06 Set by:  Municipal Ordinance  Emergency Clause  Court  Default  
*(Required by Act 655 of 2017)*

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

Please indicate which ward(s) the territory will be assigned to: Ward 1  
*(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: Roxie Hall Title: Mayor

Street Address: 2910 W. Commercial

City: Ozark St: AR Zip code: 72949

*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:

X Signature: [Signature] Title: Franklin Co Judge

Date: 6/24/09

*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: \_\_\_\_\_

**Municipal Annexation, Detachment, and Incorporation Reference**

- Annexation of Territories Contiguous to County Seat A.C.A §14-40-201
- Annexation of Territories in another Judicial District (multiple county seats) A.C.A. §14-40-202
  - Annexation of City Park or Airport (automatic) A.C.A §14-40-204
- Annexation of building on boundary of two municipalities (written notice) A.C.A. §14-40-207
  - Annexation by Election (contiguous land) A.C.A. §14-40-302
  - Annexation of land in adjoining County A.C.A §14-40-401
- Annexation of surrounded unincorporated area (island/doughnut holes) by ordinance A.C.A. §14-40-501
  - Annexation by Petition of majority of Landowners A.C.A. §14-40-602
  - Annexation by Petition of all Landowners A.C.A §14-40-609
  - Consolidation of two municipalities by Election A.C.A §14-40-1201
- Annexation with Detachment from another municipality at landowner request A.C.A §14-40-2001
- Annexation with Detachment from adjoining city at city request A.C.A §14-40-2101
  - Detachment of Land annexed by petition under §14-40-601 A.C.A §14-40-608
  - Detachment of municipal lands back to County by election A.C.A. §14-40-1801
  - Detachment of unsuitable land by municipal resolution A.C.A §14-40-1901
  - Incorporation by direct petition of landowners A.C.A §14-38-101
  - Incorporation by petition for special election A.C.A §14-38-115
- Surrender of Charter (Disincorporation) by second class city A.C.A §14-39-101

JUL 20 2006

ORDINANCE NO. 2006- 11

SHARON NEEDHAM  
COUNTY AND PROBATE CLERK

**AN ORDINANCE ACCEPTING THE ANNEXATION OF CERTAIN  
TERRITORY TO THE CITY OF OZARK, ARKANSAS, AND MAKING SAME  
PART OF THE CITY OF OZARK, ASSIGNING SAME TO WARDS,  
DECLARING AN EMERGENCY, AND FOR OTHER PURPOSES**

WHEREAS, a Petition was filed with the County Clerk of Franklin County, Arkansas by the only real estate owner of the hereinafter described territory praying that said territory be annexed to, and made part of the City of Ozark, Arkansas; and

WHEREAS, on the 19<sup>th</sup> day of April, 2006, the County Clerk of Franklin County, found that the Petition was signed by the only real estate owner in said territory; that said territory was contiguous and adjoining the present corporate limits of the City of Ozark, Arkansas; that an accurate plat or map of said territory had been filed with and made part of said Petition; that proper notice had been given for the time and in the manner prescribed by law, and that all things pertaining thereto had been done in the manner prescribed by law, and that said land and territory should be annexed to, and made part of the City of Ozark, Arkansas, subject to the acceptance of same by the City Council of said City at the proper time, as provided by law; and

WHEREAS, the time affixed 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.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF OZARK, ARKANSAS:

**SECTION I:** That the following described land and territory contiguous and adjoining the City of Ozark, Arkansas, be, and the same is hereby, accepted as passed and is hereby annexed to and made part of the City of Ozark, to wit:

*See attached legal description.*


**SECTION II:** That the above described territory shall be annexed to and made a part of Ward 1 of the City of Ozark, and same shall henceforth be a part of said ward as fully existing of said ward.

**SECTION III:** This Ordinance being necessary for the preservation of public health, safety, and welfare, an emergency is therefore declared, and this ordinance shall be in full force and effect immediately upon its passage.

Passed and approved this 10<sup>th</sup> day of July, 2006

  
MAYOR, C.L. "Bat", Coley

ATTEST:

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CITY CLERK, Carol Sneath

IN THE FRANKLIN COUNTY COURT IN THE MATTER OF ANNEXING TO  
THE CITY OF OZARK, ARKANSAS CERTAIN TERRITORY CONTIGUOUS  
TO THE SAID CITY OF OZARK, ARKANSAS.

FILED  
FOR RECORD  
O'CLOCK \_\_\_\_\_ M.  
MAY 16 2006

DECREE OF ANNEXATION

RECORDED IN BOOK \_\_\_\_\_ PAGE \_\_\_\_\_  
SHARON NEEDHAM  
COUNTY PROBATE CLERK  
BY \_\_\_\_\_ D.C.

On this day of a regular term of the County Court of Franklin County, Arkansas, there is presented to the Court by Youth With A Mission, Ozarks, by Jim Nizza, a Petition for Annexation of certain territory, hereinafter more particularly described, to the City of Ozark, Arkansas, and the Court being fully advised of the facts and the law, doth hereby find, judge and decree as follows:

The Court finds the Petition was filed more than thirty (30) days prior to this date and that said Petition was presented by the property owner Youth With a Mission, Ozarks by Jim Nizza, Director;

The Court doth find that the Petitioner is the only property owner owning real estate in the area affected by this Petition.

The Court further finds that the territory sought to be annexed was accurately described in said Petition and that said territory is contiguous to the boundaries of the City of Ozark, Arkansas.

The Court further finds that attached to and made a part of said Petition is an accurate map of the territory sought to be annexed to the City of Ozark, Arkansas.

The Court further finds that the prayer of the Petition is right and proper.

Therefore, the Court doth hereby ORDER, ADJUDGE AND DECREE that the following described territory be and the same is hereby annexed to and made a part of the City of Ozark, Arkansas, to-wit:

*See attached legal description(s).*

The Court doth further order that the original papers in this case be delivered to the Clerk of Franklin County, Arkansas, same to be properly recorded upon the records of Franklin County, Arkansas, and the Clerk, after properly recording and filing the original papers, prepare transcripts of same; that one of the certified transcripts be delivered to the City of Ozark, Arkansas, one copy to the Secretary of State and one copy to the Director of the Tax Division of the Arkansas Public Service Commission.

  
\_\_\_\_\_  
JOE POWELL  
COUNTY JUDGE

**NOTICE**

Notice is hereby given that there has been filed in the County Court of Franklin County, Arkansas, the Petition of Youth With A Mission, Ozarks asking for the annexation to the City of Ozark, Arkansas, the following described lands situated in Franklin County, Arkansas, contiguous to said City, to-wit:

*See attached legal description(s).*

A plat of said land proposed for annexation is on file with said Petition in the office of the Clerk of said Court. The Court has fixed the \_\_\_\_ day of \_\_\_\_\_, 2006 at \_\_\_\_ o'clock as the date for the hearing on said Petition, and all interested persons are now notified to be present at said Court at the time and date so fixed.

Given this \_\_\_\_ day of \_\_\_\_\_, 2006.

\_\_\_\_\_  
County Clerk



PART OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER; PART OF THE WEST HALF OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER; PART OF THE WEST HALF OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER AND PART OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 4, TOWNSHIP 9 NORTH RANGE 27 WEST DESCRIBED AS COMMENCING AT THE NORTHWEST CORNER OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION, TOWNSHIP AND RANGE THENCE EAST 678.3 FEET TO THE POINT OF BEGINNING; THENCE EAST 663.7 FEET; THENCE SOUTH 47 DEGREES 20 MINUTES 30 SECONDS EAST 38.1 FEET; THENCE SOUTH 01 DEGREES 24 MINUTES 04 SECONDS WEST 353.9 FEET; THENCE SOUTH 87 DEGREES 59 MINUTES 53 SECONDS EAST 345.6 FEET; THENCE SOUTH 04 DEGREES 19 MINUTES 53 SECONDS EAST 126.8 FEET; THENCE SOUTH 10 DEGREES 53 MINUTES 23 SECONDS EAST 267.6 FEET; THENCE SOUTH 27 DEGREES 56 MINUTES 18 SECONDS WEST 146.7 FEET; THENCE SOUTH 33 DEGREES 21 MINUTES 18 SECONDS WEST 205.5 FEET; THENCE SOUTH 27 DEGREES 01 MINUTES 31 SECONDS WEST 127.1 FEET; THENCE SOUTH 23 DEGREES 06 MINUTES 31 SECONDS WEST 94.6 FEET, SOUTH 10 DEGREES 07 MINUTES 36 SECONDS WEST 122.6 FEET; THENCE SOUTH 48 DEGREES 31 MINUTES 14 SECONDS WEST 287.0 FEET; THENCE SOUTH 55 DEGREES 51 MINUTES 05 SECONDS WEST 512.7 FEET; THENCE WEST 872.3 FEET; THENCE NORTH 561.0 FEET; THENCE EAST 678.3 FEET; THENCE NORTH 1320.0 FEET TO THE POINT OF BEGINNING.

Exhibit "A"



# ARKANSAS GIS OFFICE

June 6, 2019

Mr. Cecil Zolliecoffer  
Manager - Ozark Water Department  
2910 West Commercial  
Ozark, AR 72949

RE: City of Ozark Annexation Coordination Requirement

Mr. Zolliecoffer,

Thank you for coordinating with our office as we seek to file Ozark's missing annexation ordinance 2006-11. 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.

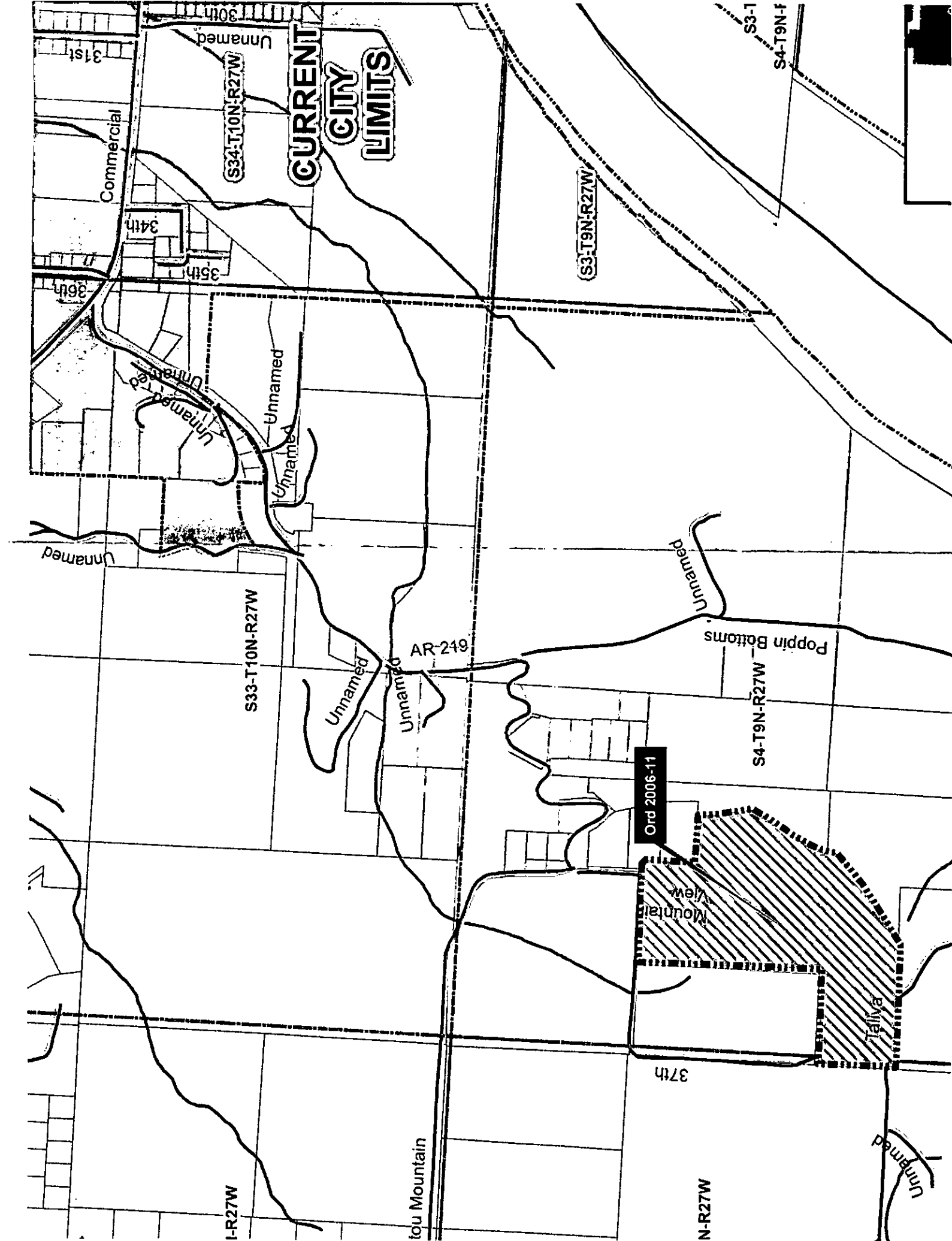
Thank you,

Jennifer Wheeler, GIS Analyst  
/jw

Attachments:  
GIS Office Map of Proposed Annexation  
Ordinance 2006-11  
County Order  
Municipal Boundary Checklist

H:\City\_Annexations\Cities\Ozark\20180125\_OzarkResearch\Doc\20190606\_Ozark\_Annexation\_Coordination\_Letter\_Ord2006-11.docx

# CURRENT CITY LIMITS



Ord 2006-11

Mountain View

Taliya

N-R27W

Mountain

I-R27W

Poplin Bottoms

S4-T9N-R27W

S3-T9N-R27W

S34-T10N-R27W

S33-T10N-R27W

AR-249

Commercial

31st

34th

35th

36th

S3-T

S4-T9N-F

37th

30th

Unnamed

Unnamed

Unnamed

Unnamed

Unnamed

Unnamed

Unnamed

Unnamed

