



# 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 2007-8

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: 5/14/07

County: Franklin

City: Ozark

City Ordinance: 2007-8

Dated: 5/14/07

County Court Order: Unknown

Date Filed: 5/7/07

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,

A handwritten signature in black ink, appearing to read "Brad Bowman".

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 Zollicoffer, 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

Act 655 of 2017 and A.C.A. §14-40-103

AUG 07 2019

Arkansas  
Secretary of State

County: Franklin City/Town: Ozark

City Ordinance/Resolution No: 2007-8 Date approved: 5-14-2007

County Court Case No: ~~WAK~~ WAK Date Order Filed: ~~5-4-2007~~ 5-7-2007 <sup>KS</sup> 8-7-19

Type: A.C.A. § 14-40-609  
(Choose from the list of Arkansas Code Sections located on the back)

Date Change Effective: 5-14-07 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:

Signature: [Signature] Title: Franklin Co Judge  
Date: 6/24/19

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: \_\_\_\_\_

FILED  
Franklin County, Arkansas

MAY 17 2007

SHARON H. EDHAM  
COUNTY AND PROBATE CLERK

BY *N. Myers DC*

ORDINANCE NO.2007- 8

**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 owners 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 28th day of February, 2007, 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:

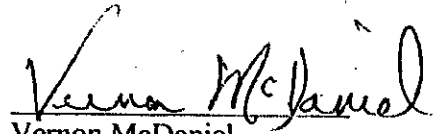
**SECTION I:** That the following described land and territory contiguous and adjoining the City of Ozark, Arkansas, be and the same is hereby, accepted as passed and is hereby annexed to and made part of the City of Ozark, to wit:

*See attached legal description.*

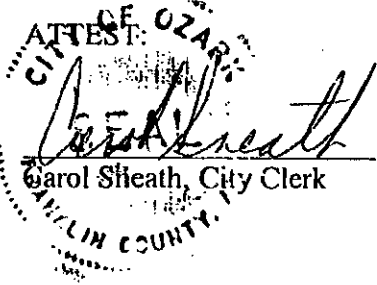
**SECTION II:** That the above described territory shall be annexed to and made a part of Ward 1 of the City of Ozark, and same shall henceforth be a part of said ward as fully existing of said ward.

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

Passed and approved this 14th day of May, 2007



Vernon McDaniel  
Mayor



ATTEST:  
Carol Sheath  
Carol Sheath, City Clerk

Part of the Northeast Quarter of the Southwest Quarter And  
Part of the Northwest Quarter of the Southwest Quarter And  
Part of the East Half of the Northwest Quarter of Section 4,  
Township 9 North, Range 27 West, in Franklin County, Arkansas  
More particularly described as follows: Beginning at the  
Southwest Corner of the Northeast Quarter of the Southwest  
Quarter of said Section, Township and Range, and running  
Thence North 02 degrees 59 minutes 59 seconds East 763.39 feet  
Thence North 86 degrees 50 minutes 52 seconds West 465.05 feet  
Thence North 59 degrees 05 minutes 05 seconds East 520.21 feet  
Thence North 51 degrees 45 minutes 14 seconds East 286.32 feet  
Thence North 06 degrees 56 minutes 58 seconds West 120.56 feet  
Thence North 26 degrees 40 minutes 41 seconds East 94.40 feet  
Thence North 30 degrees 31 minutes 09 seconds East 127.10 feet  
Thence North 36 degrees 50 minutes 56 seconds East 205.14 feet  
Thence North 30 degrees 26 minutes 55 seconds East 149.11 feet  
Thence North 08 degrees 38 minutes 55 seconds West 172.62 feet  
Thence North 03 degrees 27 minutes 42 seconds West 221.70 feet  
Thence South 85 degrees 02 minutes 50 seconds East 157.21 feet  
Thence North 00 degrees 36 minutes 58 seconds West 259.59 feet  
Thence North 12 degrees 27 minutes 38 seconds West 347.80 feet  
to the South right of way line of State Highway No. 219  
Thence Northeasterly along the arc of a curve with a radius  
of 136.85 feet and a delta of 99 degrees 53 minutes 27 seconds  
for a distance of 238.59 feet to a 3/4" iron pipe on the East  
right of way of State Highway No. 219:  
Thence North 03 degrees 26 minutes 54 seconds West 35.84 feet  
along said right of way;  
Thence South 86 degrees 45 minutes 18 seconds East 114.80 feet  
to the East line of the West Half of the Northeast Quarter of  
the Northwest Quarter of said Section 4, ;  
Thence South 02 degrees 57 minutes 32 seconds west 3046.64  
feet to the South line of the West Half of the Northeast  
Quarter of the Southwest Quarter;  
Thence North 86 degrees 56 minutes 26 seconds west 667.98 feet  
to the point of beginning, and containing 31.14 acres, more or  
less.  
SUBJECT, HOWEVER, to any and all prior mineral reservations,  
Mineral conveyances, easements and right of way of record.

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**

Franklin County, Arkansas

MAY 07 2007

SHARON NEEDHAM  
COUNTY AND PROBATE CLERK  
BY: *[Signature]*

DECREE OF ANNEXATION

On this day of a regular term of the County Court of Franklin County, Arkansas, there is presented to the court by John C. Smith, M.D. 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, adjudge 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, John C. Smith, M.D.

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 John C. Smith M.D. asking for annexation to the City of Ozark, Arkansas. The following described lands situated in Franklin County, Arkansas, are contiguous to said City, to-wit:

*See attached legal description.*

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 4<sup>th</sup> day of May 2007 at 11 AM 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 28<sup>th</sup> day of February, 2007



Sharon Needham  
County Clerk



**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.**

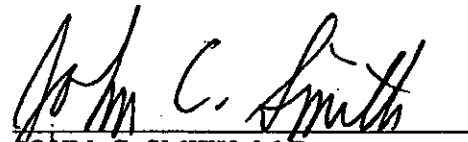
**PETITION FOR ANNEXATION**

Comes now, John C. Smith, as the sole property owner of the following described area, does hereby petition the County Court of Franklin County, Arkansas, to annex the following lands to the City of Ozark, Arkansas. The only real estate owner owning acreage in the said area is John. C. Smith, fee simple title holder.

The description of the area to be annexed to the City of Ozark, Arkansas is more particularly described as follows:

*See attached legal description.*

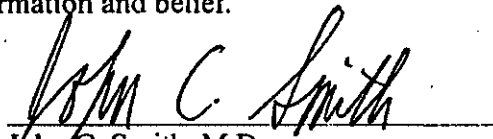
BY:

  
\_\_\_\_\_  
JOHN. C. SMITH, M.D.  
PETITIONER

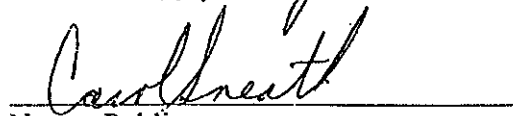
**VERIFICATION**

STATE OF ARKANSAS     )  
  )ss.  
COUNTY OF Franklin

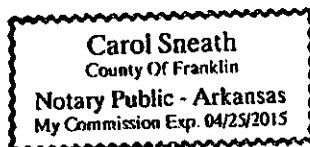
Comes now the Petitioner herein, and being duly sworn and in oath, state: That they have read the above and foregoing Petition and that the statements made therein are the truth to the best of their knowledge, information and belief.

  
\_\_\_\_\_  
John C. Smith, M.D.

Subscribed and sworn to me this 23rd day of February, 2007.

  
\_\_\_\_\_  
Notary Public

My Commission Expires:



**NOTICE**

Notice is hereby given that there has been filed in the County Court of Franklin County, Arkansas the Petition of John C. Smith M.D. asking for annexation to the City of Ozark, Arkansas. The following described lands situated in Franklin County, Arkansas, are contiguous to said City, to-wit:

*See attached legal description.*

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 11<sup>th</sup> day of April, 2007 at 11 Am 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 28<sup>th</sup> day of February, 2007



Sharon Needler  
County Clerk



**ARKANSAS  
GIS OFFICE**

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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 2007-8. 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.

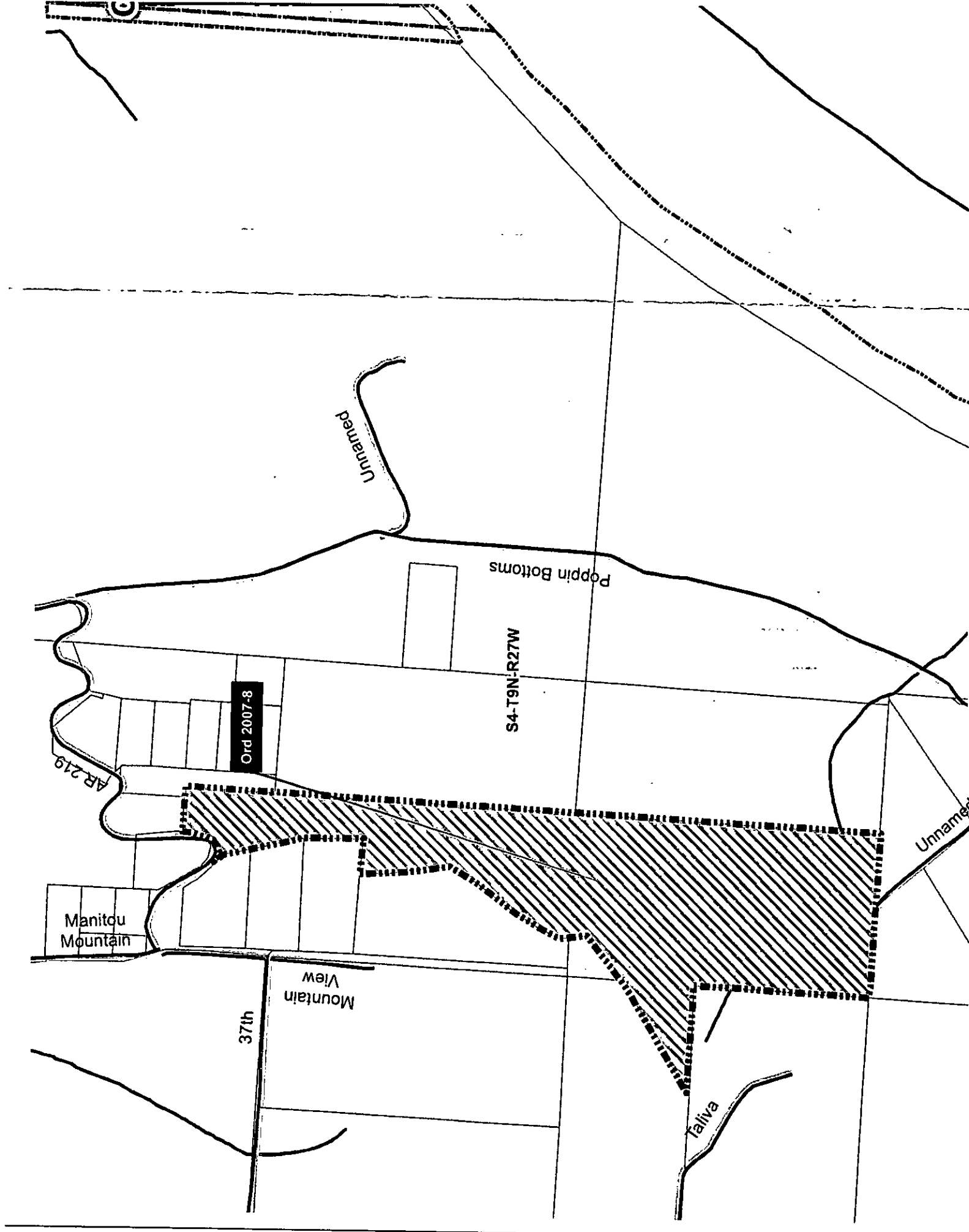
Our office will wait completion of any additional steps necessary for the proposed boundary change, which normally comes from the Arkansas Secretary of State Elections Division after any appropriate filing by your County Clerk.

Thank you,

Jennifer Wheeler, GIS Analyst  
/jw

Attachments:  
GIS Office Map of Proposed Annexation  
Ordinance 2007-8  
County Order  
Municipal Boundary Checklist

H:\City\_Annexations\Cities\Ozark\20180125\_OzarkResearch\Doc\20190606\_Ozark\_Annexation\_Coordination\_Letter\_Ord2007-8.docx



Manitou Mountain

37th

Mountain View

Poppin Bottoms

S4-T9N-R27W

Ord 2007-8

AR 219

Unamed

Unamed

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