



JOHN THURSTON

ARKANSAS SECRETARY OF STATE

July 8, 2019

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

Re: City of Ozark Annexation Ordinance 92-13

Dear Ms. Sisson,

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 (annexation by 100% of the landowners)

Effective Date: 7/28/92

County: Franklin

City Ordinance: 92-13

County Court Order: 92-02

City: Ozark

Dated: 7/28/92

Date Filed: 4/10/92

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 boundary change by the Arkansas Secretary of State.

If you have any questions or concerns regarding this filing, please contact our office at 501-682-3478.

Sincerely,

Rusty Jackson
Elections Division
Room 26
501-682-3478

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)



Arkansas Secretary of State

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

Municipal Boundary Change Checklist

Act 655 of 2017 and A.C.A. §14-40-103

County: Franklin City/Town: Ozark

City Ordinance/Resolution No: 92-13 Date approved: 7.28.92

County Court Case No: 92-02 Date Order Filed: 4.10.92

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

Date Change Effective: 7-28-92 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 2
(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 St.

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: [Signature]

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

ORDINANCE NO. 92-13

AND ORDINANCE TO ANNEX LAND INTO THE CITY LIMITS OF THE CITY OF OZARK, ARKANSAS
DECLARING AN EMERGENCY, AND OTHER PURPOSES.

WHEREAS, a Petition was filed in the County Court of Franklin County, Arkansas
on the 10th day of April, 1992, for the purpose of annexing certain land into the
City Limits of the City of Ozark, Arkansas; and,

WHEREAS, an Order has been signed by the County Judge concerning that
Petition; and,

WHEREAS, no notice has been given within thirty (30) days from the signing of
the Order Of Annexation objecting to such;

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

SECTION 1. That no notice has been given to prevent the annexation of the
land described as Exhibit "A" to Petitioner No. 92-02 filed in the County Court of
Franklin County, Arkansas on the 10th day of April, 1992.


SECTION 2. That the proceedings before the Court shall in all things be
confirmed, and the City of Ozark accepts the territory listed as Exhibit "A" in
Petition No. 92-02 filed in the County Court of Franklin County, Arkansas.

SECTION 3. From the passage and approval of this Ordinance, the County Clerk
shall be directed to certify one (1) copy of the plat of the annexed territory and
one (1) copy of the Order of the Court along with this Ordinance, and shall forward
a copy of each document to the Secretary of State, who shall file and preserve
them. The Clerk shall take all further measures that are required by law to
confirm the annexation of the above referenced Petition.

SECTION 4. All legal requirements have been met in order that the above
referenced territory may be annexed into the City Limits of Ozark, Arkansas, and
this Ordinance being necessary for the public peace, safety, health and welfare of
the citizens of Ozark, Arkansas, an emergency is declared, and this Ordinance shall
become law upon its passage and approval.

PASSED AND APPROVED this 28th day of July, 1992.

APPROVED:


VERNON MCDANIEL, Mayor

ATTESTED TO:


LARHONDA MELTON, City Clerk

FILED

JUL 08 2019

Arkansas
Secretary of State

I-401 1/23 23

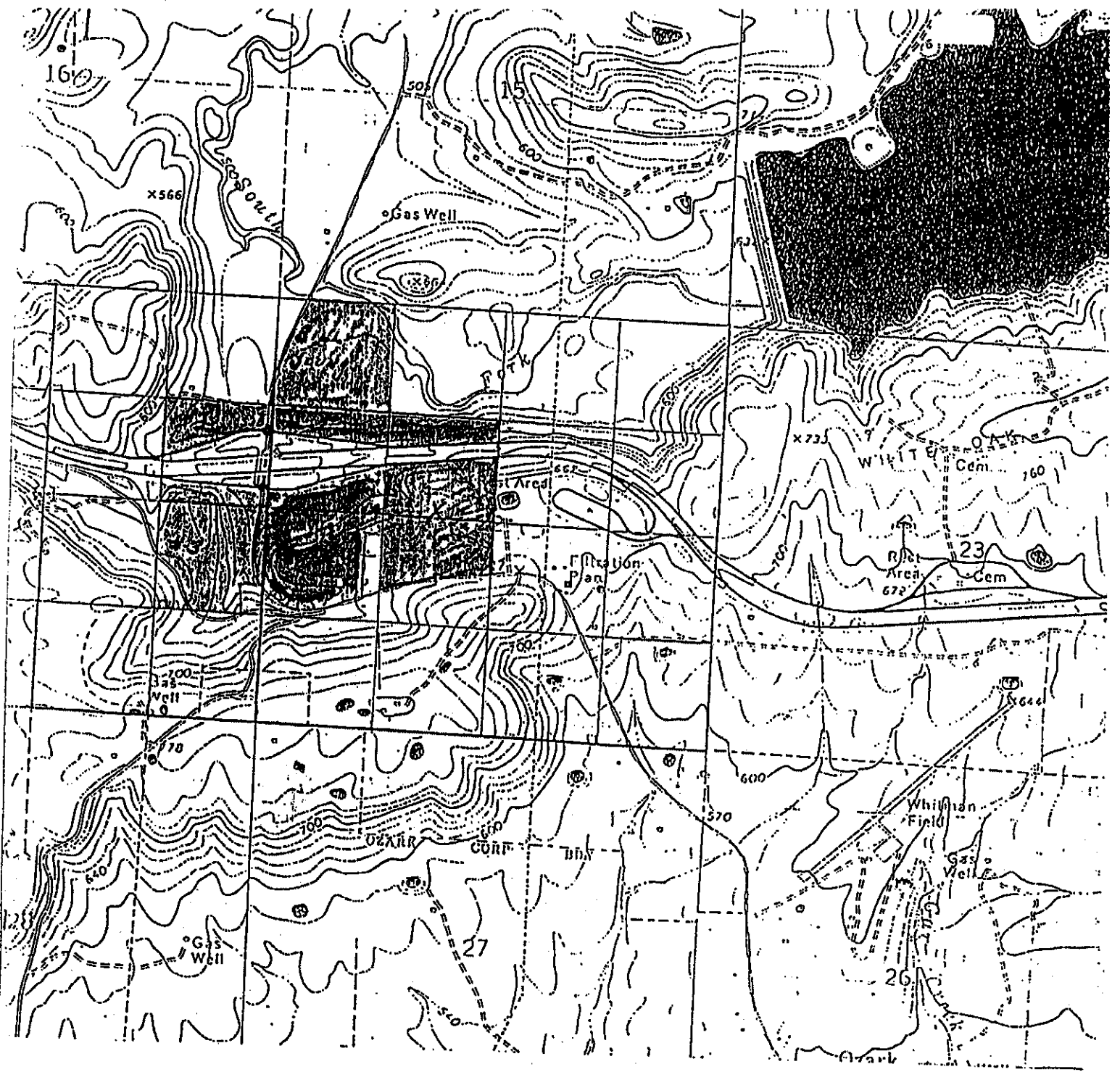


EXHIBIT 'A'
(4 Pages)

IN THE COUNTY COURT OF FRANKLIN COUNTY, ARKANSAS
OZARK DISTRICT

FILED
FOR RECORD

IN THE MATTER OF ANNEXATION
TO THE CITY OF OZARK, ARKANSAS

APR 10 1992

CASE NO. 91- D1

AT 9:57 O'CLOCK P. M.
RECORDED IN BOOK PAGE
Mary E. Williams
COUNTY AND PROBATE CLERK
BY M. E. Williams D.C.

PETITION

Comes now, Jefferson K. Faught, City Attorney of the City of Ozark, Arkansas, and representative of a majority of landowners that desire their land to be within the City Limits of the City of Ozark, Arkansas, and for their Petition, state:

1. That the Petitioner's are represented by Mr. Bill Young, of Ozark, Arkansas, who was appointed personal representative of the estate of Wallace Jenkins, on or about the 5th day of June, 1990, by an Order signed by the Honorable Richard Mobley, Probate Judge, and filed for record on the 5th day of June, 1990.
2. That Jefferson K. Faught, also joins in the Petition as representative of Mr. Bill Young, of Ozark, Arkansas.
3. That the Petitioner's compromise a majority of the landowner's that wish to have their land annexed by the City of Ozark, Arkansas.
4. That the purpose of said Annexation Petition is to request that the land's petitioned herein and the landowner's of said land innured to the benefits given to all inhabitants of the City of Ozark, Arkansas, such as fire and police protection and all other rights not enumerated herein.

FILED

JUL 08 2019

Arkansas
Secretary of State


5. That the Petitioner's request that upon filing of the Petition with the County Clerk, that a hearing be held no sooner than thirty (30) days from the date that this Petition is filed.

6. That Petitioner's herein desire that the County Court approve the Annexation of the Petitioner's land as described by Exhibit "A" attached hereto.

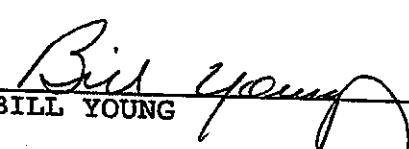
7. That this Petition is made and in accordance with the terms of A.C.A. 14-40-601 et seq.

WHEREFORE, Petitioner's pray that the County Court sign an order annexing the above-described lands for the purpose described herein.

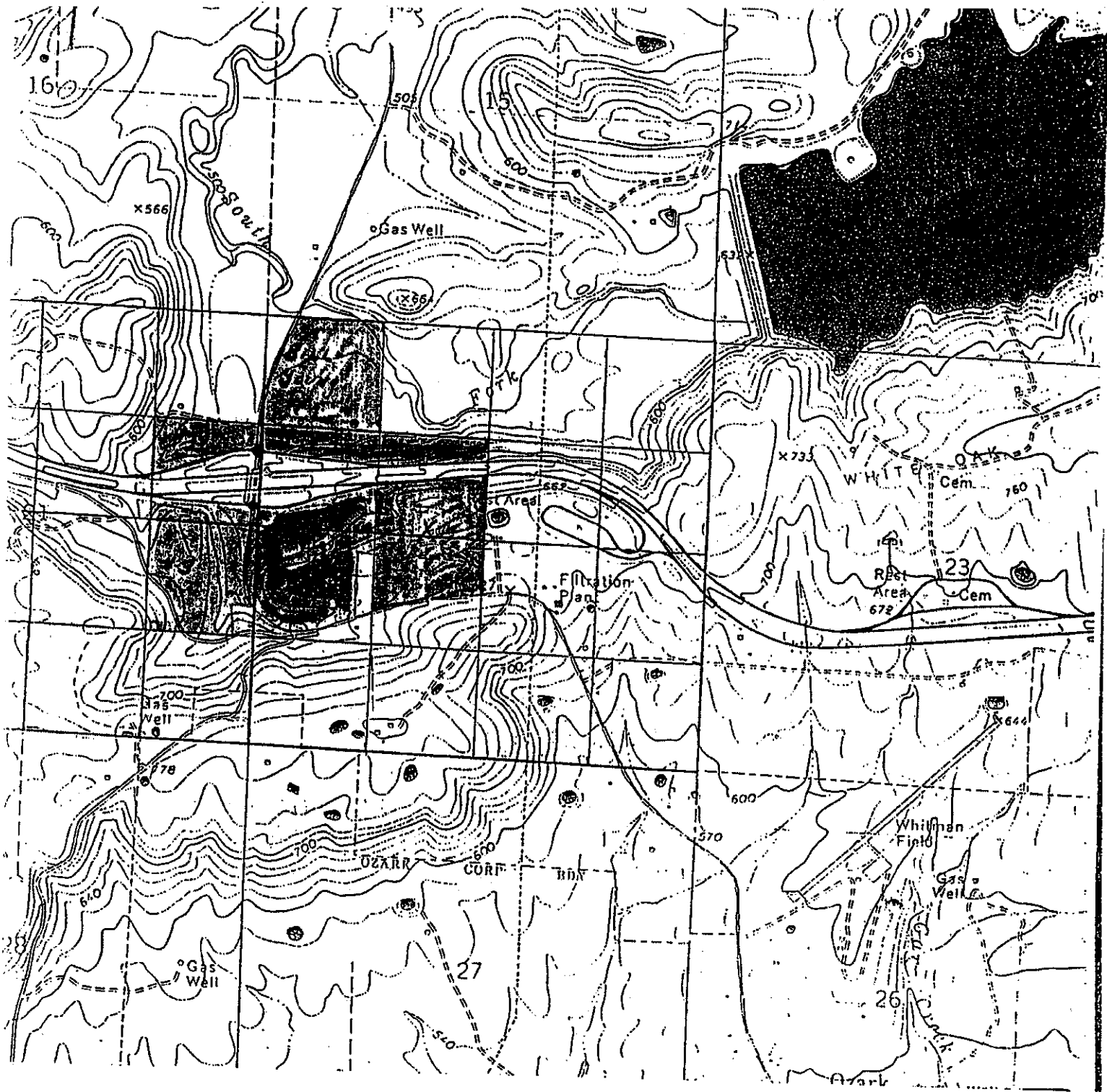
Respectfully submitted,


JEFFERSON K. FAUGHT
City Attorney, City of Ozark
P. O. Box 2092
Russellville, AR 72801
(501) 968-8600

Attorney & Representative for
Petitioners


BILL YOUNG

Representative for Petitioners



1937

EXHIBIT "A"
(4 PAGES)

JENKINS ESTATE LANDS

NORTH OF INTERSTATE AND EAST OF HIGHWAY 23

Part of the South Half of the Northwest Quarter of Section 22, Township 10 North, Range 27 West, Franklin County, Arkansas, more particularly described as follows:

Beginning at the Northeast Corner of the Southeast Quarter of the Northwest Quarter of Section 22, and running thence West along the North line of the South Half of the Northwest Quarter, 2410.29 feet, or to the East right-of-way of Arkansas State Highway No. 23, in its present location, thence South 19 degrees 36 minutes East 234.5 feet, thence South 87 degrees 37 minutes East 1006.0 feet, thence North 89 degrees 58 minutes East 801.9 feet, thence North 88 degrees 58 minutes East 300.4 feet, thence North 89 degrees 54 minutes East 452.5 feet, or to the East line of the Southeast Quarter of the Northwest Quarter, thence North 177.9 feet to the point of beginning, and containing 14.12 acres, more or less.

and,

NORTH OF INTERSTATE & WEST OF HIGHWAY

Part of the Southeast Quarter of the Northeast Quarter of Section 21, Township 10 North, Range 27 West, described as beginning at the Northwest Corner of the said Southeast Quarter of the Northeast Quarter, running thence South 528.8 feet, or to the North right-of-way line of Interstate Highway No. 40, in its present location, thence Easterly along said right-of-way, the following courses and distances:

South 85 degrees 56 minutes East 120.3 feet,

North 73 degrees 00 minutes East 595.8 feet,

North 78 degrees 30 minutes East 454.0 feet,

thence along said right-of-way, North 02 degrees 07 minutes East 102.5 feet, or to the North line of the said Southeast Quarter of the Northeast Quarter, thence West along said North line, 1285 feet, more or less, to the point of beginning, containing 11.25 acres, more or less.

and,

SOUTH OF INTERSTATE AND WEST OF HIGHWAY 23

Part of the Northeast Quarter of the Southeast Quarter of Section 21 AND Part of the Southeast Quarter of the Northeast Quarter of Section 21, all in Township 10 North, Range 27 West, more particularly described as follows:

Beginning at the Southwest Corner of the Southeast Quarter of the Northeast Quarter and running thence North 1452 feet, or to the South line of Interstate Highway No. 40, in its present location, thence South 80 degrees 01 minutes East 195.0 feet, thence South 77 degrees 47 minutes East 864.3 feet, thence South 37 degrees 27 minutes East 198.1 feet, or to the West right-of-way line of Arkansas State Highway No. 23, in its present location, thence along and following said Arkansas State Highway 23, to a point where it crossed the East line of the said Southeast Quarter of the Northeast Quarter, thence West 300.0 feet, thence South 198.0 feet, thence West 1019.7 feet to the point of beginning, and containing 30 acres, more or less

and,

SOUTH OF INTERSTATE AND EAST OF HIGHWAY 23

Part of the Southwest Quarter of the Northwest Quarter AND

Section 21, ALL in Township 10 North, Range 27 West, Franklin County, Arkansas, more particularly described as follows:

Beginning at the Southeast Corner of the said Southwest Quarter of the Northwest Quarter of Section 22 and running thence North 415 feet, or to the South right-of-way line of Interstate Highway No. 40, in its present location, thence along and following said right-of-way the following courses and distances; South 79 degrees 15 minutes West 155 feet, more or less; thence South 81 degrees 01 minutes West 903.5 feet; thence South 83 degrees 08 minutes West 290.4 feet; thence South 26 degrees 55 minutes West 290.4 feet, or to the East right-of-way line of Arkansas State Highway No. 23, in its present location, thence South and Southeasterly along the East side of said State Highway No. 23, to the East line of the Northeast Quarter of the Southeast Quarter of Section 21, thence Easterly along the right of way of State Highway No. 23, to a point 210 feet East and 313 feet North of the Southeast Corner of the said Northwest Quarter of the Southwest Quarter of Section 22, thence North 750 feet, more or less, thence East 210 feet, to the East line of said Northwest Quarter of the Southwest Quarter of Section 22, thence North 257 feet or to the point of beginning, containing 47 acres, more or less.

and,

JACKSON & EULA JEAN YOUNG ESTATES
(BILL YOUNG)

NORTH OF INTERSTATE & EAST OF HIGHWAY 23

The Northwest Quarter of the Northwest Quarter of Section 22, Township 10 North, Range 27 West, LESS AND EXCEPT beginning at the Northwest Corner of the said Northwest Quarter of the Northwest Quarter of said Section, Township and Range, and being all that land of said Section. Township and Range.

RECORD

IN THE COUNTY COURT OF FRANKLIN COUNTY, ARKANSAS

JUN 05 1992

In The Matter Of:

ANNEXATION TO THE CITY OF OZARK, ARKANSAS

AT 11:45 O'CLOCK 11
RECORDED IN BOOK _____ PAGE.

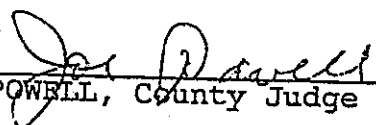
Mary E. Williams
COUNTY AND PROBATE CLERK

Case No. 92-02 M.E.W.

ORDER

Comes now on this 5th day of June, 1992, the above referenced matter for hearing, and after a hearing on the Petition, it is found that the signature requirements of the Petition have been complied with, the land to be annexed has been accurately described, and an accurate map thereof has been made and filed, and that the prayer of the Petitioner is right and proper, and such territory should be, and is hereby Ordered to be annexed into the City Limits of the City of Ozark, Arkansas.

IT IS SO ORDERED.



JOE POWELL, County Judge



**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 1992-13. 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
/jw

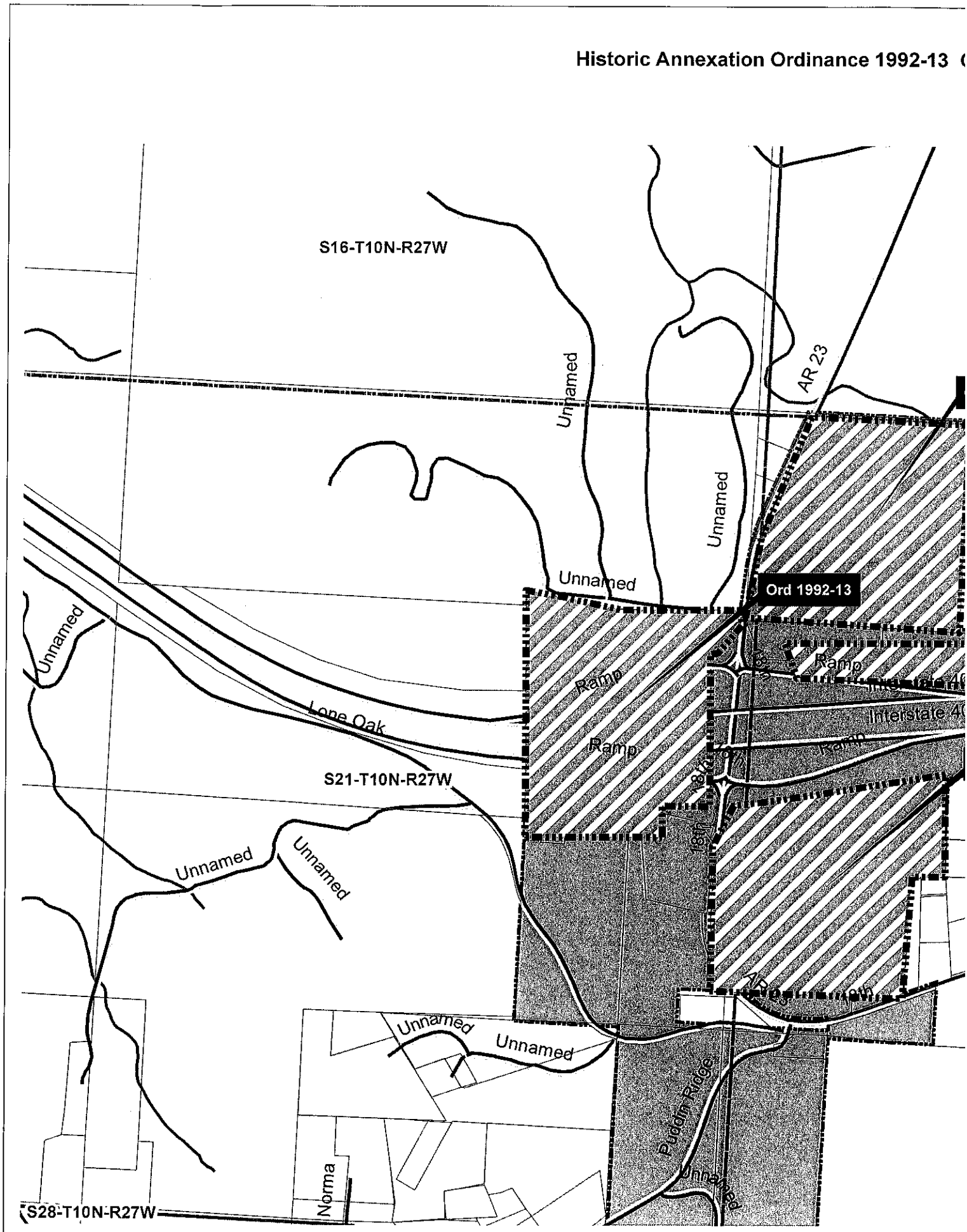
Attachments:
GIS Office Map of Proposed Annexation
Ordinance 1992-13
County Order
Municipal Boundary Checklist

FILED

JUL 08 2019

**Arkansas
Secretary of State**

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was already in state map

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



-  Proposed
-  Sections
-  Parcels
-  Minor Road
-  River Flowline
-  Existing City

