



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 92-20

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: 9/8/1992

County: Franklin

City Ordinance: 92-20

County Court Order: 93-05

City: Ozark

Dated: 9/8/92

Date Filed: 8/4/1992

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)  
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

## Municipal Boundary Change Checklist

Act 655 of 2017 and A.C.A. §14-40-103

County: Franklin City/Town: Ozark

City Ordinance/Resolution No: 92.20 Date approved: 9.8.1992

County Court Case No: 92.05 Date Order Filed: 8.4.1992

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

Date Change Effective: 9-8-92 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 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)

2/21/19

### 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. 92-20

AN 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 11th day of May, 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 the 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 Petition No. 92-05, filed in the County Court of Franklin County, Arkansas on the 11th day of May, 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. 92-05, 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 copy of the plat of the annexed territory and one copy of the Order of the Court along with the 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 to 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 8<sup>th</sup> day of September, 1992.

APPROVED:

Vernon McDaniel  
VERNON McDANIEL, Mayor

ATTESTED TO:

Larhonda Melton  
LARHONDA MELTON, City Clerk

**FILED**

**JUL 08 2019**

**Arkansas  
Secretary of State**



# WIEDERKEHR WINE CELLARS, INC. WEINKELLER RESTAURANT

Wiederkehr Village  
Altus, AR 72821

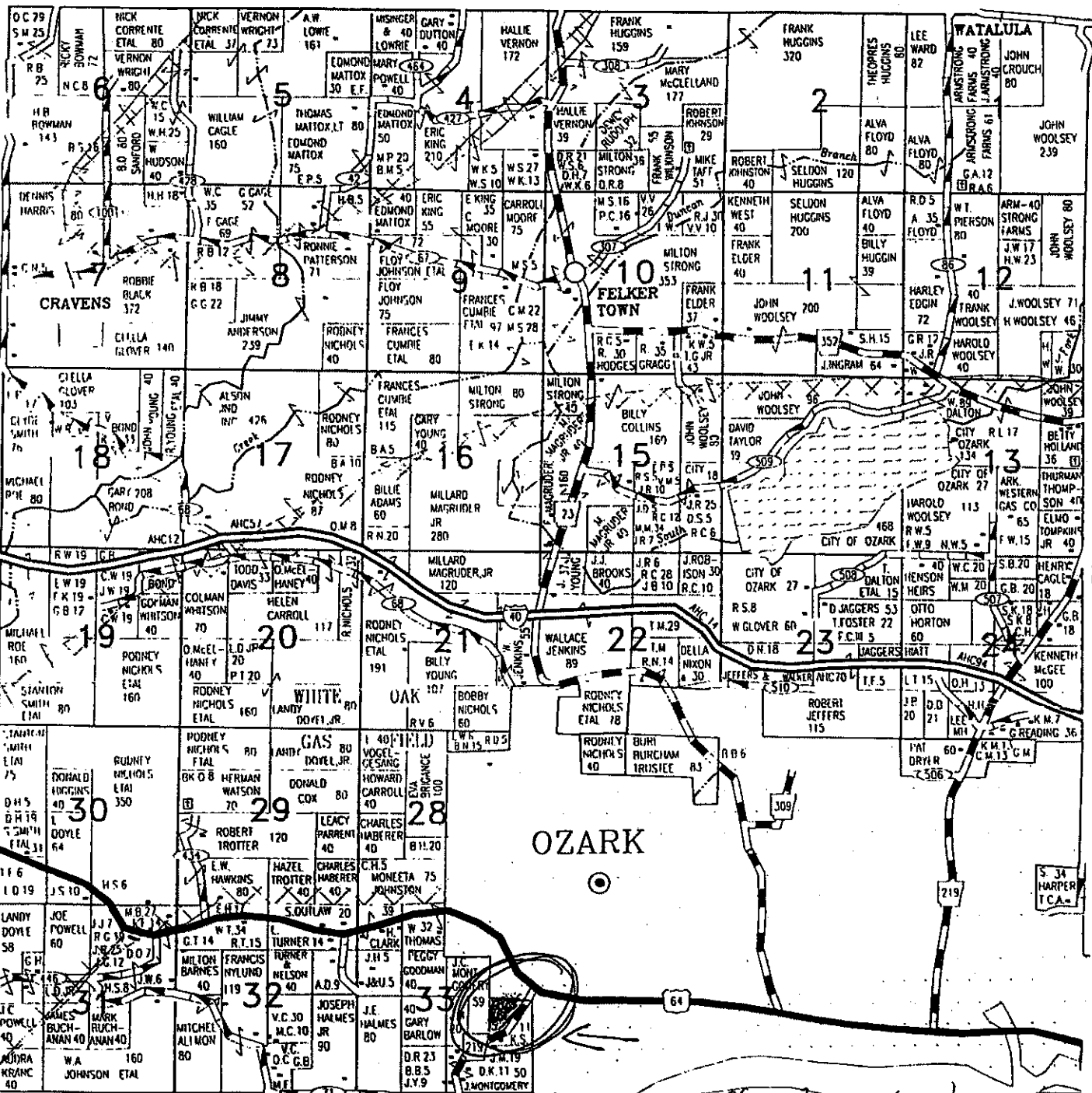
468-2611

Restaurant Hours: Mon. - Sat.  
Lunch 11:00 A.M. - 3:00 P.M. Dinner 5:00 P.M. - 9:00 P.M.  
Sunday 11:00 A.M. - 9:00 P.M.  
Free Tours and Wine Tastings  
Retail Sales 9 A.M. - 9 P.M. SEVEN DAYS A WEEK

# Wiederkehr®

## TOWNSHIP 10N • RANGE 27W

SEE PAGE 11



SEE PAGE 14

SEE PAGE 16

SEE PAGE 19

*Jeff: Your land is located here*

IN THE COUNTY COURT OF FRANKLIN COUNTY, ARKANSAS

In The Matter Of:

ANNEXATION TO  
THE CITY OF OZARK, ARKANSAS

CASE NO. 92-05

\* \* \* \* \*

**FILED**  
FOR RECORD

ANNEXATION HEARING

July 24, 1992

AUG 04 1992

Ozark, Arkansas

AT 11:30 O'CLOCK A M.  
RECORDED IN BOOK \_\_\_\_\_ PAGE \_\_\_\_\_

\* \* \* \* \*

Mary E. Williams  
COUNTY AND PROBATE CLERK  
BY M. E. A. D.C.

C A P T I O N

BE IT REMEMBERED that on this 24th day of July, 1992,  
before the Honorable Joe Powell, duly assigned as Franklin  
County Judge, the above-styled cause was heard before the Court.

The following is a true and correct transcription of  
the record made on the above date.

\* \* \* \* \*

APPEARING:

MR. JEFFERSON K. FAUGHT  
Attorney at Law  
P. O. Box 2092  
Russellville, Arkansas 72801

ON BEHALF OF THE CITY OF OZARK

\* \* \* \* \*

REPORTED BY:

Dianne Satterfield  
Certified Court Reporter  
1910 South Boulder Place  
Russellville, Arkansas 72801

P R O C E E D I N G S

(Friday, July 24, 1992)

BY THE COURT: The County Court is now in session.

BY MR. FAUGHT: Judge, we're here today on Annexation to the City of Ozark. It's case number 92-05 and that is an area on 219 South. The petitioners -- I am representing the petitioners, M. E. Taylor and James P. Robertson and Katherine F. Robertson. There are two little plots of land. From what I can tell by the map that's been filed, it is a piece of land up near the water tower out on 219 South. We filed the Petition quite some time ago and we are here today on a hearing and I did go ahead and have the map checked with Ralph Johnson. He confirmed that it was, the map, was correct according to the description that was filed with the Petition. And, at this time, I'd like to go ahead and swear Ms. Mary Williams in -- if we could get her sworn in to let her testify to a couple of matters.

WHEREUPON,

MARY WILLIAMS,

having been first duly cautioned and sworn to testify to the truth, the whole truth, and nothing but the truth, stated upon her oath as follows:

BY MR. FAUGHT:

Q. Ms. Williams, could you state your full name, please?

A. Mary Ellen Williams.

Q. And you're the County Clerk here, is that correct?

A. Yes.

Q. Okay. And you're the keeper of the records of the file that I have filed case number 92-05?

A. Yes, I am.

Q. To your knowledge, has there been any opposition or anyone appear to file an objection to the annexation?

A. No, there's been no opposition filed.

BY MR. FAUGHT: Okay, that's it. I've got an order if you want to sign it.

[at this time, the matter was concluded]







# 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 1992-20. 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 ~~1992-13~~ 1992-20  
County Order  
Municipal Boundary Checklist

**FILED**

**JUL 08 2019**

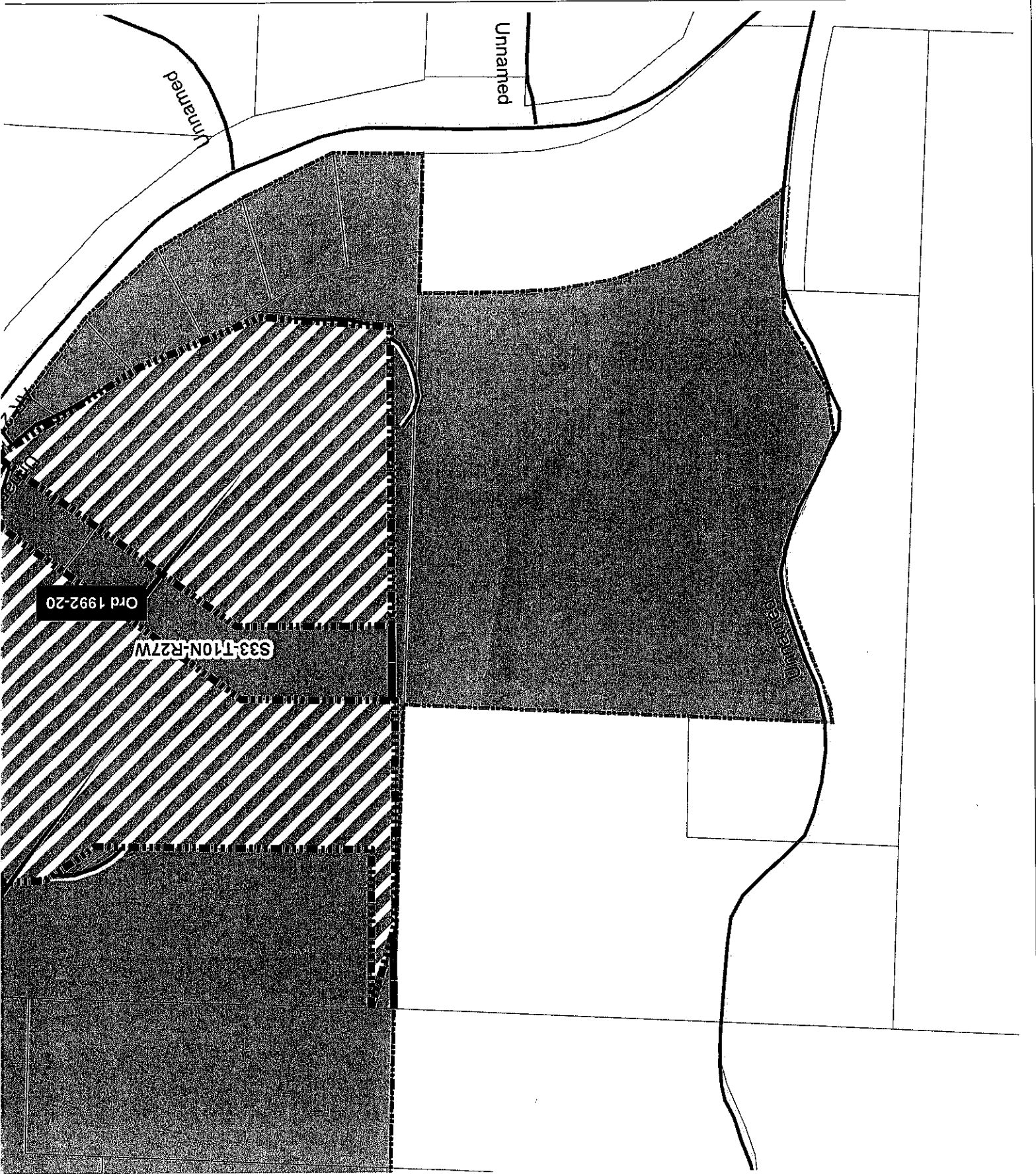
**Arkansas  
Secretary of State**

H:\City\_Annexations\Cities\Ozark\20180125\_OzarkResearch\Doc\20190606\_Ozark\_Annexation\_Coordination\_Letter\_Ord1992-20.docx

ARKANSAS GIS OFFICE · 1 CAPITOL MALL SUITE 6D · LITTLE ROCK · ARKANSAS · 72201

PHONE (501) 682-2767 · www.gis.arkansas.gov · FAX (501) 682-6077

Historic Annexation Ordinance 1992-20 CI



was already in state map

City: Ozark  
Mayor: Roxie Hall

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

