



JOHN THURSTON
ARKANSAS SECRETARY OF STATE

August 29, 2019

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

Re: City of Ozark Annexation Ordinance 2012-8

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 petition of all landowners)

Effective Date: 8/13/2012

County: Franklin

City Ordinance: 2012-8

County Court Order: Unknown

City: Ozark

Dated: 8/13/2012

Date Filed: 6/11/2012

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 501-683-3717.

Sincerely,

A handwritten signature in black ink, appearing to read "Shantell McGraw".

Shantell McGraw
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 Hon. Roxie Hall, Mayor of Ozark (w/encl)
The Hon. Rickey Bowman, Franklin County Judge (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: 2012-8 Date approved: 8.13.2012

County Court Case No: UNK Date Order Filed: 6/11/13 sm 8/29/19

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

Date Change Effective: 8-13-12 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: [Signature]

FILED

AUG 29 2019

Arkansas Secretary of State

Rev. 2/2019

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



**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 2012-8. 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 90th General Assembly.

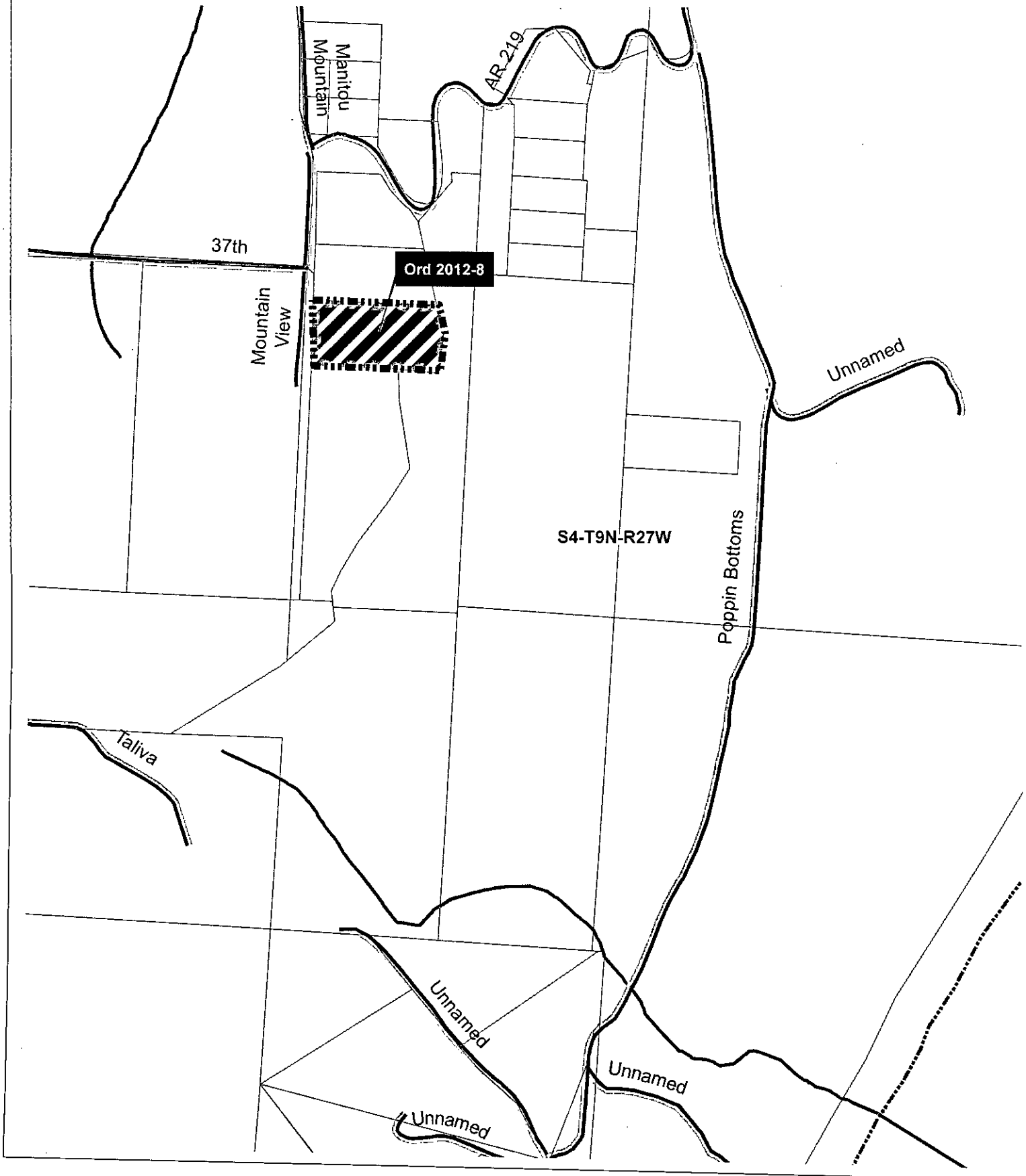
Our office will wait completion of any additional steps necessary for the proposed boundary change, which normally comes from the Arkansas Secretary of State Elections Division after any appropriate filing by your County Clerk.

Thank you,

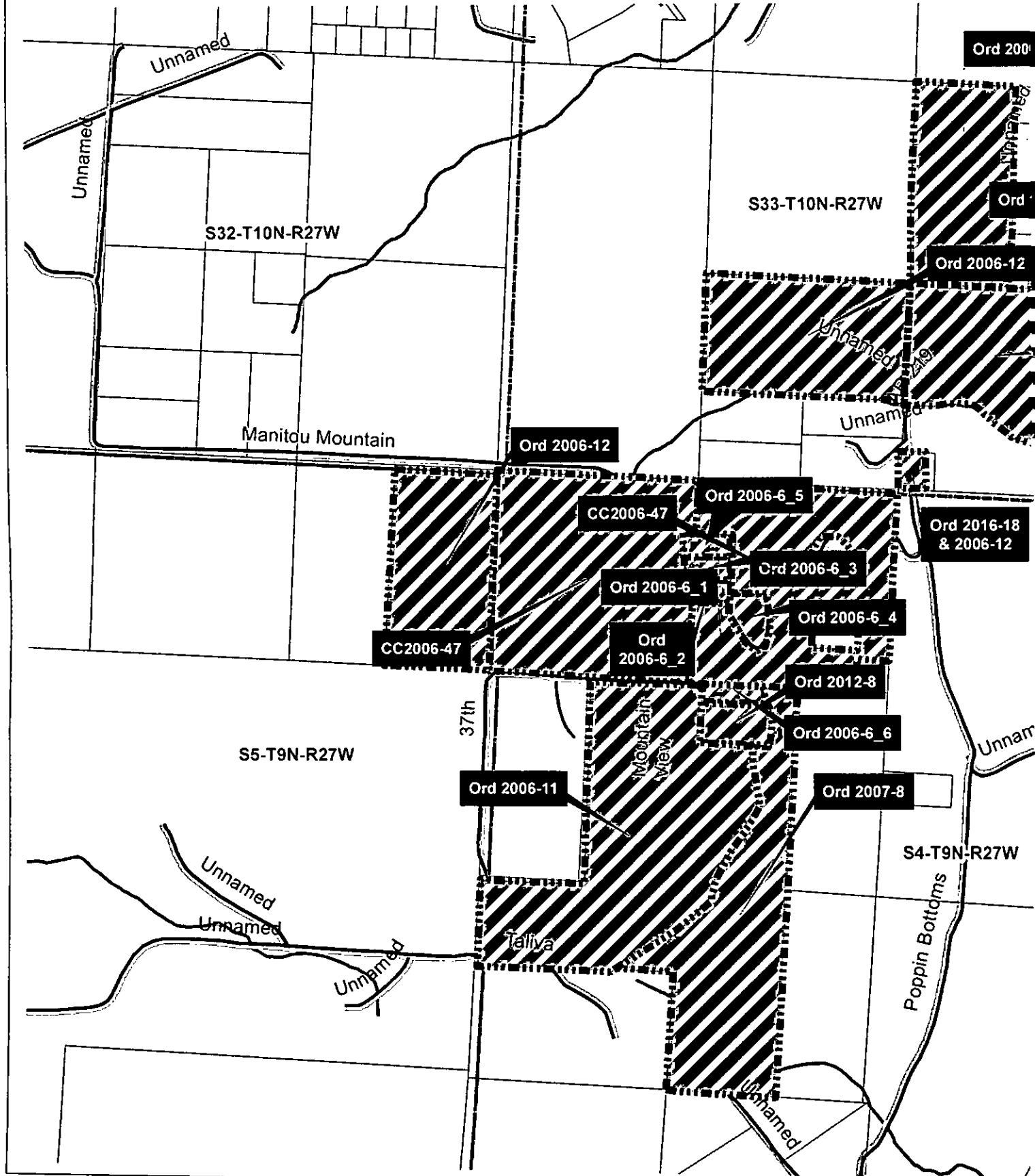
Jennifer Wheeler, GIS Analyst
/jw

Attachments:
GIS Office Map of Proposed Annexation
Ordinance 2012-8
County Order
Municipal Boundary Checklist

H:\City_Annexations\Cities\Ozark\20180125_OzarkResearch\Doc\20190606_Ozark_Annexation_Coordination_Letter_Ord2012-8.docx



Historic Annexation Overview of All Ordinance



ORDINANCE NO. 2012- 9

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.

BARB NIZZI 2310 S. 37TH

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 a part of the city of Ozark, Arkansas; and.

WHEREAS, on the 11th day of June, 2012, the County Court of Franklin County, Arkansas, 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 Clerk 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 1: 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 a part of the City of Ozark, to-wit:

Part of the Southeast Quarter of the Northwest Quarter of Section 4, Township 9 North, Range 27 West, described as commencing 28.0' East of the Northwest corner of the Southeast Quarter of the Northwest Quarter of said Section, Township and Range, thence South 01 degrees 24' 04" West 119.7' to the point of beginning, thence South 01 degrees 24' 04" East 260.0', thence South 87 degrees 59' 53" East 506.4', thence North 06 degrees 25' East 147.9', thence North 11 degrees 42' West 116.8', thence North 87 degrees 59' 53" West 492.8' to the point of beginning, containing 2.95 acres, more or less.

Section 2: That the above described territory shall be annexed to and made a part of Ward 1 of the City of Ozark, Arkansas, and same shall henceforth be a part of said ward and fully existing of said ward.

Passed and approved this 13 day of August, 2012.

Carol Sneath
Carol Sneath, Mayor

Attest:

Janis Ewald
Clerk of Recorder

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.

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 Barbara 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, 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, Barbara Nizza.

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.

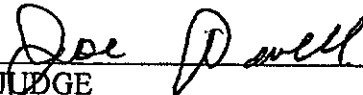
The Court further finds that the prayer of the Petition is right and proper.

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:

Part of the Southeast Quarter of the Northwest Quarter of Section 4, Township 9 North, Range 27 West, described as commencing 28.0' East of the Northwest corner of the Southeast Quarter of the Northwest Quarter of said Section. Township and Range. thence South 01 degrees 24' 04" West

4

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.



COUNTY JUDGE

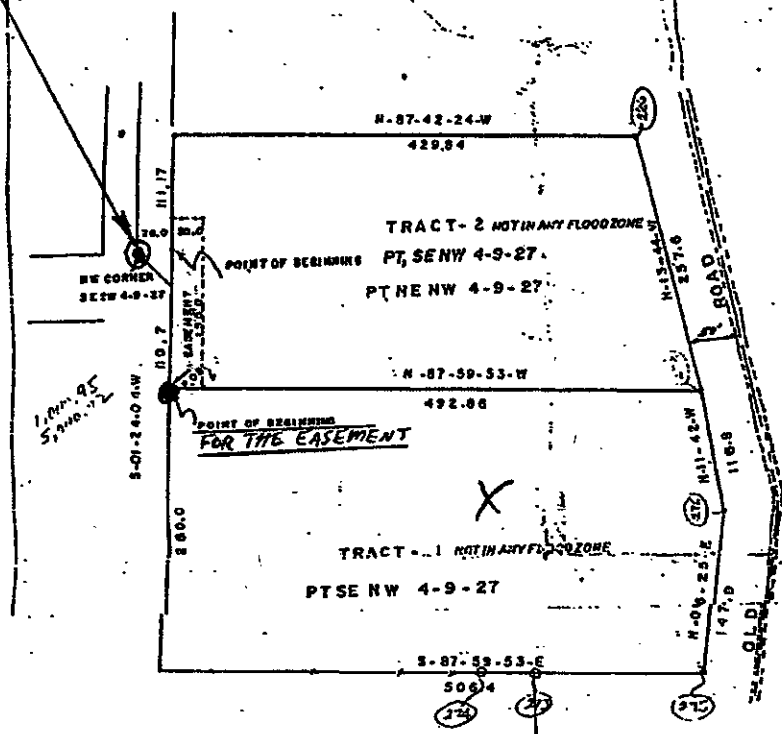
DATE: 10-11-12

Barb Nizza⁸
 Personal property

209-8800

2310 S. 37th St.

NW CORNER OF
 THE SE QUARTER OF
 THE NW QUARTER OF SECTION 4.
 AND B/W PUT RED + PAINT ON TAP



LEGAL DESCRIPTION

TRACT-1
 PART OF THE SE 1/4 OF THE NW 1/4 OF SECTION 4 TOWNSHIP 9 NORTH RANGE 27 WEST, DESCRIBED AS COMMENCING 28.0' EAST
 PART OF THE NW CORNER OF THE SE 1/4 OF THE NW 1/4 OF SAID SECTION TOWNSHIP AND RANGE, THENCE S-01-24-04-W 119.7' TO
 THE POINT OF BEGINNING, THENCE S-01-24-04-W 260.0' THENCE S-87-59-53-E 506.4' THENCE N-05-25-E 147.9' THENCE
 THENCE N-11-42-W 116.8' THENCE N-87-59-53-W 492.6' TO THE POINT OF BEGINNING. CONTAINING 2.95 ACRES MORE
 OR LESS IN FRANKLIN COUNTY, ARKANSAS

TRACT-2
 PART OF THE SE 1/4 OF THE NW 1/4 AND PART OF THE NW 1/4 OF SECTION 4 TOWNSHIP 9 NORTH RANGE 27 WEST,
 DESCRIBED AS BEGINNING 28.0' EAST OF THE NW CORNER OF THE SE 1/4 OF THE NW 1/4 OF SAID SECTION TOWNSHIP AND
 RANGE THENCE S-01-24-04-W 119.7' THENCE S-87-59-53-E 492.66' THENCE N-13-44-W 237.7' THENCE N-87-42-24-W
 429.84' THENCE S-01-24-04-W 111.17' TO THE POINT OF BEGINNING, CONTAINING 2.48 ACRES MORE OR LESS IN
 FRANKLIN COUNTY, ARKANSAS SUBJECT TO EASEMENT AT THE BOUNDARY THENCE S-07-59-53-E 30.0' THENCE
 N-01-24-04-E 150.0' THENCE N-87-59-53-W 30.0' THENCE S-01-24-04-W 150.0' TO THE POINT OF BEGINNING.

09 N 27 W 04

RECORDED 6-14-72
 COUNTY COURT RECORD
 BOOK 22 PAGE(S) 3-5
 BY 063073 [Signature]

SURVEY FOR
 CALVARY BIBLE COLLEGE

LOCATION MAP	LEGEND
	EXISTING IRON PIN - . EXISTING STONE - . EXISTING STATE MONUMENT - . A EXISTING GOVERNMENT

SURVEYOR'S CERTIFICATION
 THIS IS TO CERTIFY THAT THE ABOVE DESCRIBED LAND
 HAS BEEN SURVEYED THE CORNERS ARE MARKED AS SHOWN
 AND ARE IN ACCORDANCE WITH EXISTING CONVEYANCES IN THE
 VICINITY, FOR UPDATING AND VERIFICATION OF THIS ACCURACY
 TO DATE CONTACT THE OFFICE OF THE UNDERSIGNED
 [Signature]



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.

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FILED
FOR RECORD
AT _____ O'CLOCK _____ M.

JUN 11 2012

RECORDED IN BOOK _____ PAGE _____
DeANNA SCHMALZ
COUNTY PROBATE CLERK
BY *[Signature]* D.C.