

3, 2011

DeAnna Schmalz  
Franklin Count Clerk  
211 West Commercial  
Ozark, AR 72949

Dear Ms. Schmalz:

The following information has been recorded and filed in the Office of the Secretary of State:

County: Franklin

City: Ozark

Annexation:

Ordinance No: 2010-5 Dated August 9, 2010 submitting the annexation question to the voters.  
Election: November 02, 2010 General  
County Court Order: Dated December 02, 2010 Certifying the election results  
Ordinance No: 2011-1 Approved January 10, 2011 Accepting annexation

By copy of this letter, I am sending file marked copies of all of the information to the UALR Institute for Economic Advancement, Arkansas Highway Mapping Department, and TomTom. All others listed will only receive notification of the annexation by copy of this letter.

If you have any further questions please do not hesitate to contact me at 1-800-482-1127 or 501-683-3717.

Sincerely,

Rob Hammons  
Assistant Director of Elections  
Arkansas Secretary of State

cc:  
UALR Institute for Economic Advancement (w/encl)  
Arkansas Highway Mapping Department (w/encl)  
TomTom (w/encl)  
Arkansas Municipal League (w/o encl)  
Sonya Eveld, Ozark City Clerk (w/o encl)  
Shelby Johnson, State Geographic Information Officer GIS (w/o encl)



2910 W Commercial Street  
PO Box 253  
Ozark, AR 72949

Phone 479-667-2238  
Fax 479-667-4515

January 21, 2011

Mr. Mark Martin  
Arkansas Secretary of State  
State Capitol, Room 256  
Little Rock, AR 72201

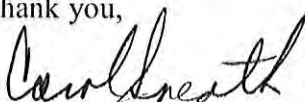
Re: Annexation

Honorable Martin:

Enclosed are annexation papers for the city of Ozark covering Corps. of Engineer property. My understanding is this action must be filed with your office.

If there are any questions, please contact me at 479-667-2238 or 479-213-0900 or email me at [ozarksmayor@centurytel.net](mailto:ozarksmayor@centurytel.net).

Thank you,

  
Mayor Carol Sneath

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**JAN 25 2011**

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ORDINANCE NO. 2010-5

AN ORDINANCE SUBMITTING TO THE VOTERS  
OF THE CITY OF OZARK, ARKANSAS, AND  
OTHER AFFECTED PERSONS, THE QUESTION OF  
ANNEXATION TO SAID CITY OF OZARK  
CERTAIN CONTIGUOUS TERRITORY;  
AND DECLARING AN EMERGENCY

WHEREAS, it appears to the City Council of the City of Ozark, Arkansas, that the annexation of certain hereinafter described territory, contiguous to the City of Ozark, is necessary for orderly growth and development of the City; and

WHEREAS, the lands are valuable by reason of their adaptability for prospective municipal uses.

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

SECTION 1. That there shall be submitted to the qualified electors of the City of Ozark and of the following described area, the question of the annexation of the following described territory to the City of Ozark:

SURVEY DESCRIPTION:

A CERTAIN TRACT OF LAND LOCATED IN SECTIONS 1, 2, AND 12 IN TOWNSHIP 09 NORTH - RANGE 27 WEST IN FRANKLIN COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A FOUND 2" IRON PIPE AT THE NW/CORNER OF THE NW 1/4 OF THE SW 1/4 OF SAID SECTION 12:  
THENCE: S 02°32'28"W 457.56 FEET ALONG THE WEST LINE THEREOF;  
THENCE: S 88°22'40"E 1803.80 FEET TO A FOUND UNITED STATES ARMY CORP OF ENGINEERS (U.S.A.C.O.E.) MONUMENT NO.FTLR-2;  
AT THE SW/CORNER OF AUX-ARC PARK, THE POINT OF BEGINNING;  
THENCE: ALONG THE AUX-ARC PARK BOUNDARY THE FOLLOWING COURSES, N 18°48'04"W 362.47 FEET TO A FOUND U.S.A.C.O.E. MONUMENT NO.FTLR-2A ON THE NORTH LINE OF SAID NW 1/4 OF THE SW 1/4:  
THENCE: N 40°44'17"W 921.88 FEET TO A FOUND U.S.A.C.O.E. MONUMENT NO.FTLR-3;  
THENCE: S 55°12'59"W 299.88 FEET TO A FOUND U.S.A.C.O.E. MONUMENT NO.FTLR-4;  
THENCE: N 34°44'26"W 199.98 FEET TO A FOUND U.S.A.C.O.E. MONUMENT NO.FTLR-5;  
THENCE: N 30°35'08"E 1414.08 FEET TO A FOUND U.S.A.C.O.E. MONUMENT NO.FTLR-5B;  
THENCE: N 30°32'56"E 109.89 FEET TO A FOUND U.S.A.C.O.E. MONUMENT NO.FTLR-61;  
THENCE: N 67°11'44"E 149.93 FEET TO A FOUND U.S.A.C.O.E. MONUMENT NO.FTLR-7;  
THENCE: N 38°44'45"W 920.16 FEET TO A FOUND U.S.A.C.O.E. MONUMENT NO.FTLR-8;  
THENCE: N 48°45'55"W 847.93 FEET TO A FOUND U.S.A.C.O.E. MONUMENT NO.FTLR-9;  
THENCE: N 68°16'18"W 1136.77 FEET TO A FOUND U.S.A.C.O.E. MONUMENT NO.FTLR-10;  
THENCE: N 55°57'58"W 722.40 FEET TO A FOUND U.S.A.C.O.E. MONUMENT NO. 128-11;  
THENCE: N 28°24'14"W 61.14 FEET TO A FOUND U.S.A.C.O.E. MONUMENT NO. 128-1;  
THENCE: N 78°18'14"W 66.59 FEET TO A FOUND U.S.A.C.O.E. MONUMENT NO. 115-2;  
THENCE: S 04°09'15"E 29.09 FEET TO A FOUND U.S.A.C.O.E. MONUMENT NO. 115-3;  
THENCE: S 50°06'10"W 54.08 FEET TO A CALCULATED U.S.A.C.O.E. MONUMENT NO. 115-4;  
THENCE: N 14°53'05"W 101.59 FEET TO A FOUND U.S.A.C.O.E. MONUMENT NO. 116-2;  
THENCE: N 80°25'41"W 100.21 FEET TO A FOUND U.S.A.C.O.E. MONUMENT NO. 116-2A;  
THENCE: N 80°21'28"W 207.64 FEET TO A FOUND U.S.A.C.O.E. MONUMENT NO. 123-2;  
THENCE: S 58°23'00"W 84.29 FEET TO A FOUND U.S.A.C.O.E. MONUMENT NO. 125-2;  
THENCE: S 04°19'23"W 102.22 FEET TO A FOUND U.S.A.C.O.E. MONUMENT NO. 126-1;  
THENCE: N 84°41'52"W 381.03 FEET TO A FOUND U.S.A.C.O.E. MONUMENT NO. 126-2;  
THENCE: N 04°29'39"E 30.05 FEET TO A FOUND U.S.A.C.O.E. MONUMENT NO. 126-3;  
THENCE: N 84°44'59"W 30.04 FEET TO A FOUND U.S.A.C.O.E. MONUMENT NO. 126-4;  
THENCE: N 04°23'53"E 74.97 FEET TO A FOUND U.S.A.C.O.E. MONUMENT NO. 126-5;  
THENCE: N 84°55'00"W 59.51 FEET TO A FOUND U.S.A.C.O.E. MONUMENT NO. 126-6;  
THENCE: N 11°26'53"W 181.57 FEET TO THE WATER'S EDGE OF THE ARKANSAS RIVER;  
THENCE: ALONG SAID WATER'S EDGE OF THE ARKANSAS RIVER THE FOLLOWING COURSES, S 45°02'41"E 80.68 FEET:  
THENCE: S 42°38'18"E 102.08 FEET;  
THENCE: S 23°48'34"W 14.95 FEET;  
THENCE: S 69°20'12"E 226.60 FEET;  
THENCE: S 39°32'23"E 58.89 FEET;  
THENCE: N 42°38'20"E 115.12 FEET;  
THENCE: N 42°18'46"W 51.45 FEET;  
THENCE: N 18°29'52"E 33.11 FEET;  
THENCE: N 36°06'08"E 38.59 FEET;  
THENCE: S 75°54'59"E 234.71 FEET;  
THENCE: S 73°50'50"E 208.25 FEET;  
THENCE: N 88°59'34"E 95.19 FEET;  
THENCE: S 74°10'52"E 37.23 FEET;  
THENCE: S 69°09'42"E 219.37 FEET;  
THENCE: S 71°27'11"E 121.55 FEET;  
THENCE: S 64°34'03"E 111.31 FEET;  
THENCE: S 79°33'55"E 132.45 FEET;  
THENCE: S 72°51'36"E 63.74 FEET;  
THENCE: S 70°16'33"E 117.03 FEET;  
THENCE: S 87°14'34"E 75.28 FEET;  
THENCE: S 73°46'52"E 48.38 FEET;  
THENCE: S 69°07'03"E 121.94 FEET;  
THENCE: S 70°49'23"E 180.88 FEET;  
THENCE: S 60°33'05"E 204.15 FEET;  
THENCE: S 60°33'05"E 113.61 FEET;

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THENCE: S 62°39'29"E 92.07 FEET;  
 THENCE: S 65°43'33"E 63.93 FEET;  
 THENCE: S 56°07'44"E 45.44 FEET;  
 THENCE: S 64°38'25"E 100.40 FEET;  
 THENCE: S 60°03'40"E 68.86 FEET;  
 THENCE: S 73°31'09"E 46.20 FEET;  
 THENCE: S 55°15'27"E 172.54 FEET;  
 THENCE: S 58°13'33"E 72.77 FEET;  
 THENCE: S 64°38'27"E 48.38 FEET;  
 THENCE: S 53°11'33"E 91.01 FEET;  
 THENCE: S 40°46'34"E 36.63 FEET;  
 THENCE: S 50°19'50"E 122.26 FEET;  
 THENCE: S 49°37'58"E 142.18 FEET;  
 THENCE: S 45°09'36"E 68.86 FEET;  
 THENCE: S 48°09'21"E 78.42 FEET;  
 THENCE: S 49°10'41"E 147.92 FEET;  
 THENCE: S 46°38'37"E 46.26 FEET;  
 THENCE: S 39°08'45"E 101.49 FEET;  
 THENCE: S 49°57'21"E 62.57 FEET;  
 THENCE: S 38°54'37"E 88.49 FEET;  
 THENCE: S 32°55'20"E 88.25 FEET;  
 THENCE: S 34°55'32"E 110.92 FEET;  
 THENCE: S 16°46'12"E 38.83 FEET;  
 THENCE: S 44°51'48"E 60.16 FEET;  
 THENCE: S 48°41'13"E 70.41 FEET;  
 THENCE: S 44°57'58"E 97.80 FEET;  
 THENCE: S 35°46'32"E 62.16 FEET;  
 THENCE: S 29°03'45"E 141.93 FEET;  
 THENCE: S 21°09'44"E 48.02 FEET;  
 THENCE: S 29°16'49"E 191.51 FEET;  
 THENCE: S 08°40'11"E 117.16 FEET;  
 THENCE: S 54°18'43"W 100.35 FEET;  
 THENCE: S 22°53'18"E 147.29 FEET;  
 THENCE: S 21°27'52"E 200.38 FEET;  
 THENCE: S 01°52'55"W 102.57 FEET;  
 THENCE: S 08°18'05"W 331.06 FEET;  
 THENCE: S 01°38'35"W 229.27 FEET;  
 THENCE: S 09°52'31"E 171.41 FEET;  
 THENCE: S 51°05'38"E 254.22 FEET;  
 THENCE: S 25°35'07"E 75.00 FEET TO A CONCRETE WALL AT THE PARKING LOT OF THE OZARK LAKE HYDRO-ELECTRIC

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PLANT AND JETA-TAYLOR LOCK AND DAM;  
 THENCE: N 67°42'01"E 147.50 FEET TO THE NW/CORNER OF SAID OZARK LAKE HYDRO-ELECTRIC PLANT AND JETA TAYLOR DAM BUILDING;  
 THENCE: ALONG SAID BUILDING THE FOLLOWING COURSES, S 22°17'59"E 75.00 FEET;  
 THENCE: N 67°42'01"E 25.20 FEET;  
 THENCE: S 22°17'59"E 116.00 FEET;  
 THENCE: N 67°42'01"E 10.00 FEET;  
 THENCE: S 22°17'59"E 33.70 FEET TO THE SW/CORNER OF SAID BUILDING AND THE WATER'S EDGE OF THE ARKANSAS RIVER;  
 THENCE: ALONG SAID WATER'S EDGE OF THE ARKANSAS RIVER THE FOLLOWING COURSES, S 34°35'42"W 88.78 FEET;  
 THENCE: S 04°34'56"E 63.38 FEET;  
 THENCE: S 27°16'21"E 180.05 FEET;  
 THENCE: S 34°26'03"E 219.09 FEET;  
 THENCE: S 42°06'01"E 243.82 FEET;  
 THENCE: S 54°42'53"E 149.53 FEET;  
 THENCE: S 66°25'09"E 157.63 FEET;  
 THENCE: S 57°25'16"E 121.63 FEET;  
 THENCE: S 50°58'59"E 83.38 FEET;  
 THENCE: S 40°06'36"E 88.68 FEET;  
 THENCE: S 54°24'36"E 252.94 FEET;  
 THENCE: S 35°39'46"E 127.81 FEET;  
 THENCE: S 29°02'14"E 349.06 FEET TO A POINT IN LINE WITH A FENCELINE TO THE WEST ON THE SOUTH LINE OF SAID AUX-ARC PARK BOUNDARY;  
 THENCE: N 88°22'40"W 1394.79 FEET ALONG SAID FENCELINE AND BOUNDARY TO THE POINT OF BEGINNING CONTAINING 111.056 ACRES MORE OR LESS AND BEING SUBJECT TO ALL EASEMENTS OF RECORD AND AS SHOWN ON ARKANSAS RIVER VALLEY SURVEYING JOB NO. 5761.

**ROAD EASEMENT DESCRIPTION:**

A CERTAIN STRIP OF LAND LOCATED IN THE SE 1/4 OF THE NE 1/4 AND THE NE 1/4 OF THE SE 1/4 OF SECTION 11 AND IN THE SW 1/4 OF THE NW 1/4 OF SECTION 12 ALL IN TOWNSHIP 09 NORTH - RANGE 27 WEST IN FRANKLIN COUNTY, ARKANSAS. BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A FOUND 2" IRON PIPE AT THE NE/CORNER OF SAID NE 1/4 OF THE SE 1/4 OF SECTION 11:  
 THENCE: S 02°32'28"W 18.57 FEET ALONG THE EAST LINE THEREOF;  
 THENCE: N 84°07'11"W 176.35 FEET TO THE CENTERLINE OF STATE HIGHWAY 309 AND THE CENTERLINE OF A 24 FOOT ASPHALT DRIVE, THE POINT OF BEGINNING;  
 THENCE: ALONG THE CENTERLINE OF SAID 24 FOOT ASPHALT DRIVE THE FOLLOWING COURSES, N 81°40'43"E 136.08 FEET;  
 THENCE: N 79°21'47"E 118.48 FEET;  
 THENCE: N 73°14'44"E 108.35 FEET;  
 THENCE: N 66°16'00"E 85.35 FEET;  
 THENCE: N 61°08'09"E 87.89 FEET;  
 THENCE: N 55°05'25"E 80.34 FEET TO A POINT ON THE WEST LINE OF ARKANSAS RIVER VALLEY SURVEYING JOB NO. 5761, THE POINT OF TERMINUS, SAID POINT BEING N 34°44'26"W 100.37 FEET FROM A FOUND U.S.A.C.O.E. MONUMENT NO. FTLR-4.

A map depicting said annexation area is attached hereto as Exhibit A and made a part thereof.

SECTION 2. The question of annexation of the territory described above in Section 1 shall be submitted to the electors qualified to vote on this issue at a general election to be held on Tuesday, November 2, 2010. Once this Ordinance takes effect, the City Clerk shall immediately notify the County Election Commission and the County Clerk by forwarding to each, a certified copy of this ordinance and the map showing the area to be annexed.

SECTION 3. If at such election a majority of the qualified electors voting in such election shall vote for such annexation, the annexation shall be effective and the territory included within the corporate limits of the City of Ozark thirty (30) days following the County Clerk's certification of the election results and recording of the same, along with the description and a map of the annexed area, in the county records, and filing a certified copy thereof with the Secretary of State; or in the event and action is filed with the Circuit Court, on the date the judgment of said Court becomes final. If a majority of the qualified electors voting on the issue at the election vote against the annexation, the annexation ordinance shall be null and void.

SECTION 4. No later than forty-five (45) days prior to the election, the city shall identify all persons who reside within the area proposed to be annexed, and the county clerk shall assist the city in determining the names and addresses of all qualified electors residing within that area.

SECTION 5. The city clerk shall give notice of the election by publication by at least one (1) insertion in some newspaper having a general circulation in the city.

SECTION 6. If the annexation is approved and becomes final, the governing body of the city shall, by ordinance, as soon as practical after the annexation, attach and incorporate such annexed territory to and in one (1) or more wards of the city lying adjacent thereto, and the territory so assigned and attached to a ward shall thereafter be considered and become a part thereof as fully as any other part of the city.

SECTION 7. If the annexation is approved and becomes final, the following services shall be extended to the area within three (3) years:

SERVICE	DATE
Water Service	Already in effect
Police Protection	Non-jurisdictional

SECTION 8. The ballots used at said election on the question of annexation shall be marked as follows:

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[ ] FOR annexation of the territory described in Ordinance No. 2010-5.

[ ] AGAINST annexation of the territory described in Ordinance No. 2010-5.

SECTION 7. Emergency Clause. This ordinance being necessary for the immediate preservation of the public peace, health, safety, and welfare, as well as compliance with special election statutes, an emergency is hereby declared to exist and this ordinance shall be effective and in full force and effect from and after its passage and approval.

PASSED: August 9, 2010

ATTEST: Carol Sneath

Clerk or Recorder

APPROVED: Vernon McDaniel

Mayor

#### CERTIFICATE

I, Carol Sneath, City Clerk of the City of Ozark, hereby certify that this Ordinance was duly passed and approved by a two-thirds vote of the total number of members of the City Council of the City of Ozark, Arkansas, on the 9th day of August, 2010.

Seal  
Carol Sneath  
City Clerk

City of Ozark

**FILED**

**JAN 25 2011**

**Arkansas  
Secretary of State**

ORDINANCE NO. 2010-5