



# ARKANSAS SECRETARY OF STATE

## MARK MARTIN

July 25, 2016

Honorable Tena O'Brien

Re: City of Pea Ridge Annexation Ordinance 580

Dear Ms. O'Brien,

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 § 14-40-602 (annexation by petition of a majority land owners)

Effective Date: unknown

County: Benton

City: Pea Ridge

City Ordinance: 580

Dated: 04/19/2016

County Court Order: N/A

A file marked copy of the ordinance and exhibits submitted to our Office along with the GIS Office map 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 pending filing please contact our office at 501-682-3401.

Sincerely,

A handwritten signature in cursive script that reads "Cynthia Fisher".

Cynthia Fisher  
Special Projects Manager  
Arkansas Secretary of State Legal Division  
500 Woodlane St, Suite 256  
Little Rock, AR 72201  
501-682-3401

Cc: ✓ Arkansas Geographic Information Systems Office (w/ encl)  
Arkansas Highway and Transportation Department Mapping Department (w/ encl)  
UALR Institution for Economic Advancement (w/encl)  
Tom-Tom (w/encl)  
Ms. Sandy Button, Clerk/Treasurer City of Pea Ridge





# Arkansas Secretary of State

**Mark Martin** Arkansas Secretary of State, 500 Woodlane Ave, Little Rock, AR 72201-1094

## Municipal Boundary Change Checklist

County: Benton City/Town: Pea Ridge

City Ordinance/Resolution No: 580 Date approved: 04/19/2015

County Court Case No: N/A Date of Order: \_\_\_\_\_

Type: Annexation by Petition of all Landowners A.C.A §14-40-609

Date Change Effective: \_\_\_\_\_ Emergency clause:  Yes  No

For Circuit Court Challenge: Date Filed: \_\_\_\_\_  Upheld  Overturned  Other (attach explanation)

### 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 (not required for A.C.A § 14-40-1801)
- File marked copy of County Court Order (not required for A.C.A. § 14-40-501)
- Proof of Publication for all Legal Notices (Hearing, Election, City Ordinance/Resolution)
- Copy of Arkansas GIS approved printed map and certification letter
- File marked copy of Petition Part or File marked copy of the certified special election results (if applicable)
- File marked copy of Complaint and final Circuit Court Order (Court Challenge only)

### Municipal Contact:

Name: Sandy Button Title: Pea Ridge City Clerk/Treasurer

Street Address: P.O. Box 10

City: Pea Ridge St: AR Zip code: 72751

### City/County Official:

Signature: Tena O-Brien Title: Benton County Clerk

Date: 07/08/2016

Complete one form for each ordinance/resolution and attach it as a cover page to the supporting document set. Submit the documents to Arkansas Secretary of State, Atten: Municipal Boundary Filing, 500 Woodlane Ave, Little Rock, AR 72201-1094

Office of the Arkansas Secretary of State use only

Received by: *Cynthia Fisher*

**FILED**

JUL 25 2016

Arkansas Secretary of State

# BENTON COUNTY

STATE OF ARKANSAS

TENA O'BRIEN

COUNTY CLERK & VOTER REGISTRAR  
215 EAST CENTRAL, SUITE 217  
BENTONVILLE, AR 72712-5373

PROBATE COURT CLERK  
COURTHOUSE, 102 N.E. "A" STREET  
BENTONVILLE, AR 72712-5350

July 8, 2016

Honorable Mark Martin  
Secretary of State  
Room 256 State Capitol  
Little Rock, AR 72201-1094

RECEIVED

JUL 13 2016

Arkansas  
Secretary of State

Dear Secretary Martin:

RE: Terry and Ted Viala and Scott Patton  
City of Pea Ridge Annexation  
Benton County Court Case No. CC# 2016-04

Dear Secretary Martin:

In accordance with the law, I am enclosing a certified copy of each of the following:

1. Map (survey and vicinity map) of the affected area
2. Order of Annexation entered on March 21, 2016
3. Ordinance No. 580 adopted on April 19, 2016 by the City of Pea Ridge

If you have any questions regarding this matter, please do not hesitate to call my office.

Sincerely,

*Tena O'Brien*

Tena O'Brien

by: T. Underwood FILED

JUL 25 2016

Arkansas  
Secretary of State

COUNTY CLERK  
(479) 271-1013  
FAX (479) 271-1019

VOTER REGISTRAR  
(479) 271-5704

BENTONVILLE  
(479) 271-1013  
FAX (479) 271-1019

SILOAM SPRINGS  
(479) 238-0120  
FAX (479) 524-8534

PROBATE COURT CLERK  
(479) 271-5727  
FAX (479) 271-1712

ROGERS  
(479) 636-3727  
FAX (479) 636-4922  
ARCHIVIST (479) 636-1037  
FAX (479) 636-1053

2016 JUL -8 AM 8: 30

ORDINANCE NO. 580TENA O'BRIEN  
CO. & PROBATE CLERK  
BENTON COUNTY, ARK

AN ORDINANCE ACCEPTING THE ANNEXATION OF CERTAIN TERRITORY TO THE CITY OF PEA RIDGE; APPROVING THE SCHEDULE OF SERVICES TO BE EXTENDED TO SAID AREA; AND ASSIGNING SUCH TO WARDS

WHEREAS, a petition was filed, pursuant to A.C.A. 14-40-609, for the annexation of certain territory into the City of Pea Ridge, Arkansas; and

WHEREAS, the Benton County Assessor and the Benton County Clerk have (A) Verified the identity of the petitioner(s); (B) Verified that there are no property owners included in the petition that do not wish to have their property annexed; (C) Verified that the property or properties are contiguous with the city; (D) Verified that no enclaves will be created if the petition is accepted by the city; and presented the petition and their respective verifications to the Benton County Judge; and

WHEREAS, the County Judge has (A) Reviewed the petition and verifications for completeness and accuracy; (B) Determined that no enclaves will be created by the annexation; (C) Confirmed that the petition contains a schedule of services; and (D) Issued an order articulating these findings, and forwarded the petition and order to the contiguous City of Pea Ridge for consideration; and

WHEREAS, it is the desire of the Mayor and City Council of Pea Ridge that said territory be annexed.

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

SECTION 1. That the following described territory, contiguous to the City of Pea Ridge, be and the same is hereby accepted as part of, and annexed to and made a part of the City of Pea Ridge, Arkansas to wit:

Part of the NW ¼ of the NW ¼ of Section 1, Township 20 North, Range 30 West, in Benton County, Arkansas, and including a part of Lot 2, Block 6, Oak Ridge West Addition, and being more particularly described as follows: Commencing at the NW Corner of said NW ¼ of the NW ¼; thence S89°51'E 313.50 feet; thence S00°18'W 37.32 feet; thence S89°51'E 170.00 feet to the true point of beginning; thence S89°51' E 50.00 feet along the South R-O-W line of S.H. 72 (Slack Street); thence S00°18'W 1,157.61 feet; thence West 220.00 feet; thence N00°18'E 947.47 feet; thence S89°30'20"E 170.00 feet; thence N00°18'E 211.74 feet to the P.O.B., containing 5.02 acres, more or less.

SECTION 2. That the following schedule of services shall be extended to the area by the City of Pea Ridge within the statutorily required three (3) years after the date the

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JUL 25 2016

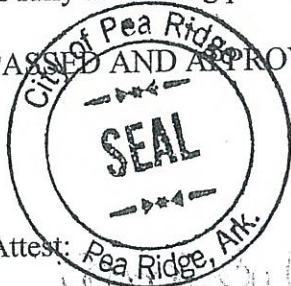
2016 3099

Arkansas  
Secretary of State

annexation becomes final, as follows: Police Protection – Immediately; Fire Protection – Immediately; Solid Waste Collection – Immediately; Public Street Maintenance – Immediately; and Zoning and Code Enforcement – Immediately.

SECTION 3. That the above described territory shall be annexed to and made a part of Ward 2 of the City of Pea Ridge, and the same shall henceforth be a part of said ward as fully as existing parts of said ward.

PASSED AND APPROVED THIS 19 DAY OF April, 2016.



Attest: Sandy Button  
City Clerk

[Signature]  
Mayor

CITY OF PEA RIDGE  
COUNTY OF BENTON  
STATE OF ARKANSAS

I DO HEREBY CERTIFY THAT THIS IS A TRUE AND COMPLETE COPY OF THE ORIGINAL THAT IS KEPT ON FILE IN MY OFFICE OF THE PEA RIDGE CITY HALL.

Sandy Button  
SIGNATURE

TENA B'GREN  
CO. & PROBATE CLERK  
BENTON COUNTY, ARK

2016 JUL -8 AM 8:30

FILED

FILED

JUL 25 2016

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Secretary of State

FILED

2016 MAR 21 AM 10:35

TENA O'BRIEN  
CO & PROBATE CLERK  
BENTON COUNTY, AR

IN THE MATTER OF ANNEXING TO THE CITY OF  
PEA RIDGE, ARKANSAS CERTAIN TERRITORY  
CONTIGUOUS TO SAID CITY OF PEA RIDGE, ARKANSAS

TERRY AND TED VIALA, SCOTT PATTON, COUNTY COURT ORDER NO. CC 2016-04  
PETITIONERS

ORDER AUTHORIZING ANNEXATION PURSUANT TO ACA § 14-40-609

I, Robert Clinard, County Judge of Benton County, having reviewed the attached petition for annexation and verification of petition, hereby find:

- (1) That the petition and verifications are complete and accurate;
- (2) That no enclaves will be created by the proposed annexation; and
- (3) That the petition contains a schedule of services.

The County Clerk is directed to forward a copy of this order and the related Petition to the Mayor of the City of Pea Ridge.

  
\_\_\_\_\_  
HON. ROBERT CLINARD, County Judge

MARCH 21, 2016  
\_\_\_\_\_  
Date

2016 1223

FILED

JUL 25 2016

Arkansas  
Secretary of State

PETITION FOR ANNEXATION

FILED

IN THE MATTER OF ANNEXING TO  
THE CITY OF PEA RIDGE, ARKANSAS  
CERTAIN TERRITORY CONTIGUOUS TO  
SAID CITY OF PEA RIDGE, ARKANSAS

DATE: ~~2016 MAR 18~~ AM 9:19

TENA O'BRIEN  
CO & PROBATE CLERK  
BENTON COUNTY, AR

Come now the undersigned petitioner(s), and state as follows:

1. That I/we, owning 100% of the property in the following described area, do hereby petition, pursuant to A.C.A. 14-40-609, the City Council of Pea Ridge, Arkansas, to annex the following lands to the City of Pea Ridge, Arkansas:

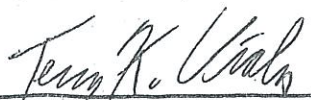
Part of the NW ¼ of the NW ¼ of Section 1, Township 20 North, Range 30 West, in Benton County, Arkansas, and including a part of Lot 2, Block 6, Oak Ridge West Addition, and being more particularly described as follows: Commencing at the NW Corner of said NW ¼ of the NW ¼; thence S89°51'E 313.50 feet; thence S00°18'W 37.32 feet; thence S89°51'E 170.00 feet to the true point of beginning; thence S89°51' E 50.00 feet along the South R-O-W line of S.H. 72 (Slack Street); thence S00°18'W 1,157.61 feet; thence West 220.00 feet; thence N00°18'E 947.47 feet; thence S89°30'20"E 170.00 feet; thence N00°18'E 211.74 feet to the P.O.B., containing 5.02 acres, more or less.

2. I/we further state that this petition is signed by 100% of the real estate owners owning 100% of the acreage in said area.
3. That said property described herein is contiguous to and adjoining the present Pea Ridge city limits, as shown on the map attached hereto as Exhibit A.
4. That no enclaves will be created if this petition is accepted and the territory annexed into the City of Pea Ridge.
5. That the following schedule of services shall be extended to the area by the City of Pea Ridge within three (3) years after the date the annexation becomes final: Police Protection – Immediately; Fire Protection – Immediately; Solid Waste Collection – Immediately; Public Street Maintenance – Immediately; and Zoning and Code Enforcement – Immediately.

  
Signature of Property Owner

\_\_\_\_\_  
Signature of Attesting Witness

\_\_\_\_\_  
Address

  
5 W. Leiston Drive  
Rogers, AR 72758

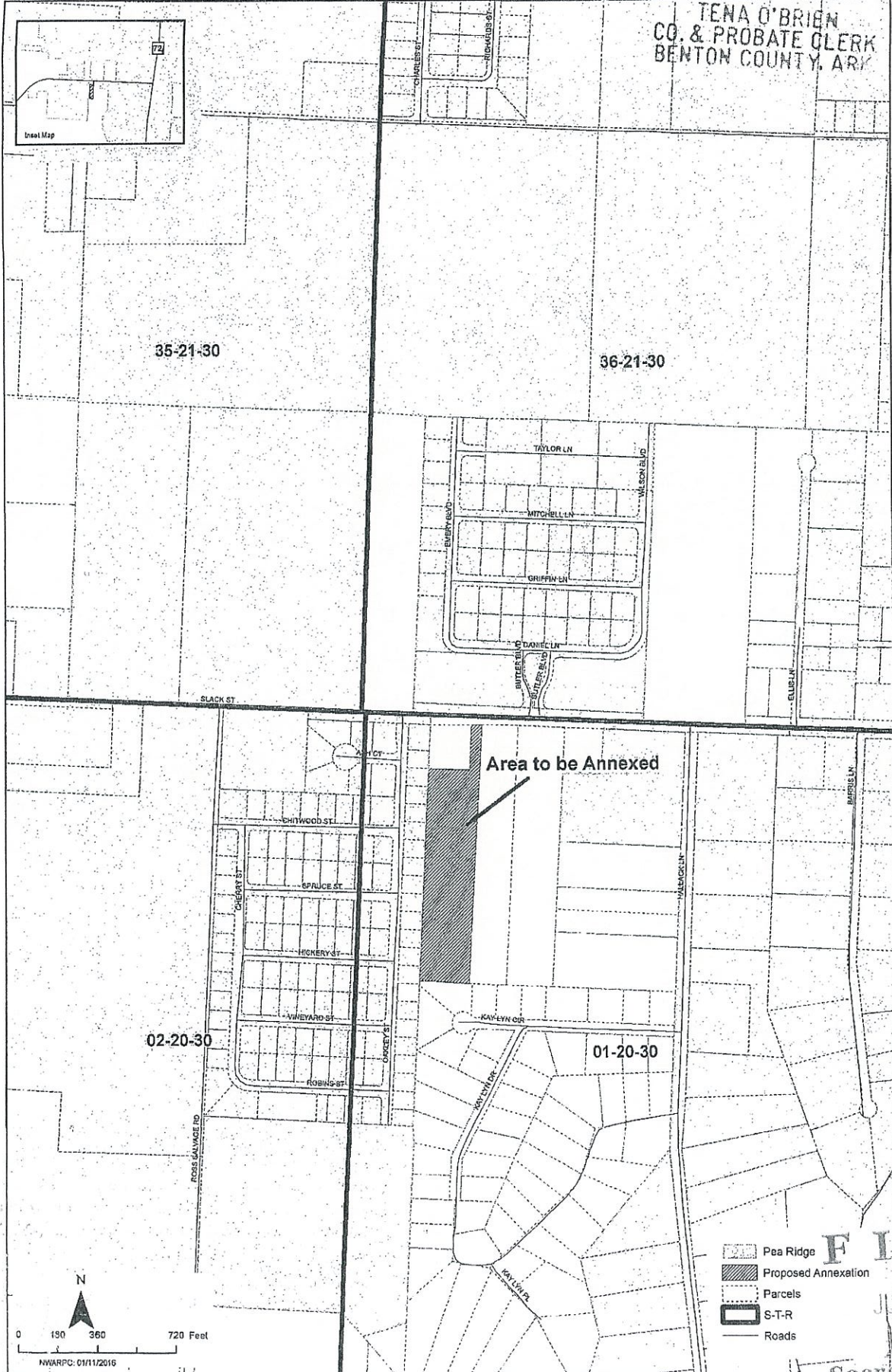
FILED

JUL 25 2016

Arkansas  
Secretary of State

# City of Pea Ridge - Proposed Annexation

TENA O'BRIEN  
CO. & PROBATE CLERK  
BENTON COUNTY, ARK



FILED

JUL 25 2016

Arkansas  
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ARKANSAS  
GIS OFFICE

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July 18, 2016

Mrs. Cynthia Fisher  
Special Projects Manager  
AR Secretary of State Legal Division

RE: City of Pea Ridge Annexation Coordination Requirement

Mrs. Fisher,

Thank you for coordinating with our office as you seek to annex property into the City of Pea Ridge, AR case number CC2016-04. 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,

Richie Pierce, Sr. GIS Analyst  
/rp

Attachments:  
GIS Office Map of Proposed Annexation  
Secretary of State Municipal Change Checklist

FILED

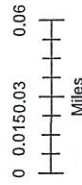
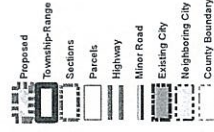
JUL 25 2016

Arkansas  
Secretary of State

City: Pea Ridge  
 Mayor: Jackie Crabtree

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.

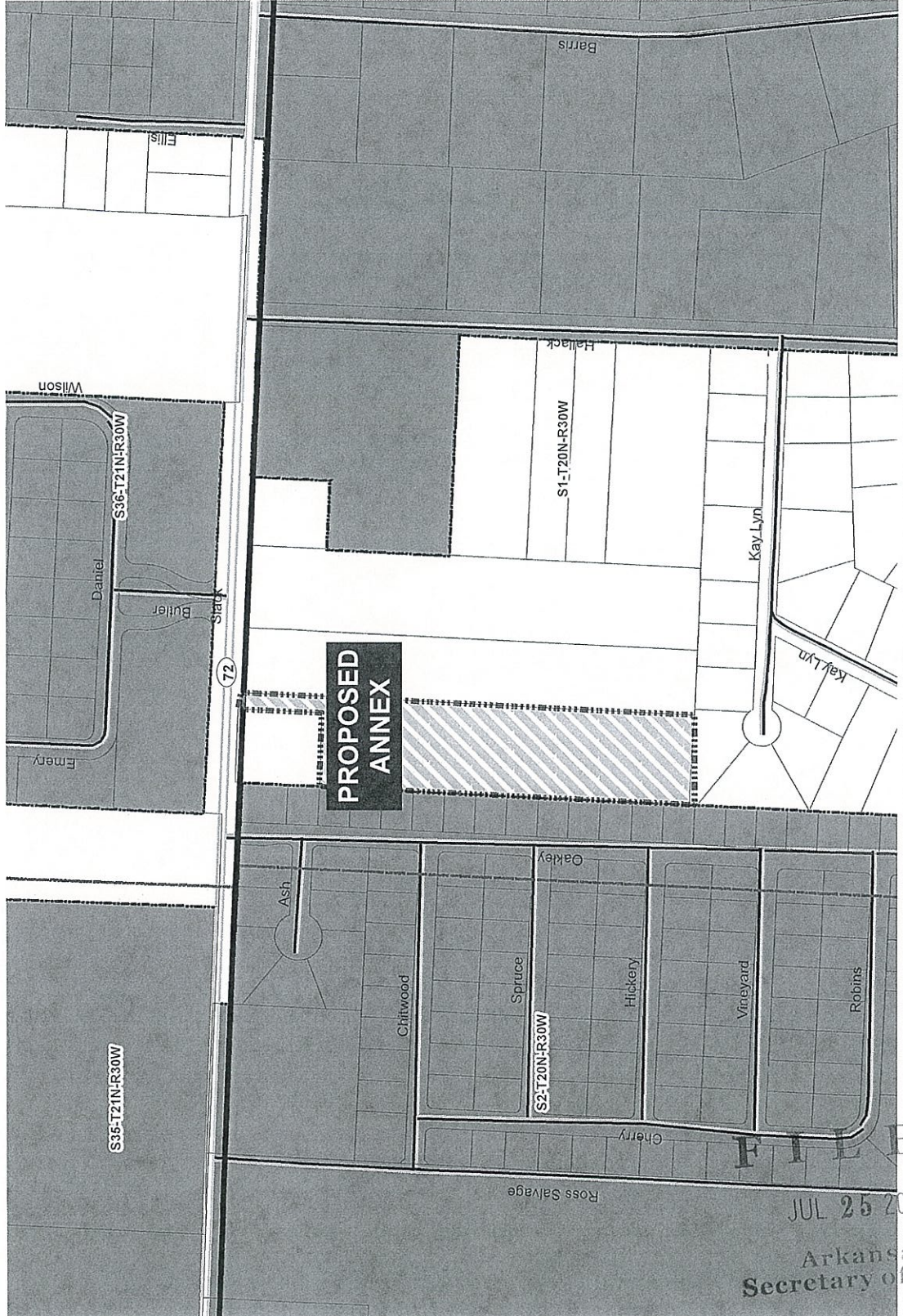
The map contained herein, is evidence, the entity has met requirements of Act 914 of 2015



ARKANSAS  
 GIS OFFICE

Pea\_Ridge-20160715

Proposed Annex: City of Pea Ridge  
 July 2016



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 JUL 25 2016  
 Arkansas  
 Secretary of State