



ARKANSAS SECRETARY OF STATE
MARK MARTIN

April 17, 2018

The Honorable Deborah Finley
Independence County Clerk
192 E. Main Street
Batesville, AR 72501

Re: City of Pleasant Plains Annexation Resolution 2018-02

Dear Ms. Finley,

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 (petition by a majority of the landowners)

Effective Date: 04/12/2018

County: Independence

City: Pleasant Plains

City Resolution: 2018-02

Dated: 03/13/2018

County Court Order: CO-2017-01

Date Filed: 02/01/2018 Hon. Robert Griffin, Independence County Judge

A file marked copy of the resolution, 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 pending filing, please contact our office at 501-682-3401.

Sincerely,

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

Cynthia Fisher
Arkansas Secretary of State Legal Division
500 Woodlane St, Room 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)
Department of Finance and Administration (w/encl)
Arkansas Public Service Commission (w.encl)
UALR Institution for Economic Advancement (w/encl)
Tom-Tom (w/encl)
Hon. Ken Burns, Mayor of Pleasant Plains (w/encl)





Arkansas Secretary of State

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

Municipal Boundary Change Checklist

County: Independence City/Town: Pleasant Plains

City Ordinance/Resolution No: 2018-02 Date approved: 03/13/2018

County Court Case No: C02017-01 Date Order Filed: 02/01/2018

Type: A.C.A. § 14-40-602

(Choose from the list of Arkansas Code Sections located on the back)

Date Change Effective: _____ Set by: Municipal Ordinance Emergency Clause Court Default
(Required by Act 655 of 2017)

For Circuit Court Challenge: Date Order 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 (required)
- File marked copy of County Court Order (required except for island annexation and annexation approved by election)
- 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 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: Ken Burns Title: Mayer

Street Address: 386 Main Street (P.O. Box 264)

City: Pleasant Plains St: AR Zip code: 72563

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: Tracy Mitchell, Clerk Title: Independence County Clerk

Date: 03/14/2018

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: Cynthia Fisher

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Secretary of State

C02017-01

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MAR 14 2018

RESOLUTION NO. 2018-02

11:50 A M
TRACEY MITCHELL
COUNTY & PROBATE CLERK
Tm D.C.

A RESOLUTION ACCEPTING THE ANNEXATION OF CERTAIN PROPERTY

WHEREAS, a majority of the owners, owning a majority of certain property hereinafter described, located in Independence County and contiguous to the corporate limits of the City of Pleasant Plains, heretofore filed a petition in the Independence County Court to annex territory to the City of Pleasant Plains, Arkansas; and

WHEREAS, a notice was duly published, as required by law, of the filing of said petition and that a hearing on the petition would held in the County Court of Independence County; and

WHEREAS, at the time and place fixed in said notice, the County Court, being fully advised of the facts and the law, heard all persons desiring to be heard. The Court subsequently ascertained and declared in a Decree of Annexation order that the petition was signed by a majority of the real estate owners, owning a majority of the acreage affected; that said territory sought to be annexed was accurately described in said petition; that said territory is suitable for annexation, and is contiguous to the corporate boundary of Pleasant Plains; that an accurate map of said territory was attached to and made a part of said petition; and that the prayer of the petition is right and proper, and ordered that the territory be annexed to the City of Pleasant Plains; and

WHEREAS, no appeals having been taken within thirty (30) days from issuance of the County Court's order, it is now the desire of the Pleasant Plains City Council to accept the said annexation.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF PLEASANT PLAINS, ARKANSAS:

That the following described land is hereby annexed into and accepted, effective this date, as part of the City of Pleasant Plains, Arkansas, to-wit: All of the following described area in Independence County, Arkansas, collectively being contiguous to the City of Pleasant Plains: All U.S. Hwy. 167 right-of-way in S27, T11N, R6W, containing 19.94 acres more or less; And the N ¼ of the SE ¼ NE ¼ of S27, T11N, R6W, containing 30 acres more or less; And a tract of land in the NE ¼ NE ¼ of S27, T11N, R6W, more particularly described as follows: Commencing at the NW corner of said NE ¼ NE ¼, thence running N 88°02'01" E along the North line of said S27, 64.01, feet to the East right-of-way of U.S. 167; thence running along said right-of-way as follows: S 03°05'41" E, 18.15 feet; thence S 08°48'20" E, 100.50 feet; thence S 03°05'41" E, 61.35 feet to the point of beginning; thence continue S 03°05'41" E, 255.30 feet; thence leaving said East right-of-way line run N 88°02'01" E, 195.14 feet; thence North 255.30 feet; thence S 88°02'01" W, 216 feet to the point of beginning, containing 1.18 acres more or less; And a tract of land in the NE ¼ NE ¼ of S27, T11N, R6W more particularly

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APR 17 2018

Arkansas
Secretary of State

described as follows: Commencing at the NW corner of said NE ¼ NE ¼, thence running N 88°02'01" E along the North line of said S27, 64.01 feet; thence S 03°05'41" E, 18.15 feet; thence S 08°48'20" E, 100.50 feet; S 00°05'41" E, 750.71 feet to the point of beginning on the East right-of-way line of U.S. 167; thence South along said East right of way 485 feet to the Southern right of way of HWY 157/Blackland ; thence along southern right of way of HWY 157/Blackland the following calls; East 100 feet, S 89°52'44" E, 126.35 feet; thence along a curve to the left having a 281.85 foot radius and a curve distance of 300 feet, thence continue along curve to the left having a 500 foot radius and a curve distance of 150 feet; thence along the Eastern right of way of HWY 157/Blackland N 13°0'00" E, 180 feet; thence leaving right of way N 89°14'41" W, 565.5 to the point of beginning containing 4.27 acres more or less.

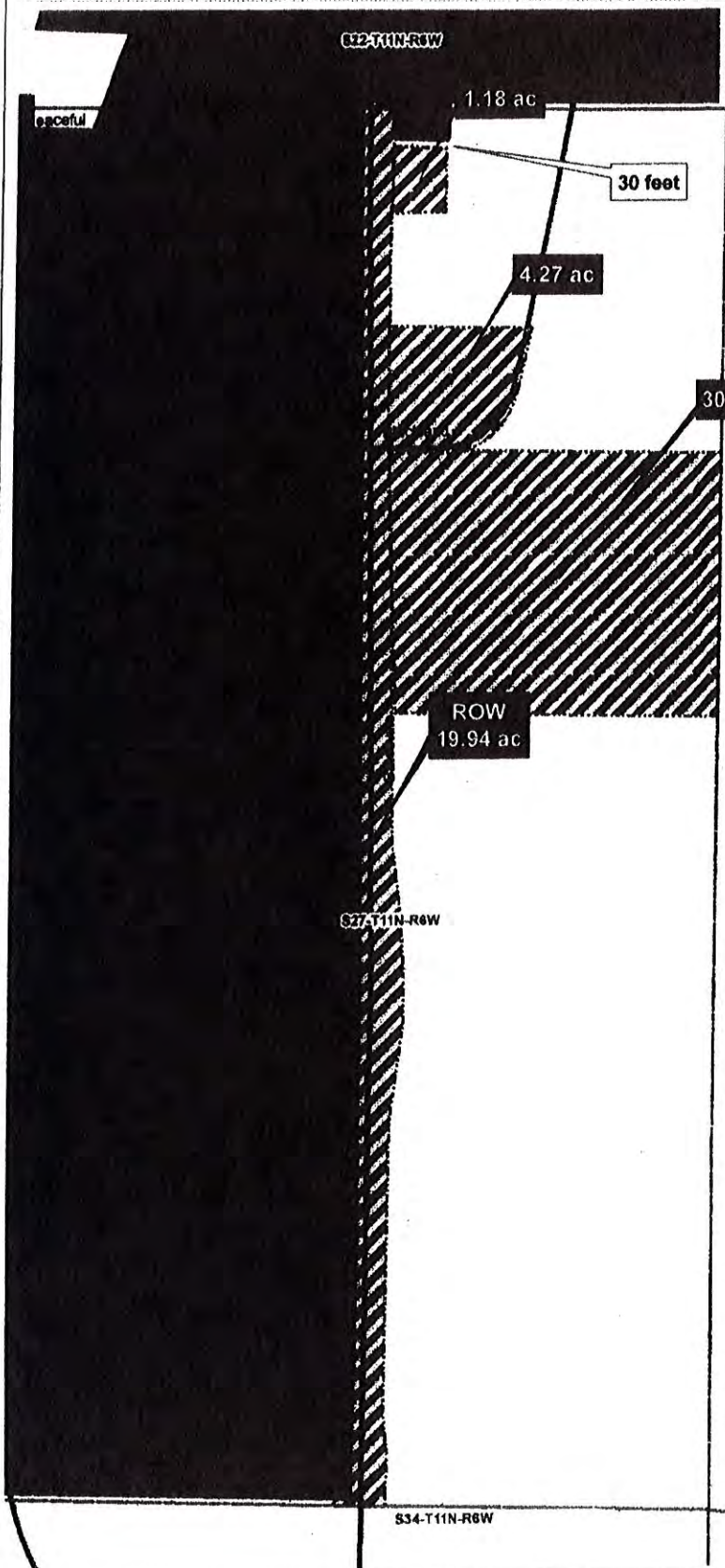
PASSED AND APPROVED THIS 13th DAY OF March, 2018.

Attest

Recorder-Treasurer


Mayor

Proposed Annex: City of Pleasant Plains
November 2017



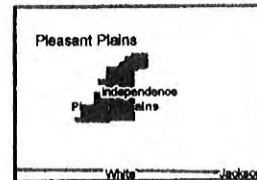
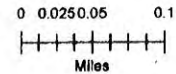
City: Pleasant Plains
Mayor: Kenneth Burns

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
- Existing City
- Neighboring City
- County Boundary



ARKANSAS
GIS OFFICE

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S35-T11N-R6W

F I L L E D

APR 17 2018

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Secretary of State

IN THE INDEPENDENCE COUNTY COURT

IN THE MATTER OF ANNEXING TO THE CITY OF
PLEASANT PLAINS, ARKANSAS, CERTAIN TERRITORIES
CONTIGUOUS TO THE CITY OF PLEASANT PLAINS, ARKANSAS

Case No. 2017- 01

DECREE OF ANNEXATION

On this, the 1st day of February, 2018, ^{ckb} there is presented to the Court, by Kenneth Burns, agent of the petitioners, a petition for annexation of certain territory, hereinafter more particularly described, to the City of Pleasant Plains, Arkansas; and the Court being fully advised of the facts and the law, doth hereby find, judge and decree as follows:

- (1) That the petition was filed more than thirty (30) days prior to this date, and that in said petition, the said Kenneth Burns was selected to act on behalf of the petitioners in filing and presenting the petition;
- (2) That a majority of the total number of real estate owners in the areas affected by this petition, have signed said petition, and that such majority owns more than one-half of the acreage affected;
- (3) That the territory consists of land that are platted and held for sale or use as municipal lots; whether platted or not, are held to be sold as suburban property; and/or represent the actual growth of the municipality beyond its legal boundary.
- (4) 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 Pleasant Plains, Arkansas;
- (5) That attached to and made a part of said petition is an accurate map of the territory sought to be annexed into the City of Pleasant Plains;
- (6) That between the time the petition was filed, and the date of this hearing, the petitioners did cause a notice to be published once each week, for three (3) consecutive weeks, in a newspaper of general circulation in the county;
- (7) That the prayer of the petition is right and proper.

Therefore, the Court doth hereby order, judge and decree that the following described territory be and the same is hereby annexed to and made a part of the City of Pleasant Plains, Arkansas, to-wit: All of the following described area in Independence County, Arkansas, collectively being contiguous to the City of Pleasant Plains: All U.S. Hwy. 167 right-of-way in S27, T11N, R6W, containing 19.94 acres more or less; And the N 1' of the SE 1' NE 1' of S27, T11N, R6W, containing 30 acres more or less; And a tract of land in the NE 1' NE 1' of S27, T11N, R6W, more particularly described as follows:
Commencing at the NW corner of said NE 1' NE 1', thence running N 88°02'01" E along the North line of said S27, 64.01, feet to the East right-of-way of U.S. 167; thence running along said right-of-way as follows: S 03°05'41" E, 18.15 feet; thence S 08°48'20" E, 100.50 feet; thence S 03°05'41" E, 61.35 feet to the point of beginning; thence continue S 03°05'41" E, 255.30 feet; thence leaving said East right-of-way line run N 88°02'01" E, 195.14 feet; thence North 255.30 feet; thence S 88°02'01" W, 216

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APR 17 2018

Arkansas
Secretary of State

feet to the point of beginning, containing 1.18 acres more or less; And a tract of land in the NE 1/4 NE 1/4 of S27, T11N, R6W more particularly described as follows: Commencing at the NW corner of said NE 1/4 NE 1/4, thence running N 88°02'01" E along the North line of said S27, 64.01 feet; thence S 03°05'41" E, 18.15 feet; thence S 08°48'20" E, 100.50 feet; S 00°05'41" E, 750.71 feet to the point of beginning on the East right-of-way line of U.S. 167; thence South along said East right of way 485 feet to the Southern right of way of HWY 157/Blackland ; thence along southern right of way of HWY 157/Blackland the following calls; East 100 feet, S 89°52'44" E, 126.35 feet; thence along a curve to the left having a 281.85 foot radius and a curve distance of 300 feet, thence continue along curve to the left having a 500 foot radius and a curve distance of 150 feet; thence along the Eastern right of way of HWY 157/Blackland N 13°0'00" E, 180 feet; thence leaving right of way N 89°14'41" W, 565.5 to the point of beginning containing 4.27 acres more or less.

The Court doth further order that the original papers in this cause be delivered to the Clerk of Independence County, same to be properly recorded upon the records of Independence County Arkansas, and the Clerk shall, after properly recording and filing the original papers, prepare transcripts of same and deliver one of the certified transcripts to the City of Pleasant Plains, Arkansas, one copy to the Secretary of State, and one copy to the Director of the Tax Division of the Arkansas Public Service Commission.

IT IS SO ORDERED.



County Judge

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10:05 A M

TRACEY MITCHELL
COUNTY & PROBATE CLERK

 DTS.

CO 2017-01



**ARKANSAS
GIS OFFICE**

November 28, 2017

Honorable Kenneth Burns
City of Pleasant Plains
PO Box 269
Pleasant Plains, AR 72568

RE: City of Pleasant Plains Annexation Coordination Requirement

Mayor Burns,

Thank you for coordinating with our office as you seek to annex property into the City of Pleasant Plains, AR. 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
/jjw

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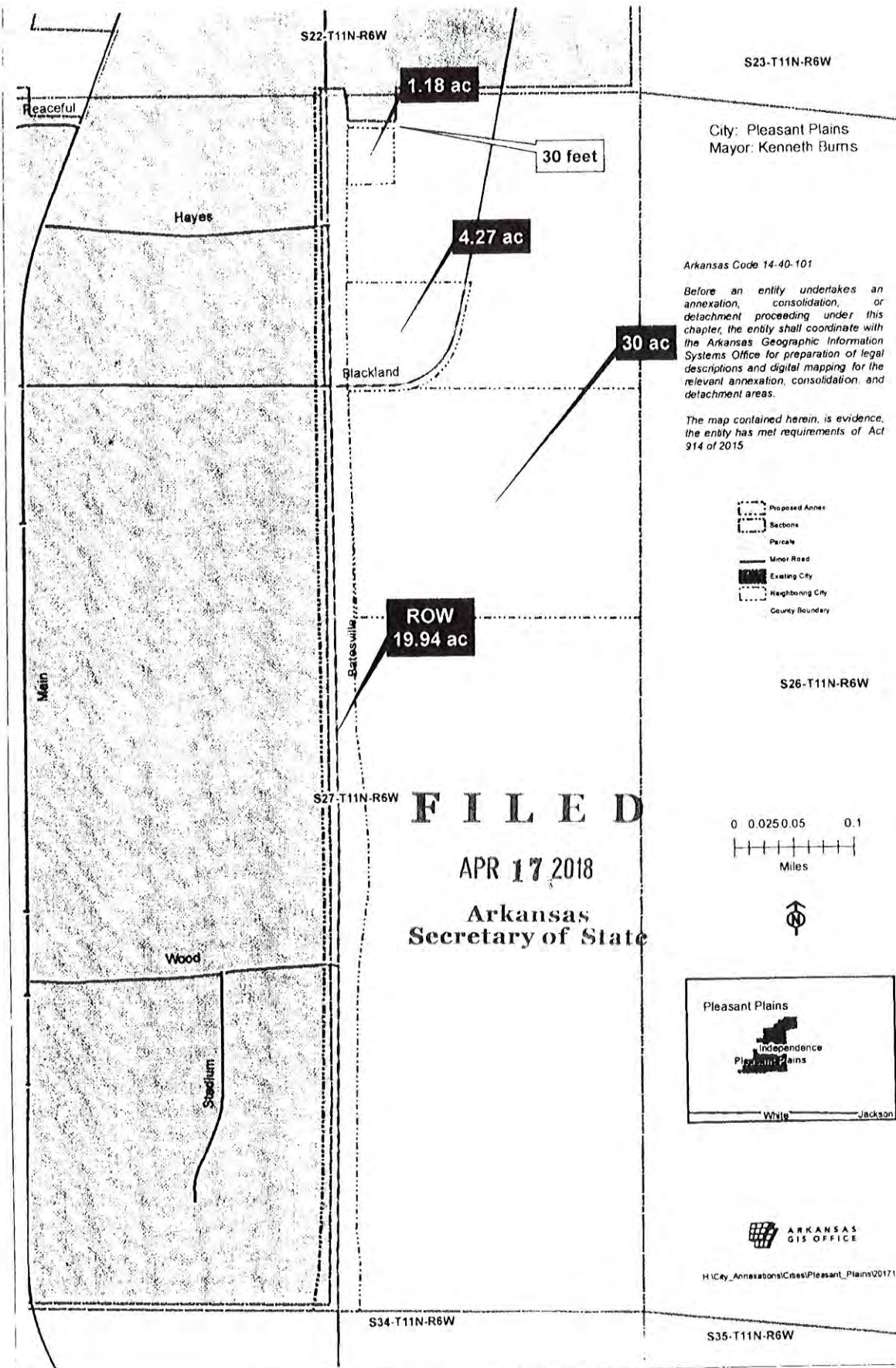
TRACEY MITCHELL
COUNTY & PROBATE CLERK

tm D.C.

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

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Proposed Annex: City of Pleasant Plains
November 2017



City: Pleasant Plains
Mayor: Kenneth Burns

Arkansas Code 14-40-101

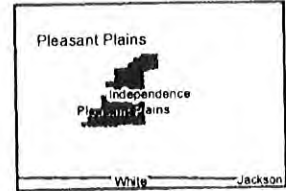
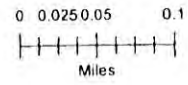
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The map contained herein, is evidence, the entity has met requirements of Act 914 of 2015

- Proposed Annex
- Sections
- Parcels
- Minor Road
- Existing City
- Neighboring City
- County Boundary

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19.94 ac

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Arkansas
Secretary of State



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The Guard-Record Co., Inc.

PUBLISHERS OF THE BATESVILLE DAILY GUARD
P.O. BOX 2036
BATESVILLE, ARKANSAS 72503

PROOF OF PUBLICATION ADVERTISEMENT

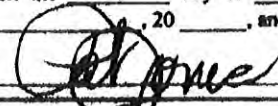
STATE OF ARKANSAS, SS. AFFIDAVIT

County of Independence

I, Pat Jones, hereby certify that I am the manager of the BATESVILLE DAILY GUARD, a newspaper published at regular intervals, Monday through Friday, continuously at Batesville, Independence County, Arkansas, for more than a period of twelve months, circulated and distributed from an established place of business to subscribers and readers generally of all classes in the City and County for a definite price for each copy, or a fixed price per annum, which price was fixed at what is considered the value of the publication, based upon the news value and service value it contains; that at least fifty percent of the subscribers thereto have paid cash for their subscription to the newspaper or its agents or through recognized news dealers over a period of at least six months; and that the said newspaper publishes an average of more than forty percent news matter.

I further certify that the legal notice hereto attached was published in said newspaper for 3 consecutive insertions as follows:

The first insertion on the 10th day of January 20 18, the second insertion on the 17th day of January 20 18, the third insertion on the 24th day of January 20 18, the fourth insertion on the _____ day of _____, 20____, the fifth insertion on the _____ day of _____, 20____, the sixth insertion on the _____ day of _____, 20____, the seventh insertion on the _____ day of _____, 20____, the eighth insertion on the _____ day of _____, 20____, the ninth insertion on the _____ day of _____, 20____, and the tenth insertion on the _____ day of _____, 20____.



Sworn to and subscribed before me this 25th day of January 2018.

Dottie J. Dodson

My commission expires: 11-01-2026

Publication fee, \$ 367.50 Received payment _____, 20____



NOTICE OF ANNEXATION HEARING

Notice is hereby given that there has been filed in the County Court of Independence County, Arkansas, the petition of Kenneth Burns and others, asking for the annexation to the City of Pleasant Plains of the following described lands situated in Independence County, Arkansas, and collectively contiguous to said city, to-wit:

All U.S. Hwy. 167 right-of-way in S27, T11N, R6W, containing 19.94 acres more or less; And the N 3/4 of the SE 1/4 NE 1/4 of S27, T11N, R6W, more particularly described as follows: Commencing at the NW corner of said NE 1/4 NE 1/4, thence running N 88°02'01" E along the North line of said S27, 64.01 feet to the East right-of-way of U.S. 167; thence running along said right-of-way as follows:

S 05°05'41" E, 18.15 feet; thence S 06°48'20" E, 100.50 feet; thence S 09°05'41" E, 61.95 feet to the point of beginning; thence continue S 09°05'41" E, 255.30 feet; thence leaving said East right-of-way line run N 88°02'01" E, 195.14 feet; thence North 255.30 feet; thence S 88°02'01" W, 216 feet to the point of beginning, containing 1.18 acres more or less; And a tract of land in the NE 1/4 NE 1/4 of S27, T11N, R6W more particularly described as follows:

Commencing at the NW corner of said NE 1/4 NE 1/4, thence running N 88°02'01" E along the North line of said S27, 64.01 feet; thence S 09°05'41" E, 18.15 feet; thence S 06°48'20" E, 100.50 feet; S 09°05'41" E, 750.71 feet to the point of beginning on the East right-of-way line of U.S. 167; thence South along said East right-of-way 485 feet to the Southern right-of-way of HWY 157/Blackland; thence along southern right-of-way of HWY 157/Blackland the following bearings: East 100 feet, S 80°52'44" E, 126.95 feet; thence along a curve to the left having a 261.65 foot radius and a curve distance of 209 feet, thence continue along curve to the left having a 500 foot radius and a curve distance of 190 feet; thence along the Eastern right-of-way of HWY 157/Blackland N 13°00'00" E, 180 feet; thence leaving right-of-way N 88°14'41" W, 589.5 to the point of beginning containing 4.27 acres more or less.

A map showing said land proposed for annexation is on file with said petition in the Office of the Clerk of said Court, and the undersigned has been named by the petitioners as the person authorized to act for them.

The court has fixed the 1st day of February, 2018 at 10 a.m. in the

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TRACEY MITCHELL
COUNTY & PROBATE CLERK

fm D.e.

IN THE COUNTY COURT OF INDEPENDENCE COUNTY, ARKANSAS

IN THE MATTER OF ANNEXING TO
THE CITY OF PLEASANT PLAINS, ARKANSAS
CERTAIN TERRITORY CONTIGUOUS TO
SAID CITY OF PLEASANT PLAINS, ARKANSAS

Case No. ^{CO} 2017-01

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10:35 A M
TRACEY MITCHELL
COUNTY & PROBATE CLERK
T.M. D.E.

PETITION FOR ANNEXATION

Come now the undersigned petitioners, and state as follows:

1. That we, as property owners in the following described area, do hereby petition, pursuant to A.C.A. 14-40-601 through 14-40-606, the County Court of Independence County, Arkansas, to annex the following lands to the City of Pleasant Plains, Arkansas: All of the following described area in Independence County, Arkansas, collectively being contiguous to the City of Pleasant Plains:

All U.S. Hwy. 167 right-of-way in S27, T11N, R6W, containing 19.94 acres more or less;

And the N $\frac{1}{4}$ of the SE $\frac{1}{4}$ NE $\frac{1}{4}$ of S27, T11N, R6W, containing 30 acres more or less;

And a tract of land in the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of S27, T11N, R6W, more particularly described as follows: Commencing at the NW corner of said NE $\frac{1}{4}$ NE $\frac{1}{4}$, thence running N 88°02'01" E along the North line of said S27, 64.01, feet to the East right-of-way of U.S. 167; thence running along said right-of-way as follows: S 03°05'41" E, 18.15 feet; thence S 08°48'20" E, 100.50 feet; thence S 03°05'41" E, 61.35 feet to the point of beginning; thence continue S 03°05'41" E, 255.30 feet; thence leaving said East right-of-way line run N 88°02'01" E, 195.14 feet; thence North 255.30 feet; thence S 88°02'01" W, 216 feet to the point of beginning, containing 1.18 acres more or less;

And a tract of land in the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of S27, T11N, R6W more particularly described as follows: Commencing at the NW corner of said NE $\frac{1}{4}$ NE $\frac{1}{4}$, thence running N 88°02'01" E along the North line of said S27, 64.01 feet; thence S 03°05'41" E, 18.15 feet; thence S 08°48'20" E, 100.50 feet; S 00°05'41" E, 750.71 feet to the point of beginning on the East right-of-way line of U.S. 167; thence South along said East right of way 485 feet to the Southern right of way of HWY 157/Blackland ; thence along southern right of way of HWY 157/Blackland the following calls; East 100 feet, S 89°52'44" E, 126.35 feet; thence along a curve to the left having a 281.85 foot radius and a curve distance of 300 feet, thence continue along curve to the left having a 500 foot radius and a

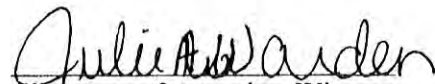
curve distance of 150 feet; thence along the Eastern right of way of HWY 157/Blackland N 13°0'00" E, 180 feet; thence leaving right of way N 89°14'41" W, 565.5 to the point of beginning containing 4.27 acres more or less.

2. We further state that this petition is signed by a majority of the real estate owners owning more than one-half of the acreage in said area.
3. That said property described herein is contiguous to and adjoining the present city limits of the City of Pleasant Plains, as shown on the attached map.
4. We further, by our petition, appoint Kenneth Burns to act on behalf of the petitioners in presenting this matter to the Court.
5. That the petitioners request that the Court set a date for the hearing on this matter, and that upon final hearing, the Court enter an Order granting this Petition and annexing the territory described herein to the City of Pleasant Plains.


Signature of Property Owner

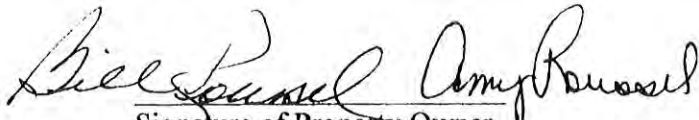
KENNY 557665 Shelia Staggs
Printed Name of Owner

PO Box 600, Pleasant Plains, AR 72568
Mailing Address


Signature of Attesting Witness

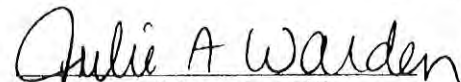
Julie A Warden
Printed Name of Witness




Signature of Property Owner

Bill Roussel, Amy Roussel
Printed Name of Owner

PO Box 1140, Searcy, AR 72145
Mailing Address


Signature of Attesting Witness

Julie A Warden
Printed Name of Witness

