



ARKANSAS SECRETARY OF STATE
MARK MARTIN

September 17, 2018

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

Re: City of Pleasant Plains Annexation Resolution 2018-05

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: 09/13/2018

County: Independence

City: Pleasant Plains

City Resolution: 2018-05

Dated: 08/14/2018

County Court Order: CO-2018-02

Date Filed: 06/20/2018 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)
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: 2018-05 Date approved: August 14, 2018

County Court Case No: CO 2018-02 Date Order Filed: June 20, 2018

Type: A.C. 514-40-602 Petition by a majority of the landowners
(Choose from the list of Arkansas Code Sections located on the back)

Date Change Effective: 09/13/2018 Set by: Municipal Ordinance Emergency Clause Court Default
(Required by Act 655 of 2017)

For Circuit Court Challenge: Date Order Filed: August 14, 2018 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: Kenneth Burns Title: Mayer

Street Address: 386 Main St

City: Pleasant Plains St: AR Zip code: 72568

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: Tracey Mitchell by SR Title: County Clerk

Date: 8/22/18

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

FILED
SEP 17 2018
Arkansas
Secretary of State

FILED

AUG 15 2018

9:30 A M
TRACEY MITCHELL
COUNTY & PROBATE CLERK
fm D-G

RESOLUTION NO. 2018-05

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: A part of the West Half of the Southeast Quarter of Section 22, Township 11 North, Range 6 West, Described as Follows: Beginning at the Northeast corner of the West Half of the Southeast Quarter of Section 22, Township 11 North, Range 6 West, Thence run South 208' to the POB; Thence Continue South 1111' to the NW Corner of the SE SE of said Section; Thence, Continue South 360' to a Point on the West ROW of BATESVILLE BLVD/US HIGHWAY 167; Thence West 712' to the

FILED

2018/47-50

SEP 17 2018

Arkansas
Secretary of State

Centerline of Main Street; Thence Northeasterly along the
Centerline of Main Street Approximately 1563' to a Point; Thence
S80°33'1"E 314' to the POB

PASSED AND APPROVED THIS 14th DAY OF *August*, 2018.


Mayor

Attest:

Recorder-Treasurer

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

Case No 2018-02

FILED

SEP 17 2018

DECREE OF ANNEXATION

Arkansas Secretary of State

On this the 30th day of May, 2018, 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 (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 than one half of the acreage affected;

(3) That the territory consists of lands that are platted and held for sale or use as municipal lots; whether platted or not, are held to be sold as suburban property property; and/or represent the actual growth of the municipality beyond its legal boundary.

that (4) That the territory sought to be annexed was accurately described in said petition, and said territory contiguous to the boundaries of the City of Pleasant Plains, Arkansas;

(5) That attached to and made part of said petition is an accurate map of the territory sought to be annexed into the City of Pleasant Plains;

did (6) That between the time of petition was filed, and the date of this hearing, the petitioners cause a notice to be published once a week, for (3) consecutive weeks, in a newspaper of general circulation in the county;

(7) That the prayer of the 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 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: A part of the West Half of the Southeast Quarter of Section 22, Township 11 North, Range 6 West, Described as Follows: Beginning at the Northeast corner of the West Half of the Southeast Quarter

of Section 22, Township 11 North, Range 6 West, Thence run South 208' to the POB; Thence Continue South 1111' to the NW Corner of the SE SE of said Section; Thence, Continue South 360' to a Point on the West ROW of BATESVILLE BLVD/US HIGHWAY 167; Thence West 712' to the Centerline of Main Street; Thence Northeasterly along the Centerline of Main Street Approximately 1563' to a Point; Thence S80°33'1"E 314' to the POB .

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 the 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

2018/529-530

FILED
JUN 20 2018
9:42 A M
TRACEY MITCHELL
COUNTY & PROBATE CLERK
SR D.C.



**ARKANSAS
GIS OFFICE**

November 17, 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

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

F I L E D

SEP 17 2018

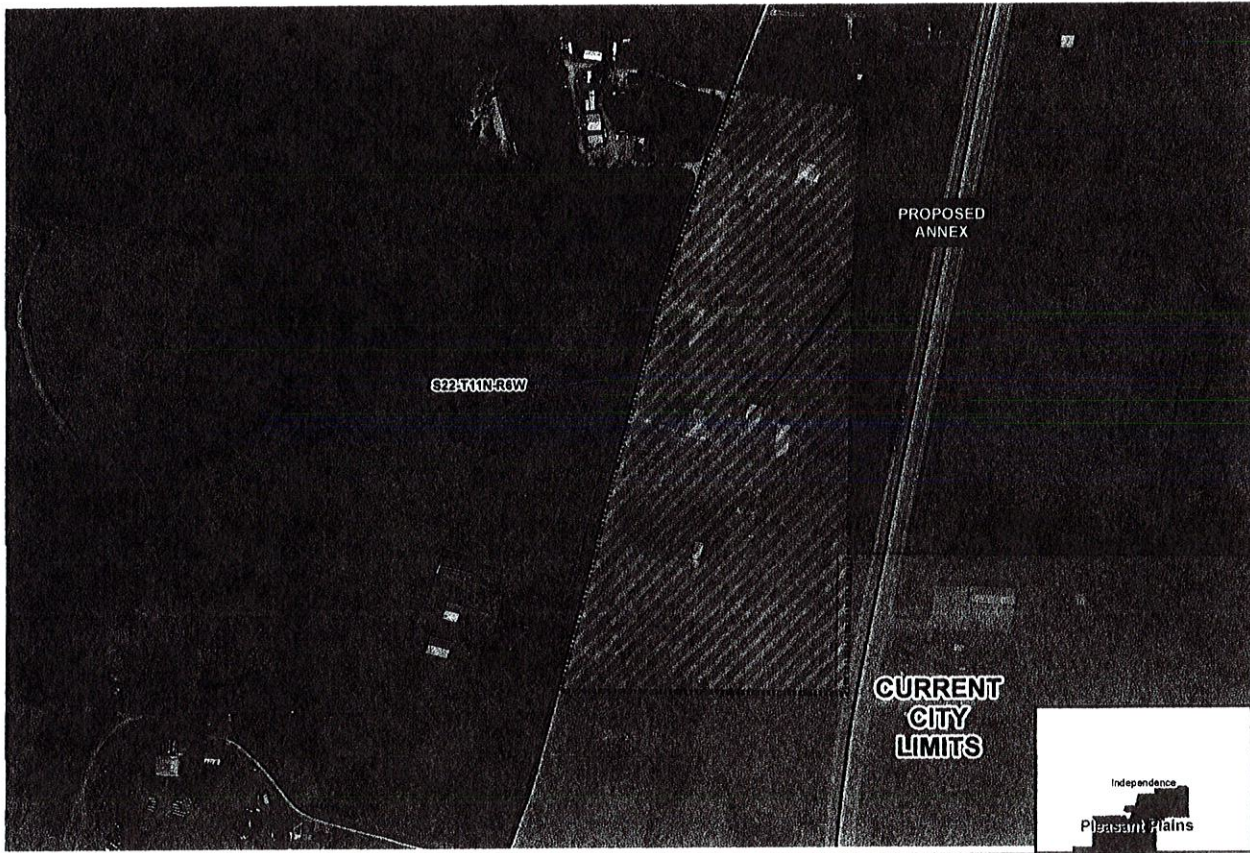
**Arkansas
Secretary of State**

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, in evidence, the entity has met requirements of Act 914 of 2015



FILED

SEP 17 2018

Arkansas
Secretary of State

VERIFICATION OF COUNTY COURT PETITION
FOR ANNEXATION

Re: CO 2018-02 *In the Matter of Annexation to
the City of Pleasant Plains, Arkansas, Certain Territory
Contiguous Thereto*

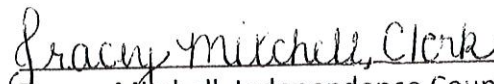
We, Independence County Assessor Diane Tucker and Independence County Clerk Tracey Mitchell, do hereby verify the following concerning the **Petition for Annexation** filed April 4, 2018:

1. The written petition contains a notarized attestation signed by petitioners John Dewey, Michael Thomason, Vada Bickers, Pamela Anderson, Rita Roberson and Carol Anderson—Power of Attorney for Earnesteen Gilbert confirming their desire to be annexed.
2. The petition contains an accurate description of the relevant property to be annexed.
3. The petitioners is signed by a majority of the real estate owners owning more than one-half of the acreage in said area.
4. Said property to be annexed is contiguous to and adjoining the present city limits of the City of Pleasant Plains.

Verified this 4th day of June 2018.



Diane Tucker, Independence County Assessor



Tracey Mitchell, Independence County Clerk

FILED
JUN 04 2018
12:36 P M
TRACEY MITCHELL
COUNTY & PROBATE CLERK
fm D.C.

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 Pleasantains of the following described lands situated in Independence County, Arkansas, and collectively contiguous to said city, to-wit: A part of the West Half of the Southeast Quarter of Section 2, Township 11 North, Range 6 West. Described as Follows: Beginning at the Northeast corner of the West Half of the Southeast Quarter of Section 22, Township 11 North, Range 6 West, Thence in South 208' to the POB; Thence Continue South 1111' to the NW corner of the SE SE of said Section; Thence Continue South 360' to a Point on the West ROW of BATESVILLE BLVD/US HIGHWAY 37; Thence West 712' to the Centerline of Main Street; Thence northeasterly along the Centerline of Main Street Approximately 563' to a Point; Thence S80°33'1"E314' to the POB.

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

The Court has fixed the 30th day of May, 2018 at 10 a.m. in the County Judges Office, at the Independence County Courthouse, as the date for a hearing on said petition, and all interested persons are now notified to be present at the time and date so fixed.

By: Kenneth Burns

Print-Record Co., Inc.

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

INDEPENDENCE COUNTY, ARKANSAS, SS. AFFIDAVIT

I, Josephine Cargill, 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 for more than a period of twelve months, circulated and distributed from an established place of business for subscribers and readers generally of all classes in the City and County for a definite price for each copy, price per annum, which price was fixed at what is considered the value of the publication, based upon value and service value it contains; that at least fifty percent of the subscribers thereto have paid cash for 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.

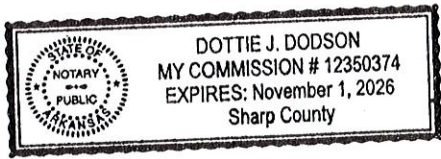
I further certify that the legal notice hereto attached was published in said newspaper for 3 consecutive insertions as follows:

The first insertion on the 27th day of April, 2018, the second insertion on the 4th day of May, 2018, the third insertion on the 11th day of May, 2018, 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____.

Josephine Cargill

Sworn to and subscribed before me this 15th day of May, 2018.
Dottie J. Dodson

My commission expires: 11-01-2026
Publication fee, \$ 192.00 Received payment _____, 20____.



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. C02018-02

FILED

APR 04 2018

2:10 P M

TRACEY MITCHELL
COUNTY & PROBATE CLERK

Tm 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:

LEGAL DESCRIPTION DERIVED USING GIS SOFTWARE AND THE FOLLOWING WARRANTY DEEDS FILED WITH THE INDEPENDENCE COUNTY CIRCUIT CLERKS OFFICE; BOOK 2010 PAGE 3004 AND BOOK 2014 PAGES 4996-4998

A PART OF THE WEST HALF OF THE SOUTHEAST QUARTER OF SECTION 22, TOWNSHIP 11 NORTH, RANGE 6 WEST, DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHEAST CORNER OF THE WEST HALF OF THE SOUTHEAST QUARTER OF SECTION 22, TOWNSHIP 11 NORTH, RANGE 6 WEST, THENCE RUN SOUTH 208' TO THE POB; THENCE CONTINUE SOUTH 1111' TO THE NW CORNER OF THE SE SE OF SAID SECTION; THENCE, CONTINUE SOUTH 360' TO A POINT ON THE WEST ROW OF BATESVILLE BLVD/US HIGHWAY 167; THENCE WEST 712 TO THE CENTERLINE OF MAIN STEET; THENCE NORTHEASTERLY ALONG THE CENTERLINE OF MAINSTREET APPROXIMATELY 1563' TO A POINT; THENCE S80*33'1"E 314' TO THE POB.

2. We further state that this petition is signed by 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.

John Dewey
Signature of Property Owner

JOHN DEWEY
Printed Name of Owner

165 MAIN ST
Mailing Address

Michael Thomason
Signature of Property Owner

Michael Thomason
Printed Name of Owner

206 Jennifer Lane, Searcy AR
Mailing Address 72143

Vada Bickers
Signature of Property Owner

Vada Bickers
Printed Name of Owner

215 Main Street
Mailing Address

Pamela Anderson
Signature of Property Owner

Pamela Anderson
Printed Name of Owner

155 Main St
Mailing Address

Julia Warden
Signature of Attesting Witness

Julie A Warden
Printed Name of Witness

Julie A Warden
Signature of Attesting Witness

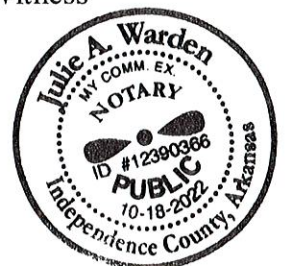
Julie A Warden
Printed Name of Witness

Julie A Warden
Signature of Attesting Witness

Julie A Warden
Printed Name of Witness

Julie A Warden
Signature of Attesting Witness

Julie A Warden
Printed Name of Witness



Rita Roberson
Signature of Property Owner

Rita Roberson
Printed Name of Owner
937 Maple Dr.
Judsonia, AR 72081
Mailing Address

Signature of Property Owner
Witness

Carol Anderson
Printed Name of Owner
POA for Earnesteen Gilbert
2515 Dylan LN
Mailing Address
Batesville, AR 72501

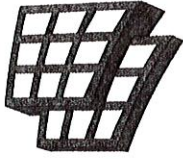
Julie A Warden
Signature of Attesting Witness

Julie A Warden
Printed Name of Witness

Signature of Attesting

Julie A Warden
Printed Name of Witness
Julie A Warden





ARKANSAS GIS OFFICE

November 17, 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

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

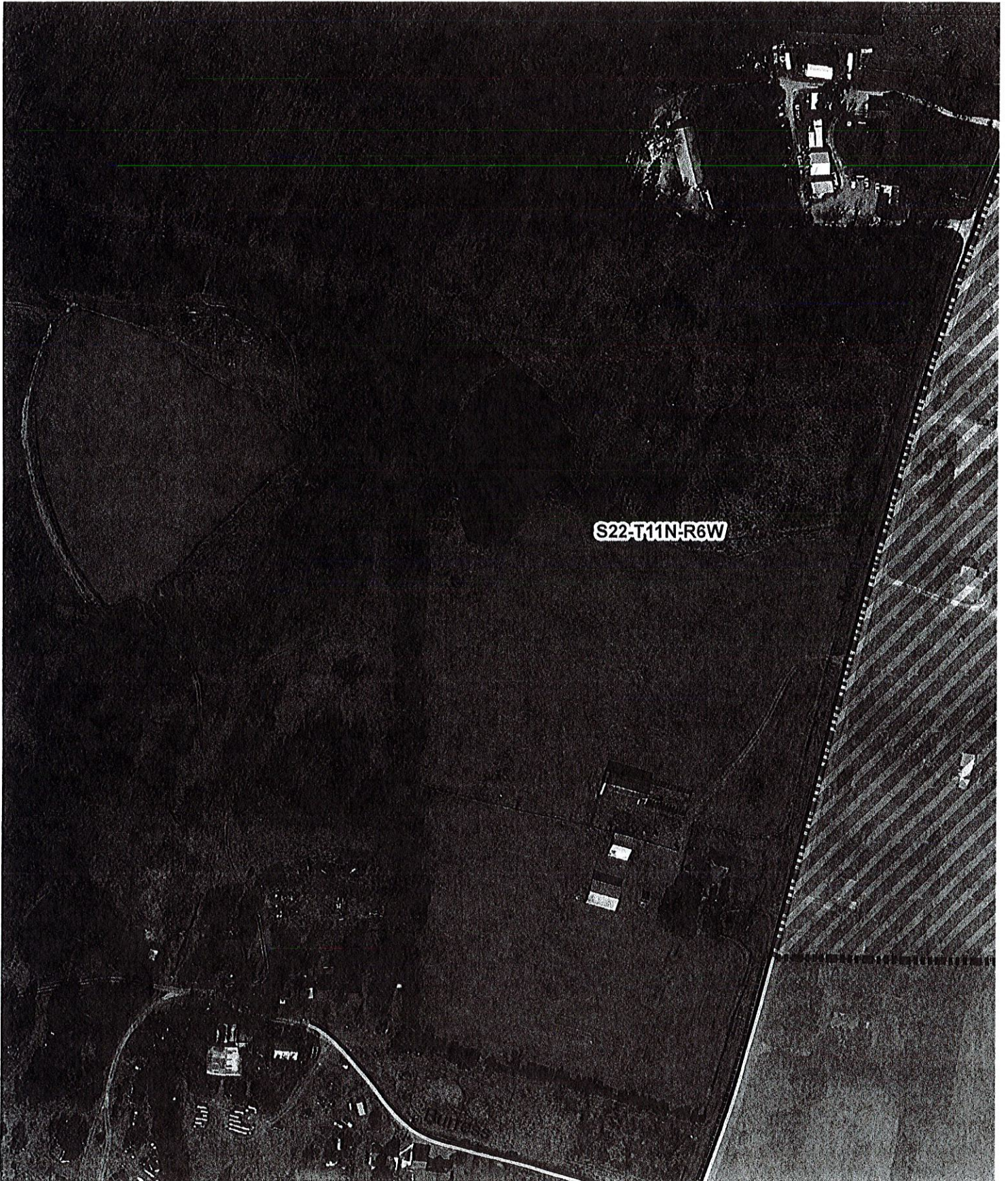
H:\City_Annexations\Cities\Pleasant_Plains\20171108\Doc\20171117_PleasantPlains_Annexation_Coordination_Letter.docx



S22-T11N-R6W

LEGAL DESCRIPTION DERIVED USING GIS SOFTWARE AND THE FOLLOWING WARRANTY DEEDS FILED WITH THE INDEPENDENCE COUNTY CIRCUIT CLERK'S OFFICE; BOOK 2010 PAGE 3004 AND BOOK 2014 PAGES 4996-4998

A PART OF THE WEST HALF OF THE SOUTHEAST QUARTER OF SECTION 22, TOWNSHIP 11 NORTH, RANGE 6 WEST, DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHEAST CORNER OF THE WEST HALF OF THE SOUTHEAST QUARTER OF SECTION 22, TOWNSHIP 11 NORTH, RANGE 6 WEST, THENCE RUN SOUTH 208' TO THE POB; THENCE CONTINUE SOUTH 1111' TO THE NW CORNER OF THE SE SE OF SAID SECTION; THENCE, CONTINUE SOUTH 360' TO A POINT ON THE WEST ROW OF BATESVILLE BLVD/US HIGHWAY 167; THENCE WEST 712' TO THE CENTERLINE OF MAIN STREET; THENCE NORTHEASTERLY ALONG THE CENTERLINE OF MAIN STREET APPROXIMATELY 1563' TO A POINT; THENCE S80°33'1"E 314' TO THE POB.



**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
- Minor Road
- Existing City
- County Boundary

