



ARKANSAS SECRETARY OF STATE

MARK MARTIN

September 8, 2017

The Honorable Rhonda Blevins
Randolph County Clerk
107 West Broadway
Pocahontas, AR 72455

Re: City of Pocahontas Annexation Ordinance 2017-14

Dear Ms. Blevins,

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 § 14-40-609 (petition by 100% of the landowners)
Effective Date: 10/07/2017 (60 days after passage)
County: Randolph City: Pocahontas
City Ordinance: 2017-014 Dated: 08/08/2017
County Court Order: C-2017-9 Filed: 07/10/2017

File marked copies of the Ordinance, Court Order and supporting documents 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 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
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)
Ms. Suzanne Hawkins, Pocahontas City Clerk and Treasurer (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: Randolph City/Town: Pocahontas

City Ordinance/Resolution No: 2017-14 Date approved: 08-08-2017

County Court Case No: C-2017-9 Date Order Filed: 07-10-2017

Type: ACA 14-40-609 Annexation by Petition of ALL landowners
(Choose from the list of Arkansas Code Sections located on the back)

Date Change Effective: 10/1/2017 Set by: Municipal Ordinance Emergency Clause Court Default
(Required by Act 655 of 2017) → 2017-14 - 60 days after 8-8-17

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: Suzanne Hawkins Title: City Clerk/Treasurer

Street Address: 410 N. Marr St

City: Pocahontas St: AR Zip code: 72455

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: Rhonda Blewins Title: County Clerk

Date: 9-1-17

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 8 2017

Arkansas
Secretary of State

Mayor
Kary Story

City of Pocahontas

**OFFICE OF SUZANNE HAWKINS
CITY CLERK/TREASURER**

Aldermen

Wayne Broadway

Rainer DeClerk

Verna Dudley

Keith Futrell

Rob Olvey

Ben Pond

City Clerk / Treasurer
Suzanne Hawkins

410 N. Marr

Pocahontas, Arkansas 72455

870-892-9661 Voice

870-892-4284 Fax

e-mail: cityclerk@cityofpocahontas.com

City Attorney
Alex Bigger

September 1, 2017

To: Arkansas Secretary of State
500 Woodlane Ave
Little Rock, Ar 72201-1094

Re: City of Pocahontas Annexation

See attached documents regarding annexation of property to the City of Pocahontas.

Thank you,



Suzanne Hawkins
City Clerk/Treasurer
City of Pocahontas
870-892-9661



I HEREBY CERTIFY THAT THIS INSTRUMENT WAS FILED FOR RECORD 08/10/2017 09:04:35 AM AND IS RECORDED MISC IN BK 0046 PG 0060

Debbie Wise
CIRCUIT CLERK & RECORDER
RANDOLPH COUNTY, ARKANSAS
By Mackenzie Collier, D.C.

ORDINANCE NO. 2017-14

AN ORDINANCE ACCEPTING THE ANNEXATION OF CERTAIN TERRITORY TO THE CITY OF POCAHONTAS, ARKANSAS AND MAKING SAME A PART OF THE CITY OF POCAHONTAS; ASSIGNING THE SAME TO RESPECTIVE WARDS.

WHEREAS, a petition for annexation was filed with the County Clerk of Randolph County, Arkansas, by Mallory Steimel on behalf of Malshea LLC, which is real estate owner of the hereinafter described territory, proposing that said territory be annexed to and made a part of the City of Pocahontas, Arkansas; and,

WHEREAS, on the 10th day of July, 2017, the County Court of Randolph County, Arkansas, found that the petition was signed by a majority of the real estate owners in said territory; that said territory was contiguous and adjoining the present corporate limits of the City of Pocahontas, Arkansas; that an accurate plat or map of said territory had been filed with and made a part of said petition; that proper notice had been given for the time and the manner prescribed by law; that all things pertaining thereto had been done in the manner prescribed by law; and that said lands and territory should be annexed to and made a part of the City of Pocahontas, 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 fixed by law for appealing from said order of annexation made by the County Court has expired and no appeal has been taken from said order.

Now, therefore, be it ordained by the City Council of the City of Pocahontas, Arkansas:

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

Legal description is attached hereto and is incorporated herein as Exhibit "A"

SECTION 2: That the above described territory shall be annexed to and made a part of Ward Three of the City of Pocahontas, and the same shall henceforth be a part of said Ward as fully as existing parts of said Ward.

PASSED and approved this 8th day of August, 2017.

APPROVED:

FILED

SEP 8 2017

Arkansas
Secretary of State

Kary Story
MAYOR KARY STORY

ATTEST: Suzanne Hawkins, City Clerk/Treasurer

Suzanne Hawkins

FILED IN MY OFFICE

This 9th day of August, 2017.

Suzanne Hawkins
Suzanne Hawkins, City Clerk/Treasurer

IN THE COUNTY COURT OF RANDOLPH COUNTY, ARKANSAS

In the Matter of the Annexation of
Certain Territory to the City of Pocahontas:

A part of the SE/4, SE/4 of Section 20,
Twp. 19N, Range 1E; more particularly
described in Exhibit "A" and as shown
in Plat Book 2, page 18 of the records of
Randolph County, Arkansas.


Case No.: C-2017- 9

ORDER

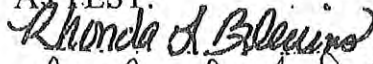
Now on this 10 day of July, 2017, comes to be heard the petition of
Malshea LLC by Mallory Steimel for the annexation of said territory to the
City of Pocahontas.

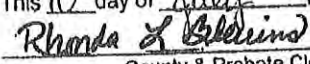
The Court has reviewed the petition and verifications and determined that
this property may be annexed by ACA 14-40-609 (Act 991 of 2015). The
property petitioned for annexation has a sole owner, it contained an accurate
description, included a schedule of services and no enclaves will be created
by annexing this property.

IT IS HEREBY CONSIDERED AND ORDERED, SUBJECT TO
ACCEPTANCE BY THE CITY OF POCAHONTAS, that the said territory
described herein be annexed with all rights, responsibilities and privileges
thereto pertaining.


David Jansen, Randolph County Judge

ATTEST:


by: April A. Duff, D.C.
Rhonda Blevins, Randolph County Clerk

FILED IN MY OFFICE
This 10th day of July, 2017
 1035
County & Probate Clerk
April A. Duff D.C.

FILED

SEP 8 2017

Arkansas
Secretary of State

STATE OF ARKANSAS)
) ss.
COUNTY OF RANDOLPH)

ACKNOWLEDGMENT

On this 22 day of June, 2017 personally appeared before the undersigned, a Notary Public, in and for the County and state aforesaid, duly qualified and acting Mallory Steimel to me well known and satisfactorily proven to be the person(s) whose name(s) appear in the foregoing petition and stated that he had executed the same for the considerations and purposes therein mentioned and set forth.



Notary Public

My commission expires:

5-17-24
(SEAL)





**ARKANSAS
GIS OFFICE**

July 25, 2017

Mrs. Suzanne Hawkins
City of Pocahontas
City Clerk/Treasurer

RE: City of Pocahontas Annexation Coordination Requirement

Mrs. Hawkins,

Thank you for coordinating with our office as you seek to annex property into the City of Pocahontas, AR case number C-2017-9. 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

F I L E D

SEP 8 2017

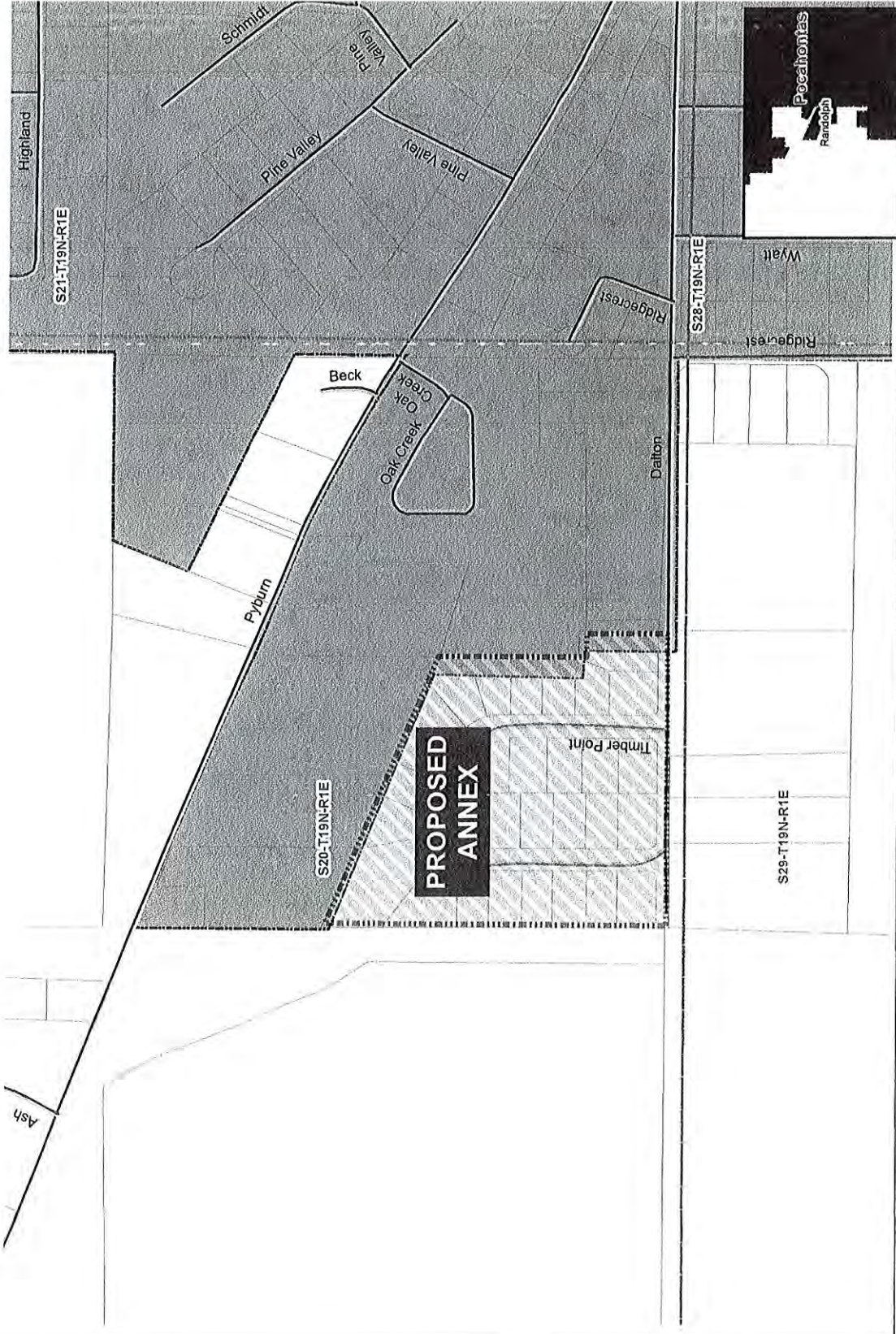
**Arkansas
Secretary of State**

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

H:\City_Annexations\Cities\Pocahontas\20170725\Doc\20170725_Pocahontas_Annexation_Coordination_Letter.docx

Proposed Annex: City of Pocahontas
July 2017

City: Pocahontas
Mayor: Kary Story



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
- Highway
- Minor Road
- Existing City
- Neighboring City
- County Boundary

F I L E D

SEP 8 2017

Arkansas
Secretary of State
Scott Pruitt

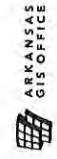
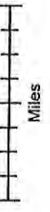


EXHIBIT "A"

Part of the Southeast Quarter of the Southeast Quarter (SE¼ SE¼) of Section Twenty (20), Township Nineteen (19) North, Range One (1) East, Randolph County, Arkansas, more particularly described as follows: Beginning at the Southwest corner of said Southeast Quarter of the Southeast Quarter (SE¼ SE¼) of Section Twenty (20); thence North 00° 26' 51" East along the West line thereof, 813.19 feet; thence South 66° 26' 23" East 677.82 feet; thence South 00° 26' 51" West parallel with the West line of said Southeast Quarter of the Southeast Quarter (SE¼ SE¼) 350.00 feet; thence South 89° 18' 26" East 55.62 feet; thence South 00° 11' 03" West 193.41 feet; thence North 89° 50' 46" West along the South line of said Southeast Quarter of the Southeast Quarter (SE¼ SE¼) of Section Twenty (20), 679.93 feet to the point of beginning. SUBJECT to right of way 13.62 feet in width for West Dalton Street along the South side thereof and being the same tract of land described in that certain Warranty Deed in favor of Danny M. Walls and Brenda L. Walls, recorded in Deed Book 206 page 470 and further described as all of Timber Pointe Addition to the City of Pocahontas, Randolph County, Arkansas, described in Plat Book 2 page 18 of the records of Randolph County, Arkansas.



Google

Map data ©2017 Google, Imagery ©2017 DigitalGlobe, State of Arkansas, USDA Farm Service Agency

1 inch = 154 feet

Created By Stacy Ingram on 6/29/2017 11:51:25 AM via DataScout OneMap

This map should be used for reference purposes only and should not be considered a legal document. While every effort has been made to ensure the accuracy of this product, the publisher accepts no responsibility for any errors or omissions nor for any loss or damage alleged to be suffered by anyone as a result of the publication of this map and the notations on it, or as a result of the use or misuse of the information provided herein.

PROOF of PUBLICATION

STATE OF ARKANSAS

County of Randolph

I, Ante Murphy, do solemnly swear that I am the editor of the *Pocahontas Star Herald*, a newspaper published weekly in the town of Pocahontas, Randolph County, Arkansas, and having a bona fide circulation in said county and state, and the annexed advertisement was published 1 consecutive times in said newspaper, on the following dates, to-wit:

1st <u>August 24</u> , 20 <u>17</u>	4th _____, 20__
2nd _____, 20__	5th _____, 20__
3rd _____, 20__	6th _____, 20__

Ante Murphy Editor

Sworn and subscribed before me this 24 day of August, 2017 Fee for printing \$ 119.00

Jennifer Conway

My commission expires 6-1-2022



ORDINANCE NO. 2017-14
AN ORDINANCE ACCEPTING
THE ANNEXATION OF
CERTAIN TERRITORY TO
THE CITY OF POCAHONTAS,
ARKANSAS AND MAKING
THE SAME A PART OF THE
CITY OF POCAHONTAS;
ASSIGNING THE SAME TO
RESPECTIVE WARDS.
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said territory had been filed with and made a part of said petition; that proper notice had been given for the time and the manner prescribed by law; that all things pertaining thereto and been done in the manner prescribed by law; and that said lands and territory should be annexed to and made a part of the City of Pocahontas, Arkansas, subject to the acceptance of same by the City Council of said City at the proper time, as provided by law; and
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PUBLIC NOTICES

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 PASSED and approved this 8th day of August, 2017

APPROVED:
MAYOR KARY STORY
ATTEST:
SUZANNE HAWKINS
CITY CLERK/TREASURER