



# JOHN THURSTON

ARKANSAS SECRETARY OF STATE

April 29, 2021

The Hon. Betsy Harrell  
Benton County Clerk  
215 East Central, Suite 217  
Bentonville, AR 72712-5373

Re: City of Pea Ridge Annexation Ordinance 702

Dear Ms. Harrell,

This letter acknowledges receipt and filing of the following notice of municipal boundary change by the Office of the Arkansas Secretary of State:

Filing Type: Annexation pursuant to A.C.A §14-40-609 (petition of all landowners)

Effective Date: 3/25/2021

County: Benton

City: Pea Ridge

City Ordinance: 702

Dated: 2/23/2021

County Court Order: 2021-03

Date Filed: 1/14/2021

A file marked copy of the ordinance, 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 change by the Arkansas Secretary of State.

If you have any questions or concerns regarding this filing, please do not hesitate to contact our Office at 501-683-3717.

Sincerely,

A handwritten signature in black ink, appearing to read "Shantell McGraw".

Shantell McGraw  
Elections Division

cc: Arkansas Geographic Information Systems Office (w/encl)  
Arkansas Department of Transportation Mapping Department (w/encl)  
Department of Finance and Administration (w/encl)  
Arkansas Public Service Commission (w/encl)  
Arkansas Economic Development Institute (w/encl)  
The Hon. Jackie Crabtree, Mayor of Pea Ridge (w/encl)



# Arkansas Secretary of State

**John Thurston** Arkansas Secretary of State, 500 Woodlane Ave, Little Rock, AR 72201-1094

## Municipal Boundary Change Checklist

Act 655 of 2017 and A.C.A. §14-40-103

County: Benton City/Town: Pea Ridge

City Ordinance/Resolution No: 702 Date approved: 02/23/2021

County Court Case No: 2021-03 Date Order Filed: 01/14/2021

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

Date Change Effective: 03/25/2021 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)*

Please indicate which ward(s) the territory will be assigned to: 2  
*(See A.C.A § 14-40-203)*

### 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 or certified annexation election results *(required except for A.C.A. §14-40-501)*
- 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 *(if applicable)*
- File marked copy of Complaint and final Circuit Court Order *(Court Challenge only)*

### Municipal Contact:

Name: Jackie Crabtree, Title: Mayor

Street Address: PO Box 10

City: Pea Ridge St: AR Zip code: 72751

*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: [Signature] Title: Deputy Clerk

Date: 3/23/21

*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: [Signature]

**F I L E D**

APR 29 2021

Rev. 2/2019

Arkansas  
Secretary of State

# BENTON COUNTY

STATE OF ARKANSAS

**BETSY HARRELL**

**COUNTY CLERK & VOTER REGISTRAR**

215 EAST CENTRAL, SUITE 217  
BENTONVILLE, AR 72712-5373  
479-271-1013  
Fax: 479-271-1019

**PROBATE COURT CLERK**  
COURTHOUSE, 102 N.E. "A" STREET  
BENTONVILLE, AR 72712-5350  
479-271-5727  
FAX: 479-271-1712

March 23, 2021

Honorable John Thurston  
Secretary of State  
Room 256 State Capitol  
Little Rock, AR 72201-1094

RE: The City of Pea Ridge  
Kevin Felgenhauer  
Benton County Court Case No. CC# 2021-03

**RECEIVED**

MAR 23 2021

Arkansas  
Secretary of State

Dear Secretary Thurston:

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

1. Map (survey and vicinity map) of the affected area
2. Order Authorizing Annexation entered on January 14, 2021
3. Ordinance 702 adopted on February 23, 2021, by the City of Pea Ridge

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

Sincerely,

*Betsy Harrell*  
Betsy Harrell T. Underwood

BH/tku  
Enclosures

cc: Roderick Grieve  
Benton County Assessor

NW Arkansas Regional Planning Commission  
1311 Clayton Street  
Springdale, AR 72765

Benton County 9-1-1 Administration

ROGERS OFFICE  
2111 W. WALNUT  
(479) 636-3727  
FAX (479) 636-4922

ROGERS ARCHIVES  
2111 W. WALNUT  
(479) 636-1037  
FAX (479) 636-1053

SILAM SPRINGS OFFICE  
707 S. LINCOLN  
479-271-1013  
FAX (479) 524-8534

2020 MAR -9 PM 12:42

CLERK  
PEA RIDGE CITY

**ORDINANCE NO. 702**

**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 AND ZONING TERRITORY.**

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 verified that the petition: (A) is in writing; (B) contains an attestation signed before a notary by the property owner of the relevant property confirming the desire to be annexed; (C) contains an accurate description of the relevant property; (D) contains a letter or title opinion from a certified abstractor or title company verifying that the petitioner is the owner of record of the relevant property; (E) contains a letter or verification from a certified surveyor or engineer verifying that the relevant property is contiguous with the annexing city and that no enclaves will be created if the property or properties are accepted by the city; and (F) includes a schedule of services of the annexing city that will be extended to the area within three (3) years after the date the annexation becomes final; and presented the petition and records of the matter to the Benton County Judge; and

WHEREAS, the County Judge has: (A) reviewed the petition and records 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 an Order authorizing the annexation 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, in Benton County, Arkansas, 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:

Being more particularly described as follows:

Part of the SW/4 of S 26 T21N R 30W, more particularly described as beginning at the SE corner of the SW/4; thence West 726.00', thence North 300.00', thence East 726.00'

2020 MAR -9 PM 12:42

along the existing city limits of Pea Ridge, thence South 300.00' to the point of beginning, and including all adjacent right of way on the South side;  
And Also

CITY CLERK  
PEA RIDGE, ARKANSAS

Part of the SE/4 of the SW/4 of S 26 T 21N R 30W, more particularly described as beginning 167.30' East of the SW corner of the said SE/4 of the SW/4; thence N 10°45'29" E 610.73'; thence East 306.00'; thence South 600.00'; thence West 420.00' along the existing city limits of Pea Ridge to the point of beginning, and including all adjacent right of way on the South side; LESS AND EXPECT the Northern most 10'.

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 annexation becomes final, as follows: police and fire protection – immediately; public street maintenance – immediately; and solid waste collection and disposal – 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. That initial zoning district assignments of said annexed territory, as shown on attached Exhibit A map, are hereby approved.

SECTION 4. That this annexation shall be effective and final thirty (30) days after passage of this ordinance.

SECTION 5. That the City Clerk shall certify and send one (1) copy of the map of the annexed property and one (1) copy of this ordinance to the County Clerk for County Judge confirmation consideration.

PASSED AND APPROVED THIS 23rd day of February 2021.



Attest:

*Jackie Crabtree*  
\_\_\_\_\_  
Jackie Crabtree, Mayor

*Sandy Button*  
\_\_\_\_\_  
Sandy Button, City Clerk-Treasurer

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

FILED

2021 MAR 12 PM 1:53

REC'D HASKELL  
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

CC 2021-03

ORDER CONFIRMING ANNEXATION

Now on this day is presented to the Court the complete file for the annexation of certain land to the City of PEA RIDGE, Benton County, Arkansas, under this file number, including specifically a copy of the plat of the annexed property and a copy of the resolution or ordinance of the governing body of the city or town accepting the property for annexation, and having reviewed the file and all things considered, the Court finds that all the requirements of § 14-40-609 of the Arkansas Code have been complied with and further that the annexation is in all respects proper, including if applicable, that the annexing city or town has included in the legal description included with its resolution or ordinance accepting the property for annexation certain dedicated public roads and rights of way abutting or traversing the property to be annexed if required by the Court's previous order entered in this file.

IT IS THEREFORE CONSIDERED AND ORDERED that the annexation of the above described lands to the City of PEA RIDGE, Benton County, Arkansas, is hereby confirmed and that the same is and shall hence forth comprise a part of the City of PEA RIDGE, Benton County, Arkansas.

  
\_\_\_\_\_  
HON. BARRY MOEHRING, County Judge

3.11.2021

\_\_\_\_\_  
Date

2021 1657

FILED

2021 JAN 14 PM 2:43

WILLIAM BELL  
COUNTY 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

COUNTY COURT CASE NO. CC 2021-03

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

I, Barry Moehring, County Judge of Benton County, having reviewed the attached petition for annexation and verification of petition, hereby find that the petition:

- 1) is in writing;
- 2) contains an attestation signed before a notary or notaries by the property owner or owners of the relevant property or properties confirming their desire to be annexed;
- 3) contains an accurate description of the relevant property or properties;
- 4) contains a letter or title opinion from a certified abstractor or title company verifying that the petitioners are all owners of record of the relevant property or properties;
- 5) contains a letter or verification from a certified surveyor or engineer verifying that the relevant property or properties are contiguous with the annexing city or town and that no enclaves will be created if the property or properties are accepted by the city or town – additionally a copy of the letter from the State of Arkansas GIS office approving the legal description for the annexation was provided; and
- 6) includes a schedule of services of the annexing city or town that will be extended to the area within three (3) years after the date the annexation becomes final.

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. BARRY MOEHRING, County Judge

1.14.2021  
 \_\_\_\_\_  
 Date

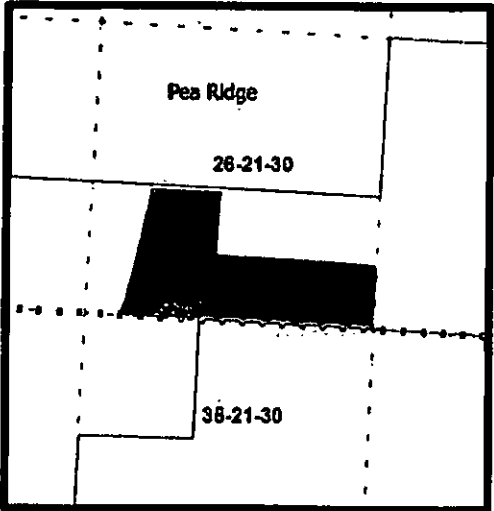
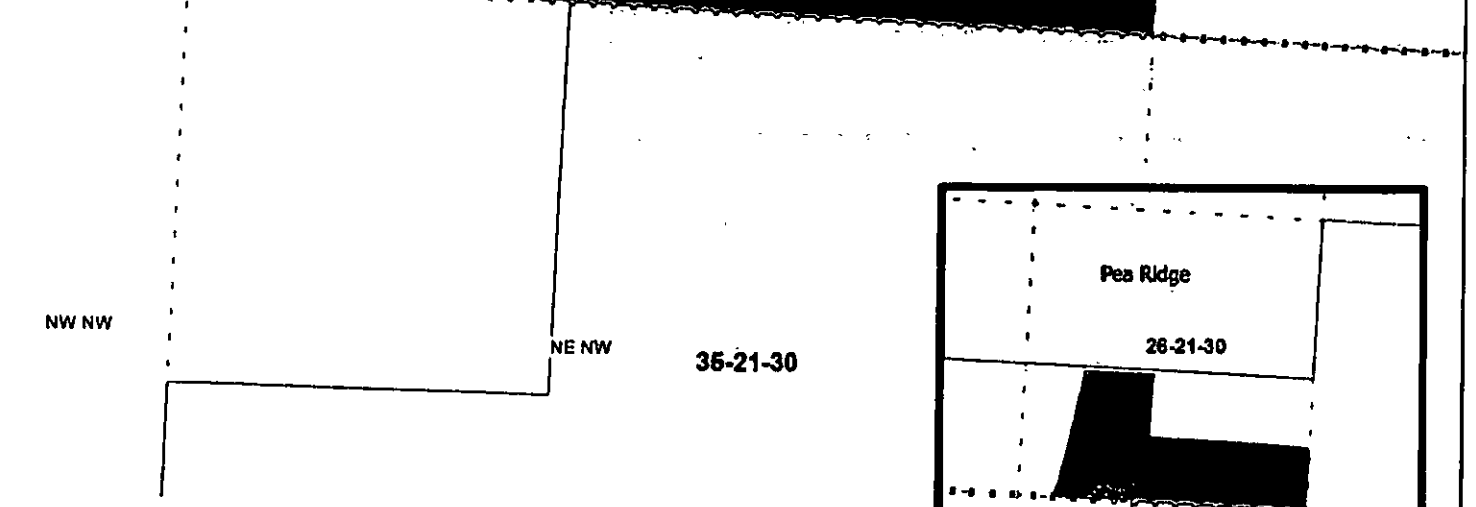
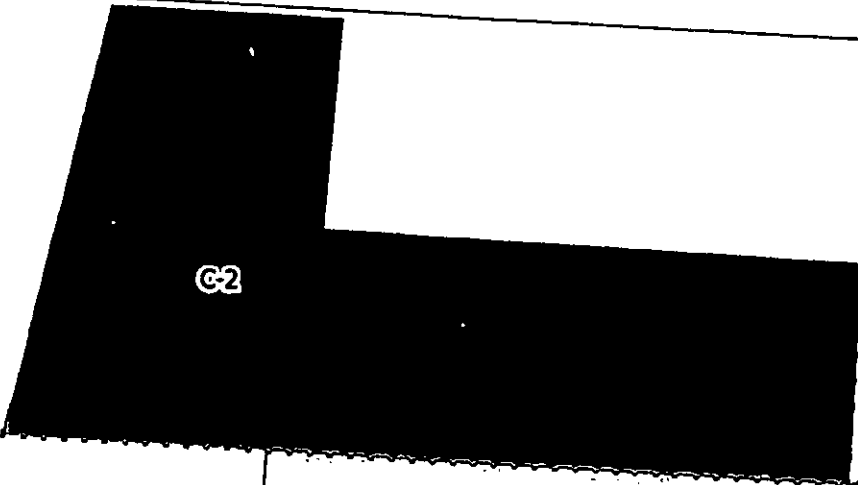
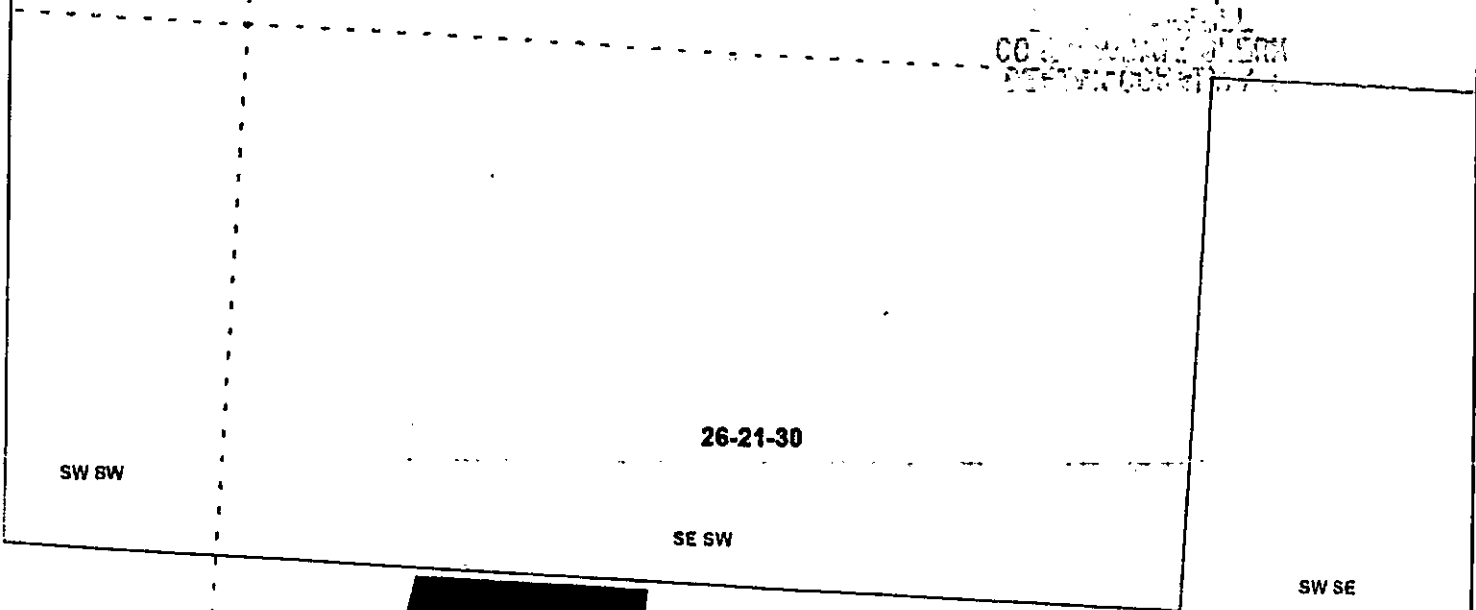
2021 0322

Exhibit A

NE SW

2020 MAR -9 PM 12:42 NW SE

CO. CLERK  
COUNTY COURT



- Road
- - - Section
- City Limits
- Whitaker Rezone

0 300 Feet

2021 1485



# BENTON COUNTY

STATE OF ARKANSAS

**BETSY HARRELL**

**COUNTY CLERK & VOTER REGISTRAR**

215 EAST CENTRAL, SUITE 217  
BENTONVILLE, AR 72712-5373  
479-271-1013  
Fax: 479-271-1019

January 15, 2021

**PROBATE COURT CLERK**  
COURTHOUSE, 102 N.E. "A" STREET  
BENTONVILLE, AR 72712-5350  
479-271-5727  
FAX: 479-271-1712

Honorable Jackie Crabtree  
City of Pea Ridge  
PO Box 10  
Pea Ridge, AR 72751

Re: In the Matter of Annexing to the City of Pea Ridge, Arkansas Certain  
Territory Contiguous To Said City of Pea Ridge, Arkansas

Dear Mayor Crabtree:

The County has received and processed a proposed annexation pursuant to ACA § 14-40-609 related to annexations by 100% of the property owners. I am transmitting to you a copy of the documents relating to the proposed annexation for consideration by the Pea Ridge City Council.

If your council and you approve the annexation, please ask your clerk or recorder to return to me one (1) certified copy of the plat of the annexed property and one (1) certified copy of the ordinance or resolution approving the annexation so that I can send those on to the Secretary of State as required by the statute.

Please feel free to contact me if you have questions.

Sincerely,

*Betsy Harrell* by Cleemasters

BETSY HARRELL, County Clerk

enc

ROGERS OFFICE  
2111 W. WALNUT  
(479) 636-3727  
FAX (479) 636-4922

ROGERS ARCHIVES  
2111 W. WALNUT  
(479) 636-1037  
FAX (479) 636-1053

SILOAM SPRINGS OFFICE  
707 S. LINCOLN  
479-271-1013  
FAX (479) 524-8534

FILED

2021 JAN 14 AM 10:03

BETSY HARRELL  
CO & PROBATE CLERK  
BENTON COUNTY, AR



Date: January 13, 2021  
Subject: Proposed Annexation Checklist  
CC 2021-03 Pea Ridge, AR

(A) is in writing;

(B) contains an attestation signed before a notary or notaries by the property owner or owners of the relevant property or properties confirming the desire to be annexed;

(C) contains an accurate description of the relevant property or properties;

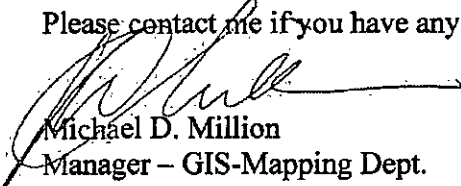
(D) contains a letter or title opinion from a certified abstractor or title company verifying that the petitioners are all owners of record of the relevant property or properties;

(E) contains a letter or verification from a certified surveyor or engineer verifying that the relevant property or properties are contiguous with the annexing city or town and that no enclaves will be created if the property or properties are accepted by the city or town; and

(F) include a schedule of services of the annexing city or town that will be extended to the area within three (3) years after the date the annexation becomes final.

*NA* [Additionally, we note that the legal description in (B) does not include in its description certain dedicated public roads and rights of way abutting or traversing the property to be annexed, the legal descriptions for which are included on the attached Exhibit "A"]

Please contact me if you have any questions.

  
Michael D. Million  
Manager - GIS-Mapping Dept.  
Benton County Assessor's Office  
Phone: 479-271-1037, ext. 7004  
Email: michael.million@bentoncountyar.gov

FILED

2021 JAN 14 AM 10:03

BETSY HARRELL  
CO & PROCLATE 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

CC 2021-03

VERIFICATION OF PETITION FOR ANNEXATION PURSUANT TO ACA § 14-40-609

We, Betsy Harrell, County Clerk of Benton County, and Roderick Grieve, County Assessor of Benton County, attest as follows:

Our offices have received the attached petition seeking annexation. The petition has been reviewed and we hereby verify that the petition:

- (A) is in writing;
- (B) contains an attestation signed before a notary or notaries by the property owner or owners of the relevant property or properties confirming the desire to be annexed;
- (C) contains an accurate description of the relevant property or properties;
- (D) contains a letter or title opinion from a certified abstractor or title company verifying that the petitioners are all owners of record of the relevant property or properties;
- (E) contains a letter or verification from a certified surveyor or engineer verifying that the relevant property or properties are contiguous with the annexing city or town and that no enclaves will be created if the property or properties are accepted by the city or town; and
- (F) include a schedule of services of the annexing city or town that will be extended to the area within three (3) years after the date the annexation becomes final.

  
\_\_\_\_\_  
HON. BETSY HARRELL, County Clerk

  
\_\_\_\_\_  
HON. RODERICK GRIEVE, County Assessor

FILED

2021 JAN 11 PM 9:51

**PETITION FOR ANNEXATION**

BETSY HARRELL  
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**

DATE: \_\_\_\_\_

CC# 2021-03

Comes now the undersigned petitioners, and state as follows:

That we, owning 100% of the property in the following described territory, in Benton County, Arkansas, 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 SW/4 of S 26 T21N R 30W, more particularly described as beginning at the SE corner of the SW/4; thence West 726.00', thence North 300.00', thence East 726.00' along the existing city limits of Pea Ridge, thence South 300.00' to the point of beginning, and including all adjacent right of way on the South side;

And Also

Part of the SE/4 of the SW/4 of S 26 T 21N R 30W, more particularly described as beginning 167.30' East of the SW corner of the said SE/4 of the SW/4; thence N 10°45'29" E 610.73'; thence East 306.00'; thence South 600.00'; thence West 420.00' along the existing city limits of Pea Ridge to the point of beginning, and including all adjacent right of way on the South side; LESS AND EXPECT the Northern most 10, which is not contiguous to the city limits.

1. We further state that this petition is signed by 100% of the real estate owners owning 100% of the acreage in said area
2. 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.
3. That no enclaves will be created if this petition is accepted and the territory annexed into the City of Pea Ridge.
4. 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 and fire protection – immediately; public street maintenance – immediately; and solid waste collection and disposal – immediately.
5. That a letter or title opinion from a certified abstractor or title company verifying the petitioner is the owner of record of the relevant property is attached hereto as Exhibit B and is made part of this petition.
6. That a letter or verification from a certified surveyor or engineer verifying that the relevant property is contiguous with the city limits of Pea Ridge and that no



FILED

2021 JAN 11 PM 9: 51



**ARKANSAS  
GIS OFFICE**

Department of Transformation  
and Shared Services  
Governor Asa Hutchinson  
Secretary Amy Fecher  
Director Shelby Johnson

December 9, 2020

Mr. Nathan See  
Street Superintendent - City of Pea Ridge  
PO Box 10  
Pea Ridge, AR 72751

RE: City of Pea Ridge Annexation Coordination Requirement

Mr. See,

Thank you for coordinating with our office as you seek to annex property into the City of Pea Ridge, AR, located in Section 26, Township 21 North, Range 30 West. 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,

Jennifer Wheeler, GIS Analyst

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

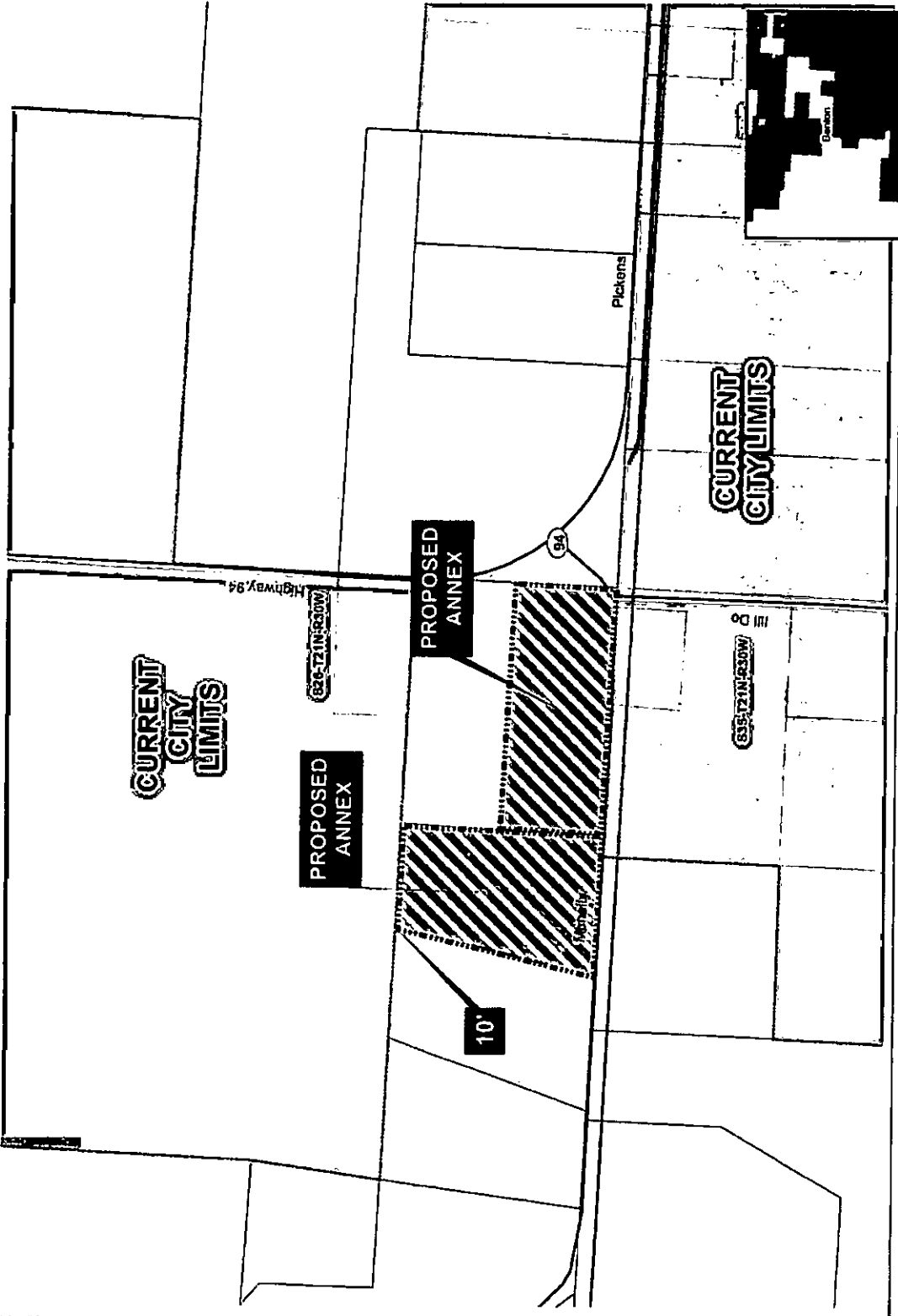
H:\City\_Annexations\Cities\Pea\_Ridge\20201209\Doc\20201209\_Pea Ridge\_Annexation\_Coordination\_Letter.docx

**ARKANSAS GIS OFFICE**  
1 Capitol Mall, Suite 6D • Little Rock, AR 72201 • 501.682.2767  
gis.arkansas.gov • transform.ar.gov



Proposed "Whitaker" Annex: City of Pea Ridge  
December 2020

City: Pea Ridge  
Mayor: Jackie Crabtree



Admissis 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
- Current City Limits
- Highway
- Major Road
- Existing City

0 0.0176,035  
2021 JAN 11 PM 9:52  
TS/ARRELL  
PRIVATE CLIENTS  
ARRELL  
ARRELL

FILED

FILED

2021 JAN 11 PM 9:52

BETSY HARRELL  
CO. & PROBATE CLERK  
BENTON COUNTY, AR

**Whitaker Annexation Legal Description (a portion of parcel 18-07937-000)**

All of the following described property in Benton County, Arkansas

Part of the SW/4 of S 26 T21N R 30W, more particularly described as beginning at the SE corner of the SW/4; thence West 726.00', thence North 300.00', thence East 726.00' along the existing city limits of Pea Ridge, thence South 300.00' to the point of beginning, and including all adjacent right of way on the South side;

And Also

Part of the SE/4 of the SW/4 of S 26 T 21N R 30W, more particularly described as beginning 167.30' East of the SW corner of the said SE/4 of the SW/4; thence N 10°45'29" E 610.73'; thence East 306.00'; thence South 600.00'; thence West 420.00' along the existing city limits of Pea Ridge to the point of beginning, and including all adjacent right of way on the South side; LESS AND EXPECT the Northern most 10, which is not contiguous to the city limits.



FILED N

Exhibit A

# ANNEXATION

2021 JAN 11 PM 9:52

Whitaker, Larry & Marquita S.; a portion of parcel 18-07937-000) TSY HARRELL  
CO & PROBATE CLERK  
BENTON

HALE LN

MEYERS ST

N HWY 94






SE SW

26-21-30

SW SE

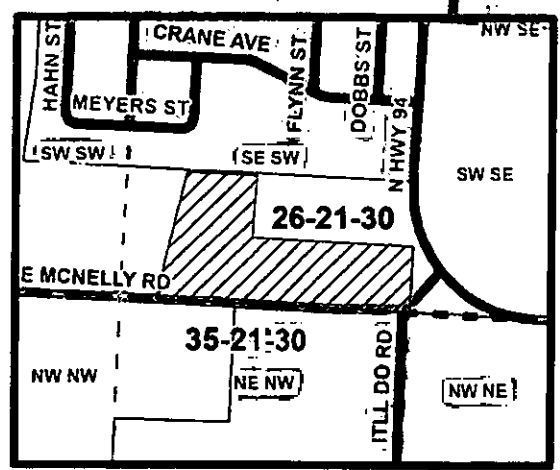
E MCNELLY RD

**Map Features**

-  Road
-  Section
-  Quarter Quarter
-  City Limits
-  Area to be Annexed



NE NW  
35-21-30



Vicinity Map

FILED

12/7/2020

WHITAKER, LARRY & MARQUITA S-18-07937-000 - AR CountyData.com

2021 JAN 11 PM 9:52

# WHITAKER, LARRY & MARQUITA S

MCNELLY RD BC 40

BETSY HARRELL  
CO & PROCLATE CLERK  
BENTON COUNTY, AR

Basic   Land   Sales   Valuation   Parcel Boundary 9

### Sales History

Filed	Sold	Price	Grantor	Grantee	Book	Page	Deed Type
2/25/1982	2/25/1982	24,000	ESCUE	WHITAKER	586	579	WD(WARRANTY DEED)

2021 JAN 11 PM 9: 52

# WHITAKER, LARRY & MARQUITA S MCNELLY RD BC 40

SETS Y HARRELL  
CU & PROBATE CLERK  
BENTON COUNTY, AR

Basic   Land   Sales   Valuation   Parcel Boundary 9

### Basic Info

Parcel Number: 18-07937-000

County Name: Benton County

Property Address: WHITAKER, LARRY & MARQUITA S  
MCNELLY RD BC 40

Mailing Address: WHITAKER, LARRY & MARQUITA S  
100 HAMPTONRIDGE RD  
EDMOND OK 73034-6673

Collector's Mailing Address  
②: WHITAKER MARQUITA SUE TRUSTEE  
100 HAMPTONRIDGE RD  
EDMOND, OK 73034-6673

Total Acres: 10.00

Timber Acres: 2.79

Sec-Twp-Rng: 26-21-30

Lot/Block: /

Subdivision: 26-21-30-RURAL

Legal Description: PT SE SW 167.30'E SW/C SE SW POB N10°E610.73' E306' S600' W420' & PT SW SE/C SW POB W726'  
N330' ETC

School District: 109 Pea Ridge

Homestead Parcel?: No

Tax Status: Taxable

Over 65?: No

12/7/2020

WHITAKER, LARRY & MARQUITA S-18-07937-000 - A CountyData.com

FILED

2021 JAN 11 PM 9:52

BETSY HARRELL  
CO & PROBATE CLERK  
BENTON COUNTY, AR

FILED

2021 JAN 11 PM 9:52

BETSY HARRELL  
CO & PROBATE CLERK  
BENTON COUNTY, ARKANSAS

### WARRANTY DEED

With Relinquishment of Dower and Curtesy

FILED FOR RECORD  
 3:05 PM  
 JUN 3 1982  
 JOSEPHINE R. NEWLAND  
 Clerk and Recorder  
 BENTON COUNTY, ARK.

22.00  
 015012 B

34.40  
 0272723

26.40

KNOW ALL MEN BY THESE PRESENTS:  
 That KEITH ESCUE and MARTHA ESCUE, husband & wife, & LOIS ESCUE, a single woman, as joint tenants, hereinafter called GRANTOR \$ \_\_\_\_\_ for and in consideration of the sum of One and no/100 DOLLARS and other good and valuable consideration \_\_\_\_\_ in hand paid by LARRY WHITAKER and MARQUITA S. WHITAKER, husband and wife the receipt of which is hereby acknowledged, do hereby grant, bargain, sell and convey unto LARRY WHITAKER and MARQUITA S. WHITAKER, husband and wife hereinafter called GRANTEE \$ \_\_\_\_\_ and unto their heirs and assigns forever, the following lands lying in Benton County, Arkansas, to-wit:

Part of the SE $\frac{1}{4}$  of the SW $\frac{1}{4}$  of Section 26, Township 21 North, Range 30 West, further described as beginning 167.30 feet East of the SW corner of the said SE $\frac{1}{4}$  of the SW $\frac{1}{4}$ ; thence N 10°45'29" E 610.73 feet; thence East 306.0 feet; thence South 600.0 feet; thence West 420.0 feet to the point of beginning containing 5.0 acres. Subject to the R/W of Benton County Road #40 across the South side.

Part of the SW $\frac{1}{4}$  of Section 26, Township 21 North, Range 30 West, further described as beginning at the SE corner of the said SW $\frac{1}{4}$ ; thence West 726.0 feet; thence North 300.0 feet; thence East 726.0 feet; thence South 300.0 feet to the point of beginning containing 5.0 acres. Subject to R/W of Benton County Road #40 across the South side.

**Restrictive Covenants:** The following covenants shall apply to the to the above described property.

- I. No mobile homes are to be placed on the property.
- II. No junk or damaged cars shall be allowed to accumulate on property.
- III. No home shall be constructed on property with less than 1200 square feet of living space.

To have and to hold the same unto the said GRANTEE \$ \_\_\_\_\_ and unto their heirs and assigns forever, with all appurtenances thereunto belonging.

And we hereby covenant with said GRANTEE \$ \_\_\_\_\_ that we will forever warrant and defend the title to the said lands against all claims whatever.

And we, KEITH ESCUE husband and MARTHA ESCUE wife, for and in consideration of the sum of money, do hereby release and relinquish unto the said GRANTEE \_\_\_\_\_ all our right of curtesy, dower and homestead in and to the said lands.

Witness my hand and seal as such GRANTOR this 25th day of February, 1982.

Keith Escue (L.S.)      Lois Escue (L.S.)  
 KEITH ESCUE (L.S.)      LOIS ESCUE (L.S.)  
Martina Escue (L.S.)      \_\_\_\_\_ (L.S.)  
 MARTHA ESCUE (L.S.)

STATE OF Arkansas } ss.  
 COUNTY OF Benton

ACKNOWLEDGMENT

Notary Public

BE IT REMEMBERED, That on this day came before the undersigned, a \_\_\_\_\_ within and for the County aforesaid, duly commissioned and acting KEITH ESCUE and MARTHA ESCUE and LOIS ESCUE to me well known as the Grantor \$ \_\_\_\_\_ in the foregoing Deed, and stated that they \_\_\_\_\_ had executed the same for the consideration and purposes therein mentioned and set forth.

Witness my hand and seal as such Notary Public this 25th day of February, 1982.

My Commission expires \_\_\_\_\_

Prepared by: W. ASA HUTCHINSON, attorney  
 Bentonville, AR 72712

Christine Meredith Mitchell  
 Return: \_\_\_\_\_ Notary Public  
Mitchell Road Estate  
P.O. Box 265 P.O. Route FR 7275

FILED

2021 JAN 11 PM 9:52

Whitaker Annexation Legal Description (a portion of parcel 18-07937-000)

BENTON COUNTY, ARKANSAS  
COUNTY CLERK

All of the following described property in Benton County, Arkansas

Part of the SW/4 of S 26 T21N R 30W, more particularly described as beginning at the SE corner of the SW/4; thence West 726.00', thence North 300.00', thence East 726.00' along the existing city limits of Pea Ridge, thence South 300.00' to the point of beginning, and including all adjacent right of way on the South side;

And Also

Part of the SE/4 of the SW/4 of S 26 T 21N R 30W, more particularly described as beginning 167.30' East of the SW corner of the said SE/4 of the SW/4; thence N 10°45'29" E 610.73'; thence East 306.00'; thence South 600.00'; thence West 420.00' along the existing city limits of Pea Ridge to the point of beginning, and including all adjacent right of way on the South side; LESS AND EXPECT the Northern most 10, which is not contiguous to the city limits.

FILED

2021 JAN 11 PM 9:52

BETSY HARRELL  
CO & PROBATE CLERK  
BENTON COUNTY, AR

Prepared under the supervision of:  
Blake Hamby, Attorney  
3790 N. Bellfont Blvd, Suite 3  
Fayetteville, AR 72703

**WARRANTY DEED**  
(With Relinquishment of Dower and Curtesy)

File # 20-7450

**KNOW ALL MEN BY THESE PRESENTS:**

That we, Larry Whitaker and Marquita S. Whitaker, a married couple, hereinafter called Grantors, for and in consideration of the sum of One and No/100---Dollars---(\$1.00) and other good and valuable consideration in hand paid by Elk Mountain Development, L.L.C. an Arkansas limited liability company, hereinafter called Grantees, the receipt of which is hereby acknowledged, do hereby grant, bargain, sell and convey unto said Grantees and unto its successors and assigns, forever, the following described land, situated and being in the County of Benton, State of Arkansas, to-wit:

Part of the SE $\frac{1}{4}$  of the SW $\frac{1}{4}$  of Section 26, Township 21 North, Range 30 West, Benton County, Arkansas, further described as beginning 167.30 feet East of the SW corner of the said SE $\frac{1}{4}$  of the SW $\frac{1}{4}$ ; thence N 10°45'29" E 610.73 feet; thence East 306.00 feet; thence South 600.00 feet; thence West 420.00 feet to the point of beginning, containing 5.0 acres, more or less.

**Also:**

Part of the SW $\frac{1}{4}$  of Section 26, Township 21 North, Range 30 West, Benton County, Arkansas, further described as beginning at the SE corner of the said SW $\frac{1}{4}$ ; thence West 726.00 feet; thence North 300.00 feet; thence East 726.00 feet; thence South 300.00 feet to the point of beginning, containing 5.00 acres, more or less.

Subject to easements, right-of-ways, and protective covenants of record, if any.  
Subject to all prior mineral reservations and oil and gas leases, if any.

TO HAVE AND TO HOLD the same unto said Grantees and unto its successors and assigns, forever, with all appurtenances thereunto belonging. And we hereby covenant with said Grantees that we will forever warrant and defend the title to the said lands against all claims whatsoever. And we, Larry Whitaker and Marquita S. Whitaker, a married couple, for and in consideration of said sum of money, do hereby release and relinquish unto said Grantees all our rights of curtesy, dower and homestead in and to the said lands.

*Signature page to follow*

FILED

2021 JAN 11 PM 9:52

BETSY HARRELL  
CO & PROBATE CLERK  
NOTARY COUNTY, AR

WITNESS our hands and seals on this 19 day of November, 2020

*[Signature]*  
Larry Whitaker

*[Signature]*  
Marquita S. Whitaker

ACKNOWLEDGMENT

STATE OF )  
                  ) SS  
COUNTY OF )

On this day before the undersigned, a Notary Public, duly commissioned, qualified and acting, within and for the said County and State, appeared in person the within named Larry Whitaker and Marquita S. Whitaker, a married couple, known to me (or satisfactorily proven) to be the persons whose names are subscribed to the foregoing instrument and acknowledged that they have executed the same for the consideration, uses and purposes therein set forth.

In Testimony Whereof, I have hereunto set my hand and official seal this 19 day of November, 2020.

Simone Paradise

Notary Public

My Commission Expires: 06/19/23

After recording return to:  
City Title & Closing LLC  
3790 N. Bellafont Blvd, Suite 3  
Fayetteville, AR 72703





FILED

2021 JAN 11 PM 9:52

BETSY HARRELL  
CO & DEEDS CLERK  
BENTON COUNTY, AR

3866 W. Sunset  
Springdale, AR 72762  
479-582-9383  
[www.realtytitleinc.com](http://www.realtytitleinc.com)



File No.: 20-63321W

**Legal Description:**

Part of the SE 1/4 of the SW 1/4 of Section 26, Township 21 North, Range 30 West, Benton County, Arkansas, further described as beginning 167.30 feet East of the SW corner of the said SE 1/4 of the SW 1/4; thence N 10° 45' 29" E, 610.73 feet; thence East 306.00 feet; thence South 600.00 feet; thence West 420.00 feet to the point of beginning, containing 5.0 acres, more or less. Subject to the right-of-way of Benton County Road #40 across the South side.

**ALSO**

Part of the SW 1/4 of Section 26, Township 21 North, Range 30 West, Benton County, Arkansas, further described as beginning at the SE corner of the said SW 1/4; thence West 726.00 feet; thence North 300.00 feet; thence East 726.00 feet; thence South 300.00 feet to the point of beginning, containing 5.0 acres, more or less. Subject to the right-of-way of Benton County Road #40 across the South side.

**Current Owner: Elk Mountain Development, L.L.C.**  
**Parcel Number: 18-07937-000**  
**Mailing Address: 1200 S.W. "A" Street, Bentonville, AR 72712**

**This list is compiled mainly from the Benton County Assessor's Office and is further certified through January 4, 2021.**

*Issued Through the Office of*  
Realty Title & Closing Services, LLC  
Arkansas Title Agency License No.: 100102353  
3866 W. Sunset  
Springdale, AR 72762  
479-582-9383 fax 479-582-2925

By:

A handwritten signature in black ink, appearing to read "Jeremy S. Sharpshair", is written over a horizontal line.

Authorized Signatory

Jeremy S. Sharpshair

FILED

2021 JAN 11 PM 9:52



STATE OF ARKANSAS  
DEPARTMENT OF FINANCE AND ADMINISTRATION  
MISCELLANEOUS TAX SECTION  
P.O. BOX 896, LITTLE ROCK, AR 72203-0896

DETSY HARRELL  
CO & PRIVATE CLERK  
BENTON COUNTY, AR

**Real Estate Transfer Tax Stamp**

Proof of Tax Paid



File Number: 20-7450

**Grantee:**  
**Mailing Address:**

ELK MOUNTAIN DEVELOPMENT, LLC, AN ARKANSAS LIMITED  
LIABILITY COMPANY  
E. MCNELLY RD BC 40  
PEA RIDGE AR 727510000

**Grantor:**  
**Mailing Address:**

LARRY WHITAKER AND MARQUITA S. WHITAKER  
N/A  
N/A AR N/A000000

**Property Purchase Price:** \$255,000.00  
**Tax Amount:** \$841.50  
**County:** BENTON  
**Date Issued:** 11/24/2020  
**Stamp ID:** 512673792

I certify under penalty of false swearing that documentary stamps or a documentary symbol in the legally correct amount has been placed on this instrument

Grantee or Agent Name (printed): \_\_\_\_\_



citytitle<sup>LLC</sup>, as agent for Grantee

Grantee or Agent Name (signature): \_\_\_\_\_

& CLOSING  
479-935-4177 Date: 11/24/2020

Address: \_\_\_\_\_

City/State/Zip: \_\_\_\_\_

L202076951.004

FILED

2021 JAN 11 PM 9:52

BETSY HARRELL  
CO & PROBATE CLERK  
BENTON COUNTY, AR



CERTIFICATE OF RECORD  
STATE OF ARKANSAS, COUNTY OF BENTON  
I hereby certify that this instrument was  
Filed and Recorded in the Official Records  
in Doc Num L202076951  
11/24/2020 12:27:02 PM  
Brenda DeShazo  
BENTON COUNTY Circuit Clerk & Recorder



FILED

2021 JAN 11 PM 9:53

BETSY 1590 East Stearns Street  
CO & PROFF Fayetteville, AR 72703  
B(479) 443.2377 P. | (479) 443.9241 F  
[mce.us.com](http://mce.us.com)

January 8, 2021

Greetings:

This letter is given in connection with what is understood to be an effort to voluntarily annex certain real property into the City of Pea Ridge, Arkansas. I am a Licensed Professional Surveyor in the State of Arkansas. Based on my review, I verify that the real property, as described on the following pages of this letter, is contiguous with the City of Pea Ridge, Arkansas and that no enclaves will be created if the real property, as described, is accepted by the City of Pea Ridge.

Sincerely,



Justin Taffner, AR P.L.S. #1816

FILED  
2021 JAN 11 PM 9:53  
BETSY HARRELL  
CO & PROBATE CLERK  
BENTON COUNTY, AR

## January 2021 Pea Ridge Voluntary Annexation Parcel Summary

Parcel #18-07937-000  
Elk Mountain Development LLC  
1200 SW A St.  
Bentonville, AR 72712  
Physical Address: McNelly Rd BC 40  
WD L2020-76951, ~10.00 Acres

**Legal Description of Real Property to be Annexes**  
(a portion of Benton County Tax Parcel 18-07937-000)

All of the following described property in Benton County, Arkansas

Part of the SW/4 of S 26 T21N R 30W, more particularly described as beginning at the SE corner of the SW/4; thence West 726.00', thence North 300.00', thence East 726.00' along the existing city limits of Pea Ridge, thence South 300.00' to the point of beginning, and including all adjacent right of way on the South side;

**And Also**

Part of the SE/4 of the SW/4 of S 26 T 21N R 30W, more particularly described as beginning 167.30' East of the SW corner of the said SE/4 of the SW/4; thence N 10°45'29" E 610.73'; thence East 306.00'; thence South 600.00'; thence West 420.00' along the existing city limits of Pea Ridge to the point of beginning, and including all adjacent right of way on the South side; LESS AND EXPECT the Northern most 10'.

FILED

2021 JAN 11 PM 9: 53

Whitaker Annexation Legal Description (a portion of parcel 18-07937.000)

BETSY HARRELL  
CLERK  
BENTON COUNTY, AR

All of the following described property in Benton County, Arkansas

Part of the SW/4 of S 26 T21N R 30W, more particularly described as beginning at the SE corner of the SW/4; thence West 726.00', thence North 300.00', thence East 726.00' along the existing city limits of Pea Ridge, thence South 300.00' to the point of beginning, and including all adjacent right of way on the South side;

And Also

Part of the SE/4 of the SW/4 of S 26 T 21N R 30W, more particularly described as beginning 167.30' East, of the SW corner of the said SE/4 of the SW/4; thence N 10°45'29" E 610.73'; thence East 306.00'; thence South 600.00'; thence West 420.00' along the existing city limits of Pea Ridge to the point of beginning, and including all adjacent right of way on the South side; LESS AND EXPECT the Northern most 10'.