



ARKANSAS SECRETARY OF STATE

MARK MARTIN

February 19, 2015

The Honorable Tena O'Brien
Benton County Clerk
215 E. Central, Suite 217
Bentonville, AR 72712-5304

RE: Annexation

Dear Mrs. O'Brien,

The following information was received and has been recorded and filed in the office of the Secretary of State:

County: Benton

City: Rogers

Annexation:

City Ordinance No. 15-14 – Dated January 13, 2015
Decree of Annexation No. CC 2015-15 – Dated November 13, 2014
Plat of Area to be Annexed

By copy of this letter, I am sending file marked copies of all of the information to the UALR Institute for Economic Advancement, Arkansas Highway Mapping Department, TomTom, and the State Geographic Information Office. All others listed will only receive notification of the annexation by copy of this letter.

If you have any questions please do not hesitate to contact me at 1-800-482-1127 or 501-682-5070.

Sincerely,

Josh Bridges
Voter Services Project Administrator
Arkansas Secretary of State

cc: UALR Institute for Economic Advancement (w/encl)
Arkansas Highway Mapping Department (w/encl)
TomTom (w/encl)
Shelby Johnson, State Geographic Information Officer GIS (w/encl)
Arkansas Municipal League (w/o encl)
Rogers City Clerk (w/o encl)



BENTON COUNTY

STATE OF ARKANSAS

TENA O'BRIEN

COUNTY CLERK & VOTER REGISTRAR

215 EAST CENTRAL, SUITE 217
BENTONVILLE, AR 72712-5373

PROBATE COURT CLERK

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

February 10, 2015

Honorable Mark Martin
Secretary of State
State Capitol, Room 26
Little Rock, AR 72201-1094

FILED

FEB 12 2015

Arkansas
Secretary of State

Dear Secretary Martin:

Re: City of Rogers Annexation
Willie Parker, et al
Benton County Court Case No. CC 2014-15

Dear Secretary Martin,

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

1. Map (survey and vicinity map) of the area affected
2. Decree of Annexation entered on November, 13, 2014.
3. Ordinance No. 15-14 adopted January 13, 2015 by the City of Rogers

Please record this annexation on your records and acknowledge receipt of these documents.

Sincerely,

Tena O'Brien

by R Mc Lane

Tena O'Brien

TO/ram
Enclosures



COUNTY CLERK (479) 271-1013
VOTER REGISTRAR (479) 271-5704
BENTONVILLE (479) 271-1013
SILOAM SPRINGS (479) 238-0120
PROBATE COURT CLERK (479) 271-5727
ROGERS (479) 636-3727
FAX (479) 271-1019
FAX (479) 271-5704
FAX (479) 271-1019
FAX (479) 524-8534
FAX (479) 271-1712
FAX (479) 636-4922
ARCHIVIST (479) 636-1037
FAX (479) 636-1053

ROGERS

ARKANSAS

WHERE POSSIBLE LIVES

2015 FEB -9 AM 10:19

Office of the City Clerk

301 W. Chestnut

Rogers, Arkansas, 72756

479-621-1117 • (FAX) 479-631-3341

www.rogersarkansas.com

CERTIFICATE

The undersigned, City Clerk of the City of Rogers, Arkansas, hereby certifies that the foregoing pages are a true and correct copy of **Ordinance No. 15-14**, adopted at a regular session of the City Council of the City of Rogers, Arkansas, held at the regular meeting place in the city at 6:30 o'clock P.M. on the 13th day of January 2015, and that **Ordinance No. 15-14**, is of record in **Ordinance Book No. 24**, now in my possession.

GIVEN under my hand and seal on this 5th day of February, 2015.



City Clerk



F I L E D

FEB 12 2015

Arkansas
Secretary of State

STATE OF Arkansas }
COUNTY OF BENTON } CERTIFICATE OF CLERK
I, TENA O'BRIEN, Clerk of the County and Probate Courts
in and for the County and State aforesaid, do hereby certify
that this instrument of writing is a true and complete copy,
and the same appears of record in County Court Case
Book 2015 Page 0561/0565, being on file in my said office.
I have hereunto set my hand and official seal this 10th
day of February, 20 15
TENA O'BRIEN, Clerk
Benton County, Arkansas
By R. Mrs. Loman

2015 0561

~~2015 0053~~



FILED

FEB 12 2015

ORDINANCE NO. 15-14
CITY OF ROGERS, ARKANSAS

2015 FEB -9 AM 10:19

Arkansas
Secretary of State

AN ORDINANCE ACCEPTING AND ANNEXING
CERTAIN REAL PROPERTY TO THE CITY OF ROGERS, ARKANSAS,
ZONING SAID PROPERTY, ASSIGNING SAID PROPERTY TO A CITY WARD,
ZONING CERTAIN LANDS RSF-3 and A-1
PROVIDING FOR THE EMERGENCY CLAUSE AND OTHER PURPOSES

WHEREAS, certain property owners of real property contiguous to and adjacent to the City of Rogers, Arkansas, have petitioned to annex said real property into the City of Rogers, Arkansas, and for a zoning assignment of same; and

WHEREAS, the County Court did, on the 13th day of November, 2014, issue its order annexing the said real property to the City of Rogers, following publication of notice and hearing in the time and manner required by law; and,

WHEREAS, pursuant to the provisions of Rogers Code Section 14-724, et seq, and upon the consideration of the report and recommendations of the Planning Commission of the City of Rogers, Benton County, Arkansas, the City Council has found that the lands hereafter described are appropriate for annexation and are suited for RSF-3 and A-1 zoning

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

SECTION 1: That certain real property be and the same is hereby accepted for annexation to the City of Rogers, Arkansas, and the same shall hereafter be a part of the City of Rogers, and the people residing therein shall be citizens and qualified voters of the City of Rogers.

SECTION 2: That said real property is described as follows:

Property to be zoned RSF-3:

A PART OF THE SW 1/4 OF THE NW 1/4 SECTION 25, T-19-N, R-31-W IN BENTON COUNTY, ARKANSAS, DESCRIBED AS BEGINNING AT A POINT LOCATED SOUTH 1314.84 FEET AND SOUTH 89° 54'49" WEST 150 FEET FROM THE NE CORNER OF THE SW 1/4 OF THE NW 1/4 OF SAID SECTION 25; THENCE SOUTH 89° 54'49" WEST 150 FEET ALONG THE CENTERLINE OF HAXTON ROAD NO. 46; THENCE NORTH 290.4 FEET; THENCE NORTH 89° 54'49" EAST 150 FEET; THENCE SOUTH 290.40 FEET TO THE POINT OF BEGINNING TCT 2 PLAT 31-133 & PLAT 32-21, 1 ACRE MORE OR LESS.

AND

A PART OF THE SW 1/4 OF THE NW 1/4 OF SECTION 25, T-19-N, R-31-W IN BENTON COUNTY, ARKANSAS, DESCRIBED AS BEGINNING AT THE NE CORNER OF THE SW 1/4 OF THE NW 1/4 OF SAID SECTION 25; THENCE SOUTH 1024.44 FEET; THENCE SOUTH 89° 54'49" WEST 300 FEET; THENCE SOUTH 290.40 FEET; THENCE SOUTH 89°54'49" WEST 30 FEET ALONG THE CENTERLINE OF HAXTON ROAD NO. 46; THENCE NORTH 00°06'35" WEST 1314.84 FEET; THENCE NORTH 89° 54'49" EAST 332.52 FEET TO THE POINT OF BEGINNING. TCT 1 OF SURVEY 31-133 & 32-21, 7.96 ACRES MORE OR LESS.

2015 0502

AND

2015 FEB -9 AM 10:19
JUDITH W. GIBSON
CLERK
BENTON COUNTY, ARK

A PART OF THE SW 1/4 OF THE NW 1/4 OF SECTION 25, TOWNSHIP 19 NORTH, RANGE 31 WEST, IN BENTON COUNTY, ARKANSAS, DESCRIBED AS BEGINNING AT A POINT LOCATED SOUTH 1024.44 FEET FROM THE NORTHEAST CORNER OF THE SW 1/4 OF THE NW 1/4 OF SAID SECTION 25; THENCE SOUTH 290.40 FEET; THENCE SOUTH 89 DEGREES 54 MINUTES 49 SECONDS WEST 150 FEET ALONG THE CENTERLINE OF HAXTON ROAD NO. 46; THENCE NORTH 290.40 FEET; THENCE NORTH 89 DEGREES 54 MINUTES 49 SECONDS EAST 150 FEET TO THE POINT OF BEGINNING. THE SOUTH 25 FEET BEING SUBJECT TO COUNTY ROAD RIGHT OF WAY. PROPERTY IS ALSO SUBJECT TO A FIFTEEN FEET IN WIDTH UTILITY EASEMENT RUNNING ADJACENT WITH NORTH RIGHT OF WAY LINE OF COUNTY ROAD, AS SHOWN AS TRACT 1B ON PLAT RECORD 32 AT PAGE 20.

ALONG WITH

AN EASEMENT FOR A WATERLINE LOCATED IN PART OF THE SW 1/4 OF THE NW 1/4 OF SECTION 25, TOWNSHIP 19 NORTH, RANGE 31 WEST, BENTON COUNTY, ARKANSAS, MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING 357 FEET SOUTH AND 270 FEET WEST OF THE NORTHEAST CORNER OF THE SW 1/4 OF THE NW 1/4 OF SECTION 25, TOWNSHIP 19 NORTH, RANGE 31 WEST, THENCE NORTH 12 FEET ALONG THE EAST SIDE OF A WELL HOUSE; THENCE WEST 28.5 FEET ALONG THE NORTH SIDE OF WELL HOUSE TO A POINT AT THE NORTHWEST CORNER OF WATERLINE EASEMENT THENCE SOUTH 06 DEGREES EAST 693 FEET ALONG THE WEST SIDE OF A FIFTEEN FEET IN WIDTH EASEMENT TO A POINT LOCATED 64 FEET EAST OF THE NORTHWEST CORNER OF THE ABOVE DESCRIBED TRACT; THENCE CONTINUING WITH THE WEST SIDE OF EASEMENT SOUTH 06 DEGREES EAST 109 FEET; THENCE EAST 52 FEET ALONG THE SOUTH SIDE OF SAID EASEMENT TO A POINT LOCATED 108.40 FEET SOUTH OF THE NORTHWEST CORNER OF THE ABOVE DESCRIBED TRACT. SUBJECT TO BUILDING RESTRICTIONS, PROTECTIVE COVENANTS AND ALL EASEMENTS AND RIGHTS OF WAY, IF ANY.

AND

Property to be zoned A-1:

A PART OF THE SOUTHEAST QUARTER (SE ¼) OF THE NORTHWEST QUARTER (NW ¼) OF SECTION TWENTY-FIVE (25), TOWNSHIP NINETEEN NORTH (T-19-N), RANGE THIRTY-ONE WEST (R-31-W) OF THE FIFTH PRINCIPAL MERIDIAN, BENTON COUNTY, ARKANSAS BEING FURTHER DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST (SE) CORNER OF THE SOUTHEAST ¼ OF THE NORTHWEST ¼ OF SAID SECTION 25, T-19-N, R-31-W; THENCE ALONG THE SOUTH LINE OF SAID 40 ACRE TRACT, N87°31'23"W A DISTANCE OF 1322.43 FEET TO THE SOUTHWEST (SE) CORNER OF SAID 40 ACRE TRACT AND A FOUND COTTON PICKER SPINDLE; THENCE LEAVING SAID SOUTH LINE AND CONTINUING ALONG THE WEST LINE OF SAID 40 ACRE TRACT, N02°32'03"E A DISTANCE OF 412.41 FEET TO A FOUND 1/2 INCH IRON PIN WITH CAP "RAMSEY SURVEY, LS689 & LS1227"; THENCE LEAVING SAID

2015 0509

WESTERN LINE, S87°31'40"E A DISTANCE OF 1320.09 FEET TO THE EAST LINE
OF SAID 40 ACRE TRACT AND A FOUND 1/2 INCH IRON PIN WITH CAP
"RAMSEY SURV, LS689 & LS1227"; THENCE ALONG SAID EAST LINE,
S02°12'34"W A DISTANCE OF 412.52 FEET TO THE POINT OF BEGINNING.
SAID TRACT OR PARCEL OF LAND CONTAINING 12.51 ACRES (545,024 SQ.
FT.), MORE OR LESS

2015 FEB -9 AM 10:19
TARA OWEN
CO. & PROBATE CLERK
BENTON COUNTY, ARK

LAYMAN'S DESCRIPTION: Approximately 22.5 acres on the North side of Haxton Road just West of Hwy. 112

SECTION 3: That the above described lands are suited for RSF-3 and A-1 zoning and same should be and are hereby zoned RSF-3 and A-1 as above described.

SECTION 4: Pursuant to an Amenities Agreement entered into by and between the owners of the above lands to be zoned RSF-3 and the City of Rogers, the set backs within the RSF-3 zones shall be as follows:

Front - 25 feet
Exterior side - 7.5 feet
Interior side - 7.5 feet

SECTION 6: That the aforesaid real property be and the same is hereby assigned to Ward 3 of the City of Rogers.

SECTION 7: That because the City is herein annexing property which is subject to a present use and said use should be brought into conformity with the zoning laws of the City of Rogers, Arkansas, an emergency is declared to exist and in order to protect the public peace, health, safety and welfare, this ordinance shall be in full force and effect from the date of its passage and approval.

PASSED THIS 13th DAY OF January, 2015.

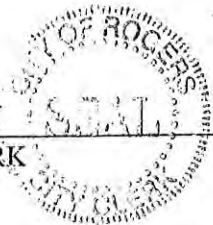
CITY OF ROGERS, ARKANSAS

APPROVED: _____

C. GREG HINES, MAYOR

ATTEST:

Peggy David
PEGGY DAVID, CITY CLERK



2015 0564

F I L E D

2014 NOV 13 AM 10:33

FEB 12 2015

IN THE COUNTY COURT OF BENTON COUNTY, ARKANSAS

Arkansas

Secretary of State

CASE NO. CC 2014-15

IN RE: ANNEXATION OF PROPERTY CONTIGUOUS TO THE
CITY OF ROGERS, BENTON COUNTY, ARKANSAS

ORDER OF ANNEXATION

NOW ON THIS 13th day of November, 2014, the Petition for Annexation of Property Contiguous to the City of Rogers of Willie L. Parker, Jr., and Danae N. Parker, husband and wife, Scissortail Partners, LLC, and Marcus Necessary, comes on for hearing, and the same is submitted to the Court upon said Petition, proof of publication of notice, the testimony before the Court, and other evidence presented, from all of which the Court finds:

1. That the Petition for Annexation of Property Contiguous to the City of Rogers was duly filed in the Office of the County Clerk of Benton County, Arkansas, and that an Order was made fixing the time and place for a hearing on the said Petition at this date and time in the County Court of Benton County, Arkansas.

2. That legal notice of the hearing was given as required by law, and such notice of the hearing was published once a week for three consecutive weeks in the Morning News of Northwest Arkansas, a newspaper published in Benton County, Arkansas. Proof of publication has been made and filed with the Clerk of this Court.

3. That the Petitioners are the sole owners of the property to be annexed.

4. That the owners of the proposed annexed area shall derive substantial benefit from the annexation.

5. That the area to be annexed is part of the growth area of the City of Rogers, Arkansas, and the extension of the corporate boundaries is a realization of the natural growth of the City of Rogers.

6. That the lands to be annexed are contiguous to and adjoin the City of Rogers, Arkansas, and are eligible for annexation into the City of Rogers pursuant to A.C.A. 14-40-601.

7. That the City Council of the City of Rogers, Arkansas, shall, according to the Ark. Code Ann. §14-40-605, accept the annexation by ordinance.

8. That the legal description of the lands to be annexed is that property situated in Benton County, Arkansas, to wit:

A PART OF THE SW 1/4 OF THE NW 1/4 SECTION 25, T-19-N, R-31-W IN BENTON COUNTY, ARKANSAS, DESCRIBED AS BEGINNING AT A POINT LOCATED SOUTH 1314.84 FEET AND SOUTH 89° 54'49" WEST 150 FEET FROM THE NE CORNER OF THE SW 1/4 OF THE NW 1/4 OF SAID SECTION 25; THENCE SOUTH 89° 54'49" WEST 150 FEET ALONG THE CENTERLINE OF HAXTON ROAD NO. 46; THENCE NORTH 290.4 FEET; THENCE NORTH 89° 54'49" EAST 150 FEET; THENCE SOUTH 290.40 FEET TO THE POINT OF BEGINNING TCT 2 PLAT 31-133 & PLAT 32-21, 1 ACRE MORE OR LESS.

AND

A PART OF THE SW 1/4 OF THE NW 1/4 OF SECTION 25, T-19-N, R-31-W IN BENTON COUNTY, ARKANSAS, DESCRIBED AS BEGINNING AT THE NE CORNER OF THE SW 1/4 OF THE NW 1/4 OF SAID SECTION 25; THENCE SOUTH 1024.44 FEET; THENCE SOUTH 89° 54'49" WEST 300 FEET; THENCE SOUTH 290.40 FEET; THENCE SOUTH 89°54'49" WEST 30 FEET ALONG THE CENTERLINE OF HAXTON ROAD NO. 46; THENCE NORTH 00°06'35" WEST 1314.84 FEET; THENCE NORTH 89° 54'49" EAST 332.52 FEET TO THE POINT OF BEGINNING. TCT 1 OF SURVEY 31-133 & 32-21, 7.96 ACRES MORE OR LESS.

AND

A PART OF THE SW 1/4 OF THE NW 1/4 OF SECTION 25, TOWNSHIP 19 NORTH, RANGE 31 WEST, IN BENTON COUNTY, ARKANSAS, DESCRIBED AS BEGINNING AT A POINT LOCATED SOUTH 1024.44 FEET FROM THE NORTHEAST CORNER OF THE SW 1/4 OF THE NW 1/4 OF SAID SECTION 25; THENCE SOUTH 290.40 FEET; THENCE SOUTH 89 DEGREES 54 MINUTES 49 SECONDS WEST 150 FEET ALONG THE CENTERLINE OF HAXTON ROAD NO. 46; THENCE NORTH 290.40 FEET; THENCE NORTH 89 DEGREES 54 MINUTES 49 SECONDS EAST 150 FEET TO THE POINT OF BEGINNING. THE SOUTH 25 FEET BEING SUBJECT TO COUNTY ROAD RIGHT OF WAY. PROPERTY IS ALSO SUBJECT TO A FIFTEEN FEET IN WIDTH UTILITY EASEMENT RUNNING ADJACENT WITH NORTH RIGHT OF WAY LINE OF COUNTY ROAD, AS SHOWN AS TRACT 1B ON PLAT RECORD 32 AT PAGE 20.

ALONG WITH

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COMMENCING 357 FEET SOUTH AND 270 FEET WEST OF THE NORTHEAST CORNER OF THE SW 1/4 OF THE NW 1/4 OF SECTION 25, TOWNSHIP 19 NORTH, RANGE 31 WEST, THENCE NORTH 12 FEET ALONG THE EAST SIDE OF A WELL HOUSE; THENCE WEST 28.5 FEET ALONG THE NORTH SIDE OF WELL HOUSE TO A POINT AT THE NORTHWEST CORNER OF WATERLINE EASEMENT THENCE SOUTH 06 DEGREES EAST 693 FEET ALONG THE WEST SIDE OF A FIFTEEN FEET IN WIDTH EASEMENT TO A POINT LOCATED 64 FEET EAST OF THE NORTHWEST CORNER OF THE ABOVE DESCRIBED TRACT; THENCE CONTINUING WITH THE WEST SIDE OF EASEMENT SOUTH 06 DEGREES EAST 109 FEET; THENCE EAST 52 FEET ALONG THE SOUTH SIDE OF SAID EASEMENT TO A POINT LOCATED 108.40 FEET SOUTH OF THE NORTHWEST CORNER OF THE ABOVE DESCRIBED TRACT. SUBJECT TO BUILDING RESTRICTIONS, PROTECTIVE COVENANTS AND ALL EASEMENTS AND RIGHTS OF WAY, IF ANY.

AND

A PART OF THE SOUTHEAST QUARTER (SE 1/4) OF THE NORTHWEST QUARTER (NW 1/4) OF SECTION TWENTY-FIVE (25), TOWNSHIP NINETEEN NORTH (T-19-N), RANGE THIRTY-ONE WEST (R-31-W) OF THE FIFTH PRINCIPAL MERIDIAN, BENTON COUNTY, ARKANSAS BEING FURTHER DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST (SE) CORNER OF SAID SECTION 25, T-19-N, R-31-W; THENCE ALONG THE SOUTH LINE OF SAID 40 ACRE TRACT, N87°31'23"W A DISTANCE OF 1322.43 FEET TO THE SOUTHWEST (SE) CORNER OF SAID 40 ACRE TRACT AND A FOUND COTTON PICKER SPINDLE; THENCE LEAVING SAID SOUTH LINE AND CONTINUING ALONG THE WEST LINE OF SAID 40 ACRE TRACT, N02°32'03"E A DISTANCE OF 412.41 FEET TO A FOUND 1/2 INCH IRON PIN WITH CAP "RAMSEY SURV, LS689 & LS1227"; THENCE LEAVING SAID WESTERN LINE, S87°31'40"E A DISTANCE OF 1320.09 FEET TO THE EAST LINE OF SAID 40 ACRE TRACT AND A FOUND 1/2 INCH IRON PIN WITH CAP "RAMSEY SURV, LS689 & LS1227"; THENCE ALONG SAID EAST LINE, S02°12'34"W A DISTANCE OF 412.52 FEET TO THE POINT OF BEGINNING.

SAID TRACT OR PARCEL OF LAND CONTAINING 12.51 ACRES (545,024 SQ. FT.), MORE OR LESS

IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED by the Court that the above described lands be, and hereby are, annexed to and hereby made a part of the City of Rogers, Benton County, Arkansas.


HON. ROBERT CLINARD, County Judge

STATE OF ARKANSAS)
COUNTY OF BENTON)
I, TENA O'BRIEN, Clerk of the County and Probate Courts
in and for the County and State aforesaid, do hereby certify
that this instrument of writing is a true and complete copy,
and the same appears of record in County Court Case
Book 2014 Page 3154/3156 being on file in my said office.
I have hereunto set my hand and official seal this 10th
day of February, 20 15
TENA O'BRIEN, Clerk
Benton County Arkansas
By R. Mc Loman

2014 NOV 13 AM 10:33

Benton County 15 FEB -9 AM 10:19

TRINA GREEN
CO. & PROBATE CLERK
BENTON COUNTY, ARK

Annex and Zone
To R-SF



Annex and Zone
To A-1



Benton County

Benton County
Cave Springs

Cave Springs

FILED

FEB 12 2015

Arkansas
Secretary of State

Cave Springs

PACE LN

2015 0565

ROBERTS RD

112

RSF-5

A-1

C-2

C-2

C-2

A-1

A-1



HIGHWAY 112

HANTON ROAD

HANTON ROAD