



ARKANSAS SECRETARY OF STATE

MARK MARTIN

May 22, 2017

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

Re: Siloam Springs Annexation Ordinance 17-10

Dear Ms. O'Brien,

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

Filing Type: Annexation pursuant to A.C.A § 14-40-609 (petition of 100% of the landowners)
Effective Date: unknown
County: Benton City: Siloam Springs
City Ordinance: 17-10 Dated: 5/2/2017
Court Order No: CC 2017-05 Filed: 03/15/2017 Honorable Barry Moehring, Benton County Judge

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 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, Room 256
Little Rock, AR 72201
501-682-3401

cc: Arkansas Geographic Information Systems Office (w/ encl)
Arkansas Highway and Transportation Department Mapping Department (w/ encl)
Department of Finance and Administration (w/encl)
Arkansas Public Service Commission (w.encl)
UALR Institution for Economic Advancement (w/encl)
Tom-Tom (w/encl)
Mr. Phillip R. Patterson, Siloam Springs City Administrator



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

May 8, 2017

Honorable Mark Martin
Secretary of State
Room 256 State Capitol
Little Rock, AR 72201-1094

Dear Secretary Martin:

RE: Franklin G. Roth
City of Siloam Springs Annexation
Benton County Court Case No. CC# 2017-05

RECEIVED

MAY 12 2017

**Arkansas
Secretary of State**

Dear Secretary Martin:

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

1. Map (survey and vicinity map) of the affected area
2. Order Authorizing Annexation entered on March 15, 2017
3. Ordinance No. 17-10 adopted on May 2, 2017, by the City of Siloam Springs

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

Sincerely,

Tena O'Brien

Tena O'Brien

B.J.T. Underwood

COUNTY CLERK
(479) 271-1013
FAX (479) 271-1019

VOTER REGISTRAR
(479) 271-5704

BENTONVILLE
(479) 271-1013
FAX (479) 271-1019

SILOAM SPRINGS
(479) 238-0120
FAX (479) 524-8534

PROBATE COURT CLERK
(479) 271-5727
FAX (479) 271-1712

ROGERS
(479) 636-3727
FAX (479) 636-4922
ARCHIVIST (479) 636-1037
FAX (479) 636-1053

FILED

2017 MAY -5 PM 12: 22



Arkansas Secretary of State

Mark Martin

State Capitol 500 Woodlane Ave Suite 256 • Little Rock, AR 72201-1094

72201-1094
BRIEN
SO. & PROBATE CLERK
BENTON COUNTY, ARK

Municipal Boundary Change Form

County: Benton City/Town: Siloam Springs

City Ordinance/Resolution No: 17-10 Date approved: May 2, 2017

County Court Case No: CC2017-05 Date Order Filed: _____

Type: 14-40-609

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

Date Change Effective: _____ Emergency clause: Yes No

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 (not required for A.C.A §14-40-1801)
- File marked copy of County Court Order (not required for A.C.A. §14-40-501)
- Proof of Publication for all Legal Notices (Hearing, Election, City Ordinance/Resolution)
- Copy of Arkansas GIS approved printed map and certification letter
- 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: Phillip R. Patterson Title: City Administrator

Street Address: 400 North Broadway

City: Siloam Springs St: AR Zip code: 72761

City/County Official:

Signature: *Phillip R. Patterson* Title: City Administrator

Date: 5/4/17

(Complete one form for each ordinance/resolution and attach it as a cover page to the supporting document set. Submit the documents to Arkansas Secretary of State, 500 Woodlane Ave, Suite 256, Little Rock, AR 72201-1094)

Office of the Arkansas Secretary of State use only

Received by: *Cynthia Fisher*

FILED

MAY 22 2017

Arkansas
Secretary of State

ORDINANCE NO. 17-10

TENA O'BRIEN
CO. & PROBATE CLERK
BENTON COUNTY, ARK

AN ORDINANCE ACCEPTING THE ANNEXATION OF CERTAIN
TERRITORY TO THE CITY OF SILOAM SPRINGS, ARKANSAS AND
ASSIGNING SAME TO A WARD.

WHEREAS, a petition was filed with the County Clerk of Benton County, Arkansas, by the owner of the hereinafter described territory praying that said territory be annexed to, and made a part of the City of Siloam Springs, Arkansas; and,

WHEREAS, on March 15, 2017, the County Court of Benton County, Arkansas, found that the petition was signed by 100% of the real estate owners in said territory; that said territory was contiguous and adjoining the present corporate limits of the City of Siloam Springs, 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 in the time and in the manner prescribed by law, that the petition contained a schedule of services and that no enclaves will be created if the petition is accepted by the City of Siloam Springs; 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; and

WHEREAS, the annexed parcel of real property is contiguous and adjacent to the other lands in Siloam Springs, Arkansas, which are located in Ward 1.

NOW, THEREFORE, BE IT ORDAINED BY THE City Board of Directors of the City of Siloam Springs, Arkansas:

Section 1. That the following described lands and contiguous territory adjoining the City of Siloam Springs, Arkansas, (and as shown on Attachment 1), be and the same is hereby accepted as part of and annexed to and made a part of the City of Siloam Springs, Arkansas:

A Part of the Southwest Quarter of the Southwest Quarter and Part of the Southeast Quarter of the Southwest Quarter of Section 30, Township 18 North, Range 33 West, Benton County, Arkansas. Being more particularly described as follows:

Beginning at the SE Corner of the SW¼ of the SW¼ of Said Section 30; thence N 86°56'29" W 1221.47'; thence N 02°54'40" E 884.67'; thence S 49°09'16" E 325.88'; thence N 40°50'44" E 26.63'; thence S 49°09'16" E 130.00'; thence N 67°37' 15" E 95.21'; thence S 86°52'41" E

FILED

2017 MAY -5 PM 12: 22

280.80'; thence S 03°07'19" W 43.30'; thence S 86°52'41" E 179.09'; thence N 03°07'19" E 4.78'; thence S 86°52'41" E 139.02'; thence S 01°27'05" W 239.65'; thence S 86°43'19" E 189.02'; thence S 03°13'52" W 389.03'; thence N 84°50'46" W 33.19' to the Point of Beginning and containing 18.36 acres, more or less.

TENA O'BRIEN
& PROBATE CLERK
BENTON COUNTY, ARK

Section 2. That the above-described territory shall be annexed to and made a part of Ward 1 of the City of Siloam Springs, Arkansas, and the same shall be a part of said ward as fully as existing parts of said ward.

Section 3. That the zoning map of the City (Municipal Code Section 102-21) is hereby amended to include within the R-2 zoning district the above described territory.

ORDAINED AND ENACTED this 2nd day of May 2017.

APPROVED:

[Signature]

John Mark Turner, Mayor

ATTEST:

[Signature]

Renea Ellis, City Clerk



(SEAL)

CERTIFICATE

The undersigned City Clerk of Siloam Springs, Arkansas, hereby certifies that the foregoing pages are a true and perfect copy of Ordinance 17-10 as presented at the Board of Directors Meeting, held on May 2, 2017, and approved on May 2, 2017 by unanimous vote in regular session at the City Administration Building board room.

The original of the same is now in my possession.

[Signature]

Renea Ellis, City Clerk

FILED

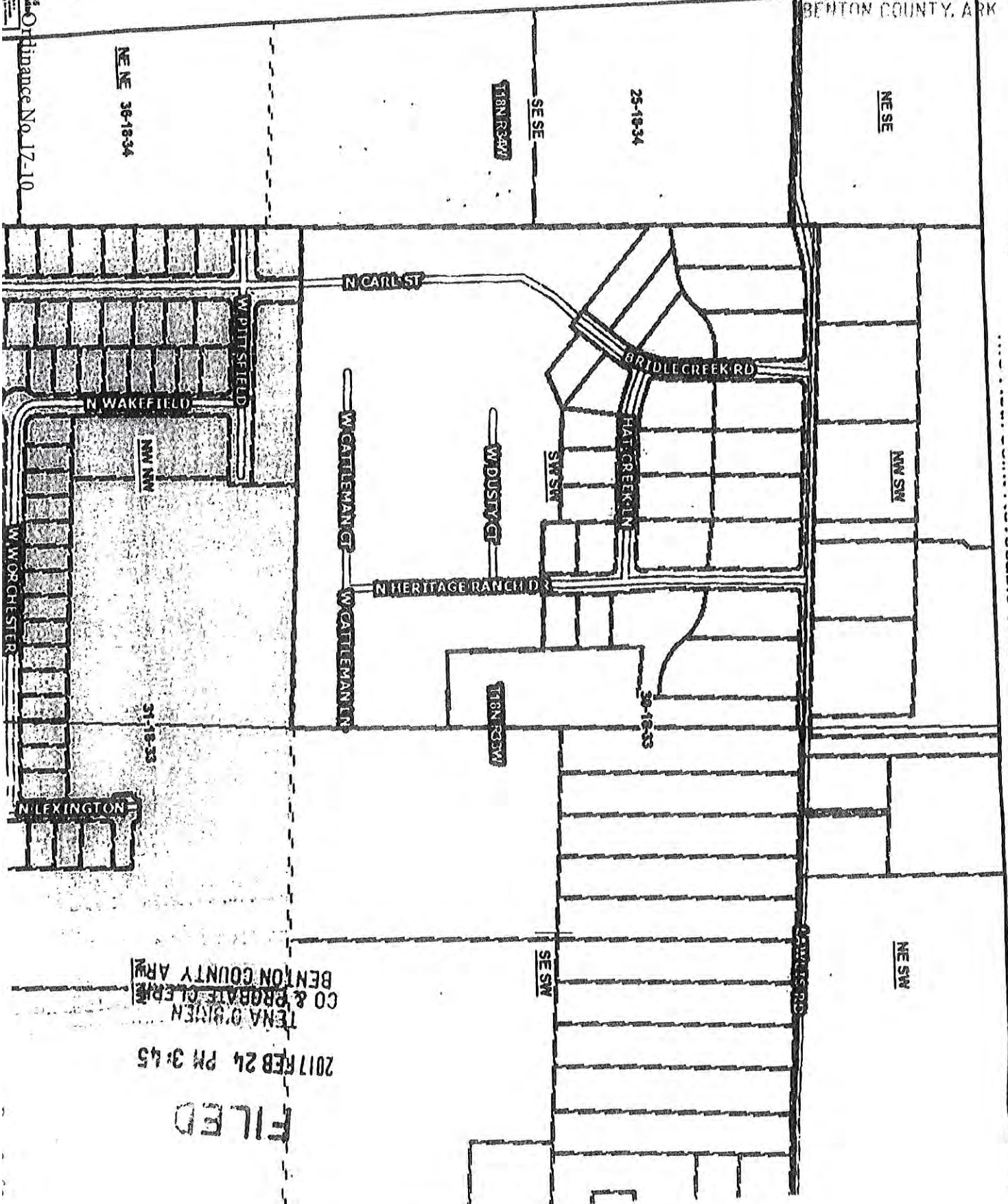
2017 MAY -5 PM 12: 22

Ordinance 17-10 (Attachment 1)

TENA O'BRIEN
CO. & PROBATE CLERK
BENTON COUNTY, ARK

Date: 2/7/2017
0.0325
0.065

Ordinance No. 17-10



TENA O'BRIEN
CO & PROBATE CLERK
BENTON COUNTY ARK

2017 FEB 24 PM 3:45

FILED

FILED

2017 MAY -5 PM 12:22



**ARKANSAS
GIS OFFICE**

TENA O'BRIEN
CO. & PROBATE CLERK
BENTON COUNTY, ARK

March 30, 2017

Honorable Mark Turner
City of Siloam Springs
PO BOX 80
Siloam Springs AR 72761

RE: City of Siloam Springs Annexation Coordination Requirement

Honorable Mayor Turner,

Thank you for coordinating with our office as you seek to annex property into the City of Siloam Springs, AR Benton County Court Number CC2017-05. 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.

Please be advised, the 91st General Assembly of the Arkansas Legislature enacted two new annexation laws that are immediately in effect. These laws impact the annexation notification process and the effective date of the annexation proceedings. A copy of both Acts are attached.

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,

Shelby D Johnson, State Geographic Information Officer
/sdj

Attachments:
GIS Office Map of Proposed Annexation
Secretary of State Municipal Change Checklist
ACT 653 of 2017
ACT 655 of 2017

FILED

MAY 22 2017

Arkansas
Secretary of State

H:\City_Annexations\Cities\Siloam_Springs\20170330\Doc\20170330_SiloamSprings_Annexation_Coordination_Letter.docx

ARKANSAS GIS OFFICE • 1 CAPITOL MALL SUITE 6D • LITTLE ROCK • ARKANSAS • 72201

PHONE (501) 682-2767 • www.gis.arkansas.gov • FAX (501) 682-6077

FILED

2017 MAY -5 PM 12: 22

TENA O'BRIEN
CO. & PROBATE CLERK
BENTON COUNTY, ARK

Proposed Annex: City of Siloam Springs
Benton County CC 2017-05 March 2017

City: Siloam Springs
Mayor: John Mark Turner

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.

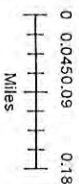
The map contained herein is evidence; the entity has met requirements of Act 514 of 2015



H I L E R D

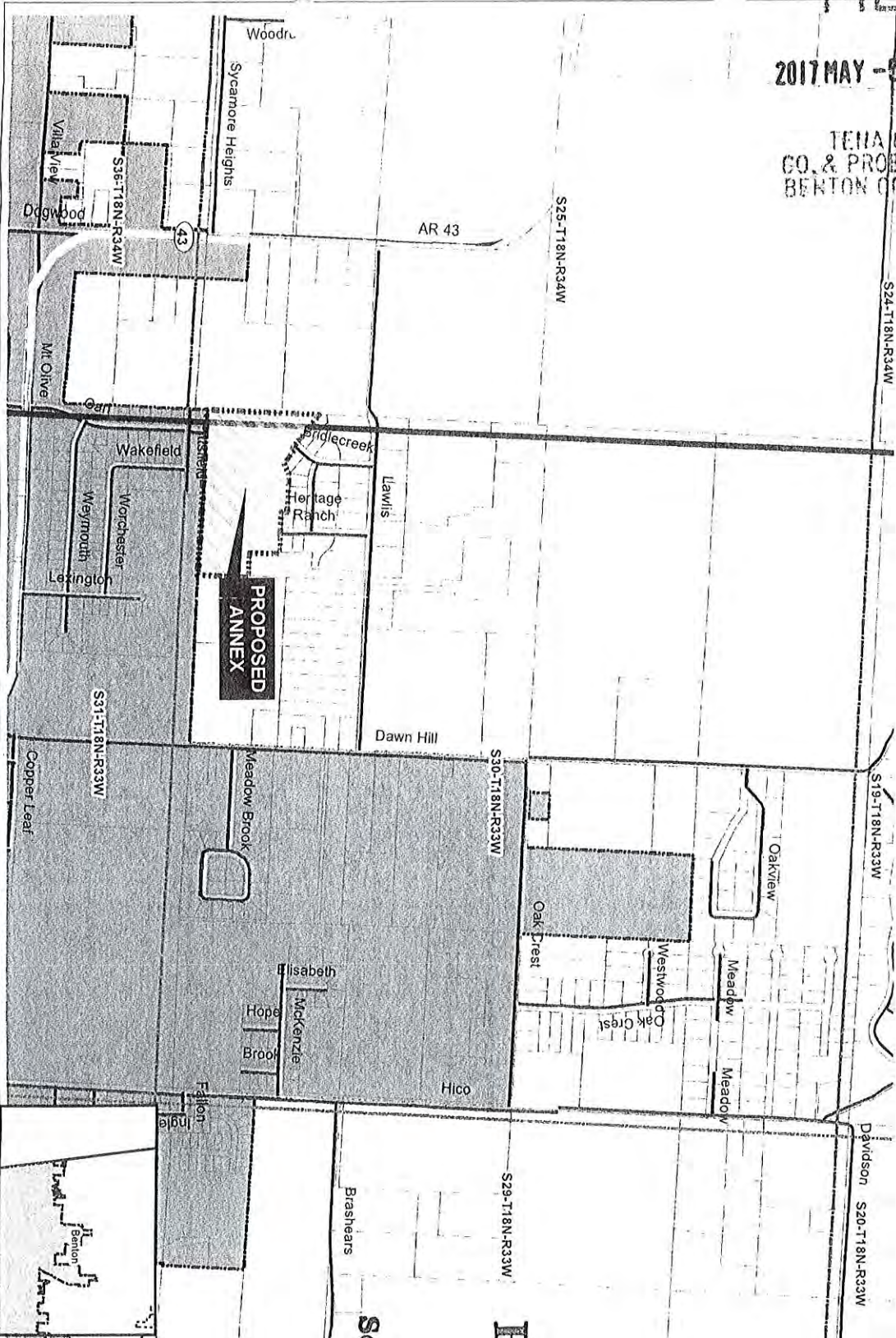
MAY 22 2017

Arkansas
Secretary of State



ARKANSAS
GIS OFFICE

H:\City_Annexations\Cities\Siloam_Spring\20170330\



FILED

2017 MAR 15 PM 12:03

CLERK OF DISTRICT COURT
CO. & PROBATE CLERK
BENTON COUNTY, AR

IN THE MATTER OF ANNEXING TO THE CITY OF
SILOAM SPRINGS, ARKANSAS CERTAIN TERRITORY
CONTIGUOUS TO SAID CITY OF SILOAM SPRINGS, ARKANSAS

FRANKLIN GENE ROTH
PETITIONER(S)

COUNTY COURT NO. CC 2017-05

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

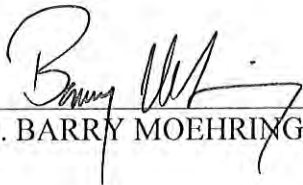
I, Barry Moehring, County Judge of Benton County, having reviewed the attached petition for annexation and verification of petition, hereby find:

(1) That the petition and verifications are complete and accurate (It is noted that at one point the petition refers to the property being annexed to the City of Bentonville. From a review of the petition as a whole, it is clear that this reference is a typographical error and the petition was intended at all points to refer to an annexation to the City of Siloam Springs. As this error does not affect the legal description and all other matters in the petition are in order, it is deemed immaterial and does not prevent the Court's entry of this order.);

(2) That no enclaves will be created by the proposed annexation; and

(3) That the petition contains a schedule of services.

The County Clerk is directed to forward a copy of this order and the related Petition to the Mayor of the City of Siloam Springs.

FILED 
MAY 22 2017 HON. BARRY MOEHRING, County Judge

Arkansas Secretary of State March 15, 2017
Date

FILED

2017 MAR 13 PM 1:48

TENA O'BRIEN
CO. & PROBATE CLERK
BENTON COUNTY, ARK.

IN THE MATTER OF ANNEXING TO THE
CITY OF SILOAM SPRINGS, ARKANSAS
CERTAIN TERRITORY CONTIGUOUS TO SAID
CITY OF SILOAM SPRINGS, ARKANSAS

FRANKLIN GENE ROTH

PETITIONERS

CC 2017-05

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

We, Tena O'Brien, 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:

- (A) the identity of the petitioner or petitioners has been confirmed;
- (B) there are no property owners included in the petition that do not wish to have their property annexed;
- (C) the property described in the petition is contiguous with the City of Siloam Springs, and
- (D) no enclaves will be created if the petition is accepted by the City of Siloam Springs



HON. TENA O'BRIEN, County Clerk



HON. RODERICK GRIEVE, County Assessor

FILED

2017 MAR 13 PM 1:48

TENA O'BRYEN
CC. & FREIGHT CLERK
BENTON COUNTY, ARK



Date: March 6, 2017

Subject: Petition for Annexation (CC2017-05)
Parcel Numbers and owners:
Roth Joint Trust 18-14084-001 (2016-55773)

I have reviewed the preliminary annexation information of territory into the City of Siloam Springs, AR and find the following:

1. The property to be annexed is contiguous with the existing city boundary of Siloam Springs, AR.
2. The submitted description substantially conforms to the size and location of the property.
3. The submitted description closes mathematically and generally conforms to the deed of record noted above.
4. The party that that requested annexation appears to match the owners of record.
5. The proposed annexation does not appear to create any enclaves.

Please contact me if you have any questions.

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

FILED

2017 FEB 24 PM 3:45

TENA O'BRIEN
CO & PROBATE CLERK
BENTON COUNTY AR

PETITION FOR ANNEXATION

**IN THE MATTER OF ANNEXING TO
THE CITY OF SILOAM SPRINGS, ARKANSAS
CERTAIN TERRITORY CONTIGUOUS TO
SAID CITY OF SILOAM SPRINGS, ARKANSAS**

DATE: 2-24-17

CC 2017-05

Come now the undersigned petitioners, and state as follows:

1. That we, owning 100% of the property in the following described area, do hereby petition, pursuant to A.C.A. 14-40-609, the City Council of Siloam Springs, Arkansas, to annex the following lands to the City of Bentonville, Arkansas:

LEGAL DESCRIPTION:

A Part of the Southwest Quarter of the Southwest Quarter and Part of the Southeast Quarter of the Southwest Quarter of Section 30, Township 18 North, Range 33 West, Benton County, Arkansas. Being more particularly described as follows:

Beginning at the SE Corner of the SW 1/4 of the SW 1/4 of Said Section 30; Thence N 86°56'29" W 1221.47'; Thence N 02°54'40" E 884.67'; Thence S 49°09'16" E 325.88'; Thence N 40°50'44" E 26.63'; Thence S 49°09'16" E 130.00'; Thence N 67°37'15" E 95.21'; Thence S 86°52'41" E 280.80'; Thence S 03°07'19" W 43.30'; Thence S 86°52'41" E 179.99'; Thence N 03°07'19" E 4.78'; Thence S 86°52'41" E 139.02'; Thence S 01°27'05" W 239.65'; Thence S 86°43'19" E 189.02'; Thence S 03°13'52" W 389.03'; Thence N 84°50'46" W 33.19' to the Point of Beginning and containing 18.36 acres.


2. We further state that this petition is signed by 100% of the real estate owners owning 100% of the acreage in said area.
3. That said property described herein is contiguous to and adjoining the present Siloam Springs city limits, as shown on the map attached hereto as Exhibit A.
4. That no enclaves will be created if this petition is accepted and the territory annexed into the City of Siloam Springs.

FILED

2017 FEB 24 PM 3:45

TENA OTNEN
CO & PROBATE CLERK
BENTON COUNTY AR

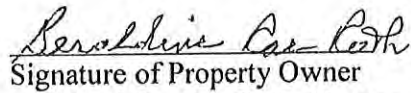
5. That the following schedule of services shall be extended to the area by the City of Siloam Springs within three (3) years after the date the annexation becomes final: Fire Protection – Immediately; Police Protection – Immediately; Sanitation (Solid Waste) Service – Immediately; Potable Water and Wastewater – Immediately; and Zoning and Code Enforcement – Immediately.



Signature of Property Owner
Franklin Gene Roth, Trustee
The Roth Joint Revocable Trust

1030 Hunters Pointe
Address

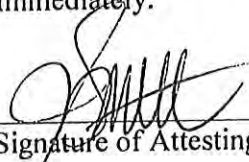
Bentonville, AR 72712



Signature of Property Owner
Geraldine Rae Roth, Trustee
The Roth Joint Revocable Trust

1030 Hunters Pointe
Address

Bentonville, Ar 72712



Signature of Attesting Witness

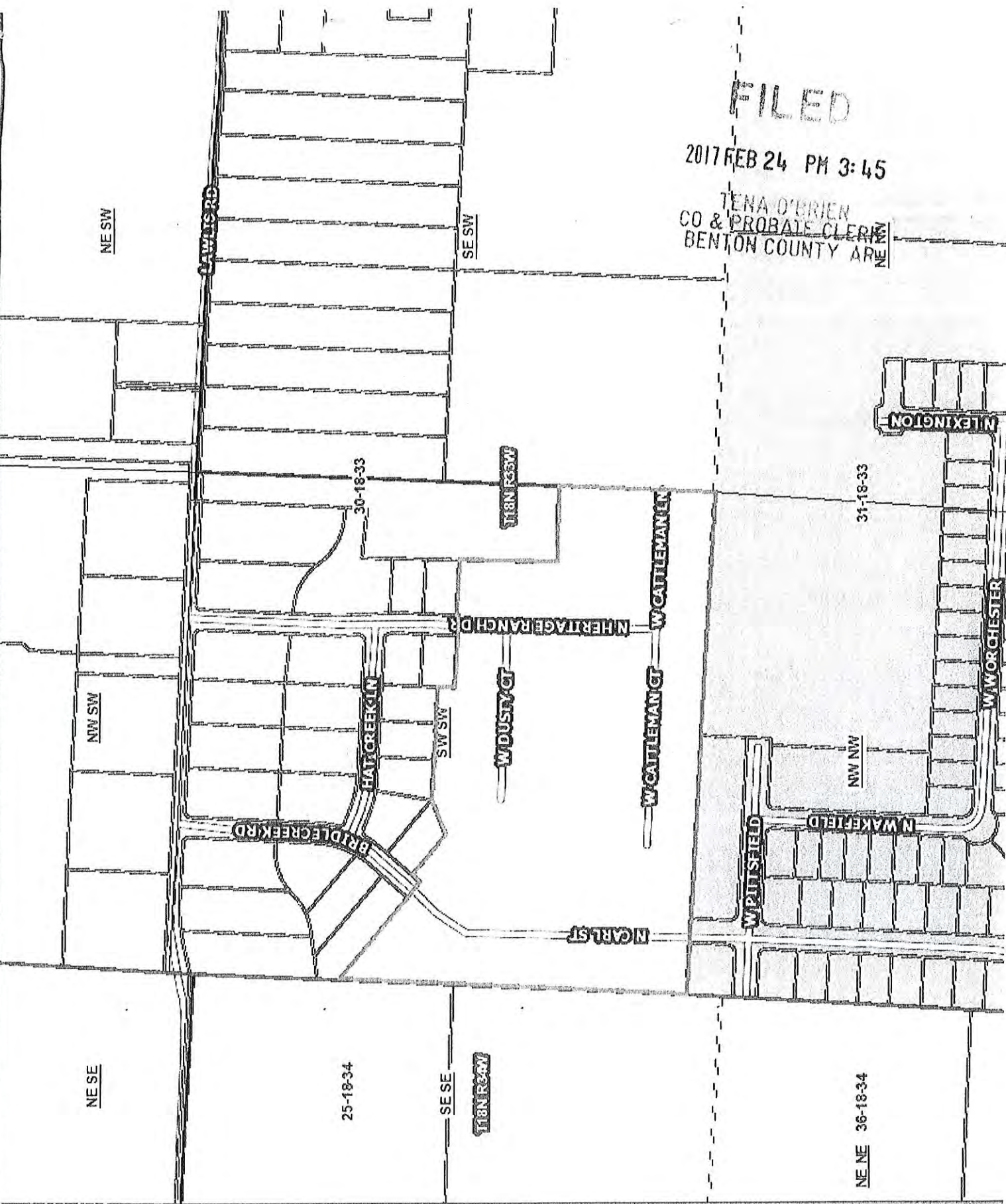


Signature of Attesting Witness

FILED

2017 FEB 24 PM 3:45

TENA D'URIEN
CO & PROBATE CLERK
BENTON COUNTY AR



0.0325

0.065

1 Miles

Date: 2/7/2017



This map was prepared by a professional land surveyor in accordance with the Arkansas Surveying and Mapping Act of 1977, Chapter 491, Sections 1 through 10. The survey was conducted in accordance with the standards and practices of the Surveying and Mapping Board of the State of Arkansas. The survey was conducted on February 24, 2017. The survey was conducted by Tena D'Urien, a Professional Land Surveyor in the State of Arkansas, License No. 10413. The survey was conducted for the purpose of recording the same. The survey was conducted in accordance with the standards and practices of the Surveying and Mapping Board of the State of Arkansas. The survey was conducted on February 24, 2017. The survey was conducted by Tena D'Urien, a Professional Land Surveyor in the State of Arkansas, License No. 10413. The survey was conducted for the purpose of recording the same.