



ARKANSAS SECRETARY OF STATE

MARK MARTIN

December 28, 2017

The Honorable Tena O'Brien
Benton County Clerk
215 East Central St, Suite 217
Bentonville, AR 72712-5373

Re: City of Siloam Springs Annexation Ordinance 17-31

Dear Ms. O'Brien,

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: 12/21/2017

County: Benton

City: Siloam Springs

City Ordinance: 17-31

Dated: 11/21/2017

County Court Order: CC-2017-21

Date Filed: 09/25/2017 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 pending filing, please contact our office at 501-682-3401.

Sincerely,

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



FILED

2017 NOV 30 PM 2: 00



Arkansas Secretary of State

Mark Martin Arkansas Secretary of State, 500 Woodlane Ave, Little Rock, AR 72201-1094

Municipal Boundary Change Checklist

County: Benton County City/Town: Siloam Springs

City Ordinance/Resolution No: 17-31 Date approved: 11-21-17

County Court Case No: CC 2017-21 Date Order Filed: 09/25/2017

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

Date Change Effective: 12/21/17 Set by: Municipal Ordinance Emergency Clause Default
(Required by Act 653 of 2017)

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 or certified annexation election results *(required except for island annexation)*
- Copy of Arkansas GIS Office 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: Phillip R. Patterson Title: City Administrator

Street Address: 400 N. Broadway

City: Siloam Springs, St: AR Zip code: 72761

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: Tiffany Unloved Title: Deputy County Clerk

Date: 12-04-17

Pursuant to Act 655 of 2017, County Officials must submit a file-marked copy of municipal boundary change documentation 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

DEC 28 2017

Arkansas Secretary of State

BENTON COUNTY

STATE OF ARKANSAS

TENA O'BRIEN

COUNTY CLERK & VOTER REGISTRAR

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

December 4, 2017

PROBATE COURT CLERK

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

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

RE: East Kenwood Missionary Baptist Church
City of Siloam Springs Annexation
Benton County Court Case No. CC# 2017-21

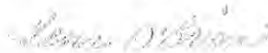
Dear Secretary Martin:

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 Confirming Annexation entered on December 4, 2017
3. Ordinance No. 2017-31 adopted on November 21, 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

By: T. Underwood

TO/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

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

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

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 NOV 30 PM 2:00

ORDINANCE NO. 17-31

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

LENA GREEN
CLERK & DEPUTY CLERK
CITY OF SILOAM SPRINGS, ARKANSAS

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 September 25, 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 3.

Now Therefore, Be It Ordained by the 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:

Part of the SW/4 of the SW/4 of Section 4, Township 17 North, Range 33 West, Benton County, Arkansas, Being More Particularly Described as Follows:

Beginning at a Point S86°54'32"E 330.02 feet from the SW Comer of the said SW/4 of the SW/4, Point being in the center of East Kenwood Street, thence leaving East Kenwood Street N02°28'35"E 285.00 feet, thence S86°54'32"E 249.98 feet, thence S02°28'35"W 285.00 feet to the center of East Kenwood Street and the South line of said Section 4, thence along said South line N86°54'32"W 249.98 feet to the Point of Beginning, containing 1.636 acres More or Less and Subject to the Right-Of-Way of East Kenwood Street, and Subject to All Other Easements of Record.

And

All that part of the Right of Way of East Kenwood Street abutting said annexation (CC2017-21) being described as follows:

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DEC 28 2017

Arkansas
Secretary of State

2017 3941

2017 NOV 30 PM 2: 00

Beginning S86°54'32"E 330.02 feet from the SW Corner of the SW X of the SW1/4 of Section 4, Township 17 North, Range 33 West Benton County, Arkansas; thence N2°28'35"E 20 feet; thence S86°54'32"E 249.98 feet; thence S2°28'35"W 40 feet; thence N86°54'32"W 249.98 feet; thence

N2°28'35"E 20 feet to the Point of Beginning.

Section 2. That the above-described territory shall be annexed to and made a part of Ward 3 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.

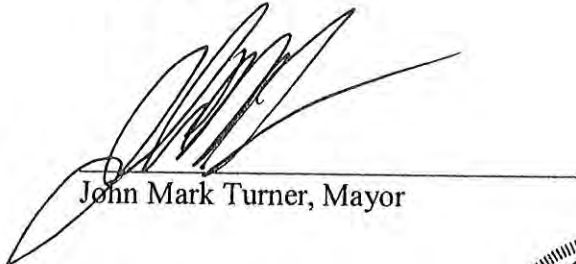
Section 3. That the zoning map of the City (Municipal Code Section 102-21) is hereby amended to include within the G-I zoning district the above described territory.

Ordained and Enacted this 31st day of November 2017.

ATTEST:

APPROVED:


Rena Ellis, City Clerk


John Mark Turner, Mayor



FILED

2017 NOV 30 PM 3: 39

TEWA O'BRIEN
Clerk & Tax Collector
Benton County, Ark

Proposed Annex: City of Siloam Springs
September 2017

City: Siloam Springs
Mayor: John Mark Turner

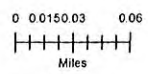
Arkansas Code 14-40-101

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



- Proposed Annex
- Section
- Parcel
- Minor Road
- Existing City
- Neighboring City
- County Boundary



ARKANSAS GIS OFFICE

H:\City_Annexations\Cities\Silam_Springs\20170916

2017 3944

FILED

2017 SEP 25 PM 3: 54

TENA O'BRIEN
CLERK & 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

East Kenwood Missionary Baptist Church, Petitioners

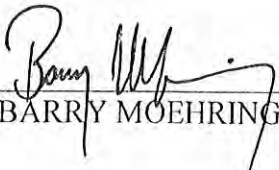
COUNTY COURT ORDER NO. CC 2017-21

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;
- 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; and
- 7) does not include in its description certain dedicated public roads and rights of way abutting or traversing the property to be annexed, the legal description(s) for which are included on the attached Exhibit "A" to this order, and which are depicted in the attached Exhibit "B" to this order, and any acceptance of this annexation by the City of Siloam Springs is required to include acceptance of the property described in Exhibit "A" and depicted in Exhibit "B" in the resolution or ordinance accepting such annexation or an order confirming the annexation will not be entered.

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.



HON. BARRY MOEHRING, County Judge

9-25-2017

Date

FILED

DEC 28 2017

Arkansas
Secretary of State

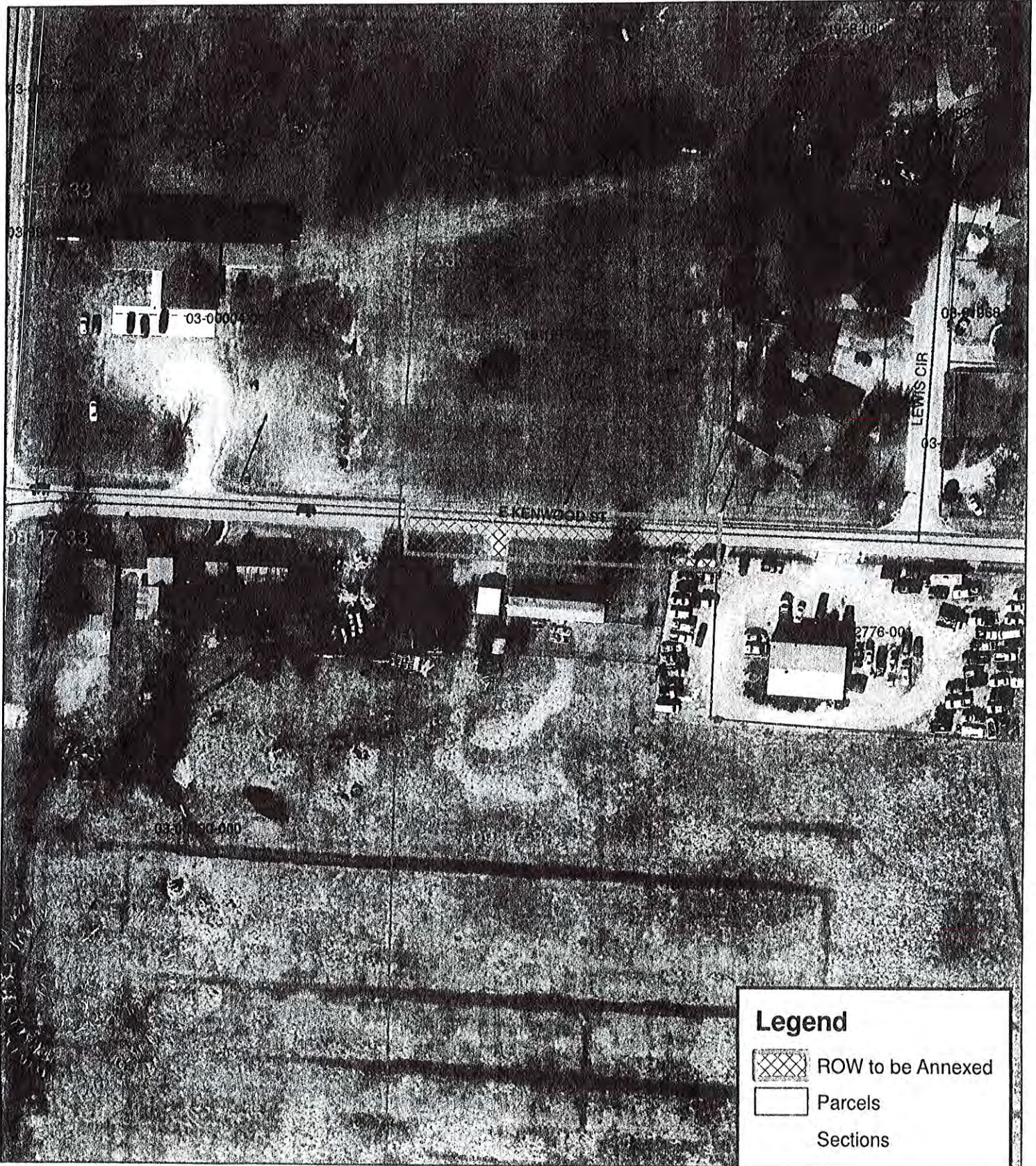
2017 2975

FILED

2017 SEP 25 PM 3: 56

Exhibit "B" CC 2017-21 Abutting ROW to Annexation

KENA O'BRIEN
CLERK & PROBATE CLERK
SOUTHERN COUNTY, ARK



0050 0070

FILED

2017 DEC -4 AM 8: 15

ALBA D'ARSEN
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

CC 2017-21

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 Siloam Springs, 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 Siloam Springs, Benton County, Arkansas, is hereby confirmed and that the same is and shall hence forth comprise a part of the City of SILOAM SPRINGS, Benton County, Arkansas.

FILED

DEC 28 2017

Arkansas
Secretary of State


HON. BARRY MOEHRING, County Judge

12-1-2017
Date

2017 3961

FILED

2017 SEP 18 PM 1:25



ARKANSAS
GIS OFFICE

TERA O'BRIEN
CLERK & PROBATE CLERK
BENTON COUNTY, ARK

September 18, 2017

Mr. Michael D. Million P.L.S
GIS - Mapping Manager
Benton County Assessor's Office

RE: City of Siloam Springs Annexation Coordination Requirement

Mr. Million,

Thank you for coordinating with our office as you seek to annex property into the City of Siloam Springs, AR in Section 4, Township 17 North, Range 33 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 90th General Assembly.

Our office will wait completion of any additional steps necessary for the proposed boundary change, which normally comes from the Arkansas Secretary of State Elections Division after any appropriate filing by your County Clerk.

Thank you,

Jennifer Wheeler, GIS Analyst
/jjw

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

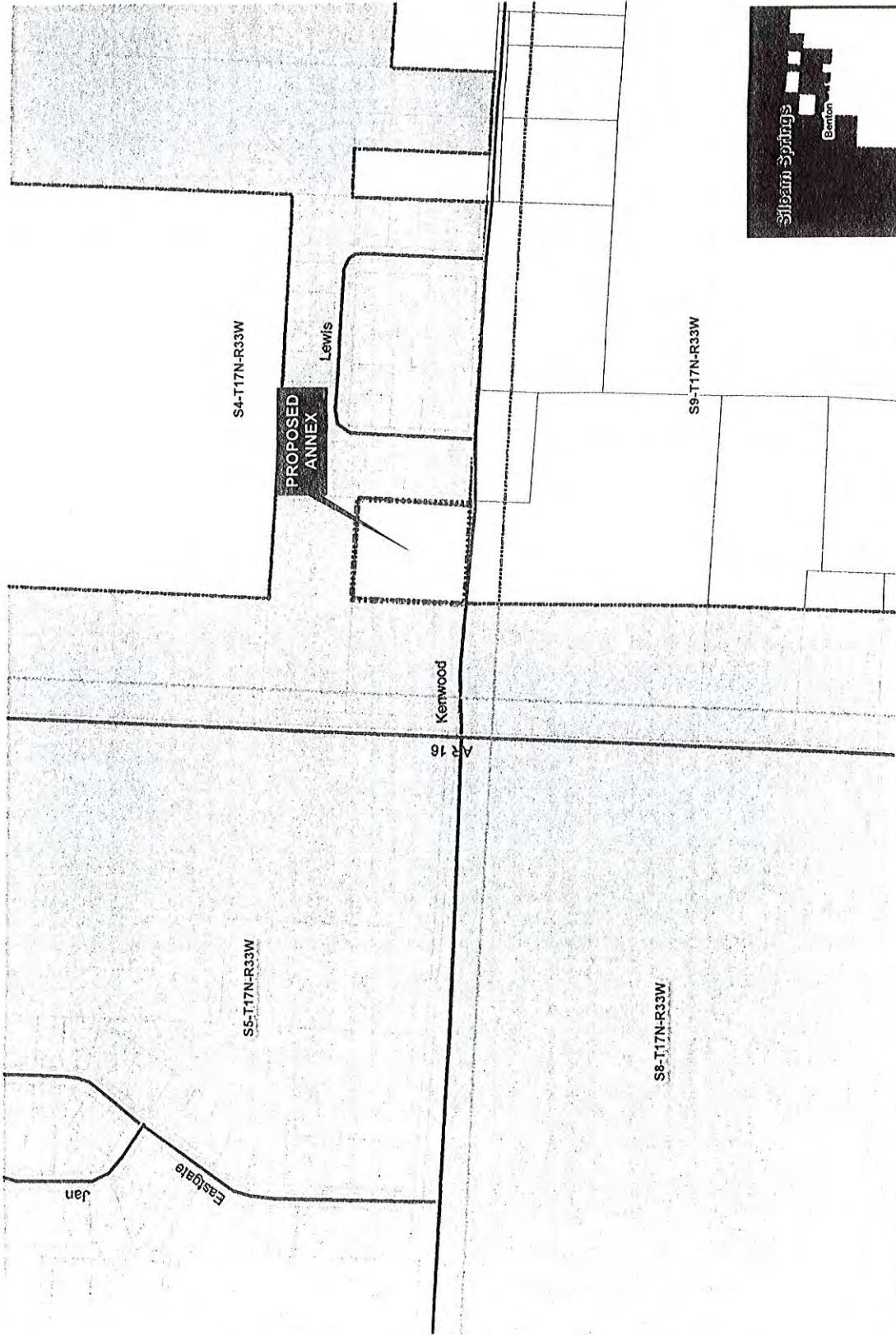
FILED

DEC 28 2017

Arkansas
Secretary of State

Proposed Annex: City of Siloam Springs
September 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, in evidence, the entity has met requirements of Act 914 of 2015

Legend:

- Proposed Annex
- Sections
- Perch
- Minor Road
- Existing City
- Neighboring City
- County Boundary

FILED

DEC 28 2017

Arkansas Secretary of State

2017 SEP 18 PM 1:25
0 214 503
BENTON COUNTY, ARK



FILED

2017 SEP 15 PM 2:01

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

TENA O'BRIEN
CO & PROBATE CLERK
BENTON COUNTY AR
CC 2017-21

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 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;

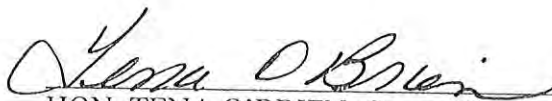
(C) contains an accurate description of the relevant property or properties;

(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.

[Additionally, we note that the legal description in (C) 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"]



HON. TENA O'BRIEN, County Clerk



HON. RODERICK GRIEVE, County Assessor

Exhibit "B"

CC 2017-21

FILED



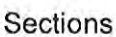
Abutting ROW to Annexation

SEP 15 PM 2:02

TERA O'BRIEN



Legend

-  ROW to be Annexed
-  Parcels
-  Sections

FILED

2017 SEP 13 PM 3:43

TERA O'BRIEN
COUNTY CLERK
BENTON COUNTY, ARK.

CC 2017-21

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: 9/6/17

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 Board of Directors of Siloam Springs, Arkansas, to annex the following lands to the City of Siloam Springs, Arkansas:

Survey Description - Annexation of Parcel 18-12707-000

Part of the SW/4 of the SW/4 of Section 4, Township 17 North, Range 33 West, Benton County, Arkansas, Being More Particularly Described as Follows:

Beginning at a Point S86°54'32"E 330.02 feet from the SW Corner of the said SW/4 of the SW/4, Point being in the center of East Kenwood Street, thence leaving East Kenwood Street N02°28'35"E 285.00 feet, thence S86°54'32"E 249.98 feet, thence S02°28'35"W 285.00 feet to the center of East Kenwood Street and the South line of said Section 4, thence along said South line N86°54'32"W 249.98 feet to the Point of Beginning, containing 1.636 acres More or Less and Subject to the Right-Of-Way of East Kenwood Street, and Subject to All Other Easements of Record.

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.
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

FILED

2017 SEP 13 PM 3:43

TERA O'BRIEN
CLERK & PROBATE CLERK
BENTON COUNTY, ARK.

(Solid Waste) Service – Immediately; Potable Water and Wastewater –
Immediately; and Zoning and Code Enforcement – Immediately.

Jeremy D Wiginton
Signature of Property Owner

Printed Name Jeremy D Wiginton Representing East Kenwood Missionary Baptist Church

2701 East Kenwood St.
Address

Siloam Springs, AR 72761

State of Arkansas

County of Benton

On this the 16 day of September, 2017, before me, Melany Cousins,
(date) (month) (year) (name of notary public)

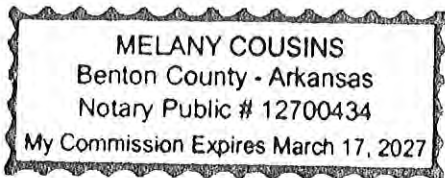
the undersigned notary, personally appeared Jeremy D Wiginton,
(name of person who signed document)

known to me (or satisfactorily proven) to be the person whose name(s) is/are subscribed
to the within instrument and acknowledged that he/she/they executed the same for the
purposes therein contained.

In witness whereof I hereunto set my hand and official seal.

Melany Cousins
Notary Public

My Commission expires: March 17, 2027

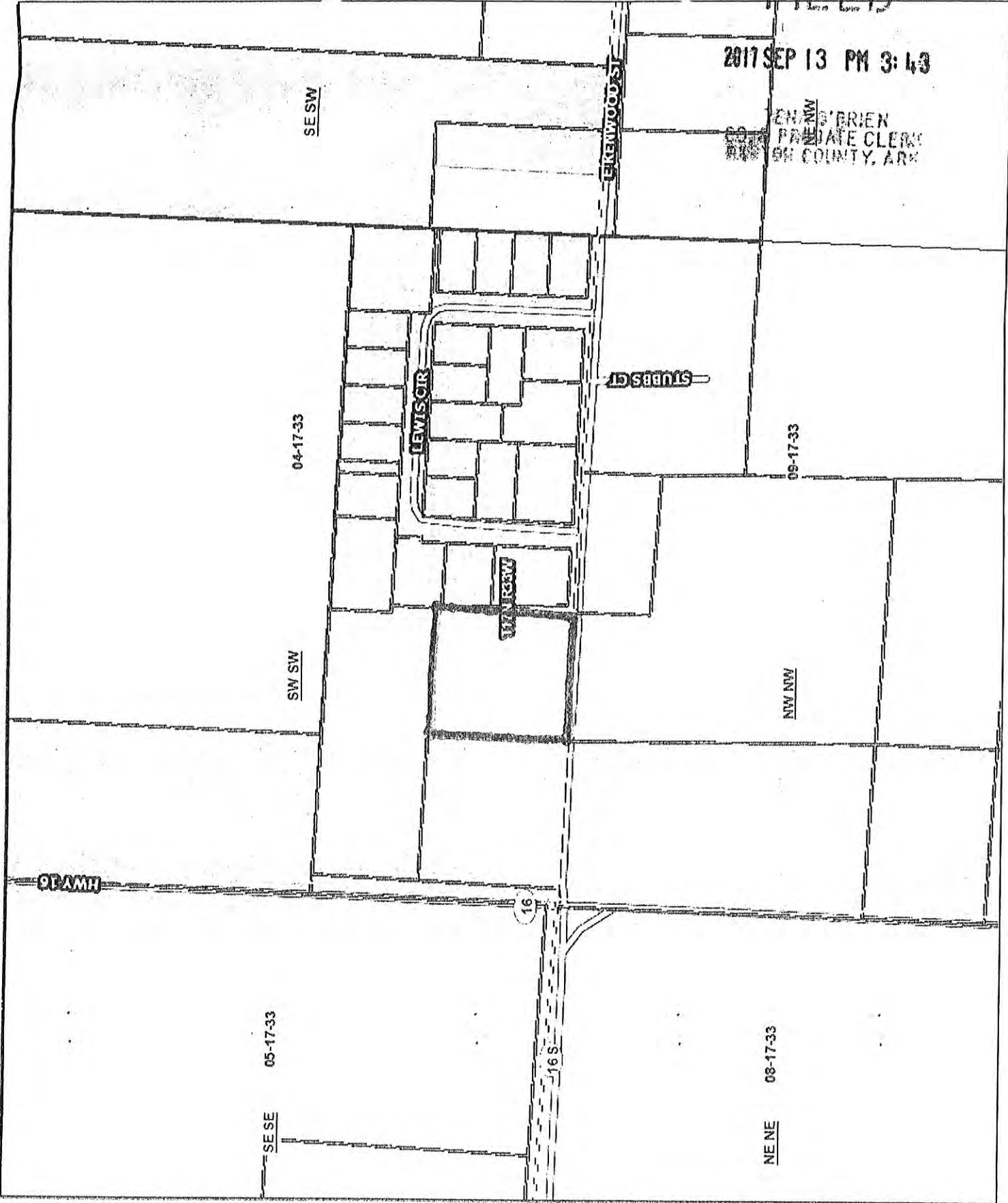


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2017 SEP 13 PM 3:43

CH. NW
PAUL D. BRIEN
CLERK
OF COUNTY, ARK.

Web Map Printer



Date: 8/9/2017

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FILED

2017 SEP 13 PM 3:43

TERA O'BRIEN
CO. & PROBATE CLERK
DIXON COUNTY, ARK.



3866 W. Sunset
Springdale AR 72762
479-582-9383
479-582-2925

Title Report

File No: 17-41800R

Legal:

PART OF THE SW1/4 OF THE SW1/4 OF SECTION 4, TOWNSHIP 17 NORTH, RANGED 33 WEST, DESCRIBED AS FOLLOWS: BEGINNING AT POINT 40 FEET EAST OF THE SW CORNER OF SAID FORTY ACRES, RUN THENCE NORTH 285 FEET, THENCE EAST 540 FEET, THENCE SOUTH 285 FEET TO THE SOUTH LINE OF SAID FORTY ACRES, THENCE WEST 540 FEET TO THE PLACE OF BEGINNING, SUBJECT TO THE ROAD ON THE SOUTH SIDE THEREOF.

Title is vested in: East Kenwood Missionary Baptist Church, by Quit Claim Deed filed November 24, 1984 as Deed Record 627 at Page 733.

Outstanding Mortgages, Liens, Judgments or anything filed of record affecting subject property since filing of vesting deed:
NONE

A check of judgments and liens against KENWOOD MISSIONARY BAPTIST CHURCH revealed:
NOTHING TO REPORT

Property Tax Information:
THE ABOVE LEGAL DESCRIPTION HAS TWO TAX PARCELS.
PARCEL NO. 03-00004-000 AND PARCEL 18-12707-000
BOTH PARCELS ARE EXEMPT FOR TAX YEAR 2016.

This search is extended from March 19, 1970 to June 16, 2017 at 7:00 a.m.

Note: This is a Limited Search of the records and is not to be construed as a Title Insurance Policy, a legal opinion or a commitment to insure. Liability is limited to the amount charged for this service.

Dated: June 21, 2017
Realty Title & Closing Services, LLC
3866 W. Sunset
Springdale, AR 72762
479-582-9383
479-582-2925
Arkansas Title Agency License No.: 100102353

By

A handwritten signature in black ink, appearing to read "Dennis C. McDonald", written over a horizontal line.

Authorized Signatory

Dennis C. McDonald Title Agent License No.: 9905460

FILED

2017 SEP 13 PM 3:43

P.O. Box 12
701 S. Mt. Olive St.
Siloam Springs, AR 72761



voice (479) 524-9956

fax (479) 524-4747

TERA O'BRIEN
CLERK & PROBATE CLERK
WESTON COUNTY, ARK

email@civilengineeringss.com

September 11, 2017

RE: Annexation Parcel 18-12707-000
East Kenwood Missionary Baptist Church

To Whom It May Concern:

I wish to certify that the above referenced Annexation Parcel 18-12707-000 (the Parcel), owned by East Kenwood Missionary Baptist Church is contiguous with the City of Siloam Springs city limits. The annexation of the Parcel will not create an enclave as a result of its annexation.

The City of Siloam Springs annexed the west 330 feet of the East Kenwood Missionary Baptist Church property on April 2, 1970 with Resolution No. 3-70. Therefore, the west 290 feet of the Church property is already in the City Limits of Siloam Springs and the annexation petition has been prepared to annex the balance of the Church property.

Sincerely,

Ron Homeyer, P.E.



Ron Homeyer
9/11/17