



ARKANSAS SECRETARY OF STATE

MARK MARTIN

July 17, 2018

The Honorable Deborah Finley
Independence County Clerk
192 E. Main Street
Batesville, AR 72501

Re: City of Southside Annexation Resolution 2018-5

Dear Ms. Finley,

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 a 100% of the landowners)

Effective Date: 07/11/2018

County: Independence

City: Southside

City Resolution: 2018-5

Dated: 06/13/2018

County Court Order: CO-2018-03

Date Filed: 06/13/2018 Hon. Robert Griffin, Independence County Judge

A file marked copy of the resolution, 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,

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)
Honorable. Ray Bowman, Mayor of Southside (w/encl)



Arkansas Secretary of State

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

Municipal Boundary Change Checklist

County: Independence City/Town: Southside

City Ordinance (Resolution) No: 2018-5 Date approved: 6/11/2018

County Court Case No: CO2018-03 Date Order Filed: 6/13/2018

Type: A.C.A. 14-40-609 annexation by 100% of landowners
(Choose from the list of Arkansas Code Sections located on the back)

Date Change Effective: 7/1/2018 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)

Initiating party:

All Landowners Majority Landowners Municipal Governing Body State Other _____

Supporting Documentation attached (check all that apply):

- File marked copy of City Ordinance/Resolution (required)
- File marked copy of County Court Order (required except for island annexation and annexation approved by election)
- Copy of Arkansas GIS approved printed map and certification letter (required)
- Proof of Publication for all Legal Notices (include Hearing, Election, and City Ordinance/Resolution notices)
- File marked copy of Petition Part or File marked copy of the certified special election results (if applicable)
- File marked copy of Complaint and final Circuit Court Order (Court Challenge only)

Municipal Contact:

Name: Ken Burns Ray Bowman Title: Mayor of Southside Pleasant Plains Mayor

Street Address: 386 Main St 99 Scott DR

City: Pleasant Plains Southside St: AR Zip code: 72568 72501

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: Tracey Mitchell by SR Title: County Clerk

Date: 6/19/18

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: Gynthia Fisher

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JUL 17 2018

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RESOLUTION 2018-5

A RESOLUTION ACCEPTING THE ANNEXATION OF CERTAIN TERRITORY TO THE CITY OF SOUTHSIDE; APPROVING THE SCHEDULE OF SERVICES TO BE EXTENDED TO SAID AREA; AND ASSIGNING SUCH TO WARDS

WHEREAS, a petition was filed, pursuant to A.C.A. §14-40-609, for the annexation of certain territory into the City of Southside, Arkansas; and

WHEREAS, the Independence County Assessor and the Independence 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 Independence 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 Southside for consideration; and

WHEREAS, it is the desire of the Mayor and City Council of Southside that said territory be annexed.

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

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

A part of the Northwest Quarter of the Southwest Quarter of Section 11, Township 12 North, Range 6 West, described as beginning at the Southwest corner of the above described forty; thence North 752 links, thence East 2037 links; thence South 752 links to the Southeast corner of said forty; thence West 2037 links to the place of beginning.

AND:

A part of the West Half of the Southwest Quarter of the Southwest Quarter described thus: Beginning at the Northwest corner of said 20 acre tract; thence South 369 feet; thence in a Northeasterly direction to a point on the East line of said 20 acre tract, that is 252 feet South of

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the Northeast corner thereof; thence North to the Northeast corner of said West Half of the Southwest Quarter of the Southwest Quarter; thence West along the North line of said 20 acre tract to the Place of beginning, all in Section 11, Township 12 North, Range 6 West.

AND:

A tract of land being a part of the NE 1/4, SE 1/4 of Section 10, and a part of the NW 1/4, SW 1/4, of Section 11, all in T 12 N, R 6 W, in Independence County, Arkansas, more particularly described as follows:

Commencing at the northeast corner of said NE 1/4, SE 1/4, thence S 01°58'13" E, 498.26 feet; thence N 88°32'34" W, 5.88 feet to the point of beginning; thence S 02°22'34" E, 244.14 feet; thence S 88°06'25" E, 585.00 feet; thence S 01°39'21" E, 99.96 feet; thence N 88°06'25" W, 585.00 feet; thence S 01°39'25" E, 95.61 feet; thence N 87°45'34" W, 632.30 feet to the east right of way line of U.S. Highway No. 167; thence along said east right of way line, N 09°30'58" W, 36.09 feet; thence leaving said right of way line, S 88°49'01" E, 206.60 feet; thence N 00°05'45" E, 193.08 feet; thence N 87°21'51" E, 145.27 feet; thence N 01°37'47" E, 190.42 feet; thence S 88°32'34" E, 264.67 feet to the point of beginning. This tract contains 5.09 acres, more or less, and is subject to any and all easements.

AND:

A tract of land being a part of the NW 1/4, SW 1/4, of Section 11, in T 12 N, R 6 W, in Independence County, Arkansas, more particularly described as follows:

Commencing at the northwest corner of said NW 1/4, SW 1/4, thence S 01°58'13" E, 498.26 feet; thence N 88°32'34" W, 5.88 feet; thence S 02°22'34" E, 244.14 feet; thence S 88°06'25" E, 585.00 feet to the point of beginning; thence continue S 88°06'25" E, 465.00 feet; thence S 01°39'21" E, 99.96 feet; thence N 88°06'25" W, 465.00 feet; thence N 01°39'21" W, 99.96 feet to the point of beginning. This tract contains 1.07 acres, more or less, and is subject to any and all easements.

EASEMENT DESCRIPTION

A tract of land being 20 feet in width, 10 feet on each side of the following centerline described as follows:

Said Easement being a part of the NE 1/4, SE 1/4 of Section 10, and a part of the NW 1/4, SW 1/4, of Section 11, in T 12 N, R 6 W, in Independence County, Arkansas, more particularly described as follows:

Commencing at the northwest corner of said NW 1/4, SW 1/4, thence S 01°58'13" E, 498.26 feet; thence N 88°32'34" W, 5.88 feet; thence S 02°22'34" E, 244.14 feet; thence S 88°06'25" E, 585.00 feet; thence S 01°39'21" E, 10.02 feet to said centerline and the point of beginning; thence along said centerline the following:
N 88°06'25" W, 589.50 feet; S 58°58'56" W 63.80 feet; S 48°30'58" W, 100.00 feet; S 68°12'19" W, 100.00 feet; S 74°37'36" W, 100.00 feet; N 87°45'34" W, 305.00 feet to the east right of way line of U.S. Highway No. 167.

SECTION 2. That the following schedule of services shall be extended to the area by the City of Southside in 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 three (3) of the City of Southside, and the same shall henceforth be a part of said ward as fully as existing parts of said ward.

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

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

PASSED AND APPROVED THIS 11th DAY OF JUNE, 2018.




Mayor

Attest: 

City Recorder



FILED

JUN 13 2018
11:33 A.M.
TRACEY MITCHELL
COUNTY & PROBATE CLERK
 D.C.

COUNTY COURT ORDER

June 11, 2018

10:30 A.M.

CO. NO. 2018-84

SUBJECT MATTER: IN THE MATTER OF ANNEXING TO THE CITY OF SOUTHSIDE,
ARKANSAS CERTAIN TERRITORY CONTIGUOUS TO SAID CITY
OF SOUTHSIDE, ARKANSAS

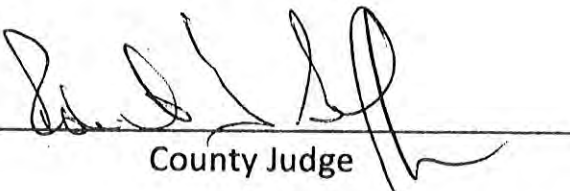
This being a regular day of the April Term of County Court, the matter pertaining to the annexing to the City of Southside certain territory contiguous to said City of Southside, Arkansas, was brought before the Court.

Pursuant to documents submitted to this Court this Court finds that the following steps were taken

In review of the petition, it was verified to be complete and accurate;
It was determined that no enclaves will be created by the annexation;
It was confirmed that the petition contains a schedule of services; and

It is the order of the County Court that the above annexation shall be approved.

IT IS SO ORDERED



County Judge

ATTEST: Tracey Mitchell

County Clerk

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FILED

JUN 13 2018

8:15 A M

TRACEY MITCHELL
COUNTY & PROBATE CLERK
Tracey Mitchell D.C.



**ARKANSAS
GIS OFFICE**

June 5, 2018

Mr. Tim Fairchild
Fairchild Park LLC
2563 Batesville Blvd
Batesville, AR 72501

RE: City of Southside Annexation Coordination Requirement

Mr. Fairchild,

Thank you for coordinating with our office as you seek to annex property into the City of Southside, AR located in Sections 10 & 11. Township 12 North, Range 6 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
Legal Description
Secretary of State Municipal Change Checklist

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JUL 17 2018

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H:\City_Annexations\Cities\Southside\20180605\Doc\20180605_Southside_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

Proposed Annex: City of Southside
June 2018

City: Southside
Mayor: Ray Bowman

Arkansas Code 14-40-101:
Before an entity undertakes an annexation, consolidation, or detachment proceeding under this chapter, the entity shall coordinate with the Arkansas Geographic Information Systems Office for preparation of legal descriptions and digital mapping for the relevant annexation, consolidation, and detachment areas.
The map contained herein, is evidence, the entity has met requirements of Act 914 of 2015



F I L E D

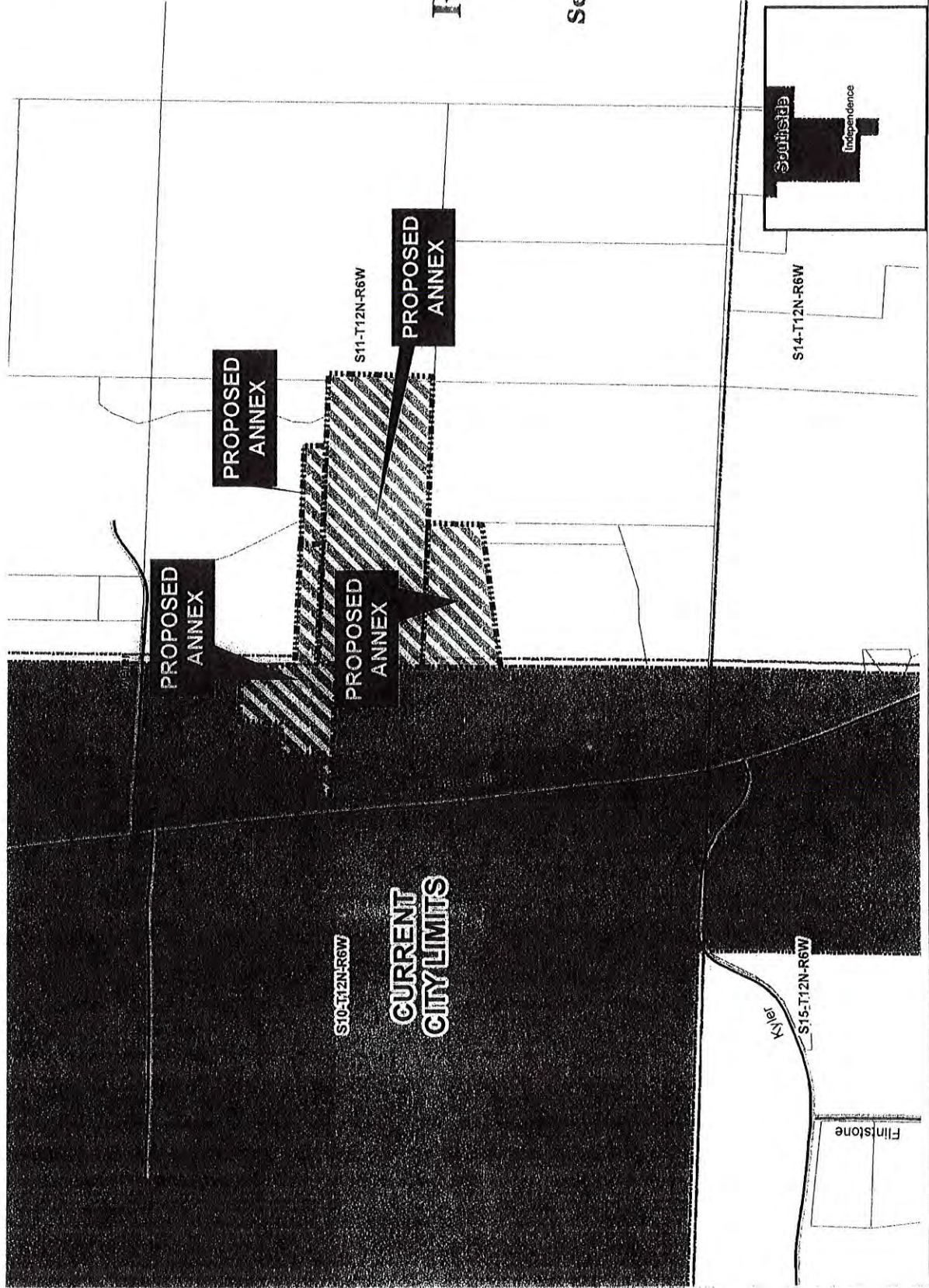
JUL 17 2018

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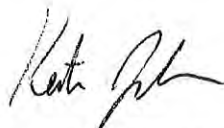
(Letterhead, if any, of Professional Engineer or Surveyor)

Date: 6/1/18

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 Southside. I am a licensed Professional Engineer (or licensed Surveyor) in the State of Arkansas. Based on my review I verify that the real property described as follows, and as shown on the map labeled Exhibit A in the Southside annexation petition of which this letter is a part, is contiguous with the City of Southside and that no enclaves will be created if the described property is accepted by the City of Southside: (insert legal description)

Sincerely,



Keaton Johnson LS#1735

(Name of PE or Surveyor, and PE's or Surveyor's Stamp)

I hereby certify under penalty of false swearing that at least the legally correct amount of documentary stamps have been placed on this instrument

Grantee's Address:

Grantee or Grantee's Agent

2563 Batesville Blvd., Batesville, AR 72501

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee(s), and unto its successors and assigns forever, with all appurtenances thereunto belonging.

And we, the said Grantors, do hereby covenant to and with the said Grantee(s), that we will forever warrant and defend the title to the said lands against all claims whatsoever.

And we, the Grantors, **Tim Fairchild and Janice Fairchild, husband and wife**, for and in consideration of said sum of money, do hereby release and relinquish unto the said Grantee(s) all our rights of dower, curtesy and homestead in and to the said lands.

WITNESS my hand and seal on this 27th day of June, 2012.

Tim Fairchild

Tim Fairchild

Janice Fairchild

Janice Fairchild

ACKNOWLEDGMENT

STATE OF ARKANSAS }
 }ss.
COUNTY OF INDEPENDENCE }

BE IT REMEMBERED, That on this day came before me, the undersigned, a commissioned and acting Notary Public within and for the County aforesaid, duly commissioned and acting **Tim Fairchild and Janice Fairchild, husband and wife**, to me well known as the GRANTOR(S) in the foregoing deed, and acknowledged 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 on this 27th day of June, 2012.

Tammy Foster
Notary Public

My commission expires: 11/29/2020

