



ARKANSAS SECRETARY OF STATE

MARK MARTIN

April 3, 2015

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

RE: Annexation

Dear Mrs. O'Brien,

The following information was received and pertains to an annexation that has already been filed in the office of the Secretary of State. The purpose of the amended ordinance is due to a typographical error in the legal description. It has been filed accordingly:

County: Benton

City: Springdale

Annexation:

Ordinance No. 4892 – Dated March 10, 2015
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,

Ashley Trout
Elections Services Representative
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)
Springdale City Clerk (w/o encl)



2015 MAR 27 AM 11:00

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



Denise Pearce
City Clerk/Treasurer

201 Spring Street
Springdale, Arkansas 72764
(479) 750.8119
(479) 750.8505 fax
www.SpringdaleAR.gov

CERTIFICATE

I, Denise Pearce, City Clerk of the City of Springdale, County of Washington, State of Arkansas, hereby certify that the attached and foregoing is a true copy of Ordinance No. 4892, passed on March 10, 2015, the original which is now on file in the City Clerk's Office of the City of Springdale, Arkansas.

In witness whereof, I have hereunto set my hand and affixed the official Seal of the City of Springdale, Washington County, Arkansas, this the 25th day of March, 2015.

Denise Pearce

City Clerk of the City of Springdale
Washington County, Arkansas



F I L E D

MAR 31 2015

Arkansas
Secretary of State

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 Records
Book 2015, Page 0983 being on file in my said office.
I have hereunto set my hand and official seal this 30th
day of March, 20 15
TENA O'BRIEN, Clerk
Benton County Arkansas
By R. M. Conner

2015 - 0983

2015 MAR 27 AM 11:02

MAR 31 2015

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

Arkansas
Secretary of State

ORDINANCE NO. 4892

Brenda DeShields-Circuit Clerk
Benton County, AR
Book/Pg: 2015/11790
Term/Cashier: CASH2/Laura L. Twa
03/16/2015 10:29:07AM
Tran: 323003
Total Fees: \$20.00

Book 2015 Page 11790
Recorded in the Above
DEED Book & Page
03/16/2015

AN ORDINANCE ANNEXING CERTAIN REAL PROPERTY TO THE CITY OF SPRINGDALE, ARKANSAS, PURSUANT TO ARK. CODE ANN. §14-40-2002 (ACT 779 of 1999), AND MAKING A COMMITMENT TO PROVIDE SEWER SERVICES TO SAID PROPERTY AS REQUIRED BY ARK. CODE ANN. §14-40-2002 (ACT 779 of 1999).

WHEREAS, Greg Kendrick and Kim Kendrick ("the Kendricks"), are the owners of the following real property currently located in Bethel Heights, Benton County, Arkansas, and which is contiguous to and adjacent to the City of Springdale, Arkansas ("the Property")(legal descriptions and map attached hereto):

- Tract 1: 1161 Kendrick Avenue, Benton County Parcel No. 20-00017-001, containing one (1) acre more or less;
- Tract 2: 69.68 acres, more or less, located at the northwest corner of Old Wire Road (State Highway 265) and Kendrick Avenue, Benton County Parcel No. 20-00016-000, containing 69.68 acres more or less; and
- Tract 3: 16.49 acres, more or less, located at the southeast corner of Kendrick Avenue and N. Jefferson St., Benton County Parcel No. 20-00017-000.

WHEREAS, the Kendricks wish to avail themselves of the detachment and annexation procedure contained in Ark. Code Ann. §14-40-2002, as they are seeking additional municipal services, namely-sewer services, to the Property;

WHEREAS, pursuant to Ark. Code Ann. §14-40-2002, the Kendricks made demand upon the City of Bethel Heights to make a commitment to provide sewer service to the Property sufficient to serve industrial uses;

WHEREAS, the City of Bethel Heights has expressed in writing that it can or will make such a commitment as required by Ark. Code Ann. §14-40-2002;

WHEREAS, the present condition and status of the Bethel Heights "step system" is such that its sanitary sewer system is unable to serve present capacity and cannot be expected to provide the additional capacity necessary to provide sanitary sewer service adequate for an industrial use on the Property within the time provided by Ark. Code Ann. §14-40-2002, thereby rendering Bethel Heights' written commitment to provide sewer services untenable;

WHEREAS, the City of Springdale, as annexing municipality pursuant to Ark. Code Ann. §14-40-2002, by the adoption of this Ordinance, does hereby commit to take substantial steps within 180 calendar days after the adoption of this Ordinance toward making the requested services available to the Property, and within each 30 day period thereafter, to continue to take steps demonstrating a consistent commitment to provide the requested sanitary sewer services to the Property within a reasonable time; and,

WHEREAS, upon the City of Springdale making the commitment to provide the requested sanitary sewer services to the Property, the Kendricks now seek approval of the request for detachment from Bethel Heights and annexation into the City of Springdale, Arkansas, pursuant to Ark. Code Ann. §14-40-2002.

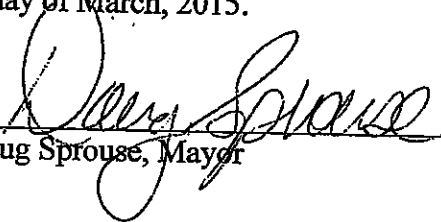
NOW, THEREFORE, BE IT ORDAINED, BY THE CITY COUNCIL FOR THE CITY OF SPRINGDALE, ARKANSAS:

SECTION 1: The City of Springdale, Arkansas hereby makes a commitment to provide sewer services to the Property, and to take substantial steps within one hundred eighty (180) days after the passage of this ordinance to make the services available and, within each thirty-day period thereafter, continue taking steps demonstrating a consistent commitment to make the additional services available within a reasonable time, as determined by the kind of services requested.


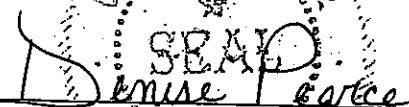
SECTION 2: Given the commitment made by the City of Springdale, Arkansas, to provide the requested services, the Property is therefore accepted for annexation into the City of Springdale, Arkansas, pursuant to Ark. Code Ann. §14-40-2002, and the Property shall hereafter be a part of the City of Springdale.

SECTION 3: The Property is hereby assigned to Ward 4 of the City of Springdale, Arkansas.

PASSED AND APPROVED this 10th day of March, 2015.



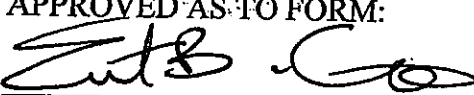
Doug Sprouse, Mayor

ATTEST



Denise Pearce, City Clerk

Book 2015 Page 11791
Recorded in the Above
DEED Book & Page
03/16/2015

Benton County, AR
I certify this instrument was filed on
03/16/2015 10:29:07AM
and recorded in DEED Book
2015 at pages 11790 - 11791
Brenda DeShields-Circuit Clerk

APPROVED AS TO FORM:


Ernest B. Cate, City Attorney

1 1000 1000 1000

015 MAR 27 AM 11:08

JENA O'BRIEN
10 & PROBATE CLERK
BENTON COUNTY, AR

2015 MAR 27 AM 11:03

TENA D'BERNETT
CO. & PROBATE CLERK
BERNARD COUNTY, ARK.

CITY OF BETHEL HEIGHTS

MASON WAY

LES LN

LOGAN HEIGHTS DR

JON DAVIS LN

JOSIE KATE LN

MORGAN HALEY LN

ASHTON LN

GRAYSON LN

GARRETT LN

RO LN

GRAINGER CIR

City of
Springdale

KENDRICK AVE

TRACT 4

TRACT 3

KENDRICK AVE

TRACT 2

JUNE SELF DR

RE RD

ROBERTS

2015 0986

OLD WIRE RD

KIVA AVE

FILED

MAR 31 2015

Arkansas
Secretary of State

