



ARKANSAS SECRETARY OF STATE

MARK MARTIN

December 1, 2015

The Honorable Becky LeWallen
Washington County Clerk
280 N College Ste 300
Fayetteville, AR 72701

RE: Annexation

Dear Mrs. LeWallen,

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

County: Washington City: Springdale

Annexation: Ordinance No. 4968 – Dated October 27, 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 501-682-3476.

Sincerely,

A handwritten signature in black ink, appearing to read "Peyton Murphy".

Peyton Murphy
Elections Attorney
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)



FILED

2015 NOV 19 AM 10:25

BECKY LEWALDEN
CO. & PROBATE CLERK
WASHINGTON CO. AR

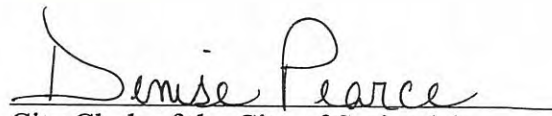


Denise Pearce
City Clerk/Treasurer
201 Spring Street
Springdale, Arkansas 72764
(479) 750.8119
(479) 750.8505 fax
www.SpringdaleAR.gov

CERTIFICATE

I, Denise Pearce, 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. 4968, adopted at the October 27th 2015, City Council meeting, 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 17th day of November, 2015.


City Clerk of the City of Springdale
Washington County, Arkansas

FILED

2015 NOV 19 AM 10:25
ORDINANCE NO. 4968

BECKY LEWALLEN

**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 MUNICIPAL
SERVICES TO SAID PROPERTY AS REQUIRED
BY ARK. CODE ANN. §14-40-2002 (ACT 779 of 1999).**



Doc ID: 016539110005 Type: REL
Kind: ORDINANCE
Recorded: 11/03/2015 at 08:56:02 AM
Fee Amt: \$35.00 Page 1 of 5
Washington County, AR
Kyle Sylvester Circuit Clerk

File 2015-00031314

WHEREAS, First Security Bank is the owner of the following real property currently located in Tontitown, Washington County, Arkansas, and which is contiguous to and adjacent to the City of Springdale, Arkansas ("the Property")(map attached hereto):

Part of the East Half of the Southeast Quarter of Section (6), Township Seventeen (17) North, Range Thirty (30) West, described as follows: Beginning at the Southeast corner of said 80 acre tract and running thence West 40.44 rods; thence North 88 rods; thence East 4.89 rods; thence North 72 rods; thence East 35.55 rods; thence South 160 rods to the place of beginning, containing 40.00 acres, more or less. LESS AND EXCEPT: part of the Northeast Quarter of the Southeast Quarter of Section 6, Township 17 North, Range 30 West, more particularly described as starting at the Southwest Corner of the NE 1/4 of the SE 1/4 of Section 6; thence North 03°38'00" East, along the west line thereof, a distance of 1153.30 feet to a point on the Southerly existing right-of-way line of State Highway 68 (now 412); thence South 87°30'11" East, along said existing right-of-way line, a distance of 352.51 feet to a point; thence South 87°33'11" East, along said existing right-of-way line, a distance of 380.93 feet, for the point of beginning; thence continuing South 87°33'11" East along said right-of-way line, a distance of 579.42 feet to a point on the east line of the NE 1/4 of the SE 1/4 of Section 6; thence South 02°06'00" West, along said east line, a distance of 5.0 feet to a point on the southerly proposed right-of-way line of State Highway 68 (now 412); thence North 87°33'11" West, along said proposed right-of-way line, a distance of 194.24 feet to a point; thence South 86°44'10" West, along said proposed right-of-way line, a distance of 150.75 feet to a point; thence North 84°07'09" West, along said proposed right-of-way line, a distance of 235.83 feet to a point; thence North 03°38'00" East, a distance of 5.88 feet to the point of beginning, containing 0.14 acres, more or less. Also known as Washington County Parcel 830-37592-000.

WHEREAS, First Security Bank wishes 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 adequate fire protection services to the Property, adequate police protection services to the Property, ambulance services to the Property, water and sewer services to the back 22.90 acre residentially zoned portion, and construction of a public road thereby

permitting access to the back 22.90 acre residentially zoned portion of the Property;

WHEREAS, on August 22, 2014, pursuant to Ark. Code Ann. §14-40-2002, First Security Bank made demand upon the City of Tontitown to make a commitment to provide the aforementioned municipal services to the Property;

WHEREAS, on September 18, 2014, the City of Tontitown made a commitment to provide the requested additional services but thereafter failed to take substantial steps to provide the additional services requested in the time required by Ark. Code Ann. §14-40-2002, and the Circuit Court of Washington County, Arkansas, in case number CV 14-2304, has determined and ordered that the City of Tontitown has not complied with the provisions of Ark. Code Ann. §14-40-2002, and has not provided the requested municipal services to the Property as required by Ark. Code Ann. §14-40-2002;

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 municipal 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 municipal services to the Property within a reasonable time; and,

WHEREAS, upon the City of Springdale making the commitment to provide the requested municipal services to the Property, First Security Bank now seeks approval of the request for detachment from the City of Tontitown and annexation into the City of Springdale, Arkansas, pursuant to Ark. Code Ann. §14-40-2002.

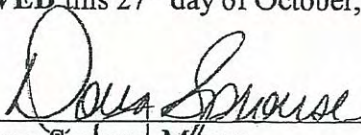
NOW, THEREFORE, BE IT ORDAINED, BY THE CITY COUNCIL FOR THE CITY OF SPRINGDALE, ARKANSAS:

SECTION 1: The City of Springdale, Arkansas hereby makes a commitment to provide the requested municipal 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 3 of the City of Springdale, Arkansas.

PASSED, ADOPTED, AND APPROVED this 27th day of October, 2015.




Doug Sprouse, Mayor

ATTEST




Denise Pearce, City Clerk

APPROVED AS TO FORM:



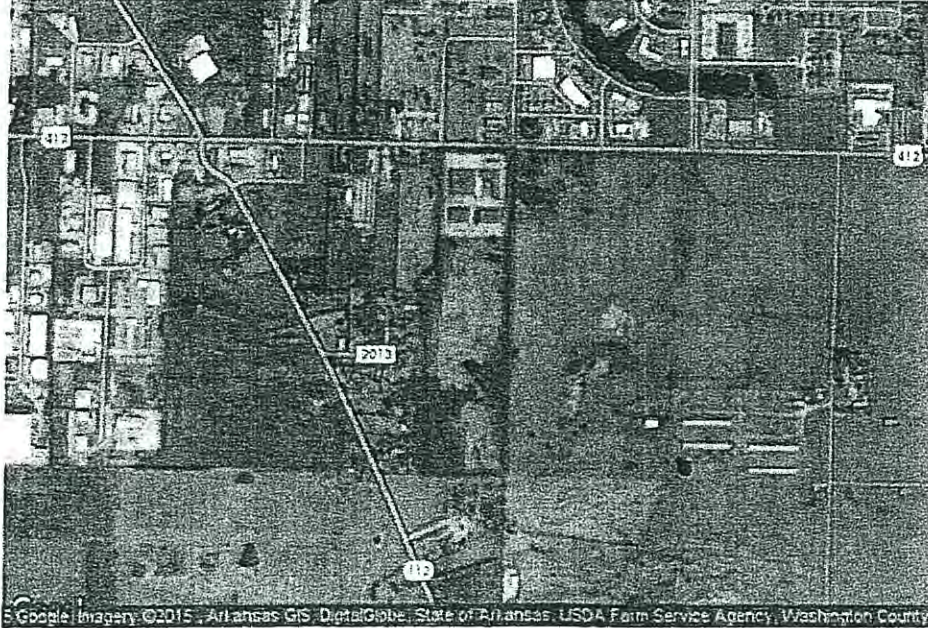
Ernest B. Cate, City Attorney

Parcel: 830-37592-000
Prev. Parcel: 124724-000-00
As of: 1/15/2015

Washington County Report

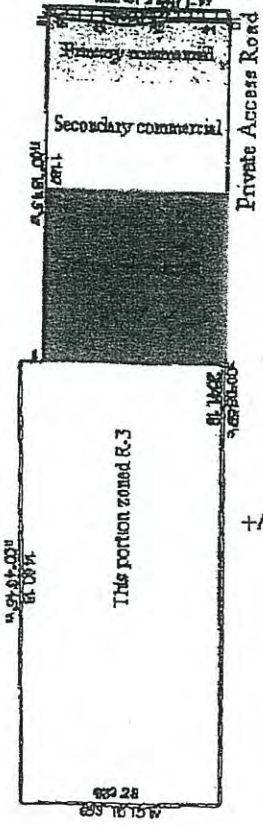
ID: 84850

Map:



Not a Legal Document.
Subject to terms and conditions.
www.actDataScout.com

Arkansas Highway 412



+/- 15.64 Acres zoned C-2

+/- 22.90 acres zoned R-3