



ARKANSAS SECRETARY OF STATE

MARK MARTIN

February 15, 2017

The Honorable Becky Lewallen
Washington County and Probate Clerk
280 N. College, Suite 300
Fayetteville, AR 72701

Re: City of Springdale Annexation Ordinance 5068

Dear Ms. Lewallen,

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 (annexation by petition 100% of land owners)

Effective Date: unknown

County: Washington

City: Springdale

City Ordinance: 5068

Dated: 07/12/2016

County Court Order: CC 2016-2

Filed: 06/2/2016 (Hon. Marilyn Edwards, Washington County Judge)

A file marked copy of the ordinance, court order and exhibits submitted to our Office along with the GIS Office map 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
Special Projects Manager
Arkansas Secretary of State Legal Division
500 Woodlane St, Suite 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)
UALR Institution for Economic Advancement (w/encl)
Tom-Tom (w/encl)
Ms. Donna Pearce, Springdale City Clerk and Treasurer





Arkansas Secretary of State

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

Municipal Boundary Change Checklist

County: Washington City/Town: Springdale

City Ordinance/Resolution No: 5068 Date approved: 07/12/2016

County Court Case No: CC 2016-2 Date Order Filed: 06/02/2016

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

Date Change Effective: 07/12/2016 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: Ms. Denise Pearce Title: Springdale City Clerk and Treasurer

Street Address: 201 Spring Street

City: Springdale St: AR Zip code: 72764

City/County Official:

Signature: Hon. Becky Lo Wallen Title: Washington County Clerk

Date: _____

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, Atten: Municipal Boundary Filing, 500 Woodlane Ave, Little Rock, AR 72201-1094

Office of the Arkansas Secretary of State use only

Received by: Cynthia Fisher

FILED

FEB 15 2017

Arkansas Secretary of State



BECKY LEWALLEN
County And Probate Clerk

WASHINGTON COUNTY
STATE OF ARKANSAS
Washington County Courthouse
280 North College Avenue, Suite 300
Fayetteville, Arkansas 72701
Telephone: (479) 444-1711
Fax: (479) 444-1894

December 27, 2016

To Whom it may Concern:

You will find enclosed 4 Annexations. One to the City of Springdale by Ordinance, and four to the city of West Fork by Ordinance. If you have any further questions please don't hesitate to call.

Thanks,

A handwritten signature in black ink, which appears to read "Jennifer Shoreshaie". The signature is written in a cursive, flowing style.



WASHINGTON COUNTY

STATE OF ARKANSAS
Washington County Courthouse
280 North College Avenue, Suite 300
Fayetteville, Arkansas 72701
Telephone: (479) 444-1711
Fax: (479) 444-1894

BECKY LEWALLEN
County And Probate Clerk

CERTIFICATE OF COUNTY AND PROBATE COURT

THE STATE OF ARKANSAS,

COUNTY OF WASHINGTON.

I, Becky Lewallen, County and Probate Clerk within and for the County and State aforesaid, do hereby certify that the foregoing is a true and correct copy of 4 Annexations as they appear of Record File Thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal on

This 27th day of December, 2016.

Becky Lewallen

County Clerk

By: *Jennifer Sharpnace*

Deputy County Clerk



ORDINANCE NO. 5068

**AN ORDINANCE ANNEXING
CERTAIN PROPERTY INTO THE
CITY OF SPRINGDALE,
WASHINGTON COUNTY, ARKANSAS.**

Doc ID: 016971910005 Type: REL
Kind: ORDINANCE
Recorded: 07/20/2016 at 09:43:10 AM
Fee Amt: \$35.00 Page 1 of 5
Washington County, AR
Kyle Sylvester Circuit Clerk
File **2016-00020601**

FILED
DEC 12 AM 10:58
CLERK OF THE COUNTY CLERK
WASHINGTON COUNTY, AR

WHEREAS, Sherry Farm, LLC, owns the following described property situated in Washington County, Arkansas, to-wit:

See attached Exhibit "A", also known as Washington County Parcel No. 001-14770-000, and as shown on the map attached hereto as Exhibit "B"

WHEREAS, by order of annexation of the County Court of Washington County, Arkansas dated June 1, 2016, and filed for record June 2, 2016, the above-described real property was annexed into the City of Springdale, Washington County, Arkansas;

WHEREAS, the property is contiguous to land already situated in the City of Springdale, Washington County, Arkansas as shown on the Map attached to this Ordinance and marked Exhibit "B";

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

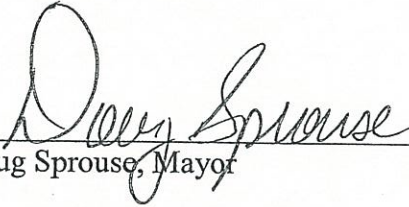
Section 1: That the above-described real property is hereby annexed into the City of Springdale, Washington County, Arkansas, pursuant to Ark. Code Ann. §14-40-601, *et seq.*, and assigned to Ward 2 of the City of Springdale, Arkansas.

Section 2: That this ordinance shall be mailed to the recorder of deeds of Washington County, Arkansas, as well as the County Clerk of Washington County, Arkansas, who shall certify one copy of the plat of the annexed territory and one copy of the Order of the Court and the resolution or ordinance of this Council and forward a copy of each document to the Secretary of State and to the Director of the Tax Division of the Arkansas Public Service Commission to show the above described property now located within the City of Springdale, Washington County, Arkansas.

Section 3: Emergency Clause. It is hereby declared that an emergency exists and this ordinance, being necessary for the preservation of the health, safety and welfare of the citizens of Springdale, Arkansas, shall be in effect immediately upon its passage and approval.

FILED
FEB 15 2017
Arkansas
Secretary of State

PASSED AND APPROVED this 12th day of July, 2016.




Doug Sprouse, Mayor

ATTEST




Denise Pearce, City Clerk

APPROVED AS TO FORM:



Ernest B. Cate, City Attorney

EXHIBIT "A"

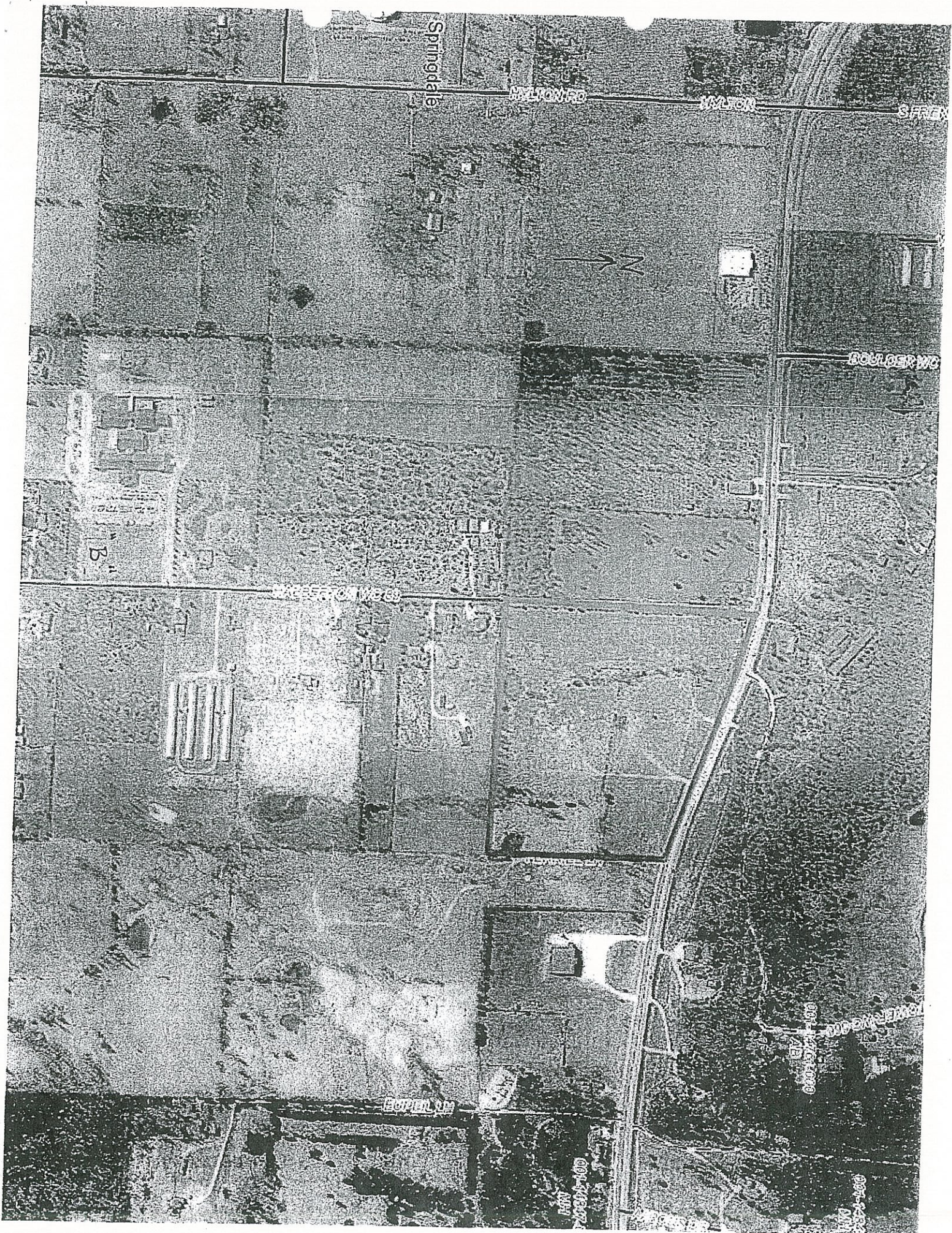
LEGAL DESCRIPTION

The Southwest quarter of the Northeast quarter of Section Nine (9), Township Seventeen (17) North of Range Twenty-nine (29) West, containing 40 acres, more or less.

LESS AND EXCEPT: Part of the SW 1/4 of the NE 1/4 of Section 9, Township 17 North, Range 29 West, Washington County, Arkansas, more particularly described as follows: Starting at the Northeast corner of the Southwest Quarter of the Northeast Quarter of Section 9, thence South 2°19'31" West along the East line of said Southwest Quarter of the Northeast Quarter a distance of 48.520 meters to a point on the proposed North right of way line of Relocated U.S. Highway 412 for the point of beginning, thence South 2°19'31" West along the East line of said Southwest Quarter of the Northeast Quarter a distance of 57.529 meters to a point on the existing North right of way line of U.S. Highway 412; thence Northwesterly along the curved North right of way line to the right whose radius is 877.824 meters a distance of 95.307 meters to the end of said curve; thence North 67°30'19" West along said existing North right of way line a distance of 197.954 meters to the beginning of a curve; thence Northwesterly along the curved North right of way line to the left whose radius is 621.792 meters a distance of 62.077 meters to a point on the North line of said Southwest Quarter of the Northeast Quarter; thence South 86°12'25" East along the North line of said Southwest Quarter of the Northeast Quarter a distance of 78.956 meters to a point on the proposed North right of way line of Relocated U.S. Highway 412; thence South 65°13'07" East along said proposed North right of way line a distance of 13.825 meters; thence South 66°10'21" East along said proposed North right of way line a distance of 40.012 meters; thence South 89°24'22" East along said proposed North right of way line a distance of 75.392 meters; thence South 73°12'02" East along said proposed North right of way line a distance of 61.530 meters; thence South 70°41'44" East along said proposed North right of way line a distance of 75.548 meters to the point of beginning and containing 1.232 hectares, more or less, or 12322.099 square meters, more or less.

AND ALSO LESS AND EXCEPT: Part of the SW 1/4 of the NE 1/4 of Section 9, Township 17 North, Range 29 West, Washington County, Arkansas, more particularly described as follows: Starting at the Southeast corner of the Southwest Quarter of the Northeast Quarter of Section 9, thence North 2°19'31" East along the East line of said Southwest Quarter of the Northeast Quarter a distance of 266.478 meters to a point on the proposed South right of way line of Relocated U.S. Highway 412 for the point of beginning; thence North 76°55'27" East along said proposed South right of way line a distance of 5.386 meters; thence North 72°38'10" East along said proposed South right of way line a distance of 60.543 meters; thence North 68°50'19" West along said proposed South right of way line a distance of 39.794 meters; thence North 67°36'17"

Legal Description to Quitclaim Deed from Larry Allen Sherry and Laurinda Kay Atchison to Sherry Farm, LLC



IN THE COUNTY COURT OF WASHINGTON COUNTY, ARKANSAS

IN THE MATTER OF
ANNEXATION OF CERTAIN LANDS TO THE
CITY OF SPRINGDALE, ARKANSAS.

TO THE COUNTY JUDGE OF WASHINGTON
COUNTY, ARKANSAS

NO. CC 2016 2
2016 JUN -2 AM 9:55
FILED
SECKY D WALLEY
CO. CLERK
WASHINGTON CO. AR

ORDER OF ANNEXATION

Now on this 1st day of June, 2016, this cause comes on to be heard, the Petitioner, Sherry Farm LLC, represented by Katie Hampton, of Irwin Partners of Fayetteville, Arkansas, announcing ready for a hearing of the cause and there being no protests or objections filed, whereupon, the matter is submitted to the Court upon the verified petition filed herein, and the oral and documentary evidence adduced, the Court being well and sufficiently advised finds:

1. The Petition in this cause was filed on April 6, 2016, at which time this Court fixed June 1, 2016, at 9:00 a.m., as the date of hearing for said cause, and that a full thirty (30) days notice of hearing was given as required by law and the proof of publication of said notice is now on file with the Clerk of this Court and the Court has jurisdiction of this cause.

2. The Court is satisfied that the allegations of the petition are sustained by the proof; that the limits of the territory to be annexed have properly filed; that a majority of the property owners having a freehold interest in the property hereinafter described joined in the petition and constitute of the real owners of the area affected.

3. The land proposed to be annexed to the City of Springdale, Washington County, Arkansas, in this cause is described as follows:

See Exhibit "A" Attached

FILED

FEB 15 2017

Arkansas
Secretary of State

93-765

4. The area is not unusually larger and it is contiguous and adjacent to and adjoins the present corporate limits of the City of Springdale, and it is peculiarly adapted for urban purposes and this territory should be annexed to and made a part of the City of Springdale, Arkansas.

IT IS THEREFORE, CONSIDERED, ORDERED AND ADJUDGED that the aforesaid real estate situated in Washington County, Arkansas, is hereby annexed to and made a part of the City of Springdale, Arkansas, in accordance with Act No. 1 of the acts of the Legislature of 1875 of the State of Arkansas and all acts amendatory thereto, particularly including Act 142 of the Acts of Arkansas for the year 1963, as codified in Ark. Code Ann. § 14-40-601, et seq., and this Order shall be duly recorded by the Clerk of Washington County.



Marilyn Edwards, County Judge

APPROVED AS TO FORM

JUN 02 2016

WASHINGTON COUNTY ATTORNEY



S3-766

EXHIBIT "A"

LEGAL DESCRIPTION

The Southwest quarter of the Northeast quarter of Section Nine (9), Township Seventeen (17) North of Range Twenty-nine (29) West, containing 40 acres, more or less.

LESS AND EXCEPT: Part of the SW 1/4 of the NE 1/4 of Section 9, Township 17 North, Range 29 West, Washington County, Arkansas, more particularly described as follows: Starting at the Northeast corner of the Southwest Quarter of the Northeast Quarter of Section 9, thence South 2°19'31" West along the East line of said Southwest Quarter of the Northeast Quarter a distance of 48.520 meters to a point on the proposed North right of way line of Relocated U.S. Highway 412 for the point of beginning, thence South 2°19'31" West along the East line of said Southwest Quarter of the Northeast Quarter a distance of 57.529 meters to a point on the existing North right of way line of U.S. Highway 412; thence Northwesterly along the curved North right of way line to the right whose radius is 877.824 meters a distance of 95.307 meters to the end of said curve; thence North 67°30'19" West along said existing North right of way line a distance of 197.954 meters to the beginning of a curve; thence Northwesterly along the curved North right of way line to the left whose radius is 621.792 meters a distance of 62.077 meters to a point on the North line of said Southwest Quarter of the Northeast Quarter; thence South 86°12'25" East along the North line of said Southwest Quarter of the Northeast Quarter a distance of 78.956 meters to a point on the proposed North right of way line of Relocated U.S. Highway 412; thence South 65°13'07" East along said proposed North right of way line a distance of 13.825 meters; thence South 66°10'21" East along said proposed North right of way line a distance of 40.012 meters; thence South 89°24'22" East along said proposed North right of way line a distance of 75.392 meters; thence South 73°12'02" East along said proposed North right of way line a distance of 61.530 meters; thence South 70°41'44" East along said proposed North right of way line a distance of 75.548 meters to the point of beginning and containing 1.232 hectares, more or less, or 12322.099 square meters, more or less.

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Legal Description to Quitclaim Deed from Larry Allen Sherry and Laurinda Kay Atchison to Sherry Farm, LLC

33-767

West along said proposed South right of way line a distance of 111.237 meters; thence North 71°25'07" West along said proposed South right of way line a distance of 60.133 meters; thence North 62°32'14" West along said proposed South right of way line a distance of 33.964 meters; thence North 69°45'03" West along said proposed South right of way line a distance of 82.687 meters; thence South 57°52'14" West along said proposed South right of way line a distance of 20.935 meters to a point of intersection with the existing South right of way line of U.S. Highway 412; thence North 35°56'18" East along said existing South right of way line a distance of 19.895 meters; thence Southeasterly along the curved said existing South right of way line to the right whose radius is 597.408 meters a distance of 97.664 meters to the end of said curve; thence South 67°30'19" East along said existing South right of way line a distance of 197.954 meters to the start of a curve; thence Southeasterly along the curved said existing South right of way line to the left whose radius is 902.208 meters a distance of 104.005 meters to a point on the East line of said Southwest Quarter of the Northeast Quarter; thence South 2°19'31" West along said East line of the Southwest Quarter of the Northeast Quarter a distance of 4.705 meters to the point of beginning and containing 0.254 hectares, more or less, or 2535.916 square meters, more or less.

Subject to all easements and encumbrances of record.

(This is not scrivener's description)

Legal Description to Quitclaim Deed from Larry Allen Sherry and Laurinda Kay Atchison to Sherry Farm, LLC



**ARKANSAS
GIS OFFICE**

February 8, 2017

Mrs. Cynthia Fisher
Special Projects Manager
AR Secretary of State Legal Division
Office 501-682-3012
Cell 501-346-3113

RE: City of Springdale Annexation Coordination Requirement

Mrs. Fisher,

Thank you for coordinating with our office as you seek to annex property into the City of Springdale, AR ordinance number 5068. 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,

Richie Pierce, Sr. GIS Analyst

/rp

Attachments:

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

FILED

FEB 15 2017

Arkansas
Secretary of State

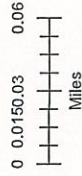
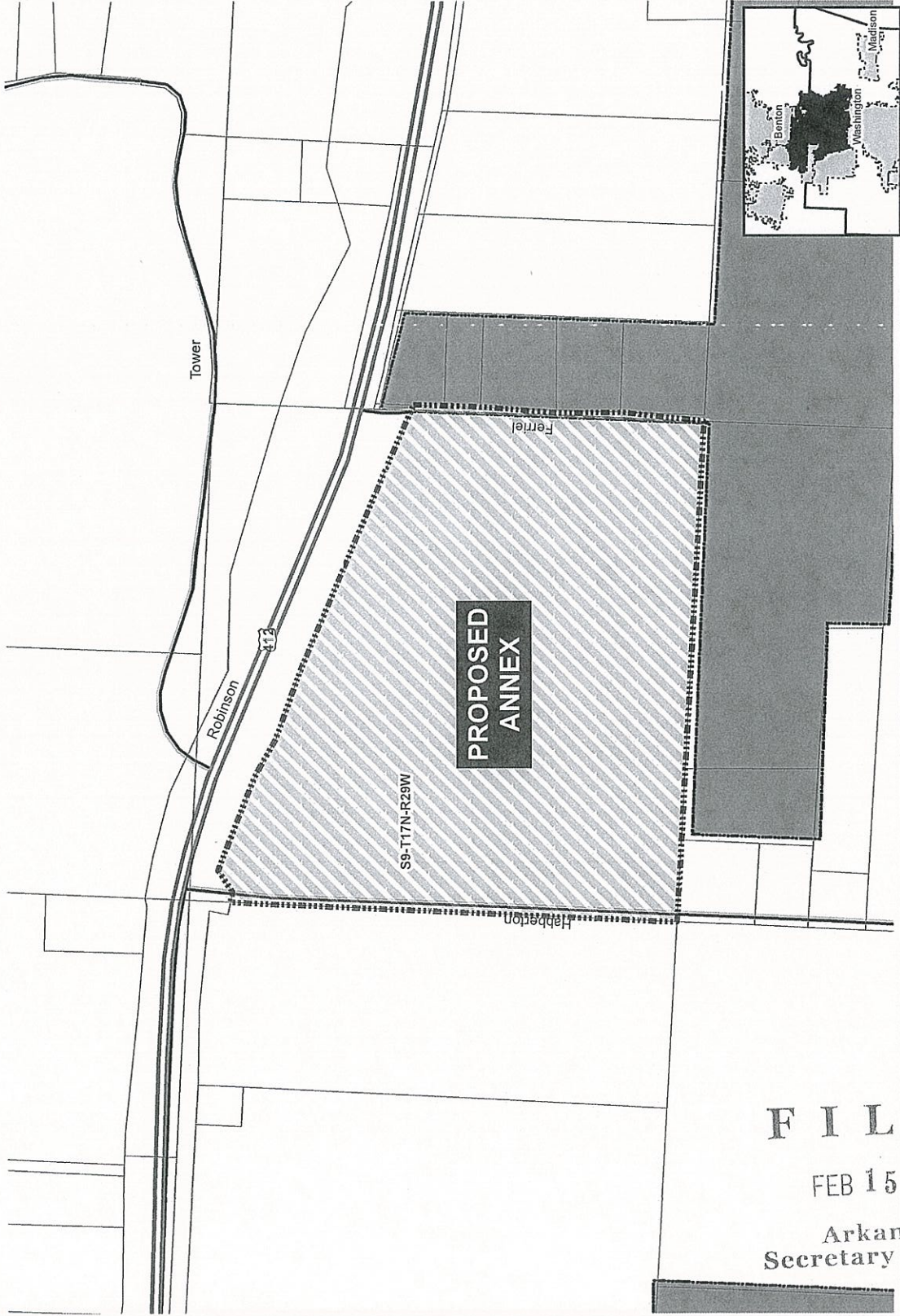
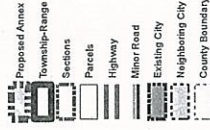
Proposed Annex: City of Springdale
February 2017

City: Springdale
Mayor: Doug Sprouse

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



ARKANSAS
GIS OFFICE
Springdale-20170206

FILED

FEB 15 2017

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Secretary of State