



JOHN THURSTON

ARKANSAS SECRETARY OF STATE

March 30, 2021

The Hon. Betsy Harrell  
Benton County Clerk  
215 East Central, Suite 217  
Bentonville, AR 72712-5373

Re: City of Siloam Springs Annexation Ordinance 21-01

Dear Ms. Harrell,

This letter acknowledges receipt and filing of the following notice of municipal boundary change by the Office of the Arkansas Secretary of State:

Filing Type: Annexation pursuant to A.C.A §14-40-609 (petition of all landowners)

Effective Date: 2/2/2021

County: Benton

City: Siloam Springs

City Ordinance: 21-01

Dated: 2/2/2021

County Court Order: 2020-17

Date Filed: 11/19/2020 & 3/17/21 (amended)

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 change by the Arkansas Secretary of State.

If you have any questions or concerns regarding this filing, please do not hesitate to contact our Office at 501-683-3717.

Sincerely,

A handwritten signature in cursive script, appearing to read "Shantell McGraw".

Shantell McGraw  
Elections Division

cc: Arkansas Geographic Information Systems Office (w/encl)  
Arkansas Department of Transportation Mapping Department (w/encl)  
Department of Finance and Administration (w/encl)  
Arkansas Public Service Commission (w/encl)  
Arkansas Economic Development Institute (w/encl)  
The Hon. Judy Nation, Mayor of Siloam Springs (w/encl)  
The Hon. Renea Ellis, Siloam Springs City Clerk/Treasurer (w/encl)



# Arkansas Secretary of State

**John Thurston** Arkansas Secretary of State, 500 Woodlane Ave, Little Rock, AR 72201-1094

## Municipal Boundary Change Checklist

Act 655 of 2017 and A.C.A. §14-40-103

County: Benton City/Town: Siloam Springs

City Ordinance/Resolution No: 21-01 Date approved: 02/2/2021

County Court Case No: 2020-17 Date Order Filed: 11/19/2020 *3/17/21 Amended*

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

Date Change Effective: 02/02/2021 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)*

Please indicate which ward(s) the territory will be assigned to: \_\_\_\_\_  
*(See A.C.A § 14-40-203)*

### 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 A.C.A. §14-40-501)*
- 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 *(if applicable)*
- File marked copy of Complaint and final Circuit Court Order *(Court Challenge only)*

### Municipal Contact:

Name: Renea Ellis Title: Clerk/Treasurer

Street Address: PO Box 80

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: *[Handwritten Signature]* Title: *[Handwritten Title]*

Date: *[Handwritten Date]*

*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: *[Handwritten Signature]*

**F I L E D**

MAR 30 2021

Rev. 2/2019

Arkansas Secretary of State

# BENTON COUNTY

STATE OF ARKANSAS

**BETSY HARRELL**

COUNTY CLERK & VOTER REGISTRAR

215 EAST CENTRAL, SUITE 217  
BENTONVILLE, AR 72712-5373  
479-271-1013  
Fax: 479-271-1019

February 26, 2021

PROBATE COURT CLERK  
COURTHOUSE, 102 N.E. "A" STREET  
BENTONVILLE, AR 72712-5350  
479-271-5727  
FAX: 479-271-1712

Honorable John Thurston  
Secretary of State  
Room 256 State Capitol  
Little Rock, AR 72201-1094

**RECEIVED**

FEB 26 2021

**Arkansas  
Secretary of State**

RE: The City of Siloam Springs  
Younger Family Trust  
Benton County Court Case No. CC# 2020-17

Dear Secretary Thurston:

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 Authorizing Annexation entered on 11/19/2020
3. Ordinance 21-01 adopted on February 2, 2021, by the City of Siloam Springs

If you have any questions regarding this matter, please do not hesitate to call my office.

Sincerely,

*Betsy Harrell by Cleemaster*

Betsy Harrell

BH/cno  
Enclosures

cc: Roderick Grieve  
Benton County Assessor

NW Arkansas Regional Planning Commission  
1311 Clayton Street  
Springdale, AR 72765

Benton County 9-1-1 Administration

ROGERS OFFICE  
2111 W. WALNUT  
(479) 636-3727  
FAX (479) 636-4922

ROGERS ARCHIVES  
2111 W. WALNUT  
(479) 636-1037  
FAX (479) 636-1053

SILOAM SPRINGS OFFICE  
707 S. LINCOLN  
479-271-1013  
FAX (479) 524-8534

FILED

\*AMENDED\*

2021 MAR 17 PM 12: 50

**ORDINANCE NO. 21-01**

BETSY HASRELL  
CO & PRIVATE CLERK

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

**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 November 19, 2020, the County Court of Benton County, Arkansas, found that the petition was signed by 100% of 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, and that no enclaves will be created if the petition is accepted by the City of Siloam Springs; 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 2.

**NOW, THEREFORE, BE IT ORDAINED BY THE** City 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:

Tract "A"

The South 30 acres of the NW ¼ of the NE ¼ of Section 29, Township 18 North, Range 33 West, Benton County, Arkansas

Tract "B"

A strip of land 30 feet in width, running North and South, squarely off the East side of the following described tract of land, to wit: The South 30 acres of the NW ¼ of the NE ¼ of Section 29, Township 18 North, Range 33 West, Benton County, Arkansas.

**Section 2.** That the above-described territory shall be annexed to and made a part of Ward 2 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 P-D zoning district the property located at 14505 North Country Club Road and described as follows:

GR01 1905

2021-1921

AREA 1

2021 MAR 17 PM 12:50

A PART OF THE NW1/4 OF THE NE1/4 OF SECTION 29, TOWNSHIP 18 NORTH, RANGE 33 WEST, BENTON COUNTY, ARKANSAS, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT AN IRON PIPE AT THE SOUTHEAST CORNER OF SAID NW1/4 OF THE NE1/4; THENCE ALONG THE EAST LINE OF SAID NW1/4 OF THE NE1/4 N 03°01'18" W A DISTANCE OF 891.47 TO A POINT; THENCE DEPARTING SAID EAST LINE OF THE NW1/4 OF THE NE1/4 A N 86°58'42" W A DISTANCE OF 5.00 FEET TO THE POINT OF BEGINNING; THENCE S 03°01'18" W A DISTANCE OF 273.95 FEET TO A POINT; THENCE S 48°01'18" W A DISTANCE OF 15.00 FEET TO A POINT; THENCE N 86°58'42" W A DISTANCE OF 110.49 FEET TO A POINT; THENCE N 03°01'18" E A DISTANCE OF 110.00 FEET TO A POINT; THENCE N 86°58'42" W A DISTANCE OF 121.10 FEET TO A CURVE TO THE LEFT; THENCE 244.75 FEET ALONG SAID CURVE, HAVING A RADIUS OF 150.40 FEET AND A CHORD BEARING N 40°18'03" W 218.63 FEET TO A POINT; THENCE N 03°01'18" E A DISTANCE OF 120.02 FEET TO A POINT; THENCE S 86°58'32" E A DISTANCE OF 387.19 FEET TO A POINT; THENCE S 03°01'28" W A DISTANCE OF 104.50 FEET TO A POINT; THENCE S 86°58'42" E A DISTANCE OF 5.02 FEET, RETURNING TO THE POINT OF BEGINNING.

CONTAINING 2.37 ACRES, MORE OR LESS. SUBJECT TO ALL EASEMENTS AND RIGHTS-OF-WAY OF RECORD OR FACT.

Section 4. Zoning Standards for Area 1. The zoning standards for Area 1, as described in Section 3 of this ordinance, shall be as currently set forth in Section 102-56 of the Siloam Springs Municipal code, subject to the following condition:

This area shall serve as a detention pond for the development and also provide active recreational space. No permanent structures or other development are permitted within this area, except as may be reasonably necessary to effect the purposes above set forth.

Section 5. That the zoning map of the City (Municipal Code Section 102-21) is hereby amended to include within the P-D zoning district the property located at 14505 North Country Club Road and described as follows:

AREA 2

A PART OF THE NW1/4 OF THE NE1/4 OF SECTION 29, TOWNSHIP 18 NORTH, RANGE 33 WEST, BENTON COUNTY, ARKANSAS, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT AN IRON PIPE AT THE SOUTHEAST CORNER OF SAID NW1/4 OF THE NE1/4; THENCE N 37°42'53" W A DISTANCE OF 903.18 FEET TO THE POINT OF BEGINNING; THENCE N 86°58'42" W A DISTANCE OF 242.20 FEET TO A POINT; THENCE N 03°01'18" E A DISTANCE OF 128.11 FEET TO A

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 CURVE TO THE RIGHT; THENCE 21.21 FEET ALONG SAID CURVE, HAVING A RADIUS OF 13.50 FEET AND A CHORD BEARING N 48°01'18" E 19.09 FEET TO A POINT; THENCE S 86°58'42" E A DISTANCE OF 215.20 FEET TO A CURVE TO THE RIGHT; THENCE 21.21 FEET ALONG SAID CURVE, HAVING A RADIUS OF 13.50 FEET AND A CHORD BEARING S 41°58'42" E 19.09 FEET TO A POINT; THENCE S 03°01'18" W A DISTANCE OF 128.11 FEET, RETURNING TO THE POINT OF BEGINNING.

CONTAINING 0.79 ACRES, MORE OR LESS. SUBJECT TO ALL EASEMENTS AND RIGHTS-OF-WAY OF RECORD OR FACT.

**Section 6. Zoning Standards for Area 2.** The zoning standards for Area 2, as described in Section 5 of this ordinance, shall be as currently set forth in Section 102-56 of the Siloam Springs Municipal code, subject to the following conditions:

- a. This area shall be permanently maintained as a neighborhood park and will include suitable playground equipment, walking trails, and landscaping. Permanent structures may include playground equipment, seating, picnic tables and other customary park amenities, but shall be otherwise protected from development.
- b. Structures may not be placed within 25-feet of the right-of-way or any adjoining property lines. Provided however that bicycle racks, benches and light poles may be placed in proximity to the right-of-way. Necessary and appropriate signage shall not be considered structures for purposes of this section.

**Section 7.** That the zoning map of the City (Municipal Code Section 102-21) is hereby amended to include within the P-D zoning district the property located at 14505 North Country Club Road and described as follows:

### AREA 3

A PART OF THE NW1/4 OF THE NE1/4 OF SECTION 29, TOWNSHIP 18 NORTH, RANGE 33 WEST, BENTON COUNTY, ARKANSAS, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT AN IRON PIPE AT THE SOUTHEAST CORNER OF SAID NW1/4 OF THE NE1/4; THENCE ALONG THE SOUTH LINE OF SAID NW1/4 OF THE NE1/4 N 86°47'10" W A DISTANCE OF 5.00 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE ALONG SAID SOUTH LINE N 86°47'10" W A DISTANCE OF 515.60 FEET TO A POINT; THENCE DEPARTING SAID SOUTH LINE OF THE NW1/4 OF THE NE1/4 N 03°01'18" E A DISTANCE OF 122.61 FEET TO A POINT; THENCE S 86°58'42" E A DISTANCE OF 248.66 FEET TO A CURVE TO THE LEFT; THENCE 52.36 FEET ALONG SAID CURVE, HAVING A RADIUS OF 150 FEET AND A CHORD BEARING N 83°01'18" E 52.09 FEET TO A POINT; THENCE N 73°01'18" E A DISTANCE OF 87.65 FEET TO A CURVE TO THE RIGHT; THENCE 34.91 FEET

ALONG SAID CURVE, HAVING A RADIUS OF 100 FEET AND A CHORD BEARING N 83°01'18" E 34.73 FEET TO A POINT; THENCE S 86°58'42" E A DISTANCE OF 88.45 FEET TO A POINT; THENCE S 41°58'42" E A DISTANCE OF 15.00 FEET TO A POINT; THENCE S 03°01'18" W A DISTANCE OF 158.79 FEET, RETURNING TO THE POINT OF BEGINNING.

CONTAINING 1.65 ACRES, MORE OR LESS. SUBJECT TO ALL EASEMENTS AND RIGHTS-OF-WAY OF RECORD OR FACT.

**Section 8. Zoning Standards for Area 3.** The zoning standards for Area 3, as described in Section 7 of this ordinance, shall be as currently set forth in Section 102-56 of the Siloam Springs Municipal code, subject to the following condition:

This area shall serve as a detention pond for the development and also provide active recreational space. No permanent structures or other development are permitted within this area, except as may be reasonably necessary to effect the purposes above set forth.

**Section 9.** That the zoning map of the City (Municipal Code Section 102-21) is hereby amended to include within the P-D zoning district the property located at 14505 North Country Club Road and described as follows:

#### AREA 4

A PART OF THE NW1/4 OF THE NE1/4 OF SECTION 29, TOWNSHIP 18 NORTH, RANGE 33 WEST, BENTON COUNTY, ARKANSAS, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT AN IRON PIPE AT THE SOUTHEAST CORNER OF SAID NW1/4 OF THE NE1/4; THENCE N 86°47'10" W A DISTANCE OF 5.00 FEET TO A POINT; THENCE N 03°01'18" E A DISTANCE OF 158.79 FEET TO A POINT; THENCE N 41°58'42" W A DISTANCE OF 15.00 FEET TO A POINT; THENCE N 86°58'42" W A DISTANCE OF 88.45 FEET TO A CURVE TO THE LEFT; THENCE 34.91 FEET ALONG SAID CURVE, HAVING A RADIUS OF 100 FEET AND A CHORD BEARING S 83°01'18" W 34.73 FEET TO A POINT; THENCE S 73°01'18" W A DISTANCE OF 87.65 FEET TO A CURVE TO THE RIGHT; THENCE 52.36 FEET ALONG SAID CURVE, HAVING A RADIUS OF 150 FEET AND A CHORD BEARING S 83°01'18" W 52.09 FEET TO A POINT; THENCE N 86°58'42" W A DISTANCE OF 248.66 FEET TO A POINT; THENCE S 03°01'18" W A DISTANCE OF 122.61 FEET TO THE SOUTH LINE OF SAID NW1/4 OF THE NE1/4; THENCE ALONG SAID SOUTH LINE N 86°47'10" W A DISTANCE OF 779.06 FEET TO A 3/4 INCH IRON PIPE AT THE SOUTHWEST CORNER OF SAID NW1/4 OF THE NE1/4; THENCE ALONG THE WEST LINE OF SAID NW1/4 OF THE NE1/4 N 03°15'58" E A DISTANCE OF 991.68 FEET TO A POINT; THENCE DEPARTING SAID WEST LINE S 86°58'32" E A DISTANCE OF 898.22 FEET TO A POINT; THENCE S 03°01'18" W A DISTANCE OF 120.02 FEET TO A CURVE TO THE RIGHT; THENCE 244.75 FEET ALONG SAID CURVE, HAVING A

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RADIUS OF 150.40 FEET AND A CHORD BEARING S 40°18'03" E 218.63 FEET TO A POINT; THENCE S 86°58'42" E A DISTANCE OF 121.10 FEET TO A POINT; THENCE S 03°01'18" W A DISTANCE OF 110.00 FEET TO A POINT; THENCE S 86°58'42" E A DISTANCE OF 110.49 FEET TO A POINT; THENCE N 48°01'18" E A DISTANCE OF 15.00 FEET TO A POINT; THENCE N 03°01'18" E A DISTANCE OF 273.95 FEET TO A POINT; THENCE S 86°58'42" E A DISTANCE OF 5.00 FEET TO THE EAST LINE OF SAID NW1/4 OF THE NE1/4; THENCE ALONG SAID EAST LINE S 03°01'18" W A DISTANCE OF 891.47 FEET, RETURNING TO THE POINT OF BEGINNING.

LESS AND EXCEPT THE FOLLOWING TRACT:

0.79 ACRES OUT OF THE NW1/4 OF THE NE1/4 OF SECTION 29, TOWNSHIP 18 NORTH, RANGE 33 WEST, BENTON COUNTY, ARKANSAS, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT AN IRON PIPE AT THE SOUTHEAST CORNER OF SAID NW1/4 OF THE NE1/4; THENCE N 37°42'53" W A DISTANCE OF 903.18 FEET TO THE POINT OF BEGINNING; THENCE N 86°58'42" W A DISTANCE OF 242.20 FEET TO A POINT; THENCE N 03°01'18" E A DISTANCE OF 128.11 FEET TO A CURVE TO THE RIGHT; THENCE 21.21 FEET ALONG SAID CURVE, HAVING A RADIUS OF 13.50 FEET AND A CHORD BEARING N 48°01'18" E 19.09 FEET TO A POINT; THENCE S 86°58'42" E A DISTANCE OF 215.20 FEET TO A CURVE TO THE RIGHT; THENCE 21.21 FEET ALONG SAID CURVE, HAVING A RADIUS OF 13.50 FEET AND A CHORD BEARING S 41°58'42" E 19.09 FEET TO A POINT; THENCE S 03°01'18" W A DISTANCE OF 128.11 FEET, RETURNING TO THE POINT OF BEGINNING.

CONTAINING 24.78 ACRES IN EXCEPTION, MORE OR LESS. SUBJECT TO ALL EASEMENTS AND RIGHTS-OF-WAY OF RECORD OR FACT.

**Section 10. Proposed Zoning Standards for Area 4.** The zoning standards for Area 4, as described in Section 9 of this ordinance, shall be as currently set forth in Section 102-56 of the Siloam Springs Municipal code, subject to the following condition:

The subsections of Section 102-56 indicated in column one, below, shall be interpreted in accordance with the terms contained in column two, which shall override any conflicting Code provisions, for purposes of this development only.

(b) Planned Uses	Single-Family Homes (Unit 3)
(d) Lot Dimensions	
(1) Minimum Lot Surface Area	6,000 Square Feet
(2) Minimum Lot Width	50 Feet
(3) Maximum Lot Coverage	45%
(e) Building Limits	
(1) Setback Required:	
(a) Front Yard Setback	25 Feet

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(b) Sides (Except on Corner)	5 Feet
(c) Side on Corner	15 Feet
(d) Rear Yard	20 Feet
(3) Height Limited	No Building Shall Exceed 30 Feet in Height
(4) Floor/Area Ratio	0.50 (maximum)
(5) Density	Not to Exceed 4.2 Dwellings Units Per Acre
(f)(1) Landscape Buffer	Landscape buffer of 5 feet along all property lines

**Section 11. Effective date.** Thirty (30) days after passage and publication or posting of this Ordinance as authorized by law, the annexation shall be final and the property shall be within the corporate limits of the City of Siloam Springs, except as otherwise ordered by the Circuit Court pursuant to a cause of action filed within said thirty (30) day period.

**Section 12. Notice.** Within forty-five (45) days of the effective date of this ordinance the city clerk shall provide written notice, along with complete documentation, to the county clerk of Benton County.

**Section 13. Administrative corrections.** The city attorney is hereby authorized to make grammatical and stylistic corrections to this ordinance that do not affect the substance thereof.

**Section 14. Penalties.** Failure to abide by the conditions aforesaid, or any other terms of this ordinance shall be deemed a public offense subject to penalties and equitable relief in accordance with Section 1-7 of the Siloam Springs Municipal Code.

**Section 15. Repealer and severability.** Prior Ordinances in conflict with the provisions enacted herein are repealed to the extent of the conflict as of the effective date of this Ordinance. If any provision of a section of this Ordinance or the application thereof to any person or circumstance is held invalid, the invalidity does not affect the other provisions or applications of the section or related sections which can be given effect without the invalid provision or application, and to this end the provisions are severable.

**ORDAINED AND ENACTED** this 2<sup>nd</sup> day of February 2021.

**APPROVED:**

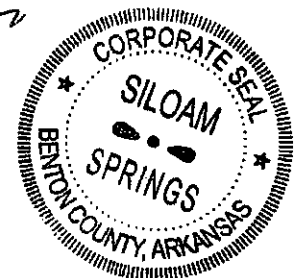
*Judy Nation*  
 Judy Nation, Mayor

**ATTEST:**

*Renea Ellis*  
 Renea Ellis, City Clerk

(SEAL)

Ordinance 21-01



Page 6 of 7

2021-1926

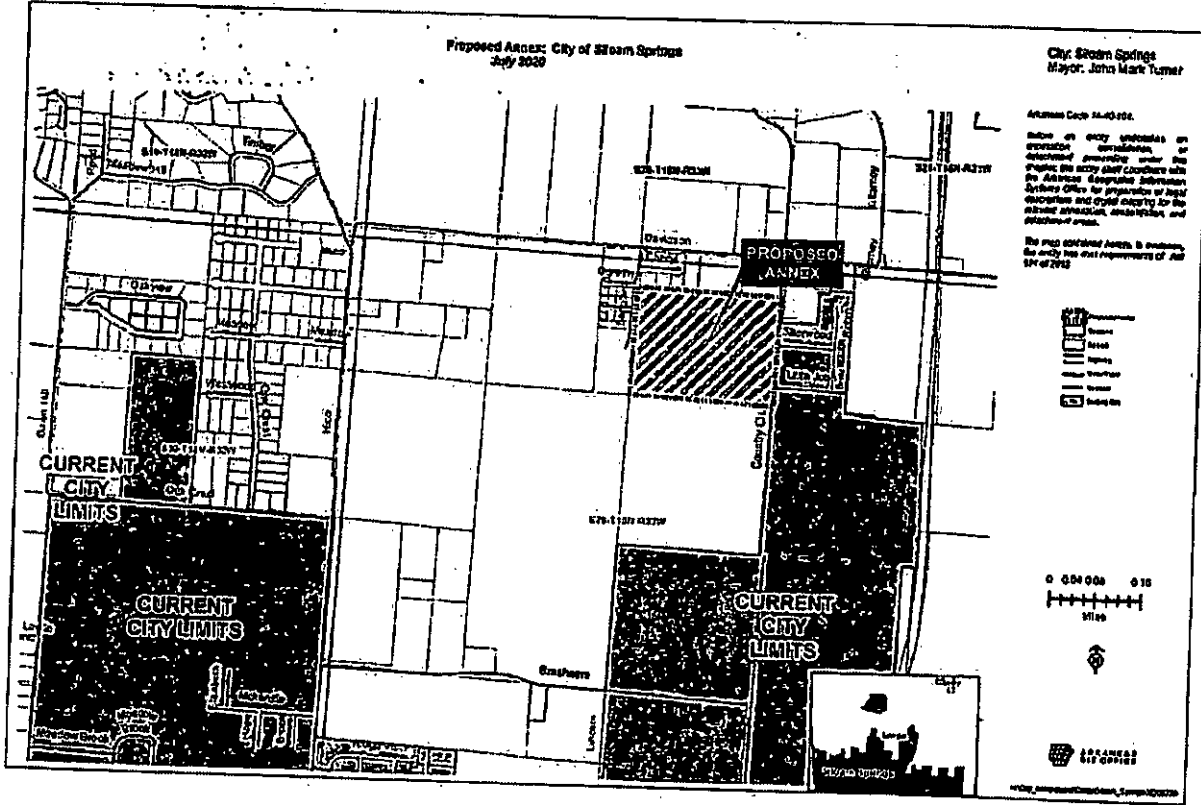
2021-1908

FILED

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Attachment 1 to Ordinance 21-01

BEISY HARRELL  
CO. & PROSTATE CLERK  
BERTHOOD, MISSISSIPPI



FILED

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**CERTIFICATE**

BETSY HARKELL  
CO & CLERK  
BENTON COUNTY, AR

I, Renea Ellis, the duly appointed, qualified and acting City Clerk of Siloam Springs, Arkansas, do hereby certify that the above and foregoing Ordinance #21-01 is a true and correct copy of the Ordinance as the same appears in the records of said City, adopted at a regular meeting of the Board of Directors of Siloam Springs, held on the 2<sup>nd</sup> day of February 2021, at which meeting a quorum of the Board of Directors was present, and said Ordinance was adopted by a vote of 7 ayes, 0 nays.

Witness my hand and seal as City Clerk of Siloam Springs on this 12<sup>th</sup> day of March 2021.



  
Renea Ellis, City Clerk

FILED

2021 MAR 17 PM 12: 50

BETSY HARNELL  
CO & PROBATE CLERK  
BENTON COUNTY, AR



January 8, 2021

Benton County Clerk  
Attention: Tiffany Underwood  
215 E. Central  
Bentonville, AR 72712

Re: Ordinance 21-01 - Amended

Dear Tiffany:

Enclosed please find the certified Amended Ordinance 21-01 correcting the previous scrivener's error. This can replace the original I previously sent for annexing that certain property referenced in CC2020-17.

If you have any questions, or need anything further, please do not hesitate to contact the undersigned.

Thank you for your consideration.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Renea Ellis'.

Renea Ellis  
City Clerk

enclosures

2021 1929

FILED

FEB 03 2021

**ORDINANCE NO. 21-01**

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

BETSY HARRELL, COUNTY CLERK  
BENTON COUNTY, 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 November 19, 2020, the County Court of Benton County, Arkansas, found that the petition was signed by 100% of 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, and that no enclaves will be created if the petition is accepted by the City of Siloam Springs; 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 2.

**NOW, THEREFORE, BE IT ORDAINED BY THE** City 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:

Tract "A"

The South 30 acres of the NE  $\frac{1}{4}$  of the NE  $\frac{1}{4}$  of Section 29, Township 18 North, Range 33 West, Benton County, Arkansas

Tract "B"

A strip of land 30 feet in width, running North and South, squarely off the East side of the following described tract of land, to wit: The South 30 acres of the NW  $\frac{1}{4}$  of the NE  $\frac{1}{4}$  of Section 29, Township 18 North, Range 33 West, Benton County, Arkansas.

**Section 2.** That the above-described territory shall be annexed to and made a part of Ward 2 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 P-D zoning district the property located at 14505 North Country Club Road and described as follows:

FILED

FEB 03 2021

**AREA 1**

BETSY HARRELL, COUNTY CLERK  
BENTON COUNTY, ARKANSAS

A PART OF THE NW1/4 OF THE NE1/4 OF SECTION 29, TOWNSHIP 18 NORTH, RANGE 33 WEST, BENTON COUNTY, ARKANSAS, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT AN IRON PIPE AT THE SOUTHEAST CORNER OF SAID NW1/4 OF THE NE1/4; THENCE ALONG THE EAST LINE OF SAID NW1/4 OF THE NE1/4 N 03°01'18" W A DISTANCE OF 891.47 TO A POINT; THENCE DEPARTING SAID EAST LINE OF THE NW1/4 OF THE NE1/4 A N 86°58'42" W A DISTANCE OF 5.00 FEET TO THE POINT OF BEGINNING; THENCE S 03°01'18" W A DISTANCE OF 273.95 FEET TO A POINT; THENCE S 48°01'18" W A DISTANCE OF 15.00 FEET TO A POINT; THENCE N 86°58'42" W A DISTANCE OF 110.49 FEET TO A POINT; THENCE N 03°01'18" E A DISTANCE OF 110.00 FEET TO A POINT; THENCE N 86°58'42" W A DISTANCE OF 121.10 FEET TO A CURVE TO THE LEFT; THENCE 244.75 FEET ALONG SAID CURVE, HAVING A RADIUS OF 150.40 FEET AND A CHORD BEARING N 40°18'03" W 218.63 FEET TO A POINT; THENCE N 03°01'18" E A DISTANCE OF 120.02 FEET TO A POINT; THENCE S 86°58'32" E A DISTANCE OF 387.19 FEET TO A POINT; THENCE S 03°01'28" W A DISTANCE OF 104.50 FEET TO A POINT; THENCE S 86°58'42" E A DISTANCE OF 5.02 FEET, RETURNING TO THE POINT OF BEGINNING.

CONTAINING 2.37 ACRES, MORE OR LESS. SUBJECT TO ALL EASEMENTS AND RIGHTS-OF-WAY OF RECORD OR FACT.

**Section 4. Zoning Standards for Area 1.** The zoning standards for Area 1, as described in Section 3 of this ordinance, shall be as currently set forth in Section 102-56 of the Siloam Springs Municipal code, subject to the following condition:

This area shall serve as a detention pond for the development and also provide active recreational space. No permanent structures or other development are permitted within this area, except as may be reasonably necessary to effect the purposes above set forth.

**Section 5.** That the zoning map of the City (Municipal Code Section 102-21) is hereby amended to include within the P-D zoning district the property located at 14505 North Country Club Road and described as follows:

**AREA 2**

A PART OF THE NW1/4 OF THE NE1/4 OF SECTION 29, TOWNSHIP 18 NORTH, RANGE 33 WEST, BENTON COUNTY, ARKANSAS, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT AN IRON PIPE AT THE SOUTHEAST CORNER OF SAID NW1/4 OF THE NE1/4; THENCE N 37°42'53" W A DISTANCE OF 903.18 FEET TO THE POINT OF BEGINNING; THENCE N 86°58'42" W A DISTANCE OF 242.20 FEET TO A POINT; THENCE N 03°01'18" E A DISTANCE OF 128.11 FEET TO A

FILED

FEB 03 2021

BENTON COUNTY CLERK  
BENTON COUNTY, ARKANSAS

CURVE TO THE RIGHT; THENCE 21.21 FEET ALONG SAID CURVE, HAVING A RADIUS OF 13.50 FEET AND A CHORD BEARING N 48°01'18" E 19.09 FEET TO A POINT; THENCE S 86°58'42" E A DISTANCE OF 215.20 FEET TO A CURVE TO THE RIGHT; THENCE 21.21 FEET ALONG SAID CURVE, HAVING A RADIUS OF 13.50 FEET AND A CHORD BEARING S 41°58'42" E 19.09 FEET TO A POINT; THENCE S 03°01'18" W A DISTANCE OF 128.11 FEET, RETURNING TO THE POINT OF BEGINNING.

CONTAINING 0.79 ACRES, MORE OR LESS. SUBJECT TO ALL EASEMENTS AND RIGHTS-OF-WAY OF RECORD OR FACT.

**Section 6. Zoning Standards for Area 2.** The zoning standards for Area 2, as described in Section 5 of this ordinance, shall be as currently set forth in Section 102-56 of the Siloam Springs Municipal code, subject to the following conditions:

- a. This area shall be permanently maintained as a neighborhood park and will include suitable playground equipment, walking trails, and landscaping. Permanent structures may include playground equipment, seating, picnic tables and other customary park amenities, but shall be otherwise protected from development.
- b. Structures may not be placed within 25-feet of the right-of-way or any adjoining property lines. Provided however that bicycle racks, benches and light poles may be placed in proximity to the right-of-way. Necessary and appropriate signage shall not be considered structures for purposes of this section.

**Section 7.** That the zoning map of the City (Municipal Code Section 102-21) is hereby amended to include within the P-D zoning district the property located at 14505 North Country Club Road and described as follows:

**AREA 3**

A PART OF THE NW1/4 OF THE NE1/4 OF SECTION 29, TOWNSHIP 18 NORTH, RANGE 33 WEST, BENTON COUNTY, ARKANSAS, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT AN IRON PIPE AT THE SOUTHEAST CORNER OF SAID NW1/4 OF THE NE1/4; THENCE ALONG THE SOUTH LINE OF SAID NW1/4 OF THE NE1/4 N 86°47'10" W A DISTANCE OF 5.00 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE ALONG SAID SOUTH LINE N 86°47'10" W A DISTANCE OF 515.60 FEET TO A POINT; THENCE DEPARTING SAID SOUTH LINE OF THE NW1/4 OF THE NE1/4 N 03°01'18" E A DISTANCE OF 122.61 FEET TO A POINT; THENCE S 86°58'42" E A DISTANCE OF 248.66 FEET TO A CURVE TO THE LEFT; THENCE 52.36 FEET ALONG SAID CURVE, HAVING A RADIUS OF 150 FEET AND A CHORD BEARING N 83°01'18" E 52.09 FEET TO A POINT; THENCE N 73°01'18" E A DISTANCE OF 87.65 FEET TO A CURVE TO THE RIGHT; THENCE 34.91 FEET

FILED

FEB 03 2021

CLERK  
BENTON COUNTY, ARKANSAS

ALONG SAID CURVE, HAVING A RADIUS OF 100 FEET AND A CHORD BEARING N 83°01'18" E 34.73 FEET TO A POINT; THENCE S 86°58'42" E A DISTANCE OF 88.45 FEET TO A POINT; THENCE S 41°58'42" E A DISTANCE OF 15.00 FEET TO A POINT; THENCE S 03°01'18" W A DISTANCE OF 158.79 FEET, RETURNING TO THE POINT OF BEGINNING.

CONTAINING 1.65 ACRES, MORE OR LESS. SUBJECT TO ALL EASEMENTS AND RIGHTS-OF-WAY OF RECORD OR FACT.

**Section 8. Zoning Standards for Area 3.** The zoning standards for Area 3, as described in Section 7 of this ordinance, shall be as currently set forth in Section 102-56 of the Siloam Springs Municipal code, subject to the following condition:

This area shall serve as a detention pond for the development and also provide active recreational space. No permanent structures or other development are permitted within this area, except as may be reasonably necessary to effect the purposes above set forth.

**Section 9.** That the zoning map of the City (Municipal Code Section 102-21) is hereby amended to include within the P-D zoning district the property located at 14505 North Country Club Road and described as follows:

**AREA 4**

A PART OF THE NW1/4 OF THE NE1/4 OF SECTION 29, TOWNSHIP 18 NORTH, RANGE 33 WEST, BENTON COUNTY, ARKANSAS, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT AN IRON PIPE AT THE SOUTHEAST CORNER OF SAID NW1/4 OF THE NE1/4; THENCE N 86°47'10" W A DISTANCE OF 5.00 FEET TO A POINT; THENCE N 03°01'18" E A DISTANCE OF 158.79 FEET TO A POINT; THENCE N 41°58'42" W A DISTANCE OF 15.00 FEET TO A POINT; THENCE N 86°58'42" W A DISTANCE OF 88.45 FEET TO A CURVE TO THE LEFT; THENCE 34.91 FEET ALONG SAID CURVE, HAVING A RADIUS OF 100 FEET AND A CHORD BEARING S 83°01'18" W 34.73 FEET TO A POINT; THENCE S 73°01'18" W A DISTANCE OF 87.65 FEET TO A CURVE TO THE RIGHT; THENCE 52.36 FEET ALONG SAID CURVE, HAVING A RADIUS OF 150 FEET AND A CHORD BEARING S 83°01'18" W 52.09 FEET TO A POINT; THENCE N 86°58'42" W A DISTANCE OF 248.66 FEET TO A POINT; THENCE S 03°01'18" W A DISTANCE OF 122.61 FEET TO THE SOUTH LINE OF SAID NW1/4 OF THE NE1/4; THENCE ALONG SAID SOUTH LINE N 86°47'10" W A DISTANCE OF 779.06 FEET TO A 3/4 INCH IRON PIPE AT THE SOUTHWEST CORNER OF SAID NW1/4 OF THE NE1/4; THENCE ALONG THE WEST LINE OF SAID NW1/4 OF THE NE1/4 N 03°15'58" E A DISTANCE OF 991.68 FEET TO A POINT; THENCE DEPARTING SAID WEST LINE S 86°58'32" E A DISTANCE OF 898.22 FEET TO A POINT; THENCE S 03°01'18" W A DISTANCE OF 120.02 FEET TO A CURVE TO THE RIGHT; THENCE 244.75 FEET ALONG SAID CURVE, HAVING A



RADIUS OF 150.40 FEET AND A CHORD BEARING S 40°18'03" E 218.63 FEET TO A POINT; THENCE S 86°58'42" E A DISTANCE OF 121.10 FEET TO A POINT; THENCE S 03°01'18" W A DISTANCE OF 110.00 FEET TO A POINT; THENCE S 86°58'42" E A DISTANCE OF 110.49 FEET TO A POINT; THENCE N 48°01'18" E A DISTANCE OF 15.00 FEET TO A POINT; THENCE N 03°01'18" E A DISTANCE OF 273.95 FEET TO A POINT; THENCE S 86°58'42" E A DISTANCE OF 5.00 FEET TO THE EAST LINE OF SAID NW1/4 OF THE NE1/4; THENCE ALONG SAID EAST LINE S 03°01'18" W A DISTANCE OF 891.47 FEET, RETURNING TO THE POINT OF BEGINNING.

LESS AND EXCEPT THE FOLLOWING TRACT:

0.79 ACRES OUT OF THE NW1/4 OF THE NE1/4 OF SECTION 29, TOWNSHIP 18 NORTH, RANGE 33 WEST, BENTON COUNTY, ARKANSAS, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT AN IRON PIPE AT THE SOUTHEAST CORNER OF SAID NW1/4 OF THE NE1/4; THENCE N 37°42'53" W A DISTANCE OF 903.18 FEET TO THE POINT OF BEGINNING; THENCE N 86°58'42" W A DISTANCE OF 242.20 FEET TO A POINT; THENCE N 03°01'18" E A DISTANCE OF 128.11 FEET TO A CURVE TO THE RIGHT; THENCE 21.21 FEET ALONG SAID CURVE, HAVING A RADIUS OF 13.50 FEET AND A CHORD BEARING N 48°01'18" E 19.09 FEET TO A POINT; THENCE S 86°58'42" E A DISTANCE OF 215.20 FEET TO A CURVE TO THE RIGHT; THENCE 21.21 FEET ALONG SAID CURVE, HAVING A RADIUS OF 13.50 FEET AND A CHORD BEARING S 41°58'42" E 19.09 FEET TO A POINT; THENCE S 03°01'18" W A DISTANCE OF 128.11 FEET, RETURNING TO THE POINT OF BEGINNING.

CONTAINING 24.78 ACRES IN EXCEPTION, MORE OR LESS. SUBJECT TO ALL EASEMENTS AND RIGHTS-OF-WAY OF RECORD OR FACT.

**Section 10. Proposed Zoning Standards for Area 4.** The zoning standards for Area 4, as described in Section 9 of this ordinance, shall be as currently set forth in Section 102-56 of the Siloam Springs Municipal code, subject to the following condition:

The subsections of Section 102-56 indicated in column one, below, shall be interpreted in accordance with the terms contained in column two, which shall override any conflicting Code provisions, for purposes of this development only.

(b) Planned Uses	Single-Family Homes (Unit 3)
(d) Lot Dimensions	
(1) Minimum Lot Surface Area	6,000 Square Feet
(2) Minimum Lot Width	50 Feet
(3) Maximum Lot Coverage	45%
(e) Building Limits	
(1) Setback Required:	
(a) Front Yard Setback	25 Feet

FEB 03 2021

(b) Sides (Except on Corner)	5 Feet	BETSY HANDELL, CLERK
(c) Side on Corner	15 Feet	BENTON COUNTY, ARKANSAS
(d) Rear Yard	20 Feet	
(3) Height Limited	No Building Shall Exceed 30 Feet in Height	
(4) Floor/Area Ratio	0.50 (maximum)	
(5) Density	Not to Exceed 4.2 Dwellings Units Per Acre	
(f)(1) Landscape Buffer	Landscape buffer of 5 feet along all property lines	

**Section 11. Effective date.** Thirty (30) days after passage and publication or posting of this Ordinance as authorized by law, the annexation shall be final and the property shall be within the corporate limits of the City of Siloam Springs, except as otherwise ordered by the Circuit Court pursuant to a cause of action filed within said thirty (30) day period.

**Section 12. Notice.** Within forty-five (45) days of the effective date of this ordinance the city clerk shall provide written notice, along with complete documentation, to the county clerk of Benton County.

**Section 13. Administrative corrections.** The city attorney is hereby authorized to make grammatical and stylistic corrections to this ordinance that do not affect the substance thereof.

**Section 14. Penalties.** Failure to abide by the conditions aforesaid, or any other terms of this ordinance shall be deemed a public offense subject to penalties and equitable relief in accordance with Section 1-7 of the Siloam Springs Municipal Code.

**Section 15. Repealer and severability.** Prior Ordinances in conflict with the provisions enacted herein are repealed to the extent of the conflict as of the effective date of this Ordinance. If any provision of a section of this Ordinance or the application thereof to any person or circumstance is held invalid, the invalidity does not affect the other provisions or applications of the section or related sections which can be given effect without the invalid provision or application, and to this end the provisions are severable.

**ORDAINED AND ENACTED** this 2<sup>nd</sup> day of February 2021.

**APPROVED:**

*Judy Nation*  
 Judy Nation, Mayor

**ATTEST:**

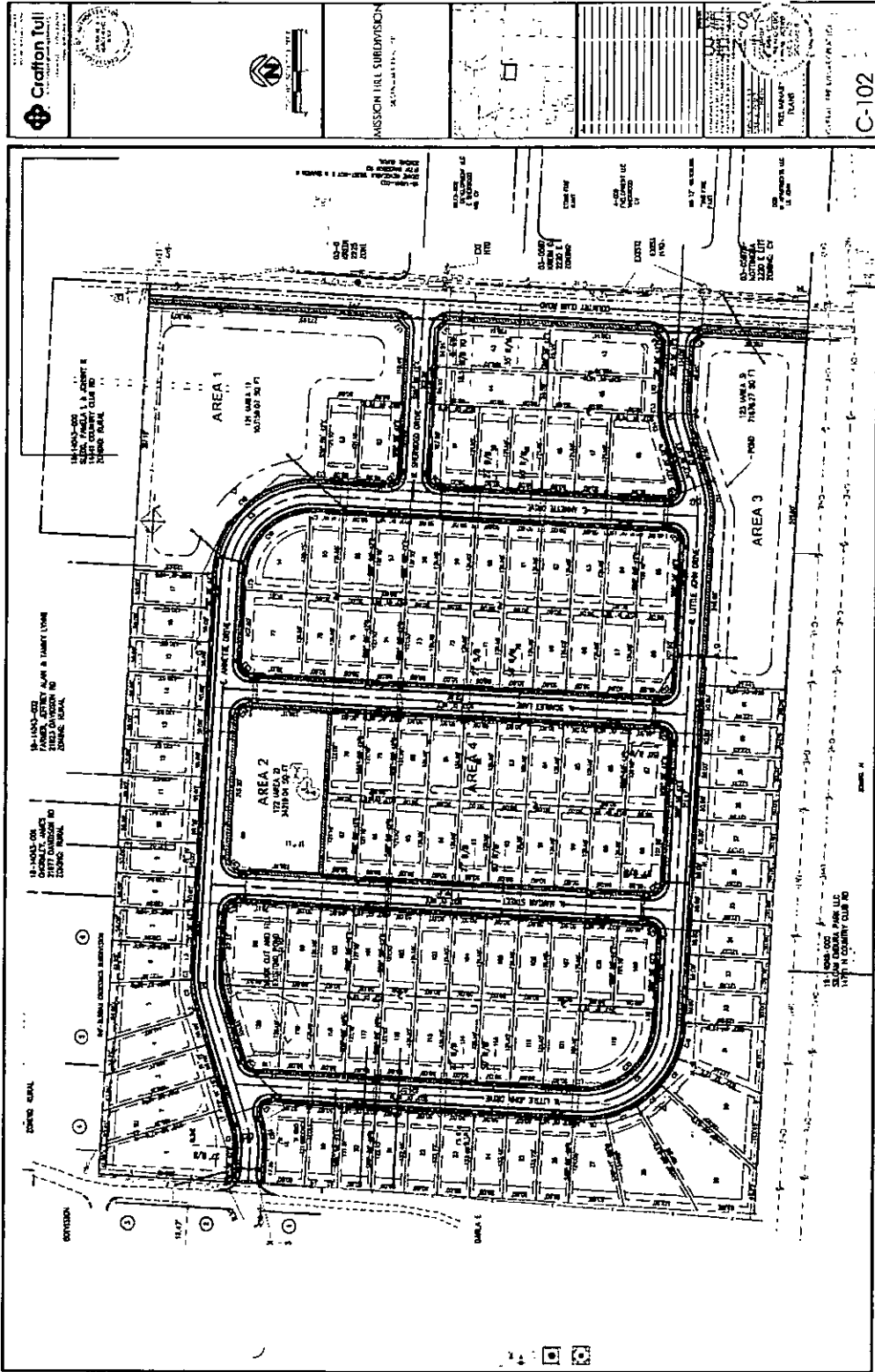
*Renea Ellis*  
 Renea Ellis, City Clerk

(SEAL)



Ordinance 21-01

Page 6 of 7



**Crafton Tull**  
 MISSOURI TITLE SUBDIVISION  
 C-102

RECORDED  
IN KANSAS

FILED

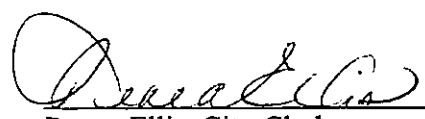
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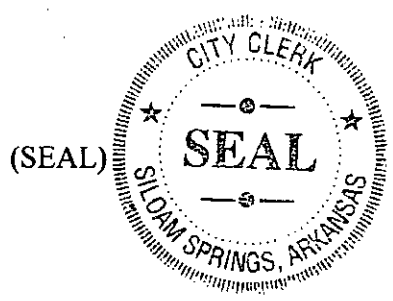
**CERTIFICATE**

BETSY H... CLERK  
BENTON, ARKANSAS

I, Renea Ellis, the duly appointed, qualified and acting City Clerk of Siloam Springs, Arkansas, do hereby certify that the above and foregoing Ordinance #21-01 is a true and correct copy of the Ordinance as the same appears in the records of said City, adopted at a regular meeting of the Board of Directors of Siloam Springs, held on the 2<sup>nd</sup> day of February 2021, at which meeting a quorum of the Board of Directors was present, and said Ordinance was adopted by a vote of 7 ayes, 0 nays.

Witness my hand and seal as City Clerk of Siloam Springs on this 3<sup>rd</sup> day of February 2021.

  
\_\_\_\_\_  
Renea Ellis, City Clerk



FILED

NOV 19 PM 3:01

CLERK OF COURT  
BENTON COUNTY, AR

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

COUNTY COURT CASE NO. CC 2020-17

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; and
- 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.

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.

**Barry  
Moehring**

Digitally signed by Barry Moehring  
DN: cn=Barry Moehring, o=Benton  
County, ou,  
email=Barry.Moehring@bentoncou  
ntryar.gov, c=US  
Date: 2020.11.19 09:14:44 -06'00'

HON. BARRY MOEHRING, County Judge

11.19.2020

Date

2020-5060

FILED

2020 NOV 16 PM 3:30

BENTON COUNTY  
CO & PROBATE CLERK  
BENTON COUNTY, AR  
CC 2020-17

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

VERIFICATION OF PETITION FOR ANNEXATION PURSUANT TO ACA § 14-40-609

We, Betsy Harrell, 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.

  
\_\_\_\_\_  
HON. BETSY HARRELL, County Clerk

  
\_\_\_\_\_  
HON. RODERICK GRIEVE, County Assessor



FILED

2020 NOV 16 PM 3:30

CLERK OF COURT  
CO & PROBATE CLERK  
BENTON COUNTY, AR

Date: November 10, 2020  
Subject: Proposed Annexation Checklist  
CC 2020-17 Amended Siloam Springs, AR

- (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.

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

Please contact me if you have any questions.

Michael D. Million  
Manager – GIS-Mapping Dept.  
Benton County Assessor's Office  
Phone: 479-271-1037, ext. 7004  
Email: michael.million@bentoncountyar.gov

2010 OCT 22 AM 8:06

1115 E. MAIN  
MOUNTAIN VIEW, ARKANSAS  
479-201-1000

**IN THE MATTER OF ANNEXING  
CERTAIN CONTIGUOUS REAL PROPERTY TO THE  
CITY OF SILOAM SPRINGS, ARKANSAS**

**AMENDED PETITION FOR ANNEXATION**

Comes now the undersigned trustees of the Younger Family Trust, a California Trust ("Trust"), and Benton County, Arkansas, by and through its County Judge, Barry Moehring, ("Benton County"), and for its Petition to the Board of Directors of the City of Siloam Springs, Arkansas, pursuant to A.C.A. § 14-40-609 ("Annexation by 100% Petition"), states as follows:

1. The Petitioners, as 100% owners of the herein-described real property lying in Benton County, Arkansas, does hereby petition the Board of Directors of the City of Siloam Springs, Arkansas to annex the said real property to the City of Siloam Springs, Arkansas, as provided for by A.C.A. § 14-40-609. This Petition is signed by counsel and verified by the trustee of the Petitioner Trust and County Judge Barry Moehring, as the sole owners of the real property to be annexed, and the Petitioners own all of the acreage affected hereby.

2. By this Petition, the Petitioner Trust appoints Erik P. Danielson of Danielson Law Firm, PLLC, to act on its behalf in presenting this matter to the County and all other governing bodies, as necessary. The Petitioner Benton County appoints George Spence of Clark and Spence to act on its behalf in presenting this matter to the County and all other governing bodies, as necessary.

3. The description of the real property to be annexed to the City of Siloam Springs, Arkansas is as follows:

*The South 30 acres of the NW ¼ of the NE ¼ of Section 29, Township 18 North, Range 33 West, Benton County, Arkansas.*



2020 OCT 22 AM 8:06

4. Petitioners state that the real property described herein and sought to be annexed to the City of Siloam Springs, Arkansas lies in Benton County and is across the street and catty-corner to the City of Siloam Springs, Arkansas.

5. A copy of a map of the tract of real property sought to be annexed is attached hereto as Exhibit "A". A letter from First National Title Company verifying that the Petitioners are the owners of record of the subject property is attached hereto as Exhibit "B". A letter from Crafton Tull verifying that the subject property is contiguous with the annexing City of Siloam Springs, Arkansas is attached hereto as Exhibit "C". A copy of the coordination approval letter from the Arkansas Secretary of State GIS department is attached hereto as Exhibit "D".

6. The Schedule of Services to be extended and provided by the annexing City of Siloam Springs is as follows:

All of those rights and privileges that are had and enjoyed by the inhabitants within the limits of the City of Siloam Springs, Arkansas.

WHEREFORE, pursuant to A.C.A. § 14-40-609, the undersigned Petitioners pray that within fifteen (15) days of the filing of this Petition with the Benton County Assessor and Benton County Clerk, said Assessor and Clerk verify this Petition and present the same to the Benton County Judge; that within fifteen (15) days of receipt of the verified Petition, the County Judge verify the same and issue an Order on the Petition in accordance with A.C.A. § 14-40-609(c)(2)(D) and forward this Petition and said Order to the Board of Directors of the City of Siloam Springs; that the Board of Directors of the City of Siloam Springs grant the Petition via ordinance or resolution accepting the real property described herein for annexation to the City of Siloam Springs, Arkansas; for a final order from the Benton County Judge confirming the annexation; and that Petitioner be granted all other relief to which it is entitled.

Respectfully submitted,

2021 OCT 22 AM 8:03

THE YOUNGER FAMILY TRUST  
a California Trust

RECEIVED  
BENTON COUNTY CLERK  
FAYETTEVILLE, AR

and

BARRY MOEHRING, BENTON COUNTY  
JUDGE

by its attorneys

DANIELSON LAW FIRM, PLLC  
909 E. Rolling Hills Dr.  
Fayetteville, AR 72703  
Telephone 479-935-8313  
Facsimile 479-439-8167  
Erik.Danielson@DanielsonLawFirm.com

By

---

Erik P. Danielson, ABA #2005060

2020 OCT 22 AM 8:03

CLERK OF SUPERIOR COURT  
SANTA BARBARA COUNTY, CA

**VERIFICATION**

STATE OF CALIFORNIA     )  
  ) ss.  
COUNTY OF                     )

The Petitioner, The Younger Family Trust, acting by its appointed and authorized Trustees named below, hereby states upon oath that the foregoing Petition for Annexation is true and correct to the best of its knowledge, information and belief, and that the petitioning Trust desires the relevant real property referenced herein to be annexed as requested herein.

THE YOUNGER FAMILY TRUST

By Thomas Craig Younger  
Thomas Craig Younger, Co-Trustee

By Laura Anne Younger  
Laura Anne Younger, Co-Trustee

WITNESS my hand and seal on this 14<sup>th</sup> day of October, 2020.

[Signature]  
Notary Public

My Commission Expires:  
01/05/2023



VERIFICATION

2020 OCT 22 AM 8:03

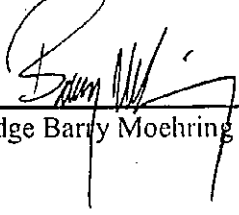
STATE OF ARKANSAS )  
 ) ss.  
COUNTY OF BENTON )

TRACY L. BACKS  
NOTARY PUBLIC  
BENTON COUNTY, AR

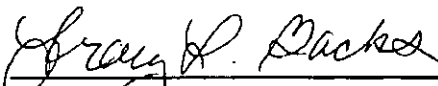
The Petitioner, Benton County, Arkansas, by Judge Barry Moehring, hereby states upon oath that the foregoing Petition for Annexation is true and correct to the best of his knowledge, information and belief, and that the Petitioner desires the relevant real property referenced herein to be annexed as requested herein.

JUDGE BARRY MOEHRING  
for BENTON COUNTY, ARKANSAS

By

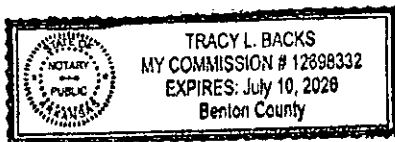
  
\_\_\_\_\_  
Judge Barry Moehring

WITNESS my hand and seal on this 19<sup>th</sup> day of October, 2020.

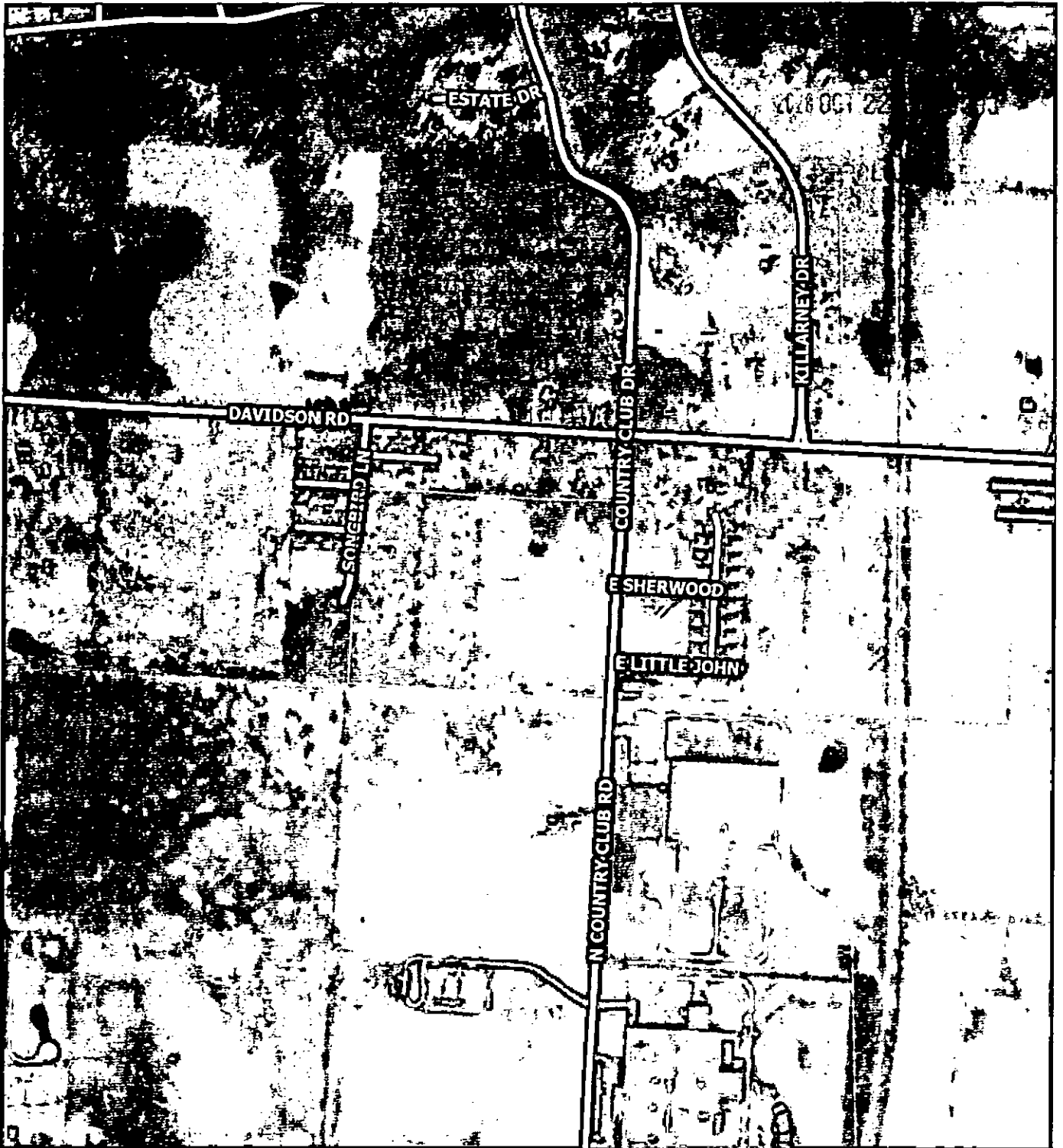
  
\_\_\_\_\_  
Notary Public

My Commission Expires:

7/10/2026







# Exhibit A



July 29, 2020

1:8,564

-  Parcels
-  Major Roads
-  Streets
-  Major Roads

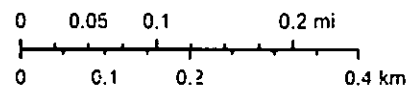


Exhibit B

October 8, 2020

2020 OCT 22 AM 8:03

RE: Certification of Ownership

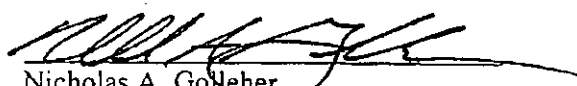
STATE OF ARKANSAS )  
 )  
COUNTY OF WASHINGTON )

NOTARY PUBLIC  
NICHOLAS A. GOLLEHER  
BENTON COUNTY, AR

I, the undersigned, am a certified title agent with First National Title Company and I do hereby certify that I have examined the property which is depicted and described on Exhibit "A" attached hereto, located in Benton County, Arkansas, and find that, as to Tract "A", the Younger Family Trust dated April 20, 2004, and as to Tract "B", Benton County, Arkansas, is the fee simple owner of record of the said property, being the proposed property for annexation.

Sincerely,

First National Title Company

By:   
Nicholas A. Golleher,  
License No. 17020713

**VERIFICATION**

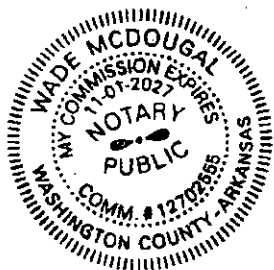
STATE OF ARKANSAS )  
 ) ss.  
COUNTY OF WASHINGTON )

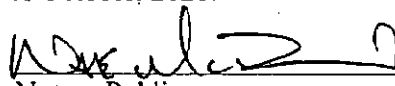
The undersigned, being duly sworn on oath, state that I have read the above and foregoing Letter of Certification and the facts and matters contained therein are true and correct to the best of my information, knowledge and belief.

First National Title Company

By:   
Nicholas A. Golleher,  
License No. 17020713

WITNESS my hand and seal on this 8<sup>th</sup> day of October, 2020.



  
Notary Public  
My Commission Expires: 11-1-2027

2020 OCT 22 AM 8:03

EXHIBIT A

DEBRY JAMILL  
J & PROBATE CLERK  
BENTON COUNTY, AR

Tract "A"

The South 30 acres of the NW  $\frac{1}{4}$  of the NE  $\frac{1}{4}$  of Section 29, Township 18 North, Range 33 West, Benton County, Arkansas.

Tract "B"

A strip of land 30 feet in width, running North and South, squarely off the East side of the following described tract of land, to wit: The South 30 acres of the NW  $\frac{1}{4}$  of the NE  $\frac{1}{4}$  of Section 29, Township 18 North, Range 33 West, Benton County, Arkansas.

Exhibit C



**Crafton Tull**

901 N 47th Street, Suite 400  
Rogers, AR 72756

479.636.4838 (ph)

2020 OCT 22 AM 8:09 479.631.6224 (fax)

CLERK OF COURT  
BENTON COUNTY, AR

October 12, 2020

RE: Siloam Springs Annexation Certification

To whom it may concern,

I am writing this letter in regards to Parcel numbers 18-14045-000 and 18-14047-000 currently in Benton County. I can certify that the combination of these properties are contiguous to the City of Siloam Springs and by annexing this parcel into Siloam Springs, no islands or enclaves are created within the county.

Let us know if you have any questions.

Thanks,

Taylor Lindley, P.E.



Exhibit D



**ARKANSAS  
GIS OFFICE**

Department of Transformation  
and Shared Services

Governor Asa Hutchinson  
Secretary Amy Fechter  
Director Shelby Johnson

2020 JUL 22 AM 8:11  
STATE OF ARKANSAS  
SILCOAM COUNTY, AR

July 29, 2020

Ms. Melanie Bailey  
Legal Assistant  
Danielson Law Firm, PLLC  
909 Rolling Hills Drive  
Fayetteville, AR 72703

RE: City of Siloam Springs Annexation Coordination Requirement

Ms. Bailey

Thank you for coordinating with our office as you seek to annex property into the City of Siloam Springs, AR located in Section 29, Township 18 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 90<sup>th</sup> 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

Attachments:

- GIS Office Map of Proposed Annexation
- Legal Description
- Secretary of State Municipal Change Checklist

H:\City\_Annexations\Cities\Siloam\_Springs\20200729\Doc\20200729\_Siloam Springs\_Annexation\_Coordination\_Letter.docx



2020 OCT 22 AM 8:04

CLERK OF COURSE  
CLERK  
BENTON COUNTY, AR

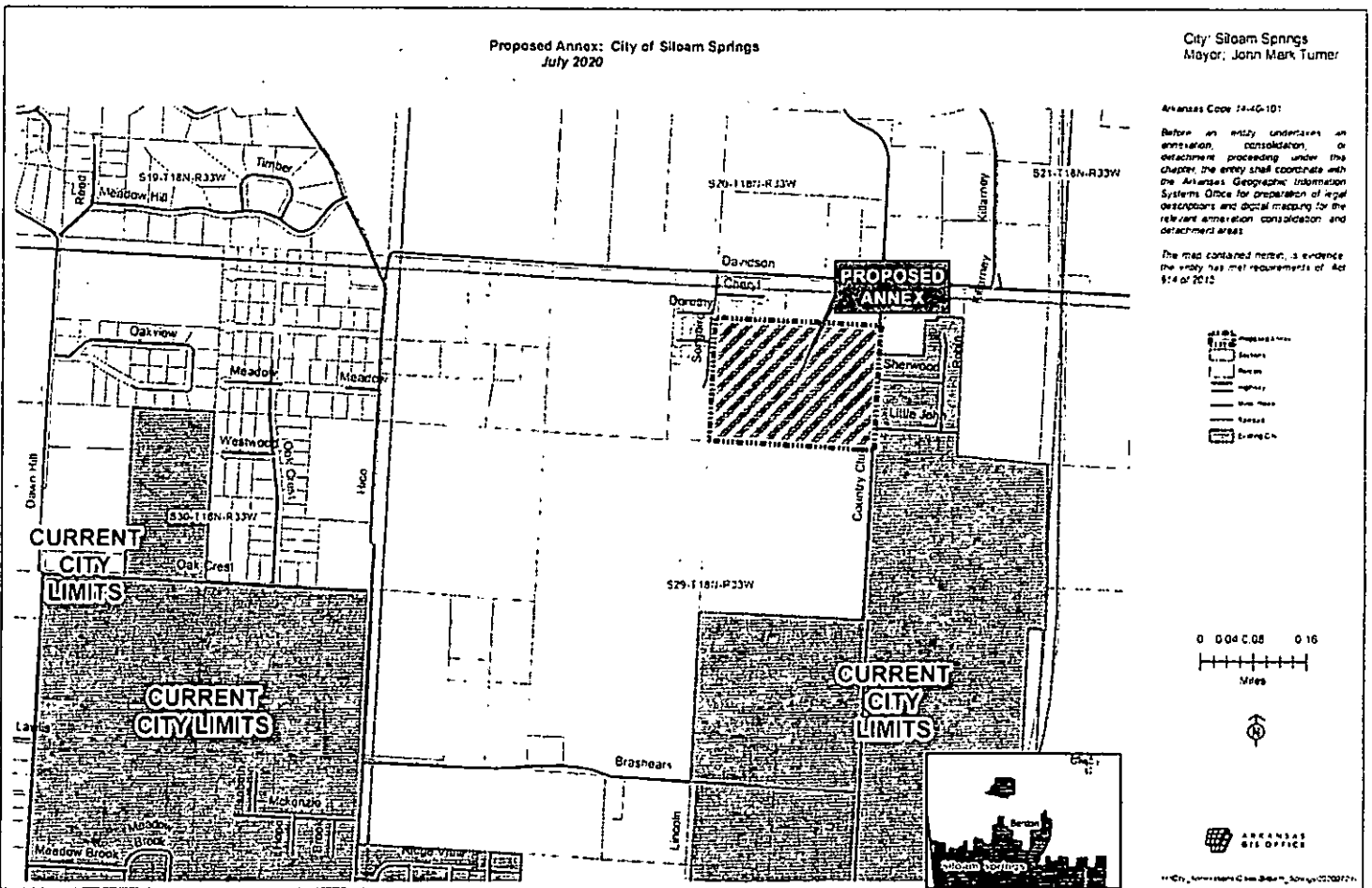
Proposed Annex: City of Siloam Springs  
July 2020

City: Siloam Springs  
Mayor: John Mark Turner

Arkansas Code 14-42-101:

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 514 of 2012.



Legal Description

2020 OCT 22 AM 8:04

*The South 30 acres of the NW ¼ of the NE ¼ of Section 29, Township 18N, Range 33 West, Benton County, Arkansas.*

FILED BY HARRIS  
BENTON COUNTY, AR

2020 OCT 22 AM 8:04

**Municipal Annexation, Detachment, and Incorporation Reference**

- Annexation of Territories Contiguous to County Seat A.C.A §14-40-201
- Annexation of Territories in another Judicial District (multiple county seats) A.C.A. §14-40-202
  - Annexation of City Park or Airport (automatic) A.C.A §14-40-204
- Annexation of building on boundary of two municipalities (written notice) A.C.A. §14-40-207
  - Annexation by Election (contiguous land) A.C.A. §14-40-302
  - Annexation of land in adjoining County A.C.A §14-40-401
- Annexation of surrounded unincorporated area (island/doughnut holes) by ordinance A.C.A. §14-40-501
  - Annexation by Petition of majority of Landowners A.C.A. §14-40-602
  - Annexation by Petition of all Landowners A.C.A §14-40-609
- Consolidation of two municipalities by Election A.C.A §14-40-1201
- Annexation with Detachment from another municipality at landowner request A.C.A §14-40-2001
- Annexation with Detachment from adjoining city at city request A.C.A §14-40-2101
  - Detachment of Land annexed by petition under §14-40-601 A.C.A §14-40-608
  - Detachment of municipal lands back to County by election A.C.A. §14-40-1801
  - Detachment of unsuitable land by municipal resolution A.C.A §14-40-1901
- Incorporation by direct petition of landowners A.C.A §14-38-101
- Incorporation by petition for special election A.C.A §14-38-115
- Surrender of Charter (Disincorporation) by second class city A.C.A §14-39-101

# BENTON COUNTY

STATE OF ARKANSAS

**BETSY HARRELL**

COUNTY CLERK & VOTER REGISTRAR

215 EAST CENTRAL, SUITE 217

BENTONVILLE, AR 72712-5373

479-271-1013

Fax: 479-271-1019

PROBATE COURT CLERK

COURTHOUSE, 102 N.E. "A" STREET

BENTONVILLE, AR 72712-5350

479-271-5727

Fax: 479-271-1712

November 24, 2020

Honorable John Mark Turner  
City of Siloam Springs  
PO Box 80  
Siloam Springs, AR 72761

Re: In the Matter of Annexing to the City of Siloam Springs, Arkansas Certain  
Territory Contiguous To Said City of Siloam Springs, Arkansas

Dear Mayor Turner:

The County has received and processed a proposed annexation pursuant to ACA § 14-40-609 related to annexations by 100% of the property owners. I am transmitting to you a copy of the documents relating to the proposed annexation for consideration by the Siloam Springs City Council.

If your council and you approve the annexation, please ask your clerk or recorder to return to me one (1) certified copy of the plat of the annexed property and one (1) certified copy of the ordinance or resolution approving the annexation so that I can send those on to the Secretary of State as required by the statute.

Please feel free to contact me if you have questions.

Sincerely,

*Betsy Harrell*  
*Dy Clematis*

BETSY HARRELL, County Clerk

enc

ROGERS OFFICE  
2111 W. WALNUT  
(479) 636-3727  
FAX (479) 636-4922

ROGERS ARCHIVES  
2111 W. WALNUT  
(479) 636-1037  
FAX (479) 636-1053

SILOAM SPRINGS OFFICE  
707 S. LINCOLN  
479-271-1013  
FAX (479) 524-8534