



# JOHN THURSTON

ARKANSAS SECRETARY OF STATE

April 14, 2021

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

Re: City of Springdale Annexation Ordinance 5538

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 §14-40-501 (island/donut holes)

Effective Date: 1/8/2021

County: Benton

City: Springdale

City Ordinance: 5538

Dated: 12/08/2020

County Court Order: N/A

Date Filed: N/A

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,

  
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. Doug Sprouse, Mayor of Springdale (w/encl)  
The Hon. Denise Pearce, Springdale City Clerk/Treasurer (w/encl)



Arkansas Secretary of State

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

Amended 4/9/21

Municipal Boundary Change Checklist

Act 655 of 2017 and A.C.A. §14-40-103

County: Benton City/Town: Springdale

City Ordinance/Resolution No: 5538 Date approved: 12/08/2020

County Court Case No: Date Order Filed:

Type: Annexation of surrounded unincorporated area (island/doughnut holes) by ordinance A.C

Date Change Effective: 1/8/2021 Set by: Municipal Ordinance Emergency Clause Court Default

For Circuit Court Challenge: Date Order Filed: Upheld Overturned Other

Please indicate which ward(s) the territory will be assigned to: 2

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: Denise Pearce Title: City Clerk/Treasurer

Street Address: 201 Spring Street

City: Springdale St: AR Zip code: 72764

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: Cleemasters Title: Deputy Clerk

Date: 4/9/21

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: [Signature]

FILED

APR 14 2021

Rev. 2/2019

Arkansas Secretary of State



# 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: Springdale

City Ordinance/Resolution No: 5538 Date approved: 12/08/2020

County Court Case No: 2020-15 Date Order Filed: 09/21/2020 + 3/19/2021

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

Date Change Effective: 01/08/2021 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: Denise Pearce Title: City Clerk/Treasurer

Street Address: 201 Spring Street

City: Springdale St: AR Zip code: 72764

*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: *Chromaster* Title: *Deputy Clerk*

Date: 3/11/21

*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: \_\_\_\_\_

# 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

March 11, 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**

MAR 11 2021

**Arkansas  
Secretary of State**

RE: The City of Springdale  
Dream Structures LLC  
Benton County Court Case No. CC# 2020-15

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 09/21/2020
3. Ordinance 5538 adopted on December 8, 2020, by the City of Springdale

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

Sincerely,

*Betsy Harrell by*  
Betsy Harrell *clerk*

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

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

FILED  
2020 SEP 21 PM 1:41

DEBBI HARRILL  
CO. & PROBATE CLERK  
BENTON COUNTY, AR

COUNTY COURT CASE NO. CC 2020-15

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 SPRINGDALE.

  
\_\_\_\_\_  
HON. BARRY MOEHRING, County Judge

9.21.2020  
\_\_\_\_\_  
Date

2020 3955

FILED

2021 MAR -9 PM 4: 11

CLERK OF DISTRICT COURT  
BENTON COUNTY, AR

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

CC 2020-15

ORDER CONFIRMING ANNEXATION

Now on this day is presented to the Court the complete file for the annexation of certain land to the City of SPRINGDALE, Benton County, Arkansas, under this file number, including specifically a copy of the plat of the annexed property and a copy of the resolution or ordinance of the governing body of the city or town accepting the property for annexation, and having reviewed the file and all things considered, the Court finds that all the requirements of § 14-40-609 of the Arkansas Code have been complied with and further that the annexation is in all respects proper, including if applicable, that the annexing city or town has included in the legal description included with its resolution or ordinance accepting the property for annexation certain dedicated public roads and rights of way abutting or traversing the property to be annexed if required by the Court's previous order entered in this file.

IT IS THEREFORE CONSIDERED AND ORDERED that the annexation of the above described lands to the City of SPRINGDALE, Benton County, Arkansas, is hereby confirmed and that the same is and shall hence forth comprise a part of the City of SPRINGDALE, Benton County, Arkansas.

  
\_\_\_\_\_  
HON. BARRY MOEHRING, County Judge

3.9.2021

Date

2021-1626

FILED

**ORDINANCE NO. 5538**

**AN ORDINANCE ANNEXING CERTAIN LANDS PURSUANT TO ARK. CODE ANN. §14-40-501, et. seq.**

L202081796  
BENTON CO. AR FEE \$30.00  
PRESENTED & E-RECORDED  
12/11/2020 01:55:10 PM  
BRENDA DESHIELDS  
Circuit Clerk & Recorder  
2021 MAR -2 AM 9:34  
TERRY HARRELL  
CO & PUBLIC CLERK  
BENTON COUNTY AR

**WHEREAS**, the boundaries of the city limits of the City of Springdale have changed over time, causing certain lands which are not in the City of Springdale to become surrounded by land which is located in the City of Springdale;

**WHEREAS**, given the fact that certain lands are surrounded by property in the City of Springdale, it would be in the public interest for the City of Springdale to provide municipal services, such as police protection, fire protection, etc., to these surrounded lands;

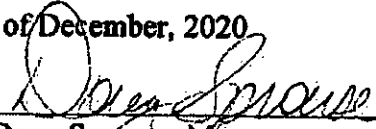
**WHEREAS**, Ark. Code Ann. §14-40-501, et. seq., provides that the governing body of a municipality may propose an ordinance calling for the annexation of land that is surrounded by the municipality;

**WHEREAS**, it is in the best interest of the City of Springdale that these surrounded lands be annexed into and be made a part of the City of Springdale, and the legal descriptions of the land to be annexed, as well as a map of the land to be annexed, are attached hereto and made a part hereof;

**WHEREAS**, a public hearing was held on December 8, 2020, after publishing notice and notifying property owners as required by law; and

**NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL FOR THE CITY OF SPRINGDALE, ARKANSAS**, that the surrounded lands contained in the attached Exhibits be and hereby are annexed into the City of Springdale, Arkansas in accordance with Ark. Code Ann. §14-40-501, et. seq.

**PASSED AND APPROVED** this 8<sup>th</sup> day of December, 2020

  
Doug Sprouse, Mayor

ATTEST:

  
Denise Pearce, CITY CLERK

APPROVED AS TO FORM:

  
Ernest B. Cate, CITY ATTORNEY

FILED

**ORDINANCE NO. 5538**

**AN ORDINANCE ANNEXING CERTAIN LANDS PURSUANT TO ARK. CODE ANN. §14-40-501, et. seq.**

L202081796 21 MAR -2 AM 9:34  
BENTON CO. AR FEE \$30.00  
PRESENTED & E-RECORDED  
12/11/2020 01:55:16 PM  
BRENDA DESHIELDS  
Circuit Clerk & Recorder  
BENTON COUNTY

**WHEREAS**, the boundaries of the city limits of the City of Springdale have changed over time, causing certain lands which are not in the City of Springdale to become surrounded by land which is located in the City of Springdale;

**WHEREAS**, given the fact that certain lands are surrounded by property in the City of Springdale, it would be in the public interest for the City of Springdale to provide municipal services, such as police protection, fire protection, etc., to these surrounded lands;

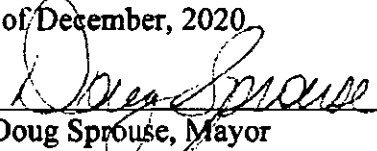
**WHEREAS**, Ark. Code Ann. §14-40-501, et. seq., provides that the governing body of a municipality may propose an ordinance calling for the annexation of land that is surrounded by the municipality;

**WHEREAS**, it is in the best interest of the City of Springdale that these surrounded lands be annexed into and be made a part of the City of Springdale, and the legal descriptions of the land to be annexed, as well as a map of the land to be annexed, are attached hereto and made a part hereof;

**WHEREAS**, a public hearing was held on December 8, 2020, after publishing notice and notifying property owners as required by law; and

**NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL FOR THE CITY OF SPRINGDALE, ARKANSAS**, that the surrounded lands contained in the attached Exhibits be and hereby are annexed into the City of Springdale, Arkansas in accordance with Ark. Code Ann. §14-40-501, et. seq.

**PASSED AND APPROVED** this 8<sup>th</sup> day of December, 2020.

  
\_\_\_\_\_  
Doug Sprouse, Mayor

ATTEST:

  
\_\_\_\_\_  
Denise Pearce, CITY CLERK

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Ernest B. Cate, CITY ATTORNEY



FILED

City: Springdale  
Mayor: Doug Sproules

Arkansas Code 14-40-101.

Before an entity undertakes an acquisition, consolidation, or divestiture, it must first determine whether the entity shall comply with the Arkansas Openness Act. The Arkansas Openness Act requires the Arkansas Openness Act Administrator to prepare a list of the entities and organizations that are subject to the Openness Act, and to publish that list.

The map contained herein is submitted to the entity for its use in compliance with the Arkansas Openness Act.



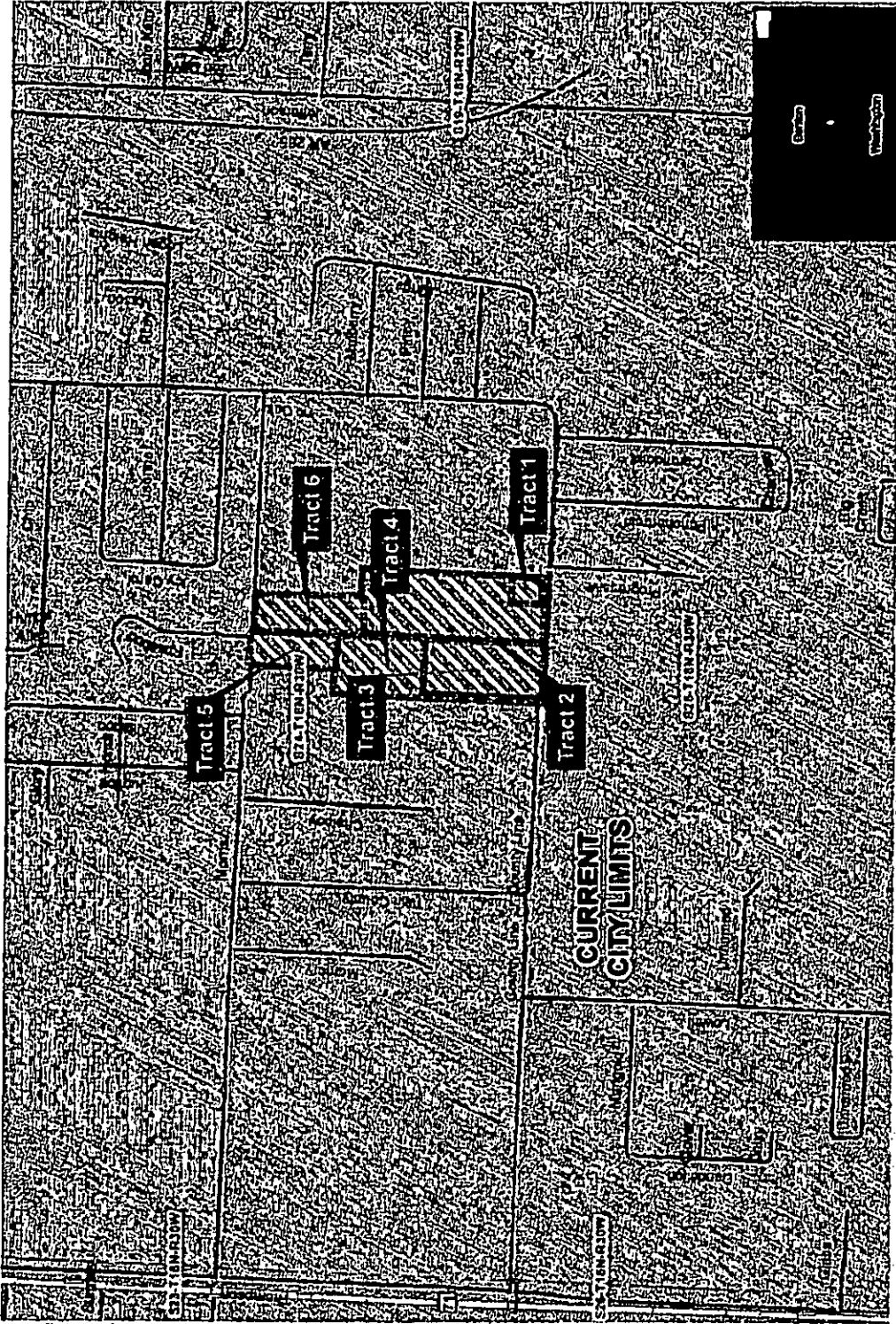
0 0.00750055 0.11

2021 MAR -2 AM 9:

BETSY LARK  
COUNTY CLERK  
DENTON, AR



Proposed Annex: City of Springdale  
September 2020



2021 1386

FILED

2021 MAR -2 AM 9:34

BETSY H. JARRELL  
CO & PARCEL CLERK  
BENTON COUNTY, AR

**Exhibit B**

**Benton County Island Annexation 2020**

**Tract 1: Parcel No. 18-06389-002 (Leola Cross)**

Leola Cross  
256 E. County Line Rd.  
Springdale, AR 72764

PART OF THE SW 1/4 OF THE SE 1/4 OF SECTION 24, TOWNSHIP 18 NORTH, RANGE 30 WEST, BENTON COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT A POINT WHICH IS S 89° 38' 42" W, 765.50 FEET FROM A FOUND IRON PIN AT THE SE CORNER OF THE SW 1/4 OF THE SE 1/4 OF SAID SECTION 24; THENCE S 89° 38' 42" W, 117.50 FEET; THENCE NORTH 137.96 FEET; THENCE N 89° 58' 52" E, 117.50 FEET; THENCE SOUTH 137.27 FEET TO THE POINT OF BEGINNING, CONTAINING 0.37 ACRES, MORE OR LESS.

**Tract 2: Parcel No. 18-06389-000 (Larry Savage)**

Larry Savage  
228 E. County Line Rd.  
Springdale, AR 72764

Part of the SW 1/4 of the SE 1/4 of Section 24, Township 18 North, Range 30 West described as beginning at a point 765.5 feet West of the SE corner of said 40 acre tract and running thence West 290.5 feet, thence North 825 feet, thence East 290.5 feet, thence South 825 feet to the place of beginning, LESS AND EXCEPT, PART OF THE SW 1/4 OF THE SE 1/4 OF SECTION 24, TOWNSHIP 18 NORTH, RANGE 30 WEST, BENTON COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT A POINT WHICH IS S 89° 38' 42" W, 765.50 FEET FROM A FOUND IRON PIN AT THE SE CORNER OF THE SW 1/4 OF THE SE 1/4 OF SAID SECTION 24; THENCE S 89° 38' 42" W, 117.50 FEET; THENCE NORTH 137.96 FEET; THENCE N 89° 58' 52" E, 117.50 FEET; THENCE SOUTH 137.27 FEET TO THE POINT OF BEGINNING, CONTAINING 0.37 ACRES, MORE OR LESS.

**Tract 3: Parcel No. 18-06388-000 (Dream Structures, LLC)**

Dream Structures, LLC  
P. O. Box 39  
Lowell, AR 72745-0039

Part of the SW 1/4 of the SE 1/4 of Section 24, Township 18 North, Range 30 West, Benton County, Arkansas, described as beginning 19 feet East of the Southwest corner of said SW 1/4 of the SE 1/4; thence East 245 feet; thence North 535 feet; thence West 245 feet; thence South 535 feet to the place of beginning.

FILED

2021 MAR -2 AM 9:34

BETSI HARRELL  
CO & PRIVATE SURVEY  
BENTON COUNTY, ARTract 4: Parcel No. 18-06387-000 (Dream Structures, LLC)

Dream Structures, LLC  
P. O. Box 39  
Lowell, AR 72745-0039

A part of the SW 1/4 of the SE 1/4 of Section 24, Township 18 North, Range 30 West, Benton County, Arkansas being more particularly described as follows: Beginning at a point located in County Line Road at the SW corner of said 40 acre tract; thence leaving said County Line Road and running N02°19'12"E 935.01' along the west line of said 40 acre tract to a 5/8" iron rebar; thence leaving said west line and running S87°53'30"E 110.55' to a 5/8" iron rebar; thence S02°06'30"W 5.00' to a 5/8" iron rebar; thence S87°53'30"E 150.00' to a 5/8" iron rebar; thence S01°31'26"W 395.89' to a 5/8" iron rebar; thence N87°54'26"W 245.13' to a 5/8" iron rebar; thence S02°31'40"W 534.08' to feet to a 5/8" iron rebar Cap #1519 located in the County Line Road; thence with County Line Road N87°53'30"W 19.00' feet to the point of beginning, containing 2.65 acres, more or less.

Tract 5: Parcel No. 18-06390-001 (Dream Structures, LLC)

Dream Structures, LLC  
P. O. Box 39  
Lowell, AR 72745-0039

A part of the SW 1/4 of the SE 1/4 of Section 24, Township 18 North, Range 30 West, Benton County, Arkansas being more particularly described as follows: Commencing at the NW corner of said 40 acre tract, said point being located in Morris Ave.; thence S87°34'17"E 109.12 feet along both Morris Ave. and the north line of said 40 acre tract S87°34'24"E 154.88 feet to a point; thence leaving both Morris Ave. and said north line and running S02°49'30"W 390.03' to a 5/8" iron rebar; thence N87°53'30"W 150.00' to a 5/8" iron rebar; thence N02°06'30"E 390.86' to feet to the point of beginning, containing 1.37 acres, more or less.

Tract 6: Parcel No. 18-06390-000 (Antonio Araujo and Jose Araujo)

Antonio Araujo and Jose Araujo  
225 E. Morris  
Springdale, AR 72764

Part of the Southwest Quarter (SW 1/4) of the Southeast Quarter (SE 1/4) of Section 24, Township 18 North, Range 30 West of the Fifth Principal Meridian, Benton County, Arkansas, being more particularly described as follows: Commencing at a found railroad spike, said spike accepted and used as the Northeast Corner of the SW 1/4 of said SE 1/4, thence N 89°45'52" W 885.06 feet to a set cotton picker spindle and the point of beginning, thence continue N 89°45'52" W 163.49 feet to a set cotton picker spindle, thence S 1°12'43" W 495.00 feet to a found 5/8 inch diameter iron pin, thence S 89°44'27" E 171.56 feet to a found 5/8 inch diameter iron pin, thence N 0°16'40" E 495.00 feet to the point of beginning, containing 1.90 acres, more or less, and subject to the right of way of Morris Avenue along the North boundary thereof.

2021 1388

FILED

2021 MAR -2 AM 9: 34

BETSY HARNOL  
CO & PROBATE CLERK  
BENTON COUNTY ARK



CERTIFICATE OF RECORD  
STATE OF ARKANSAS, COUNTY OF BENTON  
I hereby certify that this instrument was  
Filed and Recorded in the Official Records  
in Doc Num L202081798  
12/11/2020 01:55:16 PM  
Brenda DeShields  
BENTON COUNTY Circuit Clerk & Recorder

FILED

2021 MAR -2 AM 9:34

BETSY HARKELL  
CO & PRIVATE ULEPH  
BENTON COUNTY, AR.

# NORTHWEST ARKANSAS Democrat Gazette

P.O. BOX 1807 FAYETTEVILLE AR 72702 • 479-143-1100 • FAX 479-695-1115 • WWW.NWADG.COM

## AFFIDAVIT OF PUBLICATION

I, Brittany Smith, do solemnly swear that I am the Accounting Legal Clerk of the Northwest Arkansas Democrat-Gazette, a daily newspaper printed and published in said County, State of Arkansas; that I was so related to this publication at and during the publication of the annexed legal advertisement the matter of: Notice pending in the Court, in said County, and at the dates of the several publications of said advertisement stated below, and that during said periods and at said dates, said newspaper was printed and had a bona fide circulation in said County; that said newspaper had been regularly printed and published in said County, and had a bona fide circulation therein for the period of one month before the date of the first publication of said advertisement; and that said advertisement was published in the regular daily issues of said newspaper as stated below.

City of Springdale  
Ord 5517

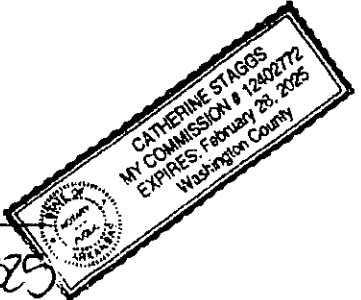
Was inserted in the Regular Edition on:  
October 18, 2020

Publication Charges: \$126.16

Brittany Smith  
Brittany Smith

Subscribed and sworn to before me  
This 2 day of Oct, 2020.

Catherine Stages  
Notary Public  
My Commission Expires: 2/28/2025



**\*\*NOTE\*\***  
Please do not pay from Affidavit.  
Invoice will be sent.

ORDINANCE NO. 5517  
AN ORDINANCE CALLING FOR  
THE ANNEXATION OF LAND  
PURSUANT TO ARK. CODE ANN.  
§14-40-501, et. seq  
WHEREAS, the boundaries of the city  
limits of the City of Springdale have  
changed over time, causing certain lands  
which are not in the City of Springdale  
to become surrounded by land which is  
located in the City of Springdale;  
WHEREAS, given the fact that certain  
lands are surrounded by property in the  
City of Springdale, it would be in the  
public interest for the City of Springdale  
to provide municipal services, such as  
police protection, fire protection, etc., to  
these surrounded lands, and these  
surrounded lands qualify for annexation  
pursuant to Ark. Code Ann. §14-40-302;  
WHEREAS, Ark. Code Ann. §14-40-  
501, et. seq., provides that the governing  
body of a municipality may propose an  
ordinance calling for the annexation of  
land that is surrounded by the  
municipality;  
WHEREAS, it is in the best interest of  
the City of Springdale that these  
surrounded lands be annexed into and be  
made a part of the City of Springdale,  
and the legal descriptions of the land to  
be annexed, as well as a map of the land  
to be annexed, are attached hereto as  
Exhibits "A" and "B", and made a part  
herof; and  
WHEREAS, the City Council finds that  
a hearing date should be set on the issue  
of the annexation of the surrounded  
lands contained in Exhibits "A" and "B";  
NOW THEREFORE, BE IT  
ORDAINED BY THE CITY COUNCIL  
FOR THE CITY OF SPRINGDALE,  
ARKANSAS, that December 8, 2020, at  
6:00 p.m. be set as the date and time for  
the City Council to hear the issue of the  
annexation of the surrounded lands  
contained in Exhibit "A"; and the City  
Clerk shall give notice of the date and  
time, as required by law.  
PASSED AND  
APPROVED THIS 13th DAY OF  
OCTOBER, 2020.  
Doug Sprouse, Mayor  
ATTEST:  
Denise Pearce, City Clerk  
APPROVED AS TO FORM:  
Ernest Cate, City Attorney  
75335761 Oct 18, 2020

2021-1390

FILED

2021 MAR -2 AM 9:34

# NORTHWEST ARKANSAS Democrat & Gazette

P.O. BOX 1607, FAYETTEVILLE, AR, 72702 • 479-442-1700 • FAX: 479-695-1118 • WWW.NWADG.COM

## AFFIDAVIT OF PUBLICATION

I, Brittany Smith, do solemnly swear that I am the Accounting Legal Clerk of the Northwest Arkansas Democrat-Gazette, a daily newspaper printed and published in said County, State of Arkansas; that I was so related to this publication at and during the publication of the annexed legal advertisement the matter of: Notice pending in the Court, in said County, and at the dates of the several publications of said advertisement stated below, and that during said periods and at said dates, said newspaper was printed and had a bona fide circulation in said County; that said newspaper had been regularly printed and published in said County, and had a bona fide circulation therein for the period of one month before the date of the first publication of said advertisement; and that said advertisement was published in the regular daily issues of said newspaper as stated below.

City of Springdale  
Ord 5538

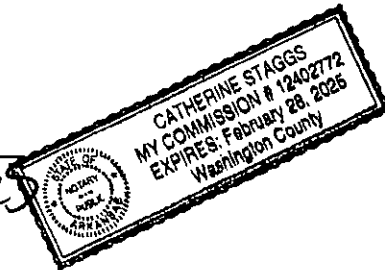
Was inserted in the Regular Edition on:  
December 20, 2020

Publication Charges: \$115.52

Brittany Smith  
Brittany Smith

Subscribed and sworn to before me  
This 30 day of Dec, 2020.

Catherine Staggs  
Notary Public  
My Commission Expires: 2/28/2025

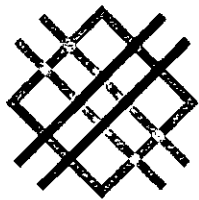


**\*\*NOTE\*\***  
Please do not pay from Affidavit.  
Invoice will be sent.

2021 - 1391

BETSY HANRELL  
CG & PROBATE CLERK  
BENTON COUNTY, AR

ORDINANCE NO. 5538  
AN ORDINANCE ANNEXING  
CERTAIN  
LANDS PURSUANT TO ARK. CODE  
ANN. §14-40-501, et. seq.  
WHEREAS, the boundaries of the city  
limits of the City of Springdale have  
changed  
over time, causing certain lands which  
are not in  
the City of Springdale to become  
surrounded by land which is located in  
the City of Springdale;  
WHEREAS, given the fact that certain  
lands are surrounded by property in the  
City of Springdale, it would be in the  
public interest for the City of Springdale  
to provide municipal services, such as  
police protection, fire protection, etc., to  
these surrounded lands;  
WHEREAS, Ark. Code Ann. §14-40-  
501, et. seq., provides that the governing  
body of a municipality may propose an  
ordinance calling for the annexation of  
land that is surrounded by the  
municipality;  
WHEREAS, it is in the best interest of  
the City of Springdale that these  
surrounded lands be annexed into and be  
made a part of the City of Springdale,  
and the legal descriptions of the land to  
be annexed, as well as a map of the land  
to be annexed, are attached hereto and  
made a part hereof;  
WHEREAS, a public hearing was held  
on December 8, 2020, after publishing  
notice and notifying property owners as  
required by law; and  
NOW THEREFORE, BE IT  
ORDAINED BY THE CITY COUNCIL  
FOR THE CITY OF SPRINGDALE,  
ARKANSAS, that the surrounded lands  
contained in the attached Exhibits be and  
hereby are annexed into the City of  
Springdale, Arkansas in accordance with  
Ark. Code Ann. §14-40-501, et. seq.  
PASSED AND APPROVED this 8th  
day of December, 2020.  
Doug Sprouse, Mayor  
ATTEST:  
Denise Pearce, CITY CLERK  
APPROVED AS TO FORM:  
Ernest B. Cate, CITY ATTORNEY  
75360919 Dec 20, 2020



**SPRINGDALE™**  
WE'RE MAKING IT HAPPEN

FILED

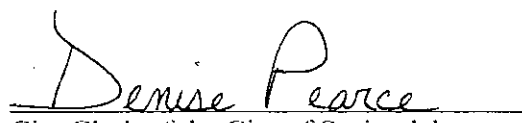
2021 MAR -2 AM 9:34

BETSY HARRIS www.SpringdaleAR.gov  
CU & P...  
BENTON COUNTY

## 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. 5538, passed on December 8<sup>th</sup>, 2020, 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, the 23<sup>rd</sup> day of February, 2021.

  
City Clerk of the City of Springdale  
Washington County, Arkansas

**2021-1392**

# 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

September 21, 2020

Honorable Doug Sprouse  
City of Springdale  
201 Spring St.  
Springdale, AR 72764

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

Dear Mayor Sprouse:

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 Springdale 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 by ecmasters*

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



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

FILED  
2020 SEP 21 AM 8:20

CO & P 10/27  
BENTON CO

CC 2020-15

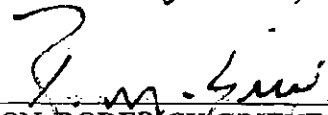
VERIFICATION OF PETITION FOR ANNEXATION PURSUANT TO ACA § 14-40-609

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



2020 SEP 21 AM 8:20

CO. & A. 1000  
BENTON, AR.

Date: September 18, 2020  
Subject: Proposed Annexation Checklist  
CC 2020-15 Springdale, 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

RECEIVED 13 AM 9:30  
CLERK  
COURT

THE COUNTY COURT OF BENTON COUNTY, ARKANSAS

CASE NO. 2020- 15

IN RE: ANNEXATION OF PROPERTY CONTIGUOUS TO THE CITY OF SPRINGDALE,  
BENTON COUNTY, ARKANSAS

PETITION FOR ANNEXATION OF PROPERTY  
CONTIGUOUS TO THE  
CITY OF SPRINGDALE, ARKANSAS

COMES NOW the Petitioner, Dream Structures, LLC, owner of certain real properties located in Benton County, Arkansas, petition the Court as follows:

1. That the Petitioner constitutes the sole ownership of one hundred percent (100%) of the real property that is the subject of this action.
2. That said property is contiguous to and adjoins the City of Springdale, Arkansas. A map of the subject property is attached hereto as "Exhibit A". A survey and legal description of the subject property is attached hereto as "Exhibit B". The properties to be annexed are Parcel Nos. 18-06387-000 and 18-06390-001, and are depicted with checkered hatch and honeycomb hatch, respectively, as shown and labeled on Exhibit B. Specifically, Parcel No. 20-00117-006, or, the property depicted in diagonal hatch on Exhibit B, is already in Benton County and, accordingly, *is not* requested to be annexed.
4. The Petitioner respectfully requests that said property be released by the County and annexed to, added to, and included within the boundaries of the City of Springdale, Arkansas, pursuant to A.C.A. § 14-40-609.
5. The City of Springdale will extend law enforcement, life safety, and water and

sewer services to the subject property.

2013 13 31 0:30

6. A letter demonstrating that Petitioner has coordinated with the Arkansas Geographic Information Systems Office, pursuant to A.C.A. § 14-40-101, has been attached hereto as "Exhibit C" and is hereby incorporated as though set forth fully herein.

7. A letter or title opinion from a certified title company verifying that the Petitioner is the owner of record of the subject property, pursuant to A.C.A. § 14-40-609, has been attached hereto as "Exhibit D" and is hereby incorporated as though set forth fully herein.

8. A letter or verification from a certified land surveyor verifying that the subject property is contiguous to the City of Springdale and that no enclaves will be created if the property or properties are accepted by the city or town, pursuant to A.C.A. § 14-40-609, has been attached hereto as "Exhibit E" and is hereby incorporated as though set forth fully herein.

WHEREFORE, premises considered, the Petitioner prays that this Court ascertain the propriety of this petition pursuant to A.C.A. § 14-40-609, enter its order releasing the subject properties for annexation into the City of Springdale to forward same to the City of Springdale pursuant to A.C.A. § 14-40-609, and for all other reasonable and proper relief.

DREAM STRUCTURES, LLC

BY: W. Kellstrom

WILL KELLSTROM, His Attorney  
Arkansas Bar No. 2019145  
WATKINS, BOYER, GRAY & CURRY, PLLC  
1106 West Poplar  
Rogers, AR 72756  
(479) 636-2168

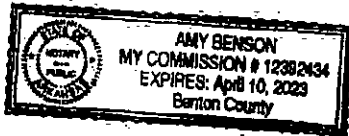
**VERIFICATION**

10-01-20 10:59:20

I, Steve Fisher, Managing Member of Dream Structures, LLC, do hereby certify, upon oath, that the statements and averments contained in the foregoing Petition for Annexation are true and correct to the best of my knowledge and belief.

  
Steve Fisher

Subscribed and sworn to before me this 9<sup>th</sup> day of September, 2020.

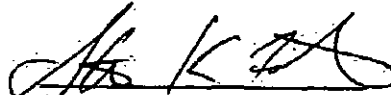


  
NOTARY PUBLIC

My Commission Expires:  
\_\_\_\_\_

**ATTESTATION**

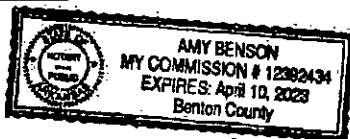
I, Steve Fisher, Managing Member of Dream Structures, LLC, do hereby attest, upon oath, that I desire for the abovementioned properties to be annexed into the City of Springdale.

  
Steve Fisher

Subscribed and sworn to before me this 9<sup>th</sup> day of September, 2020.

  
NOTARY PUBLIC

My Commission Expires:  
\_\_\_\_\_

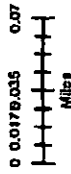


City: Springdale  
Mayor: Doug Sprouse

Arkansas Code 14-02-01.

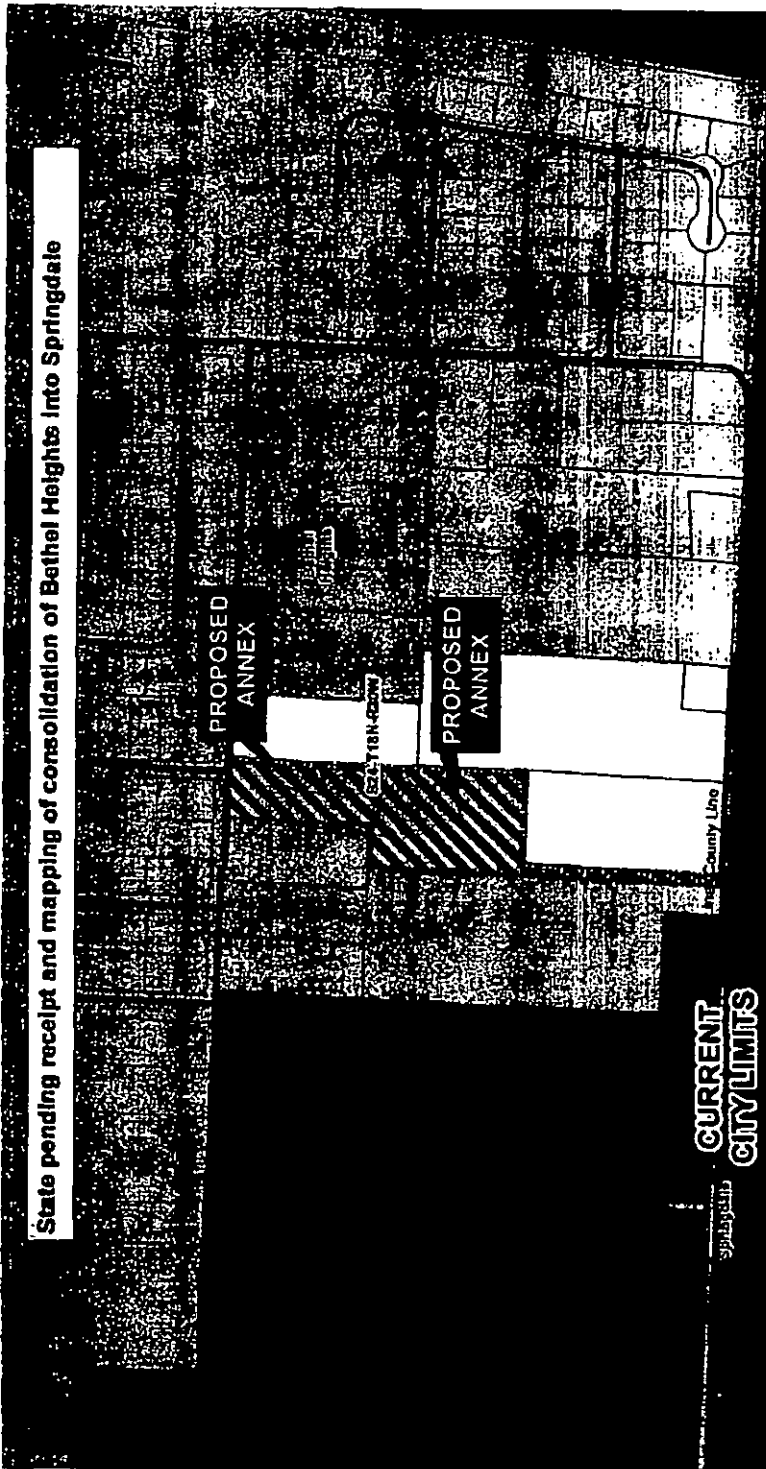
Before an entity undertakes an annexation, consolidation, or detachment, proceeding under this chapter, the entity shall coordinate with the Arkansas Geographic Information Systems Office for preparation of legal descriptions and digital mapping for the relevant annexation, consolidation, and detachment annex.

The map contained herein, in evidence, the entity has met requirements of Act 974 of 2016



11/20/2016 10:00 AM

**State pending receipt and mapping of consolidation of Bethel Heights into Springdale**



GIS-1114-0200

GIS-1114-0200

**CURRENT CITY LIMITS**

Springdale

73 45 14



EXHIBIT 13 05 9 2

**SURVEY DESCRIPTION 18-06387-000**

A PART OF THE SW1/4 OF THE SE1/4 OF SECTION 24, TOWNSHIP 18 NORTH, RANGE 30 WEST, BENTON COUNTY, ARKANSAS BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:  
BEGINNING AT A POINT LOCATED IN COUNTY LINE ROAD AT THE SW CORNER OF SAID 40 ACRE TRACT; THENCE LEAVING SAID COUNTY LINE ROAD AND RUNNING N02°19'12"E 935.01' ALONG THE WEST LINE OF SAID 40 ACRE TRACT TO A 5/8" IRON REBAR; THENCE LEAVING SAID WEST LINE AND RUNNING S87°53'30"E 110.53' TO A 5/8" IRON REBAR; THENCE S02°06'30"W 5.00' TO A 5/8" IRON REBAR; THENCE S87°53'30"E 150.00' TO A 5/8" IRON REBAR; THENCE S01°31'26"W 395.87' TO A 5/8" IRON REBAR; THENCE N87°54'26"W 245.13' TO A 5/8" IRON REBAR; THENCE S02°31'40"W 134.88' TO FEET TO A 5/8" IRON REBAR CAP #1519 LOCATED IN THE COUNTY LINE ROAD; THENCE WITH COUNTY LINE ROAD N87°53'30"W 19.00' FEET TO THE POINT OF BEGINNING, CONTAINING 2.65 ACRES, MORE OR LESS.  
SUBJECT TO ANY AND ALL EASEMENTS, RIGHTS-OF-WAYS, COVENANTS, OR DEED RESTRICTIONS OF RECORD OR FACT.

**SURVEY DESCRIPTION 18-06390-001**

A PART OF THE SW1/4 OF THE SE1/4 OF SECTION 24, TOWNSHIP 18 NORTH, RANGE 30 WEST, BENTON COUNTY, ARKANSAS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:  
COMMENCING AT THE NW CORNER OF SAID 40 ACRE TRACT, SAID POINT BEING LOCATED IN MORRIS AVE; THENCE S87°34'17"E 109.12 FEET ALONG BOTH MORRIS AVE AND THE NORTH LINE OF SAID 40 ACRE TRACT TO THE TRUE POINT OF BEGINNING; THENCE CONTINUING ALONG BOTH MORRIS AVE AND THE NORTH LINE OF SAID 40 ACRE TRACT S87°34'24"E 154.88 FEET TO A POINT; THENCE LEAVING BOTH MORRIS AVE AND SAID NORTH LINE AND RUNNING S02°49'30"W 390.03' TO A 5/8" IRON REBAR; THENCE N87°53'30"W 150.00' TO A 5/8" IRON REBAR; THENCE N02°06'30"E 390.86' TO FEET TO THE POINT OF BEGINNING, CONTAINING 1.37 ACRES, MORE OR LESS.  
SUBJECT TO THE MORRIS AVENUE ROAD RIGHT-OF-WAY ALONG THE NORTH LINE, A SWEPKO ELECTRIC POWER EASEMENT ON THE NORTH BOUNDARY THEREOF AND ANY AND ALL EASEMENTS, RIGHTS-OF-WAY, COVENANTS, OR DEED RESTRICTIONS OF RECORD OR OF FACT.





**Advance Title**

PCI Advance Title, LLC.  
624 W. Walnut  
Rogers, AR 72756  
479.631.8274

Date: 8-31-2020

Watkins, Boyer, Gray & Curry, PLLC  
1106 W Poplar  
Rogers, AR 72726  
479.636.2168

Subject: Opinion Letter of Ownership of Property

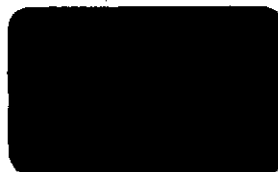
To Whom It May Concern,

Upon review of Parcels 18-06387-000 and 18-06390-001, being part of Section 24, Township 18 North, Range 30 West, Benton County, Arkansas, the current owner of record is: Dream Structures, LLC.

Sincerely,

Authorized Countersignature

Larry Murphy  
Title Operations  
PCI Advance Title, LLC  
479-631-8274



A Million Miracles Surveying P.L.L.C.

Primary contact: Eric Heller

129 W Boles Apt A  
Fayetteville, AR 72701

PH 479-387-4361

eric@amms-plt.com

SEP 13 AM 9:27  
BENTON COUNTY, AR

September 4, 2020

Planning/Development Review  
201 Spring Street  
Springdale, AR 72764

Re: Annexation of all or part of

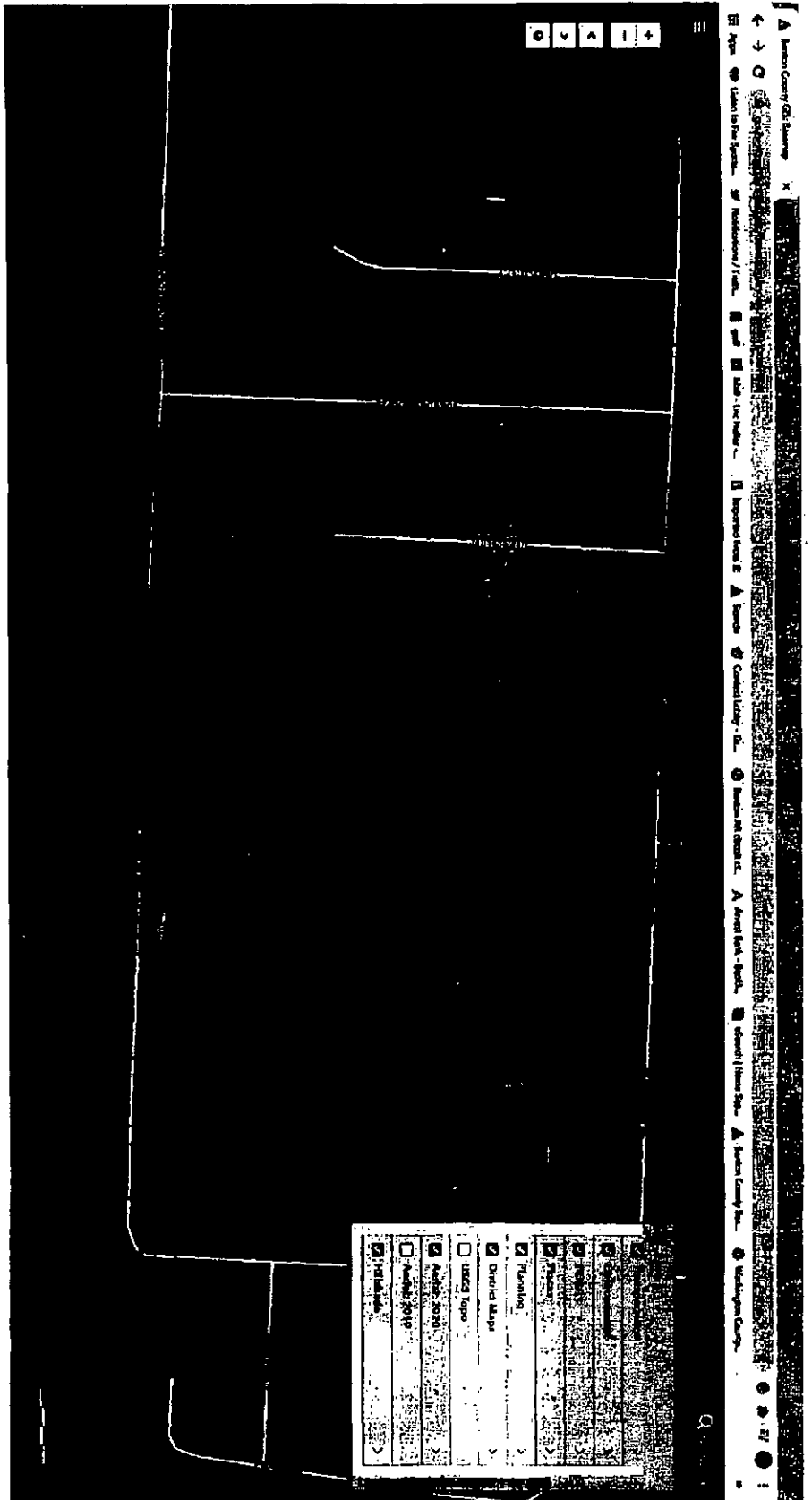
Parcel ID's 18-06387-000 & 18-06390-001  
DREAM STRUCTURES LLC  
PO BOX 39  
LOWELL AR 72745-0039

This letter is in regard to the proposed annexation of Benton County Parcel Numbers 18-06387-000 and 18-06390-000 into the City of Springdale. DREAM STRUCTURES LLC is requesting to annex the properties into the City of Springdale. As shown on the attached exhibit, the subject property is contiguous to the City of Springdale along its north and west boundaries. This annexation will not create any enclaves, as it already exists within an enclave and in fact aims to partially eliminate said enclave.

With regards

Mike Million,  
A Million Miracles Surveying, PLLC  
129 W Boles St. Ste A  
Fayetteville, Ar 72701  
(479)387-4361





2020 SEP 13 AM 9:20  
STERN  
CD & PROSTATE  
BOSTON OFFICE

FILED



**WATKINS, BOYER,  
GRAY & CURRY, PLLC**

ATTORNEYS AT LAW

WRITER'S DIRECT E-MAIL  
wkellstrom@watkinslawoffice.com

WILLIAM P. WATKINS, III, P.A.  
RONALD L. BOYER, P.A.  
JENNIFER E. GRAY, P.A.\*  
ANDREW T. CURRY, P.A.  
JOHN E. JENNINGS (OF COUNSEL)  
\* ALSO LICENSED IN MISSOURI

DELYNN HALE, SECRETARY  
AMY BENSON, PARALEGAL  
WHITNEY DUCKER, OFFICE MANAGER

September 9, 2020

Ms. Betsy Harrell  
Benton County Clerk  
215 E. Central Ave., Ste. 217  
Bentonville, AR 72712

**Re: Annexation Of Property Contiguous To The City Of Springdale, Arkansas  
NEW CASE FILING**

Dear Betsy:

Enclosed is an original and three copies of a Petition For Annexation of Property Contiguous to the City of City of Springdale, Arkansas for filing in the above styled matter.

I have included a prepaid envelope for returning the file-marked copies to me.

Thank you for your time and assistance. If you have any questions, please do not hesitate to contact me.

Sincerely,

WATKINS, BOYER,  
GRAY & CURRY, PLLC



Will Kellstrom

WK:ab  
Enclosure

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

FILED  
2020 SEP 21 AM 8:20

BETSY HARRELL  
CO. & PROBATE CLERK  
BENTON COUNTY, ARK.

CC 2020-15

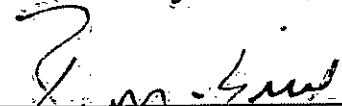
VERIFICATION OF PETITION FOR ANNEXATION PURSUANT TO ACA § 14-40-609

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



2020 SEP 21 AM 8:20

BENTON COUNTY  
CO & PROBATE CLERK  
BENTON COUNTY, AR

Date: September 18, 2020  
Subject: Proposed Annexation Checklist  
CC 2020-15 Springdale, 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

2020 SEP 13 AM 9:20  
BENTON COUNTY  
CO & P...  
BENTON...

THE COUNTY COURT OF BENTON COUNTY, ARKANSAS

CASE NO. 2020- 15

IN RE: ANNEXATION OF PROPERTY CONTIGUOUS TO THE CITY OF SPRINGDALE,  
BENTON COUNTY, ARKANSAS

**PETITION FOR ANNEXATION OF PROPERTY**  
**CONTIGUOUS TO THE**  
**CITY OF SPRINGDALE, ARKANSAS**

COMES NOW the Petitioner, Dream Structures, LLC, owner of certain real properties located in Benton County, Arkansas, petition the Court as follows:

1. That the Petitioner constitutes the sole ownership of one hundred percent (100%) of the real property that is the subject of this action.

2. That said property is contiguous to and adjoins the City of Springdale, Arkansas.

A map of the subject property is attached hereto as "Exhibit A". A survey and legal description of the subject property is attached hereto as "Exhibit B". The properties to be annexed are Parcel Nos. 18-06387-000 and 18-06390-001, and are depicted with checkered hatch and honeycomb hatch, respectively, as shown and labeled on Exhibit B. Specifically, Parcel No. 20-00117-006, or, the property depicted in diagonal hatch on Exhibit B, is already in Benton County and, accordingly, *is not* requested to be annexed.

4. The Petitioner respectfully requests that said property be released by the County and annexed to, added to, and included within the boundaries of the City of Springdale, Arkansas, pursuant to A.C.A. § 14-40-609.

5. The City of Springdale will extend law enforcement, life safety, and water and



sewer services to the subject property.

2010 SEP 13 AM 9:20

6. A letter demonstrating that Petitioner has coordinated with the Arkansas Geographic Information Systems Office, pursuant to A.C.A. § 14-40-101, has been attached hereto as "Exhibit C" and is hereby incorporated as though set forth fully herein.

7. A letter or title opinion from a certified title company verifying that the Petitioner is the owner of record of the subject property, pursuant to A.C.A. § 14-40-609, has been attached hereto as "Exhibit D" and is hereby incorporated as though set forth fully herein.

8. A letter or verification from a certified land surveyor verifying that the subject property is contiguous to the City of Springdale and that no enclaves will be created if the property or properties are accepted by the city or town, pursuant to A.C.A. § 14-40-609, has been attached hereto as "Exhibit E" and is hereby incorporated as though set forth fully herein.

WHEREFORE, premises considered, the Petitioner prays that this Court ascertain the propriety of this petition pursuant to A.C.A. § 14-40-609, enter its order releasing the subject properties for annexation into the City of Springdale to forward same to the City of Springdale pursuant to A.C.A. § 14-40-609, and for all other reasonable and proper relief.

DREAM STRUCTURES, LLC

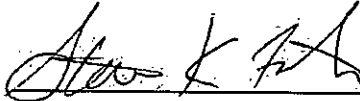
BY: W. Kellstrom

WILL KELLSTROM, His Attorney  
Arkansas Bar No. 2019145  
WATKINS, BOYER, GRAY & CURRY, PLLC  
1106 West Poplar  
Rogers, AR 72756  
(479) 636-2168

**VERIFICATION**

20. 09. 13 AM 9:20

I, Steve Fisher, Managing Member of Dream Structures, LLC, do hereby certify, upon oath, that the statements and averments contained in the foregoing Petition for Annexation are true and correct to the best of my knowledge and belief.

  
Steve Fisher

Subscribed and sworn to before me this 9<sup>th</sup> day of September, 2020.

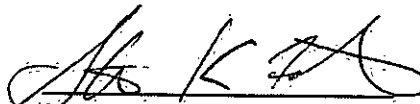


  
NOTARY PUBLIC

My Commission Expires:  
\_\_\_\_\_

**ATTESTATION**

I, Steve Fisher, Managing Member of Dream Structures, LLC, do hereby attest, upon oath, that I desire for the abovementioned properties to be annexed into the City of Springdale.

  
Steve Fisher

Subscribed and sworn to before me this 9<sup>th</sup> day of September, 2020.

  
NOTARY PUBLIC

My Commission Expires:  
\_\_\_\_\_

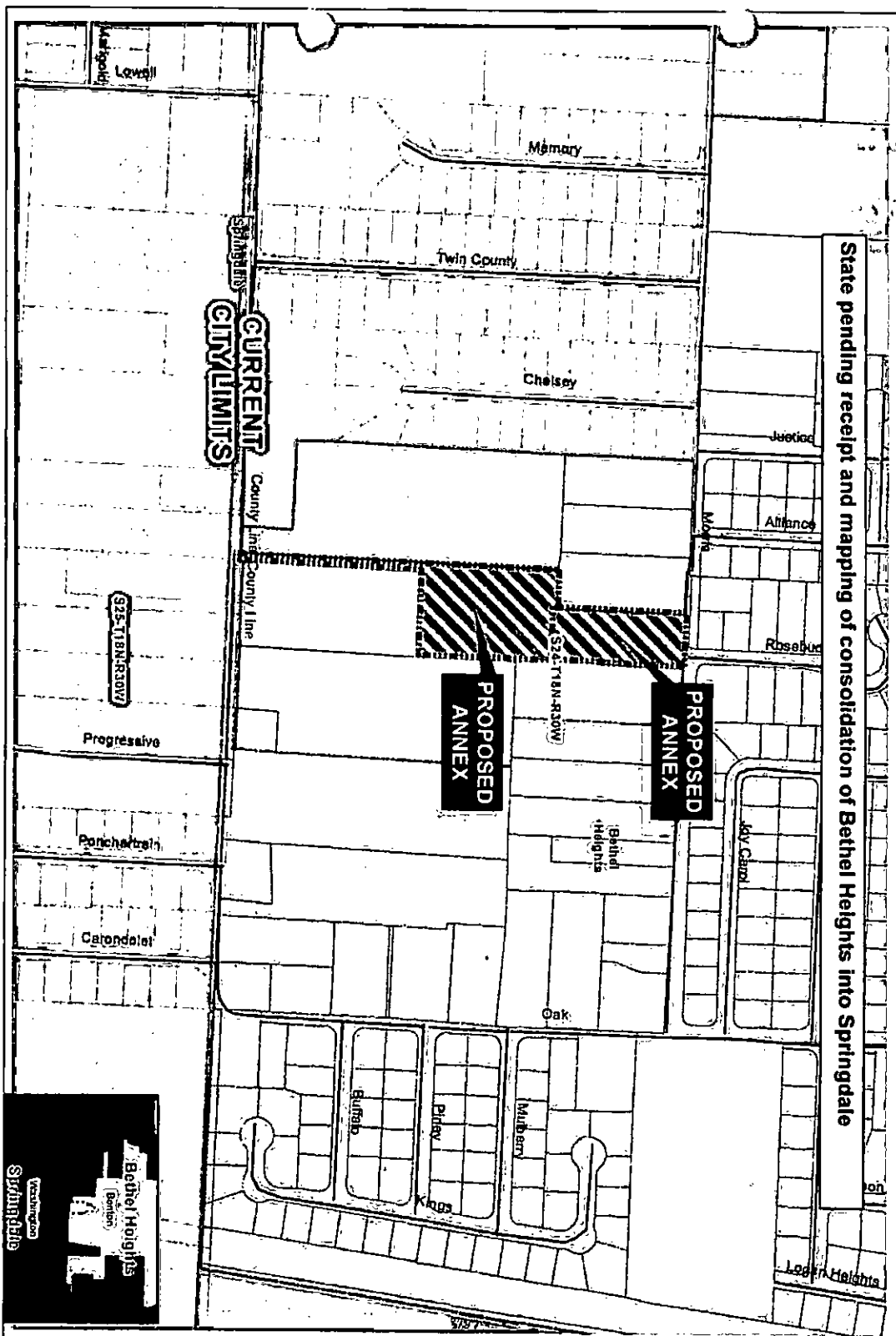




City: Springdale  
Mayor: Doug Sprouse

Proposed Annex: City of Springdale  
September 2020

State pending receipt and mapping of consolidation of Bethel Heights into Springdale



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, to evidence, the entity has met requirements of Act 914 of 2019



Arkansas GIS OFFICE  
14-40-101-101





# ARKANSAS GIS OFFICE

Department of Transformation  
and Shared Services  
Governor Asa Hutchinson  
Secretary Amy Fecher  
Director Shelby Johnson

September 3, 2020

Will A. Kellstrom  
Watkins, Boyer, Gray & Curry, PLLC  
1106 W. Poplar  
Rogers, AR 72756

RE: City of Springdale Annexation Coordination Requirement

Mr. Kellstrom,

Thank you for coordinating with our office as you seek to annex property into the City of Springdale, AR located in Section 24, Township 18 North, Range 30 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.

Because we are pending receipt of the consolidation of Bethel Heights into Springdale from the Arkansas Secretary of State, the enclosed map shows that the proposed annexation is in the City of Bethel Heights. It is likely that we will have received and mapped the consolidation before this proposed annexation is finalized.

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

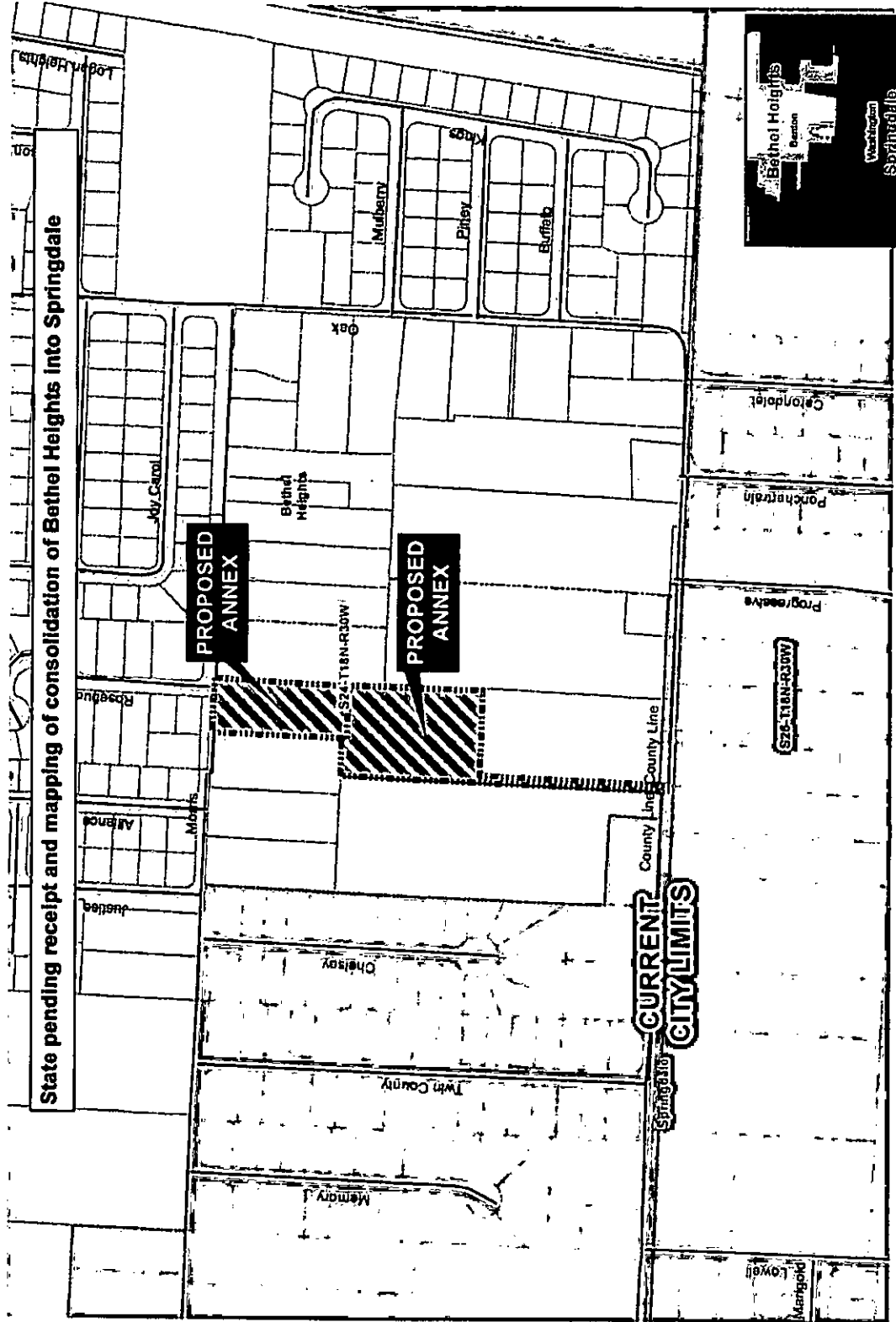
H:\City\_Annexations\Cities\Springdale\20200903\Doc\20200903\_Springdale\_Annexation\_Coordination\_Letter.docx

ARKANSAS GIS OFFICE  
1 Capitol Mall, Suite 6D • Little Rock, AR 72201 • 501.682.2767  
gis.arkansas.gov • transform.ar.gov



Proposed Annex: City of Springdale  
September 2020

City: Springdale  
Mayor: Doug Sprouse

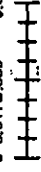


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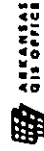
The map contained herein, in evidence, the entity has met requirements of Act 914 of 2015

- Proposed Annex
- Park
- School
- Highway
- Street Name
- Entity City
- Neighboring City
- County Boundary

0 0.0179 0.035 0.07



Miles



H:\GIS\Annexes\2020\Springdale\20200920

2020 05 13 AM 9:21

**SURVEY DESCRIPTION 18-06387-000**

CD

A PART OF THE SW1/4 OF THE SE1/4 OF SECTION 24, TOWNSHIP 18 NORTH, RANGE 30 WEST, BENTON COUNTY, ARKANSAS BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:  
BEGINNING AT A POINT LOCATED IN COUNTY LINE ROAD AT THE SW CORNER OF SAID 40 ACRE TRACT; THENCE LEAVING SAID COUNTY LINE ROAD AND RUNNING N02°19'12"E 935.01' ALONG THE WEST LINE OF SAID 40 ACRE TRACT TO A 5/8" IRON REBAR; THENCE LEAVING SAID WEST LINE AND RUNNING S87°53'30"E 110.55' TO A 5/8" IRON REBAR; THENCE S02°06'30"W 5.00' TO A 5/8" IRON REBAR; THENCE S87°53'30"E 150.00' TO A 5/8" IRON REBAR; THENCE S01°31'26"W 395.89' TO A 5/8" IRON REBAR; THENCE N87°54'26"W 245.13' TO A 5/8" IRON REBAR; THENCE S02°31'40"W 534.08' TO FEET TO A 5/8" IRON REBAR CAP #1519 LOCATED IN THE COUNTY LINE ROAD; THENCE WITH COUNTY LINE ROAD N87°53'30"W 19.00' FEET TO THE POINT OF BEGINNING, CONTAINING 2.65 ACRES, MORE OR LESS.  
SUBJECT TO ANY AND ALL EASEMENTS, RIGHTS-OF-WAYS, COVENANTS, OR DEED RESTRICTIONS OF RECORD OR FACT.

**SURVEY DESCRIPTION 18-06390-001**

A PART OF THE SW1/4 OF THE SE1/4 OF SECTION 24, TOWNSHIP 18 NORTH, RANGE 30 WEST, BENTON COUNTY, ARKANSAS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:  
COMMENCING AT THE NW CORNER OF SAID 40 ACRE TRACT, SAID POINT BEING LOCATED IN MORRIS AVE; THENCE S87°34'17"E 109.12 FEET ALONG BOTH MORRIS AVE AND THE NORTH LINE OF SAID 40 ACRE TRACT TO THE TRUE POINT OF BEGINNING; THENCE CONTINUING ALONG BOTH MORRIS AVE AND THE NORTH LINE OF SAID 40 ACRE TRACT S87°34'24"E 154.88 FEET TO A POINT; THENCE LEAVING BOTH MORRIS AVE AND SAID NORTH LINE AND RUNNING S02°49'30"W 390.03' TO A 5/8" IRON REBAR; THENCE N87°53'30"W 150.00' TO A 5/8" IRON REBAR; THENCE N02°06'30"E 390.86' TO FEET TO THE POINT OF BEGINNING, CONTAINING 1.37 ACRES, MORE OR LESS.  
SUBJECT TO THE MORRIS AVENUE ROAD RIGHT-OF-WAY ALONG THE NORTH LINE, A SWPCO ELECTRIC POWER EASEMENT ON THE NORTH BOUNDARY THEREOF AND ANY AND ALL EASEMENTS, RIGHTS-OF-WAY, COVENANTS, OR DEED RESTRICTIONS OF RECORD OR OF FACT.



**Advance Title**

PCI Advance Title, LLC.  
624 W. Walnut  
Rogers, AR 72756  
479.631.8274

2020 SEP 13 AM 9:20

Date: 8-31-2020

Watkins, Boyer, Gray & Curry, PLLC  
1106 W Poplar  
Rogers, AR 72726  
479.636.2168

Subject: Opinion Letter of Ownership of Property

To Whom It May Concern,

Upon review of Parcels 18-06387-000 and 18-06390-001, being part of Section 24, Township 18 North, Range 30 West, Benton County, Arkansas, the current owner of record is: Dream Structures, LLC.

Sincerely,

Authorized Countersignature

Larry Murphy  
Title Operations  
PCI Advance Title, LLC  
479-631-8274





A Million Miracles Surveying P.L.L.C.

Primary contact: Eric Heller

2020 SEP 13 AM 9:12  
129 W Boles Apt A  
Fayetteville, AR 72701

PH 479-387-4361

eric@amms-llc.com

CO & PO BOX  
BENTON COUNTY, AR

September 4, 2020

Planning/Development Review  
201 Spring Street  
Springdale, AR 72764

Re: Annexation of all or part of

Parcel ID's 18-06387-000 & 18-06390-001  
DREAM STRUCTURES LLC  
PO BOX 39  
LOWELL AR 72745-0039

This letter is in regard to the proposed annexation of Benton County Parcel Numbers 18-06387-000 and 18-06390-000 into the City of Springdale. DREAM STRUCTURES LLC is requesting to annex the properties into the City of Springdale. As shown on the attached exhibit, the subject property is contiguous to the City of Springdale along its north and west boundaries. This annexation will not create any enclaves, as it already exists within an enclave and in fact aims to partially eliminate said enclave.

With regards

Mike Million,  
A Million Miracles Surveying, PLLC  
129 W Boles St. Ste A  
Fayetteville, Ar 72701  
(479)387-4361







**WATKINS, BOYER,  
GRAY & CURRY, PLLC**

ATTORNEYS AT LAW

WILLIAM P. WATKINS, III, P.A.  
RONALD L. BOYER, P.A.  
JENNIFER E. GRAY, P.A.\*  
ANDREW T. CURRY, P.A.  
JOHN E. JENNINGS (OF COUNSEL)  
\* ALSO LICENSED IN MISSOURI

WRITER'S DIRECT E-MAIL  
wkellstrom@watkinslawoffice.com

DELYNN HALE, SECRETARY  
AMY BENSON, PARALEGAL  
WHITNEY DUCKER, OFFICE MANAGER

September 9, 2020

Ms. Betsy Harrell  
Benton County Clerk  
215 E. Central Ave., Ste. 217  
Bentonville, AR 72712

**Re: Annexation Of Property Contiguous To The City Of Springdale, Arkansas  
NEW CASE FILING**

Dear Betsy:

Enclosed is an original and three copies of a Petition For Annexation of Property Contiguous to the City of City of Springdale, Arkansas for filing in the above styled matter.

I have included a prepaid envelope for returning the file-marked copies to me.

Thank you for your time and assistance. If you have any questions, please do not hesitate to contact me.

Sincerely,

WATKINS, BOYER,  
GRAY & CURRY, PLLC



Will Kellstrom

WK:ab  
Enclosure



**ARKANSAS  
GIS OFFICE**

**Department of Transformation  
and Shared Services**  
Governor Asa Hutchinson  
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September 3, 2020

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Jennifer Wheeler, GIS Analyst

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