



JOHN THURSTON  
ARKANSAS SECRETARY OF STATE

August 29, 2019

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

Re: City of Springdale Annexation Ordinance 5381

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 (annexation by petition of all landowners)

Effective Date: 6/27/2019

County: Benton

City Ordinance: 5381

County Court Order: 2019-03

City: Springdale

Dated: 5/28/2019

Date Filed: 5/09/2019 & 6/6/19

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



# Arkansas Secretary of State

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

## Municipal Boundary Change Checklist

County: Benton City/Town: Springdale

City Ordinance/Resolution No: 5381 Date approved: 05/28/2019

County Court Case No: 2019-03 Date Order Filed: 05/09/2019 *at 11:19 9/13/19 sm*

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

Date Change Effective: 06/27/2019 Set by:  Municipal Ordinance  Emergency Clause  Default  
*(Required by Act 653 of 2017)*

For Circuit Court Challenge: Date Order Filed: \_\_\_\_\_  Upheld  Overturned  Other *(attach explanation)*

### Initiating party:

All Landowners  Majority Landowners  Municipal Governing Body  State  Other \_\_\_\_\_

### Supporting Documentation attached *(check all that apply):*

- File marked copy of City Ordinance/Resolution *(required)*
- File marked copy of County Court Order or certified annexation election results *(required except for island annexation)*
- Copy of Arkansas GIS Office 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

Street Address: 201 Spring St

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: 06/06/2019

*Pursuant to Act 655 of 2017, County Officials must submit a file-marked copy of municipal boundary change documentation 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: 

**FILED**

**AUG 29 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

June 6, 2019

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

RE: Americare of Arkansas LLC  
City of Springdale Annexation  
Benton County Court Case No. CC# 2019-03

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 May 9, 2019
3. Ordinance 5381 adopted on May 28, 2019, 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 Clemons

Betsy Harrell

BH/tku  
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

2019 JUN -6 PM 3: 14

BETSY HARRELL  
CO & PROBATE CLERK  
BENTON COUNTY, AR

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

CC 2019-03

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

\_\_\_\_\_  
Date

6/6/19

2019 2026

FILED

2019 MAY -9 PM 4:16

BETSY HARRELL  
CO & PROBATE CLERK  
BENTON COUNTY, AR

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

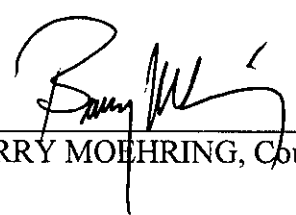
COUNTY COURT ORDER NO. CC 2019-03

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

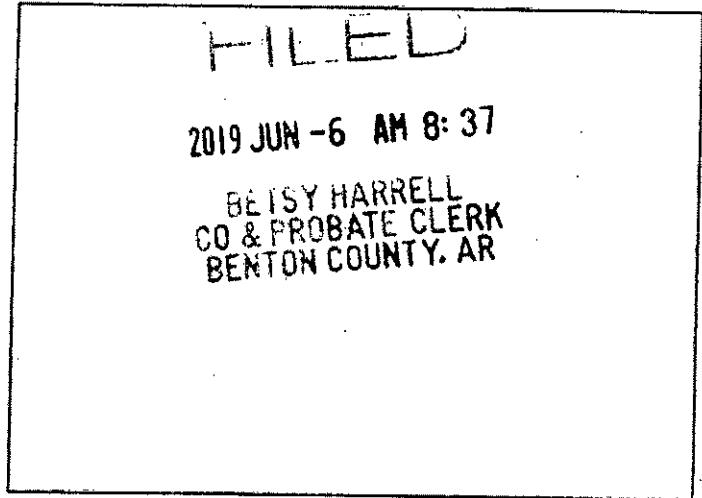
\_\_\_\_\_  
Date

5/9/19

2019 1674

**ORDINANCE NO. 5381**

**AN ORDINANCE ANNEXING  
CERTAIN PROPERTY INTO THE  
CITY OF SPRINGDALE, BENTON  
COUNTY, ARKANSAS, PURSUANT  
TO ARK. CODE ANN. §14-40-609.**



**WHEREAS**, Amicare of Arkansas, LLC; Rick Blanchard, Trustee of the Blanchard Living Trust; and Maxie W. Tomlinson, Trustee of the Tomlinson Revocable Living Trust, constitute the sole owners of one hundred percent (100%) of the real property currently located in Benton County, Arkansas, to-wit (and as shown on the attached map):

**Tract A: Parcel No. 18-08357-001**

A part of the E 1/2 of the NW 1/4 of Section 13, Township 18 North, Range 31 West, being more particularly described as follows: from the Southeast corner of the East half of the NW 1/4 of said Section 13, said point being the center of said Section 13, run North along the forty line 895.58 feet to the intersection of said forty line with the centerline of Arkansas Highway 112, said intersection point being the point of beginning and running thence along the centerline of said Arkansas Highway 112 North 44 degrees 51 minutes 35 seconds West 494.34 feet; thence North 44 degrees 08 minutes 52 seconds West 231.58 feet; thence North 42 degrees 54 minutes 53 seconds West 441.17 feet to the intersection of the centerline of said Arkansas Highway 112 with the centerline of a county road; thence along the centerline of said county road North 57 degrees 44 minutes 47 seconds East 100.49 feet; thence North 78 degrees 34 minutes 32 seconds East 890.98 feet; thence North 83 degrees 53 minutes 59 seconds East 649.70 feet to the intersection of the centerline of said county road with the said forty line; thence South along said forty line 978.38 feet to the point of beginning subject to the rights-of-way of said Arkansas Highway 112 and said county road, and subject to any other rights-of-way or easements of record.

Being that same property conveyed by David N. Phillips and A. Jean Phillips to ARTC, Inc. by Warranty Deed recorded September 30, 2002 with the Benton County Circuit Clerk's Office, at Book 2002, Page 139704.

**Tract B: Parcel No. 18-08358-000**

A part of the SW 1/4 of Section 12, and a part of the NW 1/4 of Section 13, all in Township 18 North, Range 31 West, Benton County, Arkansas, described as follows: Beginning at the N 1/4 Corner of said Section 13; thence N 00°00' E, 1198.8 feet to a point in the middle of Spring Creek; thence along the approximate centerline of said stream by the following courses; N 89°30' W, 440 feet; thence S 67°30' W 440 feet; thence S 59°10' W, 310 feet; thence S 57°10' W, 200

FILED

feet; thence S 57°30' W, 145.5 feet to the point of intersection with Highway 112 bridge; thence by the following courses, along the centerline of said Highway; ~~2019 July 26 AM 8:33~~ thence S 4°31' E, 146.8 feet; thence S 8°21' E, 561.1 feet; thence Southeastly along a curve with average radius of approx. 1637 feet and a Long Chord of S 24°05'40" E, 881.4 feet thence S 42°13' E, 193.6 feet; thence along the centerline of a County Road by the following courses, N 62°44' E, 100.2 feet; thence N 78°34'30" E, 81.0 feet; thence N 83°54' E 649.7 feet; thence leaving said centerline, N 0°00' E, 761.0 feet to the POINT OF BEGINNING.

Subject to ROW for County Road, Highway 112 and a Water Distribution Line.

**Tract C: Parcel No. 18-08354-000**

Part of the Southwest Quarter of the Southeast Quarter of Section (12) and part of the Northwest Quarter of the Northeast Quarter of Section 13 all in Township Eighteen (18) North of the Range Thirty-One (31) West, being more particularly described as follows;

Beginning at the Southeast corner of the West Half of the Northwest Quarter of the Northeast Quarter of said Section 13, thence East, 80 feet; thence North - 141 feet to the spring; thence following the spring branch North 37 1/2 degrees West - 158 feet; thence North 6 1/2 degrees West - 187 feet; thence North 17 1/4 degree West - 185 feet; thence North 6 degrees West - 155 feet to an elm tree in ditch; thence North - 1,225 feet; thence West - 565 feet to the West line of the Southwest Quarter of the Southeast Quarter of said Section 12; thence South - 1,965 feet to the Southwest corner of the Northwest Quarter of the Northeast Quarter of said Section 13; thence in East - 660 feet to the point of beginning; Containing 27.3 acres more or less in Benton County, Arkansas.

Also subject to a 25 foot easement of equal and uniform width, the centerline of said access easement being described as beginning a point South - 2055 feet, and East - 220 feet, of the Northwest corner of the Southwest Quarter of the Southeast Quarter of said Section 12, said point being in the center of Wagon Wheel Road, thence along said access centerline North - 1380 feet to the North line of the above described 27.3 acre Tract, and at the end of said access easement.

LESS AND EXCEPT: All lands North of the Section 13/Section 12 Section line.

**WHEREAS**, the owners of the above-described property have petitioned to be annexed into the City of Springdale, Arkansas, pursuant to Ark. Code Ann. §14-40-609;

**WHEREAS**, by Benton County Court Order No. CC 2019-03, dated and filed for record on May 9, 2019, the Benton County Judge entered an order authorizing annexation of the above-described real property into the City of Springdale, pursuant to Ark. Code Ann. §14-40-609;

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

FILED

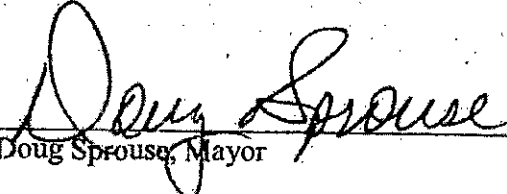
**Section 1:** That the petition of the property owners of the above-described property is hereby accepted, and the above-described property is hereby annexed into the City of Springdale, Benton County, Arkansas, pursuant to Ark. Code Ann. §14-40-609 and assigned to Ward 1 of the City of Springdale, Arkansas.

2019 JUN -8 AM 8:37  
CLERK OF DISTRICT  
CO & PROBATE CLERK  
BENTON COUNTY, AR

**Section 2:** The City Clerk shall certify and send one (1) copy of the plat of the annexed property and one (1) copy of this ordinance to the Benton County Clerk, who shall forward a copy to the Benton County Judge. If the Benton County Judge determines the requirements of Ark. Code Ann. §14-40-609 have been complied with and the annexation is in all respects proper, the Benton County Judge shall enter an order confirming the annexation. Upon receipt of the order of the Benton County Judge confirming the annexation, the Benton County Clerk shall forward a copy to the Secretary of State, who shall file and preserve each copy.

**Section 3:** Pursuant to Ark. Code Ann. §14-40-609, this annexation shall be final and the property shall be within the corporate limits of the City of Springdale, Arkansas, thirty (30) days after passage of this ordinance, and the inhabitants residing in the newly annexed property shall have and enjoy all the rights and privileges of the inhabitants within the City of Springdale, Arkansas.

**PASSED AND APPROVED** this 28<sup>th</sup> day of May, 2019.

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

ATTEST:

  
\_\_\_\_\_  
Denise Pearce, City Clerk

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Ernest B. Cate, City Attorney



FILED

2019 JUN -6 AM 8:37

BETSY HANRETT  
CLERK  
CLERK & PROBATE CLERK  
CLERK & PROBATE CLERK  
CLERK & PROBATE CLERK  
CLERK & PROBATE CLERK

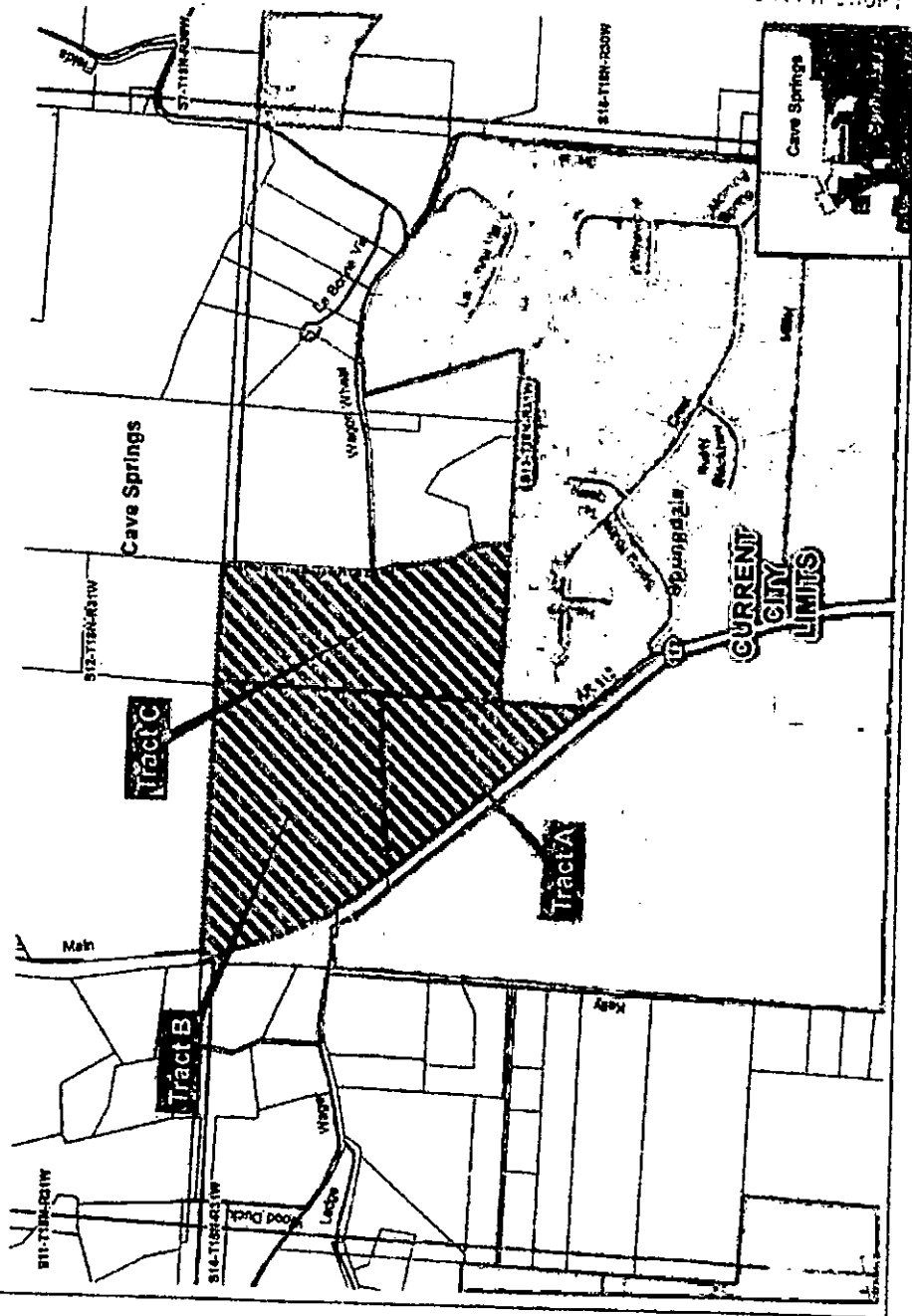
BETSY HANRETT  
CLERK & PROBATE CLERK  
CLERK & PROBATE CLERK  
CLERK & PROBATE CLERK

City: Springdale  
Mayor: Doug Sprouse

Address Code 14-03.101.  
Before an entry is made in an official record, the applicant must file with the City Clerk a copy of the plat or map showing the proposed subdivision. The plat or map must be approved by the City Engineer and the City Attorney. The City Engineer shall also determine whether the proposed subdivision complies with the applicable zoning ordinance and other regulations for the subdivision area.



Proposed Annex: City of Springdale  
April 2019





**ARKANSAS  
GIS OFFICE**

**FILED**

**2019 MAY -9 AM 9:05**

**BETSY HARRELL  
CO & PROBATE CLERK  
BENTON COUNTY, AR**

April 30, 2019

Ms. Tiffany Underwood  
Benton County Clerk's Office  
215 E. Central Ave.  
Bentonville, AR 72712

RE: City of Springdale Annexation Coordination Requirement

Ms. Underwood,

Thank you for coordinating with our office as you seek to file the annexation of property into the City of Springdale, located in Section 13, Township 18 North, Range 31 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  
/jw

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

H:\City\_Annexations\Cities\Springdale\20190307\Doc\20190307\_Springdale\_Annexation\_Coordination\_Letter.docx

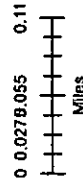
City: Springdale  
Mayor: Doug Sprouse

Proposed Annex: City of Springdale  
April 2019

Arkansas Code 14-40-101.

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

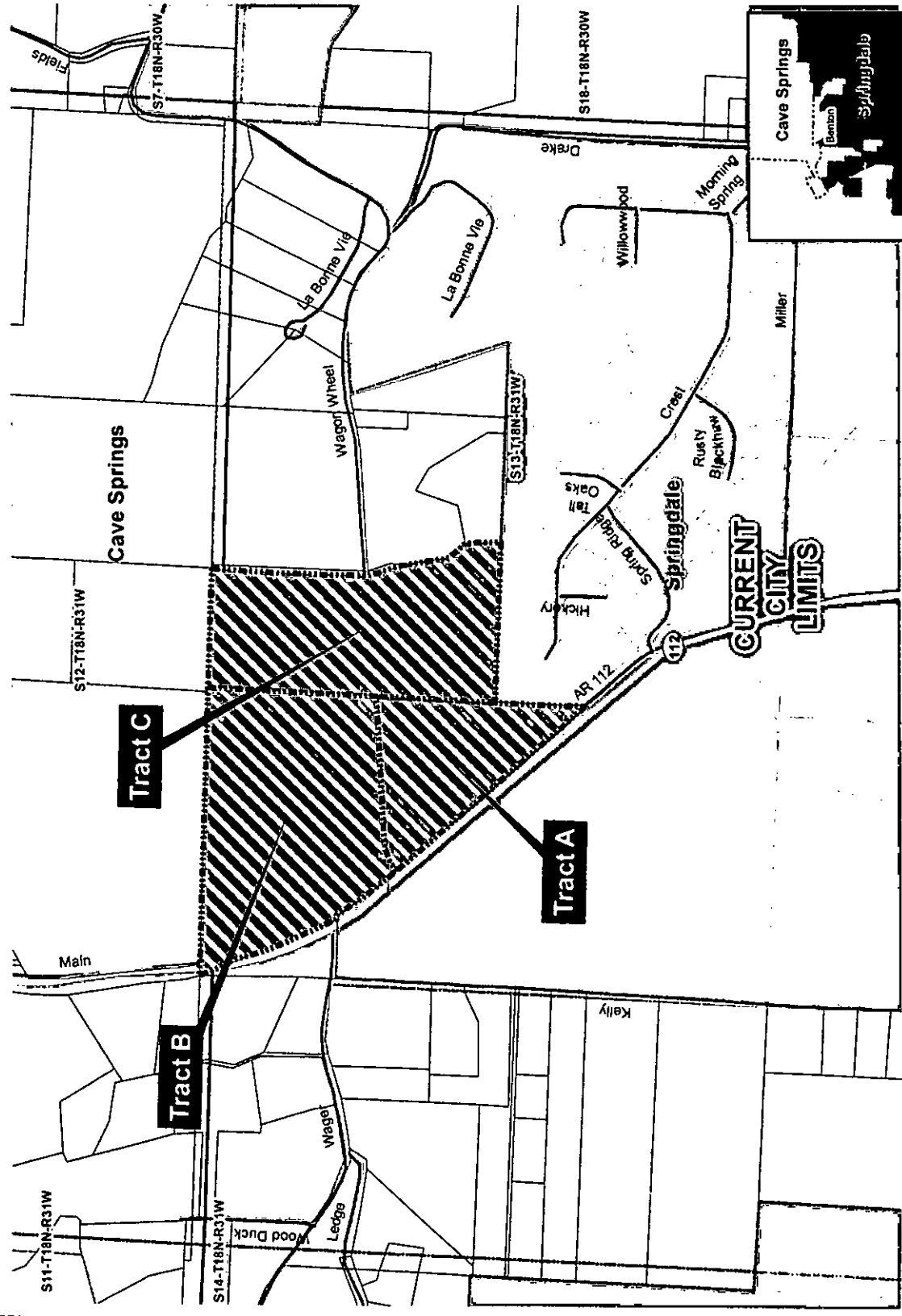
The map contained herein, is evidence, the entity has met requirements of Act 914 of 2015



FILED

2019 MAY - 8 AM 9:05

BETSY HARRIS, CLERK  
CO & PROBATE CLERK  
BENTON COUNTY, AR



FILED

FILED

2019 MAY -9 AM 9:05

2019 APR 29 PM 4:25

EXHIBIT B WASY HARRELL

PARCEL NO. 18008357-001  
CO. & PROBATE CLERK  
BENTON COUNTY, AR

DETSI HOF  
CO. & PROBATE CLERK  
BENTON COUNTY, AR

A part of the E 1/2 of the NW 1/4 of Section 13, Township 18 North, Range 31 West, being more particularly described as follows: from the Southeast corner of the East half of the NW 1/4 of said Section 13, said point being the center of said Section 13, run North along the forty line 895.58 feet to the intersection of said forty line with the centerline of Arkansas Highway 112, said intersection point being the point of beginning; and running thence along the centerline of said Arkansas Highway 112 North 44 degrees 51 minutes 35 seconds West 494.34 feet; thence North 44 degrees 08 minutes 52 seconds West 231.58 feet; thence North 42 degrees 54 minutes 53 seconds West 441.17 feet to the intersection of the centerline of said Arkansas Highway 112 with the centerline of a county road; thence along the centerline of said county road North 57 degrees 44 minutes 47 seconds East 100.49 feet; thence North 78 degrees 34 minutes 32 seconds East 80.98 feet; thence North 83 degrees 53 minutes 59 seconds East 649.70 feet to the intersection of the centerline of said county road with the said forty line; thence South along said forty line 978.38 feet to the point of beginning, subject to the rights-of-way of said Arkansas Highway 112 and said county road, and subject to any other rights-of-way or easements of record.

Being that same property conveyed by David N. Phillips and A. Jean Phillips to ARTC, Inc, by Warranty Deed recorded September 30, 2002 with the Benton County Circuit Clerk's Office, at Book 2002, Page 139704.

FILED

2019 MAY -9 AM 9:05

FILE

BETSY HARRELL 2019 APR 29 PM 4:25  
CO & PROBATE CLERK

EXHIBIT "B" BENTON COUNTY, ARK. BETSY HARRELL  
CO & PROBATE CLERK  
BENTON COUNTY, ARK.

Parcel No. 18-08358-000

A part of the SW 1/4 of Section 12, and a part of the NW 1/4 of Section 13, all in Township 18 North, Range 31 West, Benton County, Arkansas, described as follows: Beginning at the N 1/4 Corner of said Section 13; thence N 0°00' E, 1198.8 feet to a point in the middle of Spring Creek; thence along the approximate centerline of said stream by the following courses; N 80°30' W, 440 feet; thence S 67°30' W 440 feet; thence S 59°10' W, 310 feet; thence S 57°10' W, 200 feet; thence S 57°30' W, 145.5 feet to the point of intersection with Highway 112 bridge; thence by the following courses, along the centerline of said Highway; Southerly with centerline of said bridge, (by Long Chord) S 4°31' E, 146.8 feet; thence S 8°21' E, 561.1 feet; thence South-easterly along a curve with average radius of approx. 1637 feet, and a Long Chord of S 24°05'40" E, 881.4 feet; thence S 42°13' E, 193.6 feet; thence along the centerline of a County Road by the following courses, N 62°44' E, 100.2 feet; thence N 78°34'30" E, 81.0 feet; thence N 83°54' E 649.7 feet; thence leaving said centerline, N 0°00' E, 761.0 feet to the POINT OF BEGINNING.

Subject to ROW for County Road, Highway 112 and a Water Distribution Line.

LESS AND EXCEPT: All lands North of the Section 13/Section 12 Section Line.

FILED

FILED

2019 MAY -9 AM 9: 05

2019 APR 29 PM 4: 25

BETSY HARRELL  
CO & PROBATE CLERK  
EXHIBIT ROOM COUNTY, AR

BETSY HARRELL  
CO & PROBATE CLERK  
EXHIBIT ROOM COUNTY, AR

Parcel No. 18-08354-000

**Part of the Southwest Quarter of the Southeast Quarter of Section (12) and part of the Northwest Quarter of the Northeast Quarter of Section 13 all in Township Eighteen (18) North of the Range Thirty-One (31) West, being more particularly described as follows;**

**Beginning at the Southeast corner of the West Half of the Northwest Quarter of the Northeast Quarter of said Section 13, thence East, 80 feet; thence North - 141 feet to the spring; thence following the spring branch North 37 ½ degrees West -158 feet; thence North 6 ¼ degrees West - 187 feet; thence North 17 ¼ degree West - 185 feet; thence North 6 degrees West - 155 feet to an elm tree in ditch; thence North - 1,225 feet; thence West - 565 feet to the West line of the Southwest Quarter of the Southeast Quarter of said Section 12; thence South - 1,965 feet to the Southwest corner of the Northwest Quarter of the Northeast Quarter of said Section 13; thence in East - 660 feet to the point of beginning; Containing 27.3 acres more or less in Benton County, Arkansas**

**Also subject to a 25 foot easement of equal and uniform width, the centerline of said access easement being described as beginning a point South - 2055 feet, and East - 220 feet, of the Northwest corner of the Southwest Quarter of the Southeast Quarter of said Section 12, said point being in the center of Wagon Wheel Road, thence along said access centerline North - 1380 feet to the North line of the above described 27.3 acre tract, and at the end of said access easement**

**LESS AND EXCEPT: All lands North of the Section13/Section12 Section line..**

THE COUNTY COURT OF BENTON COUNTY, ARKANSAS

FILED

CASE NO. 2019- 03

2019 APR 29 PM 4: 25

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

BETSY HARRELL  
CO & PROBATE CLERK  
BENTON COUNTY, AR

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

COME NOW the petitioners, Amicare of Arkansas, LLC., Rick Blanchard, Trustee of the Blanchard Living Trust, and Maxie W. Tomlinson, Trustee of the Tomlinson Revocable Living Trust, owners of certain real properties located in Benton County, Arkansas, and for the purpose of correcting the legal descriptions attached to their original Petition now Amend their Petition for annexation and advise the Court as follows:

1. That the petitioners constitute the sole ownership of one hundred percent (100%) of the real property that is the subject of this action.
2. That said property is, as a whole, contiguous to and adjoins the City of Springdale, Arkansas. Legal descriptions of the subject properties, identified by parcel number, are attached hereto as "Exhibits A, B and C". An aerial map of the properties is attached as "Exhibit D". All of such property is south of the Section 12 / Section 13 section line.
4. The petitioners respectfully request 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 properties.
6. The petitioners request that the subject be assigned a zoning designation of A-1.

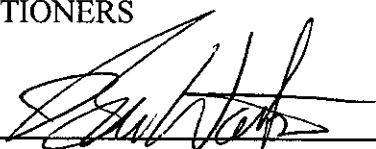
WHEREFORE, premises considered, the petitioners pray that this Court ascertain the propriety of this Amended Petition pursuant to A.C.A. 14-40-609, enter its order releasing the

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 purposes.

**FILED**

2019 APR 29 PM 4:25

AMICARE OF ARKANSAS, L.P.C. RICK HARRELL  
BLANCHARD, TRUSTEE OF THE PROBATE CLERK  
BLANCHARD LIVING TRUST, and MAXIE W. AR  
TOMLINSON, TRUSTEE OF THE TOMLINSON  
REVOCABLE LIVING TRUST  
PETITIONERS

BY: 

BILL WATKINS, their Attorney  
Arkansas Bar No. 84209  
WATKINS, BOYER, GRAY & CURRY, PLLC  
1106 West Poplar  
Rogers, AR 72756  
(479) 636-2168



FILED

2019 APR 29 PM 4:25

EXHIBIT "A"

PARCEL NO. 18-08357-001

BETSY HARRELL  
CO & PROBATE CLERK  
BENTON COUNTY, AR

A part of the E ½ of the NW ¼ of Section 13, Township 18 North, Range 31 West, being more particularly described as follows: from the Southeast corner of the East half of the NW ¼ of said Section 13, said point being the center of said Section 13, run North along the forty line 895.58 feet to the intersection of said forty line with the centerline of Arkansas Highway 112, said intersection point being the point of beginning; and running thence along the centerline of said Arkansas Highway 112 North 44 degrees 51 minutes 35 seconds West 494.34 feet; thence North 44 degrees 08 minutes 52 seconds West 231.58 feet; thence North 42 degrees 54 minutes 53 seconds West 441.17 feet to the intersection of the centerline of said Arkansas Highway 112 with the centerline of a county road; thence along the centerline of said county road North 57 degrees 44 minutes 47 seconds East 100.49 feet; thence North 78 degrees 34 minutes 32 seconds East 80.98 feet; thence North 83 degrees 53 minutes 59 seconds East 649.70 feet to the intersection of the centerline of said county road with the said forty line; thence South along said forty line 978.38 feet to the point of beginning, subject to the rights-of-way of said Arkansas Highway 112 and said county road, and subject to any other rights-of-way or easements of record.

Being that same property conveyed by David N. Phillips and A. Jean Phillips to ARTC, Inc, by Warranty Deed recorded September 30, 2002 with the Benton County Circuit Clerk's Office, at Book 2002, Page 139704.

FILED

2019 APR 29 PM 4:25

EXHIBIT "B"  
Parcel No. 18-08358-000

BETSY HARRELL  
CO & PROBATE CLERK  
BENTON COUNTY, AR

A part of the SW 1/4 of Section 12, and a part of the NW 1/4 of Section 13, all in Township 18 North, Range 31 West, Benton County, Arkansas, described as follows: Beginning at the N 1/4 Corner of said Section 13; thence N 0°00' E, 1198.8 feet to a point in the middle of Spring Creek; thence along the approximate centerline of said stream by the following courses; N 80°30' W, 440 feet; thence S 67°30' W 440 feet; thence S 59°10' W, 310 feet; thence S 57°10' W, 200 feet; thence S 57°30' W, 145.5 feet to the point of intersection with Highway 112 bridge; thence by the following courses, along the centerline of said Highway; Southerly with centerline of said bridge, (by Long Chord) S 4°31' E, 146.8 feet; thence S 8°21' E, 561.1 feet; thence South-easterly along a curve with average radius of approx. 1637 feet, and a Long Chord of S 24°05'40" E, 981.4 feet; thence S 42°13' E, 193.6 feet; thence along the centerline of a County Road by the following courses, N 62°44' E, 100.2 feet; thence N 78°34'30" E, 81.0 feet; thence N 83°54' E 649.7 feet; thence leaving said centerline, N 0°00' E, 761.0 feet to the POINT OF BEGINNING.

Subject to ROW for County Road, Highway 112 and a Water Distribution Line.

LESS AND EXCEPT: All lands North of the Section 13/Section 12 Section Line.

FILED

2019 APR 29 PM 4: 25

BETSY HARRELL  
CO & PROBATE CLERK  
BENTON COUNTY, AR

EXHIBIT "C"

Parcel No. 18-08354-000

**Part of the Southwest Quarter of the Southeast Quarter of Section (12) and part of the Northwest Quarter of the Northeast Quarter of Section 13 all in Township Eighteen (18) North of the Range Thirty-One (31) West, being more particularly described as follows:**

**Beginning at the Southeast corner of the West Half of the Northwest Quarter of the Northeast Quarter of said Section 13, thence East, 80 feet; thence North - 141 feet to the spring; thence following the spring branch North 37 ½ degrees West -158 feet; thence North 6 ½ degrees West - 187 feet; thence North 17 ½ degrees West - 185 feet; thence North 6 degrees West - 155 feet to an elm tree in ditch; thence North - 1,225 feet; thence West - 565 feet to the West line of the Southwest Quarter of the Southeast Quarter of said Section 12; thence South - 1,965 feet to the Southwest corner of the Northwest Quarter of the Northeast Quarter of said Section 13; thence in East - 660 feet to the point of beginning; Containing 27.3 acres more or less in Benton County, Arkansas**

**Also subject to a 25 foot easement of equal and uniform width, the centerline of said access easement being described as beginning a point South - 2055 feet, and East - 220 feet, of the Northwest corner of the Southwest Quarter of the Southeast Quarter of said Section 12, said point being in the center of Wagon Wheel Road, thence along said access centerline North - 1380 feet to the North line of the above described 27.3 acre tract, and at the end of said access easement**

**LESS AND EXCEPT: All lands North of the Section13/Section12 Section line..**





FILED

EXHIBIT "A"

PARCEL NO. 18-08357-001

2019 MAR -5 AM 9:21

BETSY HARRELL  
CLERK  
BENTON COUNTY, AR

A part of the E ½ of the NW ¼ of Section 13, Township 18 North, Range 30 West, being more particularly described as follows: from the Southeast corner of the East half of the NW ¼ of said Section 13, said point being the center of said Section 13, run North along the forty line 895.58 feet to the intersection of said forty line with the centerline of Arkansas Highway 112, said intersection point being the point of beginning; and running thence along the centerline of said Arkansas Highway 112 North 44 degrees 51 minutes 35 seconds West 494.34 feet; thence North 44 degrees 08 minutes 52 seconds West 231.58 feet; thence North 42 degrees 54 minutes 53 seconds West 441.17 feet to the intersection of the centerline of said Arkansas Highway 112 with the centerline of a county road; thence along the centerline of said county road North 57 degrees 44 minutes 47 seconds East 100.49 feet; thence North 78 degrees 34 minutes 32 seconds East 80.98 feet; thence North 83 degrees 53 minutes 59 seconds East 649.70 feet to the intersection of the centerline of said county road with the said forty line; thence South along said forty line 978.38 feet to the point of beginning, subject to the rights-of-way of said Arkansas Highway 112 and said county road, and subject to any other rights-of-way or easements of record.

Being that same property conveyed by David N. Phillips and A. Jean Phillips to ARTC, Inc, by Warranty Deed recorded September 30, 2002 with the Benton County Circuit Clerk's Office, at Book 2002, Page 139704.

FILED

2019 MAR -5 AM 9:21

EXHIBIT "B"

Parcel No. 18-08358-000

BETSY HAKRELL  
CO & PROBATE CLERK  
BENTON COUNTY, AR

A part of the SW 1/4 of Section 12, and a part of the NW 1/4 of Section 13, all in Township 18 North, Range 31 West, Benton County, Arkansas, described as follows: Beginning at the N 1/4 Corner of said Section 13; thence N 0°00' E, 1198.8 feet to a point in the middle of Spring Creek; thence along the approximate centerline of said stream by the following courses; N 80°30' W, 440 feet; thence S 67°30' W 440 feet; thence S 59°10' W, 310 feet; thence S 57°10' W, 200 feet; thence S 57°30' W, 145.5 feet to the point of intersection with Highway 112 bridge; thence by the following courses, along the centerline of said Highway; Southerly with centerline of said bridge, (by Long Chord) S 4°31' E, 146.8 feet; thence S 8°21' E, 561.1 feet; thence South-easterly along a curve with average radius of approx. 1637 feet, and a Long Chord of S 24°05'40" E, 881.4 feet; thence S 42°13' E, 193.6 feet; thence along the centerline of a County Road by the following courses, N 62°44' E, 100.2 feet; thence N 78°34'30" E, 81.0 feet; thence N 83°54' E 649.7 feet; thence leaving said centerline, N 0°00' E, 761.0 feet to the POINT OF BEGINNING.

Subject to ROW for County Road, Highway 112 and a Water Distribution Line.

FILED

2019 MAR -5 AM 9:21

EXHIBIT "C"  
Parcel No. 18-08354-000

BETSY HARRELL  
CO & PROBATE CLERK  
BENTON COUNTY, AR

Part of the Southwest Quarter of the Southeast Quarter of Section (12) and part of the Northwest Quarter of the Northeast Quarter of Section 13 all in Township Eighteen (18) North of the Range Thirty-One (31) West, being more particularly described as follows;

Beginning at the Southeast corner of the West Half of the Northwest Quarter of the Northeast Quarter of said Section 13, thence East, 80 feet; thence North - 141 feet to the spring; thence following the spring branch North 37 ½ degrees West -158 feet; thence North 6 ½ degrees West - 187 feet; thence North 17 ¼ degrees West - 185 feet; thence North 6 degrees West - 155 feet to an elm tree in ditch; thence North - 1,225 feet; thence West - 565 feet to the West line of the Southwest Quarter of the Southeast Quarter of said Section 12; thence South - 1,965 feet to the Southwest corner of the Northwest Quarter of the Northeast Quarter of said Section 13; thence in East - 660 feet to the point of beginning; Containing 27.3 acres more or less in Benton County, Arkansas

Also subject to a 25 foot easement of equal and uniform width, the centerline of said access easement being described as beginning a point South - 2055 feet, and East - 220 feet, of the Northwest corner of the Southwest Quarter of the Southeast Quarter of said Section 12, said point being in the center of Wagon Wheel Road, thence along said access centerline North - 1380 feet to the North line of the above described 27.3 acre Tract, and at the end of said access easement



# City of Springdale Zoning Map

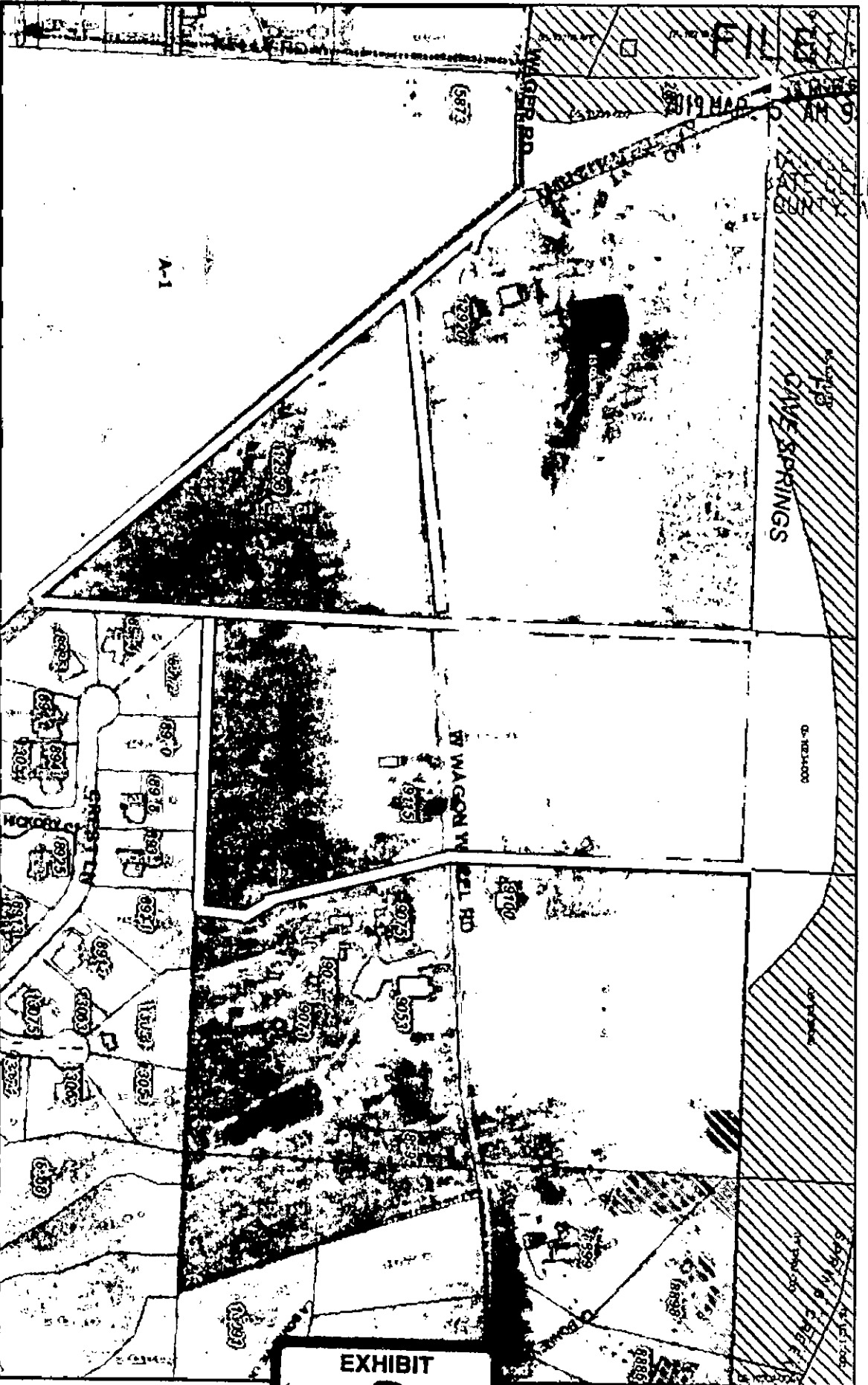


EXHIBIT  
D

December 12, 2018

- Washington Co. Parcels
- Benton Co. Parcels
- SCHOOLS
- MAIN CHANNEL
- TRIBUTARY
- RAILROAD
- RAMP
- LOCAL
- INTERSTATE
- LAKES
- BUILDINGS
- U.S. HWY
- PRIVATE
- INTERSTATE
- AR HWY
- STREETS - MAIN
- STREETS - ALL
- INTERSTATE

1:4,000  
0 0.03 0.07 0.13 mi  
0 0.05 0.1 0.2 km  
City of Springdale, Clayton Seaberry  
Clayton Seaberry | City of Springdale |



**Advance Title**

FILED Advance Title, LLC.

624 W Walnut

Rogers, AR 72756

2019 MAR -5 AM 9:21

BETSY HARRELL  
CO & PROBATE CLERK  
BENTON COUNTY, AR

Date: February 5, 2019

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

Subject: Opinion Letter of Ownership of Property

To Whom It May Concern,

Upon review of Parcel 18-08357-001, which has a property address of 12958 HWY 112, Springdale, Benton County, Arkansas: the current owner of record is: Amicare of Arkansas, LLC.

Upon review of Parcel 18-08358-000, which has a property address of 12920 HWY 112, Springdale, Benton County, Arkansas: the current owner of record is: Rick A. Blanchard, trustee of The Rick A. Blanchard Living Trust dated August 18, 1989.

Upon review of Parcel 18-08354-000, which has a property address of 9115 W Wagon Wheel Rd, Springdale, Benton County, Arkansas: the current owner of record is: Maxie Tomlinson, trustee of the Maxie Tomlinson Revocable Living Trust u/t/a September 4, 2003.

Sincerely,

Authorized Countersignature

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

# ENGINEERING SERVICES INC.

1207 S. Old Missouri Rd. • P.O. Box 282 • Springdale, Arkansas 72765-0282

Ph: 479-751-8783 • Fax: 479-751-8746

FILED

2019 MAR -5 AM 9:21

BETSY HARRELL  
CO & PROBATE CLERK  
BENTON COUNTY, AR

February 5, 2019

Mr. Bill Watkins  
Watkins Boyer Gray & Curry PLLC  
1106 W. Poplar Street  
Rogers, Arkansas 72756

Re: Proposed annexation to the City of Springdale, Arkansas.

Dear Mr. Watkins:

I, S. Craig Davis, a Licensed Professional Land Surveyor in the State of Arkansas, do hereby certify, that to the best of my knowledge and ability, have concluded that the collective properties of Maxie W. Tomlinson (9115 W. Wagon Wheel Road, Springdale, AR 72762, Parcel No. 18-08354-000); Richard A. Blanchard (12920 Arkansas Highway No. 112, Parcel No. 18-08358-000) and Amicare of Arkansas LLC (12957 Arkansas State Highway No. 112, Parcel No. 18-08357-001), are contiguous to the City of Springdale, Washington County, Arkansas.

Sincerely,



S. Craig Davis, PLS  
Survey Department Manager  
Engineering Services, Inc.  
1207 S. Old Missouri Road  
Springdale, AR 72764



Brian J. Moore, P.E.  
President

Tim J. Mays, P.E.  
Vice President

Jason Appel, P.E.  
Secretary/Treasurer

Jerry W. Martin  
Chairman of the Board

Consulting Engineers and Surveyors

[www.engineeringservices.com](http://www.engineeringservices.com)