



ARKANSAS SECRETARY OF STATE

MARK MARTIN

August 30, 2017

The Honorable Teresa Rouse
Poinsett County Clerk
401 Market St.
Harrisburg, AR 72432

Re: City of Trumann Annexation Ordinance 628

Dear Ms. Rouse,

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

Filing Type: Annexation pursuant to A.C.A § 14-40-609 (petition by 100% of the land owners)

Effective Date: 08/25/2017

County: Poinsett

City: Trumann

City Ordinance: 628

Dated: 07/26/2017

County Court Order: CC2017-02

Filed: 07/12/2017 Hon. Bob Cantrell, Poinsett County Judge

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 boundary change by the Arkansas Secretary of State.

If you have any questions or concerns regarding this pending filing, please contact our office at 501-682-3401.

Sincerely,

A handwritten signature in cursive script that reads "Cynthia Fisher".

Cynthia Fisher
Arkansas Secretary of State Legal Division
500 Woodlane St, Room 256
Little Rock, AR 72201
501-682-3401

cc: Arkansas Geographic Information Systems Office (w/ encl)
Arkansas Highway and Transportation Department Mapping Department (w/ encl)
Department of Finance and Administration (w/encl)
Arkansas Public Service Commission (w/encl)
UALR Institution for Economic Advancement (w/encl)
Tom-Tom (w/encl)
Hon. Barbara Lewallen, Mayor of Trumann (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: Poinsett _____ City/Town: Trumann _____

City Ordinance/Resolution No: 628 _____ Date approved: July 25, 2017 _____

County Court Case No: CC2017-02 _____ Date Order Filed: July 12, 2017 _____

Type: A.C.A. 14-40-609 100% of landowners _____

Date Change Effective: Aug 25, 2017 ___ 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: Barbara Lewallen _____ Title: Mayor _____

Street 225 Highway 463 / P O Box 120 : _____

City: Trumann _____ St: AR _____ Zipcode: 72472 _____

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: Teresa Rouse _____ Title: Poinsett County Clerk _____

Date: 8-22-17

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: Cynthia Fisher _____

FILED

AUG 30 2017

**Arkansas
Secretary of State**

ORDINANCE NO. 628



**AN ORDINANCE ACCEPTING
THE ANNEXATION OF CERTAIN
TERRITORY TO THE CITY
OF TRUMANN AND APPROVING THE
SCHEDULE OF SERVICES TO BE
EXTENDED TO SAID AREA**

WHEREAS, a petition was filed, pursuant to Arkansas Code Annotated section 14-60-609, for the annexation of certain territory in the city of Trumann, Arkansas; and

WHEREAS, the Poinsett County Assessor and the Poinsett County Clerk have (A) Verified the identity of the petitioners; (B) Verified that there are no property owners included in the petition that do not wish to have their property annexed; (C) Verified that the property or properties are contiguous with the city of Trumann; (D) Verified that no enclaves will be created if the petition is accepted by the city of Trumann; and presented the petition and their respective verifications to the Poinsett County Judge; and

WHEREAS, the County Judge has (A) reviewed the petition and verifications for completeness and accuracy; (B) determined that no enclaves will be created by the annexation; (C) confirmed that the petition contains a schedule of services – police and fire protection; (D) found that the land to be annexed is valuable by its adaptability for prospective municipal uses and (E) issued an order articulating these findings and forwarded the petition and order to the contiguous city of Trumann for consideration; and

WHEREAS, it is the desire of the City Council of Trumann that said territory be annexed.

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

SECTION 1. That the following described territory, contiguous to the city of Trumann, be and the same is hereby accepted as part of, and annexed to and made a part of the city of Trumann, Arkansas:

- Tract A. The Southwest ¼ of the Northeast ¼ of Section 15, Township 12 N, Range 5 East; and the Southeast ¼ of the Northwest ¼ of Section 15, Township 12 North, Range 5 East, containing 80 acres more or less and belonging to M & D Berry Farm, LLC.
- Tract B. The West 12 acres, more or less, of the SE ¼ of NE ¼ of Section 15, Township 12 North, Range 5 East, belonging to Main Street Investors, LLC.

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**Arkansas
Secretary of State**

SECTION 2. That the following schedule of services shall be extended to the area by the city of Trumann within the statutorily required three (3) year period after the date the annexation becomes final, as follows: Police and Fire protection.

SECTION 3. That the above-described territory shall be annexed to and made a part of Ward five (5) of the City of Trumann, and the same shall henceforth be a part of said ward as fully as existing parts of said ward.

SECTION 4. Thirty (30) days after passage and publication or posting of this Ordinance as authorized by law, the annexation shall be final and the property shall be within the corporate limits of the city of Trumann, except as otherwise ordered by the Circuit Court pursuant to a cause of action filed within said thirty (30) day period.

PASSED AND APPROVED THIS 25th DAY OF July, 2017.

Barbara Lewallen
MAYOR

ATTEST:

Marene Hancock
CITY CLERK

COPY

IN THE POINSETT COUNTY COURT



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

ORDER CONCERNING ANNEXATION

On this regular day of a regular term of the County Court of Poinsett County, Arkansas, there is presented to the Court by Jimmy Gazaway, counsel for the city of Trumann, having been authorized to act on behalf of the Petitioners, Donald Berry and Darin Walton, the petition of real estate owners desiring the annexation of territory to the city of Trumann, Arkansas, more particularly described therein. The court has received the verification on the county assessor and county clerk required by Arkansas Code Annotated §14-40-609. This Court being fully advised of the facts and the law, does hereby find as follows:

- 1. The Court finds that the petition and verifications are complete and accurate.
2. The Court further finds that no enclaves will be created by the annexation.
3. The Court finds that the petition contains a schedule of services.
4. The Court further finds that the territory consists of lands that are valuable by reason of their adaptability for prospective municipal uses.

Therefore, the Court hereby ORDERS that the petition and this Order be delivered to the city of Trumann, Arkansas.

Bob Cantrell, Poinsett County Judge

7-12-2017
Date

FILED

AUG 30 2017

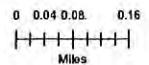
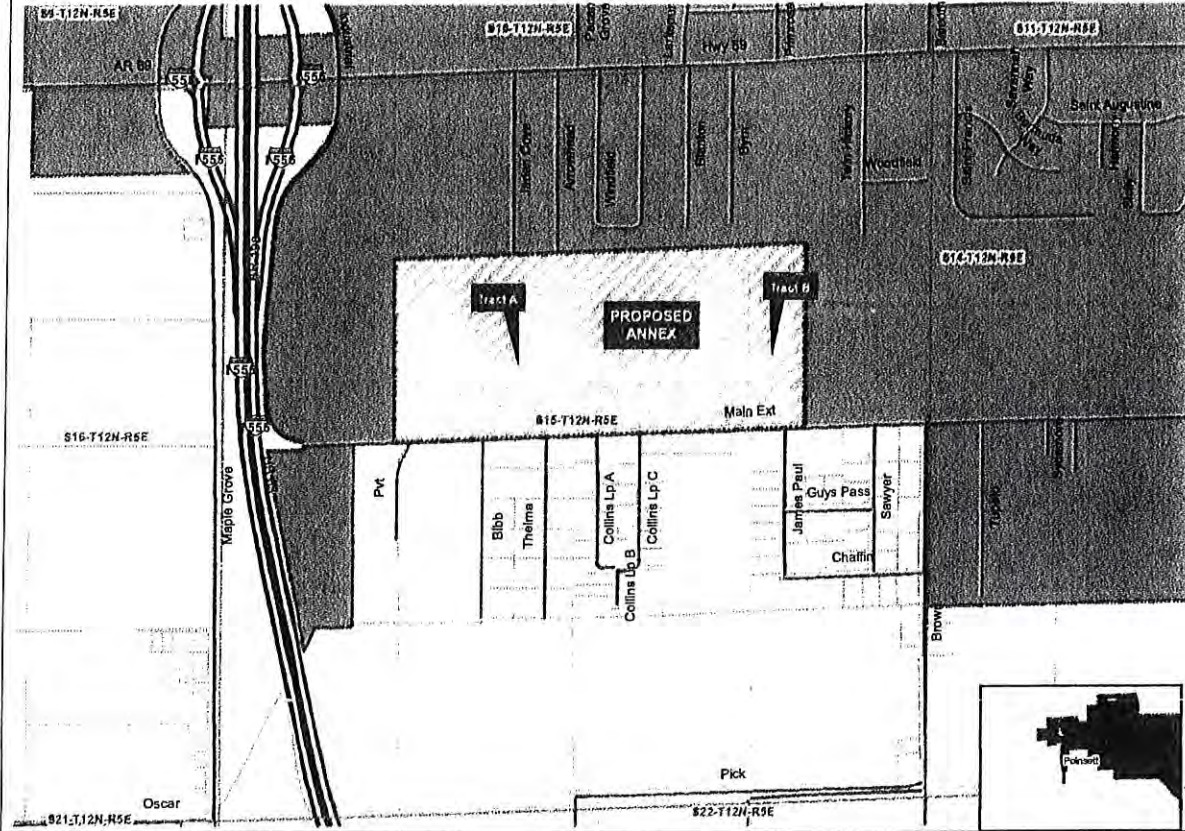
Arkansas Secretary of State

A-12/141

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, in evidence, the entity has met requirements of Act 514 of 2015



Arkansas GIS Office
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CERTIFICATION

I, Marlene Hancock, City Clerk/Treasurer, do certify that the attached document is a true and correct copy of the Plat of property to be annexed into the City of Trumann per Ordinance No. 628 and that it appears on record in my office.

WITNESS my hand and seal of this office this 7th day of August, 2017.

(seal)

Marlene Hancock
Marlene Hancock, Clerk/Treasurer

Notice

IN THE POINSETT COUNTY COURT

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

CC2017-02

NOTICE

Notice is hereby given that there has been filed in the County Court of Poinsett County, Arkansas, the petition of and others asking for the annexation to the City of Trumann of the following described lands situated in Poinsett County, Arkansas, and contiguous to said city, to-wit:

Tract A. The Southwest 1/4 of the Northeast 1/4 of Section 15, Township 12 N, Range 5 East; and, the Southeast 1/4 of the Northwest 1/4 of Section 15, Township 12 North, Range 5 East, containing 80 acres more or less and belonging to M & D Berry Farm, LLC.

Tract B. The West 12 acres, more or less, of the SE 1/4 of NE 1/4 of Section 15, Township 12 North, Range 5 East, belonging to Main Street Investors, LLC.

A plat of said land proposed for annexation is on file with said petition in the office of the Clerk of said Court, and the undersigned has been named by the petitioners as the person authorized to act for them.

The Court has fixed the 11th day of July at 9:30 a.m. as the date for a hearing on said petition to be held in the office of the County Judge of Poinsett County, Arkansas, located at the Poinsett County Courthouse, 401 Market St., Harrisburg, AR 72432, and all interested persons are now notified to be present at said Court at the time and date so fixed.

Given this 9th day of June, 2017.

Jimmy D. Gazaway, Attorney at Law
800 W. Court St.
Paragould, Arkansas 72450
Phone: 870-239-4002
AR Bar No. 2006265

6-22,29;7-6-2017