



ARKANSAS SECRETARY OF STATE

MARK MARTIN

July 30, 2018

The Honorable Teresa Armer-Cobbe
Crawford County Clerk
300 Main St, Room 7
Van Buren, AR

Re: City of Van Buren Annexation Ordinance 17-2018

Dear Ms. Armer-Cobbe,

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 landowners)

Effective Date: 07/23/2018 (emergency clause)

County: Crawford City: Van Buren

City Ordinance: 17-2018 Dated: 07/23/2018

County Court Order: CO 2018-3 Date Filed: 04/24/2018 Honorable Dennis Gilstrap, Crawford 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 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)
Ms. Phyllis Thomas, Van Buren City Clerk & Treasurer (w/encl)



Arkansas Secretary of State

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

Municipal Boundary Change Checklist

FILED
2018 APR 23 11:47 AM
TERESA ARNER, CLERK
CLERK & PROBATE CLERK
CRANE & BARBER COUNTY, AR

County: Crawford City/Town: Van Buren
 City Ordinance/Resolution No: 17-2018 Date approved: 7/23/2018
 County Court Case No: 2018-3 Date Order Filed: 4/24/2018
 Type: Annexation by Petition of all Landowners ACA 14-40-609
(Choose from the list of Arkansas Code Sections located on the back)
 Date Change Effective: 7/23/2018 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)

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 (required except for island annexation and annexation approved by election)
- 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 or File marked copy of the certified special election results (if applicable)
- File marked copy of Complaint and final Circuit Court Order (Court Challenge only)

Municipal Contact:

Name: Ms. Phyllis Thomas Title: Van Buren City Clerk/Treasurer
 Street Address: 1003 Broadway
 City: Van Buren St: AR Zip code: 72956

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: Seena Anne Cobbe Title: Crawford County Clerk
 Date: April 24 2018

* 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: Cynthia Fisher
Annex - BK 20
Pg. 3/7

FILED

JUL 30 2018

Arkansas Secretary of State 30 346

CITY OF VAN BUREN, ARKANSAS

ORDINANCE NO. 17 - 2018

BE IT ENACTED BY THE CITY COUNCIL, FOR THE CITY OF VAN BUREN, ARKANSAS, AN ORDINANCE TO BE ENTITLED:

AN ORDINANCE ANNEXING TERRITORY ADJACENT AND CONTIGUOUS TO THE CITY LIMITS OF THE CITY OF VAN BUREN, ARKANSAS, LYING IN CRAWFORD COUNTY, ARKANSAS, PETITIONED FOR ANNEXATION TO THE CITY OF VAN BUREN BY ORDER OF THE COUNTY COURT OF CRAWFORD COUNTY ON THE 23RD DAY OF APRIL 2018, AND ZONING SAID TERRITORY G-1 (GOVERNMENT AND PUBLIC USE ZONE); AND DECLARING AN EMERGENCY.

WHEREAS, a petition was filed with the County Clerk of Crawford County, Arkansas, by the Van Buren School District, owner of the hereinafter described territory, praying that said territory be annexed to, and made part of the City of Van Buren, Arkansas; and

WHEREAS, on April 23, 2018, the County Court of Crawford County, Arkansas, found that the petition was signed by the Van Buren School District, owners of said territory; that said territory is contiguous and adjoining the present corporate limits of the City of Van Buren, Arkansas; that an accurate description of said territory had been filed with and made part of said petition; that proper notice had been given for the time and in the manner prescribed by law, and that said lands and territory should be annexed to and made part of the City of Van Buren, Arkansas, subject to the acceptance of the same by the City Council of said City at the proper time, as provided by law; and

WHEREAS, notice of a Public Hearing was duly published in the Press Argus Courier on June 16, 2018, and a public hearing was conducted as required by law on July 3, 2018; and

WHEREAS, as a result of this hearing, the Planning Commission has recommended that certain property be annexed into and zoned G-1 (Government and Public Use Zone) within the city limits of the City of Van Buren; and

WHEREAS, the proposed annexation and zoning herein were recommended by a majority vote of the entire Planning Commission.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF VAN BUREN, ARKANSAS, THAT:

SECTION 1: The Van Buren School District is the owner of the following described land lying adjacent and contiguous to the present city limits of the City of Van Buren, Arkansas.

F I L E D

JUL 30 2018

**Arkansas
Secretary of State**

SECTION 2: The following described land and territory contiguous and adjoining the City of Van Buren, Arkansas, shall be accepted, as part of and annexed to, and made a part of the City of Van Buren:

LEGAL DESCRIPTION

Part of the East Half, Northeast quarter of Section 12, Township-9-North, Range-32-West, Van Buren, Crawford County, Arkansas, more particularly described as follows:

Commencing at the Northeast corner of the Northeast Quarter, Section 12; thence South 02 degrees, 58 minutes, 31 seconds, West, along the East line of said East Half, Northeast Quarter, 554.70 feet to the Point of Beginning; thence continuing South 02 degrees, 58 minutes, 31 seconds West, along said East line of the East half, Northeast Quarter, 1,037.54 Feet to the North right-of-way line of Northridge Drive East, also being the Southeast corner of Lot 96 of Legacy Valley, Phase 4 Addition to the City of Van Buren; thence North 86 degrees, 26 minutes, 32 seconds West along said North right-of-way line of Northridge Drive East, 876.85 Feet; thence North 03 degrees, 01 minutes, 36 seconds East, 1,047.30 Feet; thence South 85 degrees, 48 minutes, 10 seconds East, 876.06 Feet to the Point of Beginning, containing 20.97 acres more or less.

LAYMAN'S DESCRIPTION

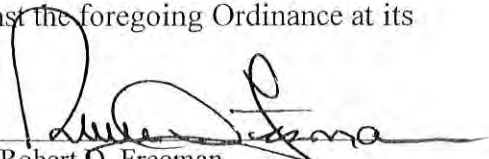
505 Northridge Drive East, Van Buren, Arkansas.

SECTION 3: The map showing said described land is approved and confirmed, and a copy thereof is attached hereto.

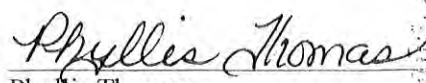
SECTION 4: Said land is hereby annexed into the City of Van Buren, Arkansas, and zoned G-1 (Government and Public Use Zone).

SECTION 5: Due to the need to protect, promote, and support operations of the Van Buren School District and its agents, an emergency is hereby declared to exist and this Ordinance shall be in full force from and after the date of its passage and approval.

IN WITNESS WHEREOF, the City of Van Buren, Arkansas, by its City Council, did pass, approve, and adopt, by a vote of 6 for and 0 against the foregoing Ordinance at its regular meeting held on the 23rd day of July 2018.

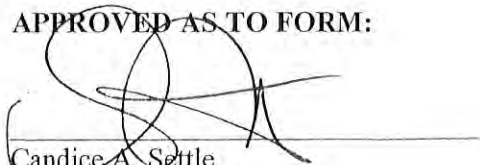

Robert O. Freeman
Mayor

ATTESTED:


Phyllis Thomas
City Clerk/Treasurer



APPROVED AS TO FORM:


Candice A. Settle
City Attorney

East Uniontown Road

Highway 59

Northridge Drive
East

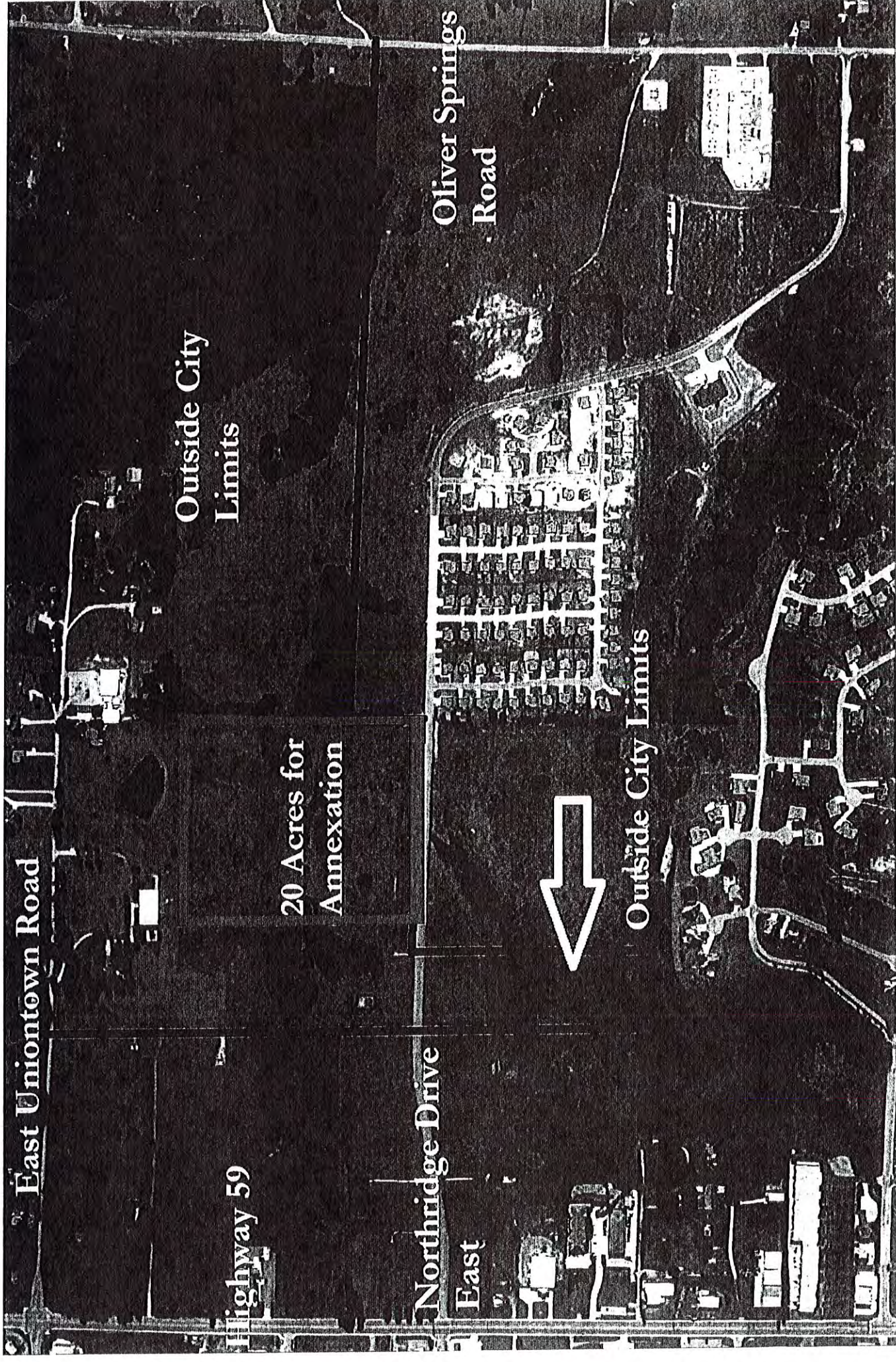
20 Acres for
Annexation



Outside City Limits

Outside City
Limits

Oliver Springs
Road



FILED

2018 APR 24 PM 2:41

IN THE COUNTY COURT OF
CRAWFORD, ARKANSAS

TERESA ARMER-CORRE
COUNTY & PROBATE CLERK
CRAWFORD COUNTY, AR
CASE NO. 2018-31

IN RE: ANNEXATION OF VAN BUREN, ARKANSAS

ORDER

Before the County Court comes now a petition for property annexation into Van Buren, Arkansas, pursuant to Ark. Code Ann. § 14-40-609. The County court having reviewed the petition and the verifications of the assessor and county clerk in the above-captioned matter makes the following findings and order:

1. The petition and verifications filed in the above-captioned matter are complete and accurate.
2. No enclaves will be created by the annexation.
3. The petition contains a schedule of services to be offered by the Town of Van Buren to the annexed area.
4. The petition and this order shall be immediately forwarded to the Town of Van Buren, Arkansas for its consideration.

IT IS SO ORDERED.

Dennis Stately
CRAWFORD COUNTY JUDGE

4-24-2018
DATE

FILED

JUL 30 2018

Arkansas
Secretary of State

30 359

*Annex - Bl. 'D'
Pg. 40*



**ARKANSAS
GIS OFFICE**

April 13, 2018

Ms. Faith Durham
Legal Assistant
Bequette & Billingsley, P.A.
425 West Capitol Ave Suite 3200
Little Rock, AR 72201

RE: City of Van Buren Annexation Coordination Requirement

Ms. Durham,

Thank you for coordinating with our office as you seek to annex property into the City of Van Buren, AR located in Section 12, Township 9 North, Range 32 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 90th General Assembly.

Our office will wait completion of any additional steps necessary for the proposed boundary change, which normally comes from the Arkansas Secretary of State Elections Division after any appropriate filing by your County Clerk.

Thank you,

Jennifer Wheeler, GIS Analyst
/jjw

FILED
JUL 30 2018
Arkansas
Secretary of State

Attachments:

GIS Office Map of Proposed Annexation
Revised Legal Description (revised petition to correct description of tract 2)
Secretary of State Municipal Change Checklist

H:\City_Annexations\Cities\Van Buren\20180413\Doc\20180413_VanBuren_Annexation_Coordination_Letter.docx



ARKANSAS GIS OFFICE · 1 CAPITOL MALL SUITE 6D · LITTLE ROCK · ARKANSAS · 72201

Amey BK
PHONE (501) 682-2767 · www.gis.arkansas.gov · FAX (501) 682-6077
Pg. 37

30 356

The Law Firm of
BEQUETTE & BILLINGSLEY
A Professional Association

Simmons Bank Tower
425 West Capitol Avenue, Suite 3200
Little Rock, Arkansas 72201-3469
www.bbpalaw.com

GEORGE J. BEQUETTE, JR.
KEITH I. BILLINGSLEY
W. CODY KEES

C.L. 2018-35
Telephone
(501) 374-1107
Telecopier
(501) 374-5092

April 20, 2018

VIA U.S. MAIL

Ms. Teresa Armer-Cobbe
Courthouse
300 Main Street, Suite 7
Van Buren, AR 72956-5765

FILED
2018 APR 23 PM 1:48
TERESA ARMER-COBBE
COUNTY & PROBATE CLERK
CRAWFORD COUNTY, AR

Re: *Verified Petition for Annexation*

Dear Ms. Armer-Cobbe:

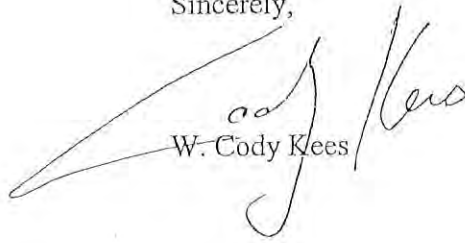
Enclosed for filing please find the following:

- a. Verified Petition for Annexation, with Exhibits A, B, and C;
- b. Verification of Crawford County Assessor and County Clerk;
- c. Proposed Order;
- d. Municipal Boundary Change Checklist; and
- e. Check in the amount of \$30.00 to cover filing fees.

Please file this with and return the additional copies to me marked as "file-marked". I have enclosed a self-addressed, stamped envelope for your convenience.

Please call me with any questions or concerns.

Sincerely,


W. Cody Kees

Enclosure

*Annex - BK 'D'
Pg 26*

30 345



April 24, 2018

Mr. Joe Hurst
City of Van Buren
111 North 12th Street
Van Buren, Arkansas 72956

RE: New Elementary School
Van Buren School District
HWEI Project No. 2017082

Dear Mr. Hurst:

The Van Buren School District is requesting a petition to allow the annexation of the following described property along Northridge Drive East into the City of Van Buren:

Part of the E/2, NE/4 of Section 12, T-9-N, R-32-W, Van Buren, Crawford County, Arkansas, more particularly described as follows:

Commencing at the NE corner of the NE/4, Section 12; thence S02°58'31"W along the east line of said E/2, NE/4, 554.70' to the Point of Beginning; thence continuing S02°58'31"W along said east line of the E/2, NE/4, 1,037.54' to the north right-of-way line of Northridge Drive (East), also being the SW corner of Lot 96 of Legacy Valley, Phase IV Addition to the City of Van Buren; thence N86°26'32"W along said north right-of-way line of Northridge Drive (East), 876.85'; thence N03°01'36"E 1,047.30'; thence S85°48'10"E 876.06' to the Point of Beginning, containing 20.97 acres more or less.

The legal counsel for the Van Buren School District has started the process to request the release of the property from Crawford County.

Attached for your review are copies of the Final Plat on the referenced project. Also, we propose that this property come in to the City zoned G-1 Government and Public Use. Hopefully, this will provide you with the information necessary to approve this annexation, plat, and zoning.

Please let us know if there is anything we can assist you with once this property has been released by Crawford County and the accepted by the Van Buren City Council.

Sincerely,

HAWKINS-WEIR ENGINEERS, INC.

A handwritten signature in black ink that reads 'J. Kyle Salyer'.

J. Kyle Salyer, P.E., P.S.

JKS

Enclosures: Five (5) Original Copies of the Final Plat

110 So. 7th Street • P.O. Box 648 • Van Buren, AR 72957 • Ph: (479) 474-1227 • Fax: (479) 474-8531
211 Natural Resources Drive • Little Rock, AR 72205 • Ph: (501) 374-4846
438 East Millsap Road • Suite 107 • Fayetteville, AR 72703 • Ph: (479) 455-2206
403 Garrison Avenue • Suite 101 • Fort Smith, AR 72901 • (479) 242-4685

IN THE COUNTY COURT OF CRAWFORD COUNTY, ARKANSAS

FILED

APR 23 18

PM 1:48

TERESA W. COBBE
COUNTY CLERK
CRAWFORD COUNTY, AR

VAN BUREN SCHOOL DISTRICT

v.

COUNTY COURT CASE NO. 2018- 35

CITY OF VAN BUREN, ARKANSAS
CRAWFORD COUNTY ASSESSOR, and
CRAWFORD COUNTY CLERK

RESPONDENTS

VERIFIED PETITION FOR ANNEXATION PURSUANT TO A.C.A. § 14-40-609

Petitioner, Van Buren School District, for its Verified Petition for Annexation Pursuant to A.C.A. § 14-40-609, Crawford County, Arkansas, states:

PARTIES, JURISDICTION AND VENUE

1. Petitioner is an Arkansas Public School District with its principal location in Van Buren, Crawford County, Arkansas.
2. The City of Van Buren, Arkansas, is named as a Respondent because it is required to accept this proposed annexation via ordinance before the annexation is complete.
3. The Crawford County Assessor is named as Respondent because it is responsible for verifying the identity of the Petitioner; verifying there are no property owners included in the petition that do not wish to have their property annexed; verify that the property is contiguous with the City of Van Buren, Crawford County, Arkansas; and to verify that no enclaves will be created prior to the issuing of an order by the County Judge and acceptance by the City of Van Buren, Crawford County, Arkansas.
4. The Crawford County Clerk is named as a Respondent for the same reasons as the Crawford County Assessor.
5. This action involves real property located in Crawford County, Arkansas.

*Annex - Blk 'D'
Pg. 28*

6. This Court has jurisdiction over the parties and subject matter herein, and venue is proper.

FACTUAL BACKGROUND

7. By Warranty Deed dated May 15, 2017, Petitioner acquired approximately 10.0 acres, more or less, of real property in Crawford County, Arkansas. That deed was recorded in the deed records of Crawford County, Arkansas, on May 16, 2017 (Copy of Deed attached as Exhibit "A").

8. The portion of the legal description contained in that Deed pertaining to the property in question is as follows (hereafter referred to as the "Properties"):

PART OF THE E/2, NE/4 OF SECTION 12, TOWNSHIP 9 NORTH, RANGE 32 WEST, VAN BUREN, CRAWFORD COUNTY, ARKANSAS, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NE CORNER OF THE NE/4, SECTION 12; THENCE SOUTH 02 DEGREES 58 MINUTES 31 SECONDS WEST ALONG THE EAST LINE OF SAID E/2, NE/4, 554.70 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING SOUTH 02 DEGREES 58 MINUTES 31 SECONDS WEST ALONG SAID EAST LINE OF THE E/2, NE/4, 1,037.54 FEET TO THE NORTH RIGHT-OF-WAY LINE OF NORTHRIDGE DRIVE (EAST), ALSO BEING THE SW CORNER OF LOT 96 OF LEGACY VALLEY, PHASE IV ADDITION TO THE CITY OF VAN BUREN; THENCE NORTH 86 DEGREES 26 MINUTES 32 SECONDS WEST ALONG SAID NORTH RIGHT-OF-WAY LINE OF NORTHRIDGE DRIVE (EAST), 459.97 FEET; THENCE NORTH 03 DEGREES 01 MINUTES 36 SECONDS EAST 1,042.65 FEET; THENCE SOUTH 85 DEGREES 48 MINUTES 10 SECONDS EAST 459.11 FEET TO THE POINT OF BEGINNING, CONTAINING 10.97 ACRES MORE OR LESS, ALL ACCORDING TO BOUNDARY SURVEY BY HAWKINS WEIR ENGINEERS, INC., DATED APRIL 28, 2017.

9. By Warranty Deed dated August 4, 2017, Petitioner acquired approximately 10.0 acres, more or less, of real property in Crawford County, Arkansas. That deed was recorded in the deed records of Crawford County, Arkansas, on August 4, 2017 (Copy of Deed attached as Exhibit "B").

*Annex-Blk 'D'
Pg. 29*

10. The portion of the legal description contained in that Deed pertaining to the property in question is as follows (hereafter referred to as the "Properties"):

PART OF THE E/2, NE/4 OF SECTION 12, TOWNSHIP 9 NORTH, RANGE 32 WEST, CRAWFORD COUNTY, ARKANSAS, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NE CORNER OF THE NE/4, SECTION 12; THENCE SOUTH 02 DEGREES 58 MINUTES 31 SECONDS WEST ALONG THE EAST LINE OF SAID E/2, NE/4, 554.70 FEET; THENCE NORTH 85 DEGREES 48 MINUTES 10 SECONDS WEST 459.11 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 03 DEGREES 01 MINUTES 36 SECONDS WEST, 1042.65 FEET TO THE NORTH RIGHT OF WAY LINE OF NORTHRIDGE DRIVE (EAST); THENCE NORTH 86 DEGREES 26 MINUTES 32 SECONDS WEST ALONG SAID NORTH RIGHT OF WAY LINE OF NORTHRIDGE DRIVE (EAST), 416.88 FEET; THENCE NORTH 03 DEGREES 01 MINUTES 36 SECONDS EAST, 1047.30 FEET; THENCE SOUTH 85 DEGREES 48 MINUTES 10 SECONDS EAST 416.95 FEET TO THE POINT OF BEGINNING, CONTAINING 10.00 ACRES, MORE OR LESS, ACCORDING TO BOUNDARY SURVEY BY HAWKINS WEIR ENGINEERS, INC. DATED JUNE, 2017.

11. The two Properties are contiguous to the City of Van Buren, Arkansas.

12. A true and accurate copy of the GIS Office Map of Proposed Annexation is attached as Exhibit C, pursuant to A.C.A. § 14-40-101.

13. Van Buren School District # 42, the sole owner of the Properties, is an Arkansas Public School of which Harold Jeffcoat is duly authorized in his capacity to act on behalf of the Public School.

14. Under A.C.A. § 14-40-609, a voluntary annexation may occur when all the owners of properties, which is contiguous to the city in which they are requesting annexation, are in agreement and have met the required qualifications.

15. One hundred percent of the landowners of the Properties are in agreement with this Petition and wish for the Properties to be annexed.

16. No enclaves will be created by this annexation.

*Annex - Blk 'A'
Pg 30*

17. The schedule of services of the annexing city that will be extended to the Properties within three (3) years after the date the annexation becomes final shall be the same services presently extended to the contiguous property which is also owned by Petitioner, including fire services, police services, municipal utilities, and road maintenance, if any.

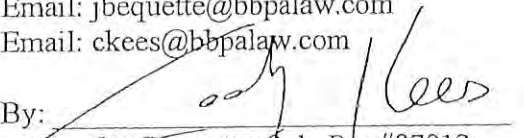
18. Petitioner meets the requirements of A.C.A. § 14-40-609.

WHEREFORE, Petitioner prays that this Court enter its Order finding that it is the sole owner of the above Properties as set forth herein; that Petitioner wishes for the Properties to be annexed; that the Properties are contiguous to the city limits of the City of Van Buren; that no enclaves will be created by this annexation; and for all other relief to which Petitioner is entitled, whether prayed for herein or not.

Respectfully submitted,

BEQUETTE & BILLINGSLEY, P.A.
425 West Capitol Avenue, Suite 3200
Little Rock, AR 72201-3469
Phone: (501) 374-1107
Fax: (501) 374-5092
Email: jbequette@bbpalaw.com
Email: ckees@bbpalaw.com

By:


Jay Bequette, Ark. Bar #87012
W. Cody Kees, Ark. Bar #2012118

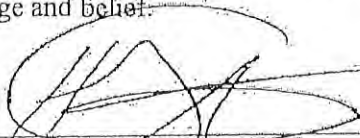
*Annex - Blk 'D' -
Pg. 31*

VERIFICATION

STATE OF ARKANSAS

COUNTY OF CRAWFORD

Comes now Harold Jeffcoat, and being duly sworn, on oath state that he has read the above and foregoing Petition for Annexation and that the facts and matters therein contained and set forth are true and correct to the best of his knowledge and belief.



HAROLD JEFFCOAT

Subscribed and sworn to before me this 10th day of April, 2018.



NOTARY PUBLIC



My Commission Expires: May 30, 2024

*Arney - Blk 'x'
Pg. 32*

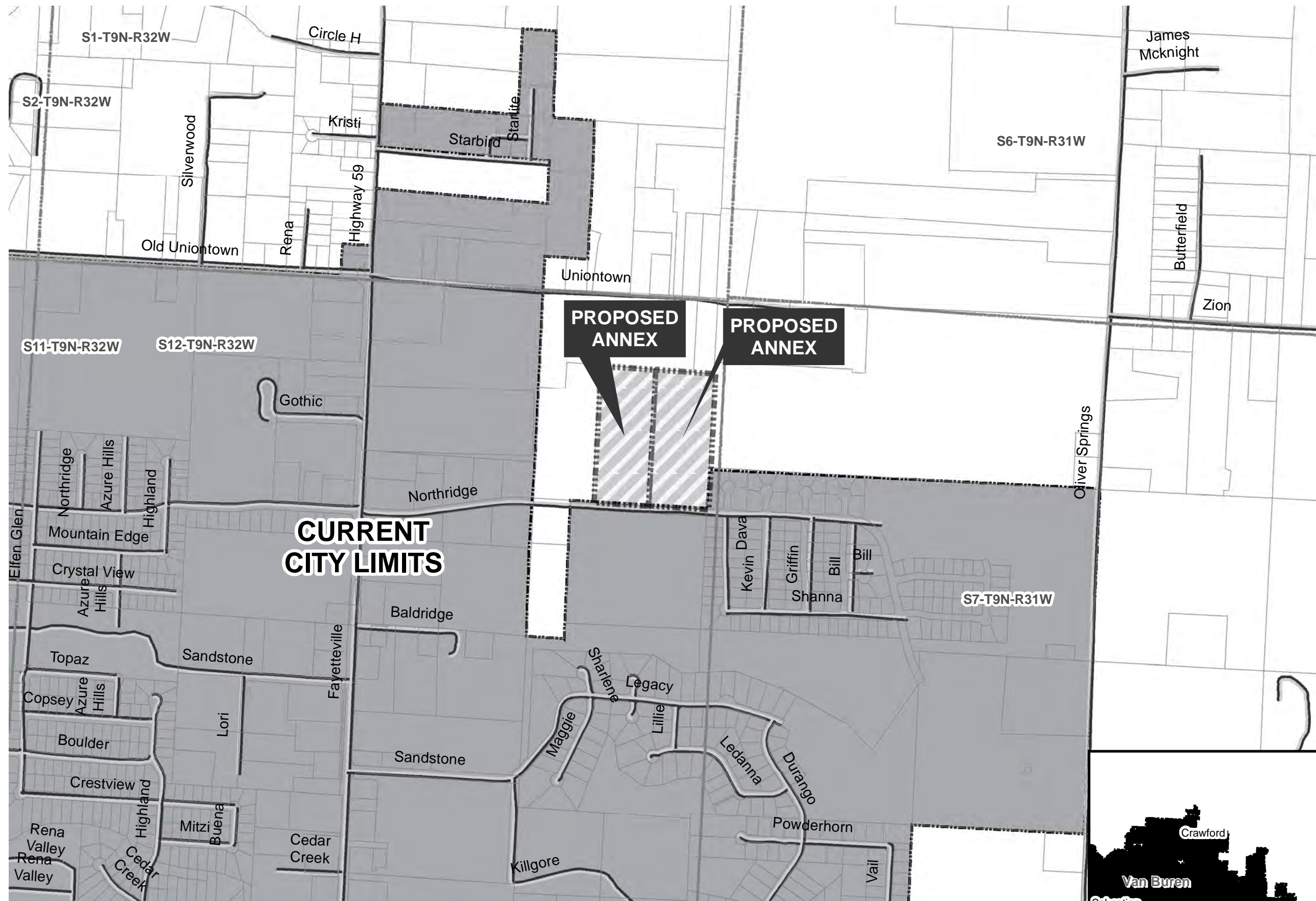
**Proposed Annex: City of Van Buren
April 2018**

City: Van Buren
Mayor: Bob Freeman

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



-  Proposed Annex
-  Sections
-  Parcels
-  Minor Road
-  Existing City

