



ARKANSAS SECRETARY OF STATE

MARK MARTIN

May 10, 2018

The Honorable Barbara Whiteley
Scott County & Circuit Clerk
P.O. Box 10
Waldron, AR 72958

Re: City of Waldron Annexation Ordinance 2018-07

Dear Ms. Whiteley,

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 (annexation by 100% of the landowners)

Effective Date: 4/15/2018 (by default)

County: Scott

City: Waldron

City Ordinance: 2018-07

Dated: 3/16/2018

County Court Order: CC-2018-1

Filed: 3/16/2018

Hon. James Forbes, Scott 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)
Ms. Sherry Johnston, Waldron 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

County: Scott City/Town: Waldron

City Ordinance/Resolution No: 2018-07 Date approved: 03/16/2018

County Court Case No: CC-2018-1 Date Order Filed: 03/16/2018

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

Date Change Effective: 04/15/2018 Set by: Municipal Ordinance Emergency Clause Court 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: Ms. Sherry Johnston Title: Waldron City Clerk & Treasurer

Street Address: P.O. Box 310

City: Waldron St: AR Zip code: 72958

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: _____ Title: Scott County Clerk

Date: _____

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

MAY 10 2018

**Arkansas
Secretary of State**

BARBARA WHITELEY, SCOTT COUNTY & CIRCUIT CLERK
190 W. FIRST STREET, BOX 10
WALDRON, AR 72958
PHONE# 479-637-2642
FAX# 479-637-0124


Date: April 9, 2018

Arkansas Secretary of State
State Capitol
1401 W. Capitol Avenue
Little Rock, AR 72201

Reference; Annexation into Waldron Arkansas
Scott County Court Case #2018-1

Enclosed is the County Court Order and City Ordinance associated with the above mentioned annexation. If you should need any other information please let me know.

Sincerely,


Barbara Whiteley

ORDINANCE NO. 2018 - 07

**AN ORDINANCE ACCEPTING THE ANNEXATION OF CERTAIN
TERRITORY TO THE CITY OF WALDRON, ARKANSAS, AND MAKING
SAME A PART OF THE CITY OF WALDRON, ASSIGNING SAME TO WARDS;
AND FOR OTHER PURPOSES**

WHEREAS, petition was filed with the County Clerk of Scott County, Arkansas, by the majority of the real estate owners of the hereinafter described territory praying that said territory be annexed to, and made a part of the City of Waldron, Arkansas; and

WHEREAS, on March 16, 2018, the County Court of Scott County, Arkansas, found that the petition was signed by a majority of real estate owners in said territory; that said territory was contiguous and adjoining the present corporate limits of the City of Waldron, Arkansas; and

WHEREAS, an accurate plat or map of said territory had been filed with and made a part of said petition and property notice had been given for the time and in the manner prescribed by law, and that all things pertaining thereto had been done in the manner prescribed by law, and that said lands and territory should be annexed to and made a part of the City of Waldron, Arkansas, subject to the acceptance of same by the City Council of said City at the proper time, as provided by law;

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Waldron, Arkansas:

SECTION I

That the following described lands and territory contiguous and adjoining the City of Waldron, Arkansas, be and the same is hereby accepted as part of and annexed to and made a part of the City of Waldron. The property is located along City Lake Road, extending east from the current City Limits. The property owners are: Myrten & Pamela Owens, David & Gretta Millard, and Howell & Johnnie McKay. The legal descriptions and map are attached:

*and Melton Sherrills
N.O.*

FILED 315

MAY 10 2018

**Arkansas
Secretary of State**

Exhibit "A"

Legal Descriptions for Property to be annexed

Myrten P. Owens and Pamela S. Owens
141 City Lake Road , Parcel No. 001-00961-000

Part of the NE1/4 NW1/4 Section 21, Township 3 North, Range 29 West, described as follows:
Beginning at the northwest corner of said forty and run thence East on the north line of said forty a distance of 450 feet, thence south 295 feet, thence west 450 feet, more or less, to the west line of said forty, thence north on the west line of said forty 295 feet, more or less, to the place of beginning.

David Millard and Gretta Millard
213 City Lake Road, Parcel No. 001-04247-000

Tract 1:

Part of the NE1/4 NW1/4 Section 21, Township 3 North, Range 29 West, described as follows:
Beginning at the northwest corner of said forty and run thence east on the north line of said forty a distance of 672 feet for a place of beginning; run thence south 333 feet, thence east 210 feet, thence north 333 feet to a point on the north line of said forty, thence west on the north line of said forty a distance of 210 feet to the place of beginning.

Tract 2:

Part of the NE1/4 NW1/4 Section 21, Township 3 North, Range 29 West, described as follows:
Beginning at the northwest corner of said forty and run thence east on the north line thereof a distance of 672 feet, thence south 771 feet for a place beginning; run thence east 630 feet, thence north 438 feet, thence west 630 feet, thence south 438 feet to the place of beginning.

Tract 3:

Part of the NE1/4 NW1/4 Section 21, Township 3 North, Range 29 West, described as beginning at the northeast corner of said forty and run thence west 65 feet, thence south 315 feet, thence east 65 feet to the point on the east line of said forty, thence north on the east line of said forty a distance of 315 feet to the place of beginning.

Howell McKay and Johnnie McKay

293 City Lake Road, Parcel No. 001-04248-000

Part of the NE1/4 NW1/4 of Section 21, Township 3 North, Range 29 West, described as beginning at the northeast corner of said forty and run thence west 65 feet for a place of beginning; run thence west 240 feet, thence in a southerly direction 315 feet to a point which is 300 feet west of the east line, thence east 235 feet to a point which is 65 feet west of the east line, thence north 315 feet to the place of beginning.

Milton Sherrill Jr. and Connie Sherrill

225 City Lake Road, Parcel No. 001-04246-000

Part of the NE1/4 NW1/4 Section 21, Township 3 North, Range 29 West, more particularly described as beginning at a point 420 feet west of the northeast corner of said forty acre tract, run thence south 315 feet, thence east 120 feet, thence northerly 315 feet to a point 115 feet west of the place of beginning.

Howell McKay and Johnnie McKay

293 City Lake Road, Parcel No. 001-04248-000

Part of the NE1/4 NW1/4 of Section 21, Township 3 North, Range 29 West, described as beginning at the northeast corner of said forty and run thence west 65 feet for a place of beginning; run thence west 240 feet, thence in a southerly direction 315 feet to a point which is 300 feet west of the east line, thence east 235 feet to a point which is 65 feet west of the east line, thence north 315 feet to the place of beginning.

Legal Descriptions Attached as Exhibit "A"
Map for Properties along City Lake Road as Exhibit "B"

SECTION II

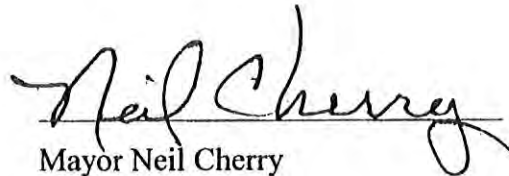
That the above described territory shall be annexed to and made a part of Ward I of the City of Waldron, and the same shall henceforth be a part of said ward as fully as existing parts of said ward.

SECTION III

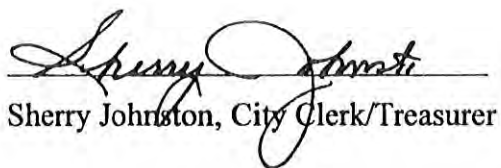
Any and all ordinances in conflict or inconsistent herewith are hereby repealed. If any section, clause, provision or part of this Ordinance shall be held invalid such section, clause, provision or part shall be deemed severable and separable, and the remainder of this Ordinance shall be and remain in full force and effect.

PASSED AND APPROVED by a majority vote by the City Council of the City of Waldron, Arkansas this the 16th day of March 2018.

APPROVED:

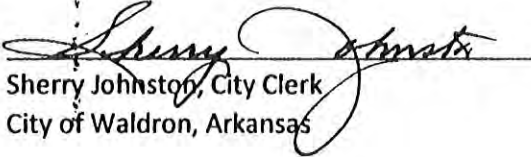

Mayor Neil Cherry

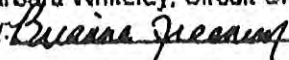
ATTEST:

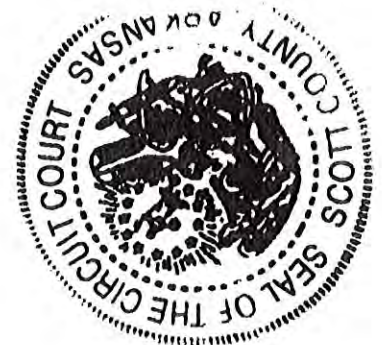

Sherry Johnston, City Clerk/Treasurer

CERTIFICATE

I, Sherry Johnston, City Clerk of the City of Waldron, hereby certify that this ordinance was duly passed and approved by a two-thirds vote of the total number of members of the City Council of the City of Waldron, Arkansas, on this 16th date of March, 2018.


Sherry Johnston, City Clerk
City of Waldron, Arkansas

Scott County, Ar
I certify this instrument was filed
on 03/16/2018 03:06 PM
and recorded in the Misc
Book 2018 Page 22 - 27
Barbara Whiteley, Circuit Clerk
By:  D.C.



IN THE COUNTY COURT OF SCOTT COUNTY, ARKANSAS

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

Recorded in County Court Order
Book 2018 Page 18
Filed on 04/09/2018 11:37 AM
Scott County, Ar
Barbara Whiteley, Circuit Clerk

CASE NUMBER - 2018-1

ORDER OF ANNEXATION

County Court Order # 2018-5

Now on this 16th day of March, 2018 comes on for consideration the Petition for Annexation of Certain Territory Contiguous to the said City of Waldron, Arkansas. Petitioners praying for an Order annexing said property into the City of Waldron, Scott County, Arkansas, which real property is contiguous to and adjoins the City of Waldron, Scott County, Arkansas and which is described as Exhibits "A", and "B" of the petition.

That said Petition was filed pursuant to legislation codified in A.C.A. 14-40-602, et seq. Venue is in the County Court of Scott County, Arkansas, pursuant to A.C.A. 14-40-601(a).

WHEREUPON, the matter proceed to a hearing, and the Court, after considering the said Petition and being fully advised in the premises, finds:

1. The Notice of the filing of said Petition and the date and time of this hearing have been properly given by publication in a newspaper having a general circulation within Scott County, Arkansas, once a week for three consecutive weeks in accordance with A.C.A. 14-40-602. The Court has jurisdiction, venue is properly in Scott County where the property is situated, and this Court has authority to act on the Petition for Annexing to the City of Waldron, Arkansas, and a certain territory contiguous to the said City of Waldron, Arkansas without further notice to anyone.
2. The Petitioners are the legal owners of the real estate in the area to be annexed excluding Kimberly A. Owens and Linda K. Owens located at 193 City Lake Road, Waldron AR. 72958 who withdrew from the petition;
3. The real estate to be annexed is contiguous to the City of Waldron, Scott County, Arkansas;
4. The limits of the territory to be annexed have been accurately described; and,
5. The prayer of the Petitioners is in all things right and proper and should in all respects be granted and approved.

IT IS THEREFORE, ORDERED, ADJUDGED AND DECREED, that said Petition be, and it hereby granted and approved in all respects on this the 9th day of April, 2018 at 11:30 a.m. and it is furthered ordered that the above described real property and that section of City Lake Road a county road that lies adjacent to those properties being annexed shall now be part of and maintained by the City of Waldron, and it is hereby ordered annexed into the City of Waldron, Scott County, Arkansas.

FILED

MAY 10 2018

Arkansas
Secretary of State

James Forbes
James Forbes
County Judge of Scott County



Exhibit "A"

Legal Descriptions for Property to be annexed

Myrten P. Owens and Pamela S. Owens
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Part of the NE1/4 NW1/4 Section 21, Township 3 North, Range 29 West, described as follows: Beginning at the northwest corner of said forty and run thence East on the north line of said forty a distance of 450 feet, thence south 295 feet, thence west 450 feet, more or less, to the west line of said forty, thence north on the west line of said forty 295 feet, more or less, to the place of beginning.

Kimberly A. Owens and Linda K. Owens
193 City Lake Road , Parcel No. 001-04249-000

Part of the NE1/4 NW1/4 Section 21, Township 3 North, Range 29 West, described as follows: Beginning at the northwest corner of said forty acre tract, run thence East 157 yards for a place of beginning, run thence east 70 yards, thence South 70 yards, thence West 70 yards, thence North 70 yards to the place of beginning.

David Millard and Gretta Millard
213 City Lake Road, Parcel No. 001-04247-000

Tract 1:

Part of the NE1/4 NW1/4 Section 21, Township 3 North, Range 29 West, described as follows: Beginning at the northwest corner of said forty and run thence east on the north line of said forty a distance of 672 feet for a place of beginning; run thence south 333 feet, thence east 210 feet, thence north 333 feet to a point on the north line of said forty, thence west on the north line of said forty a distance of 210 feet to the place of beginning.

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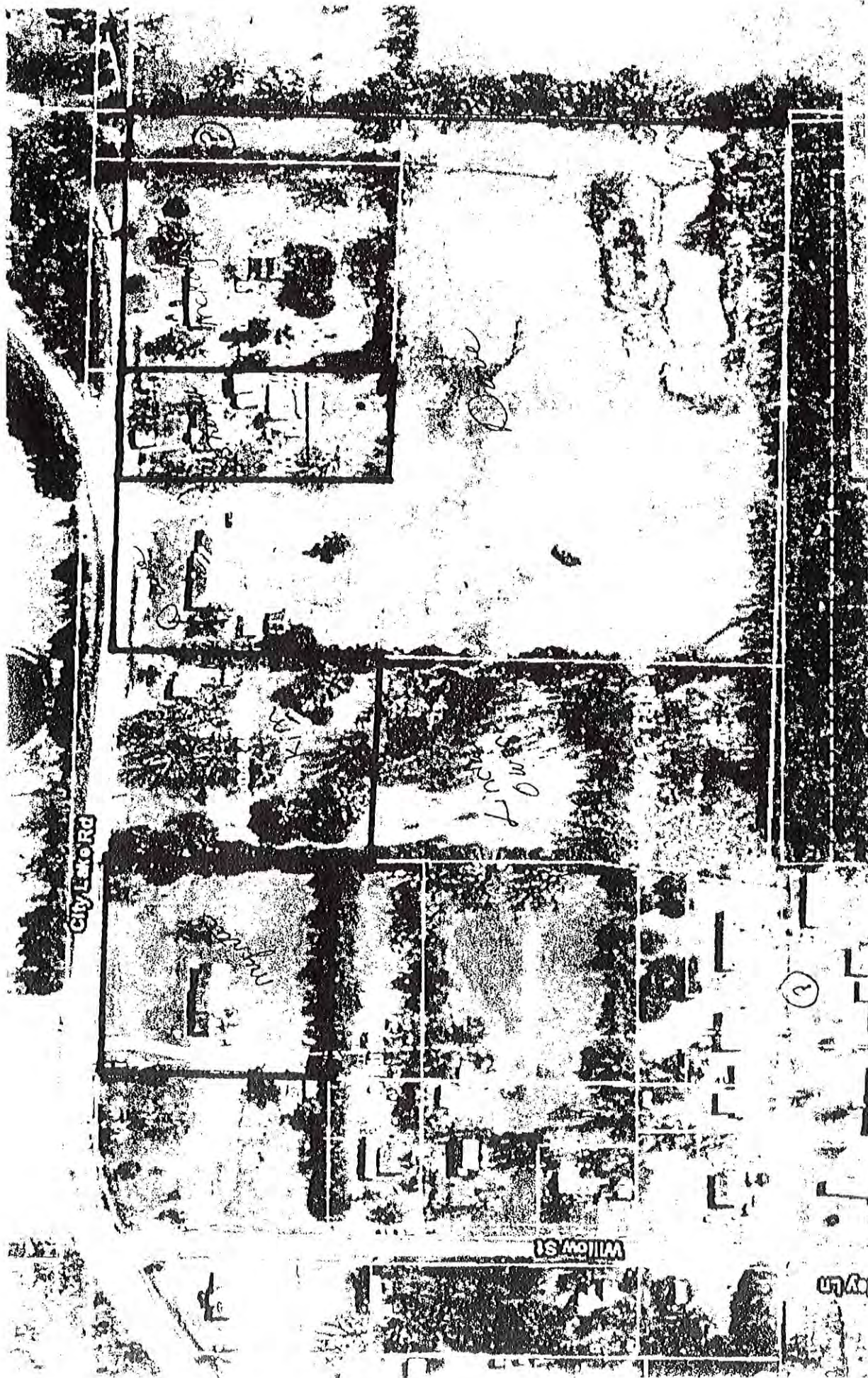


EXHIBIT B

Untitled Map

Write a description for your map.

Legend

📍 141 City Lake Rd





ARKANSAS
GIS OFFICE

April 25, 2018

Ms. Cynthia Fisher
Special Projects Manager
Arkansas Secretary of State Legal Division
500 Woodlane St, Ste 256
Little Rock, AR 72201

RE: City of Waldron Annexation Coordination Requirement

Ms. Fisher,

Thank you for coordinating with our office as you seek to annex property into the City of Waldron, AR ordinance no 2018-07. 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

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

FILED

MAY 10 2018

**Arkansas
Secretary of State**

H:\City_Annexations\Cities\Waldron\20180425\Doc\20180425_Waldron_Annexation_Coordination_Letter.docx

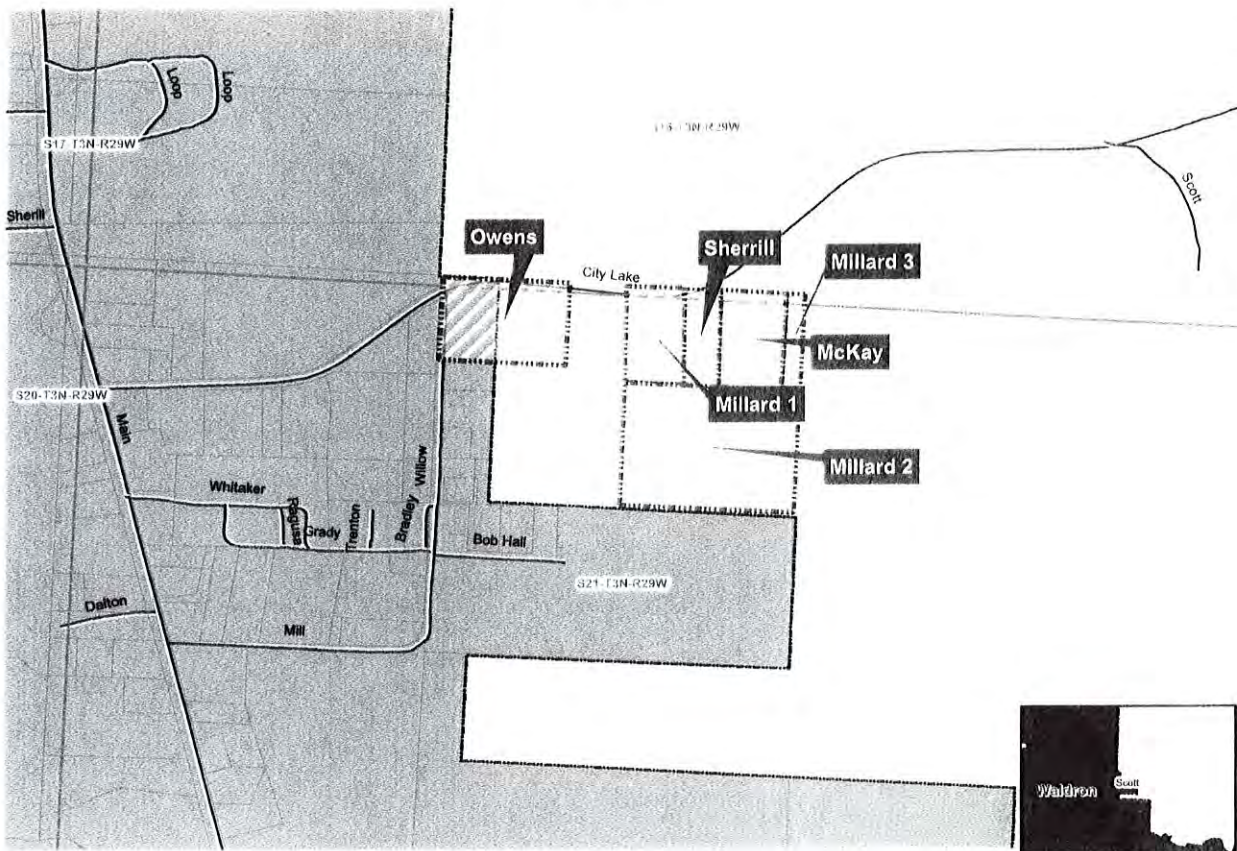
Proposed Annex: City of Waldron
April 2018

City: Waldron
Mayor Neil Cherry

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 914 of 2015.



FILED

MAY 10 2018

Arkansas
Secretary of State