



OFFICE OF THE CLERK OF THE COUNTY COURT OF FULTON COUNTY, ARKANSAS

ERST KARRBY ET AL  
Petitioners.

NOTICE OF PETITION FOR ANNEXATION

Notice is hereby given that there has been filed in the Clerk's Office of the County Court of Fulton County, Arkansas, a Petition containing the signatures of a majority of the owners in value of the following property touching and contiguous to the incorporated Town of Viola, Fulton County, Arkansas.

The North 1/2 of NE 1/4 of SE 1/4 of Section 18, Twp. 20, N. R. 2W, 5th P.M. - 80 acres.

The South 1/2 of NW 1/4 and the 1/2 of N 1/2 of NW 1/4, Section 18, Twp. 20 N. R. 2W, 5th P.M. - 120 acres.

SW 1/4 of SW 1/4, Section 18, Twp. 20 N. R. 2W, 5th P.M. - 40 acres.

SE 1/2 of SE 1/4 of Section 18, Twp. 20 N. R. 2W, 5th P.M.

LAND DESCRIPTION

THE ANNEXATION OF 1961: S 1/2 of NE 1/4 of SW 1/4; N 1/2 of SE 1/4 of SW 1/4; and SW 1/4 of NE 1/4, ALL IN SECTION 18, TWP. 20 N. R. 2W, 5th P.M.

Said Petition will come up for hearing on the 1st day of December 1969 in the County Judge's Office in the County House at Salem, Fulton County, Arkansas, between the hours of 9 A.M. and 6 P.M.

L. W. Love, Clerk of the County Court.

214 1/2 Broadway and Adams for Post Office, P. O. Box 8, Salem, Arkansas Phone - 804-3444

CERTIFICATE OF PUBLICATION

I, [Signature] do solemnly swear that I am editor of The Salem Headlight; that said newspaper is printed and published in Salem, Fulton County, Arkansas, and has a bona-fide circulation in said county, and that the annexed advertisement was published in said newspaper for consecutive issues, as follows:

- The first insertion on the 30 day of October 1969.
- Second insertion on the 7 day of November 1969.
- Third insertion on the 13 day of November 1969.
- Fourth insertion on the \_\_\_\_\_ day of \_\_\_\_\_ 1969.
- Fifth insertion on the \_\_\_\_\_ day of \_\_\_\_\_ 1969.
- Sixth insertion on the \_\_\_\_\_ day of \_\_\_\_\_ 1969.

Subscribed and sworn to before me this \_\_\_\_\_ day

of 23 \_\_\_\_\_ 1969

PRICE \$\_\_\_\_\_

NOTE: Full cost of Publication of Notices on all Court cases is due and must be paid on or before delivery of this Certificate of Publication.

The cost of this Publication is computed in accordance with the charges duly set by State Law.

On Notices by Publication for Municipalities, School Districts, Counties, the State, or other branches of government the cost of Publication is to be paid in regular procedure.

FILED

DEC 18 1969

KELLY BRYANT  
SECRETARY OF STATE

[Handwritten mark]

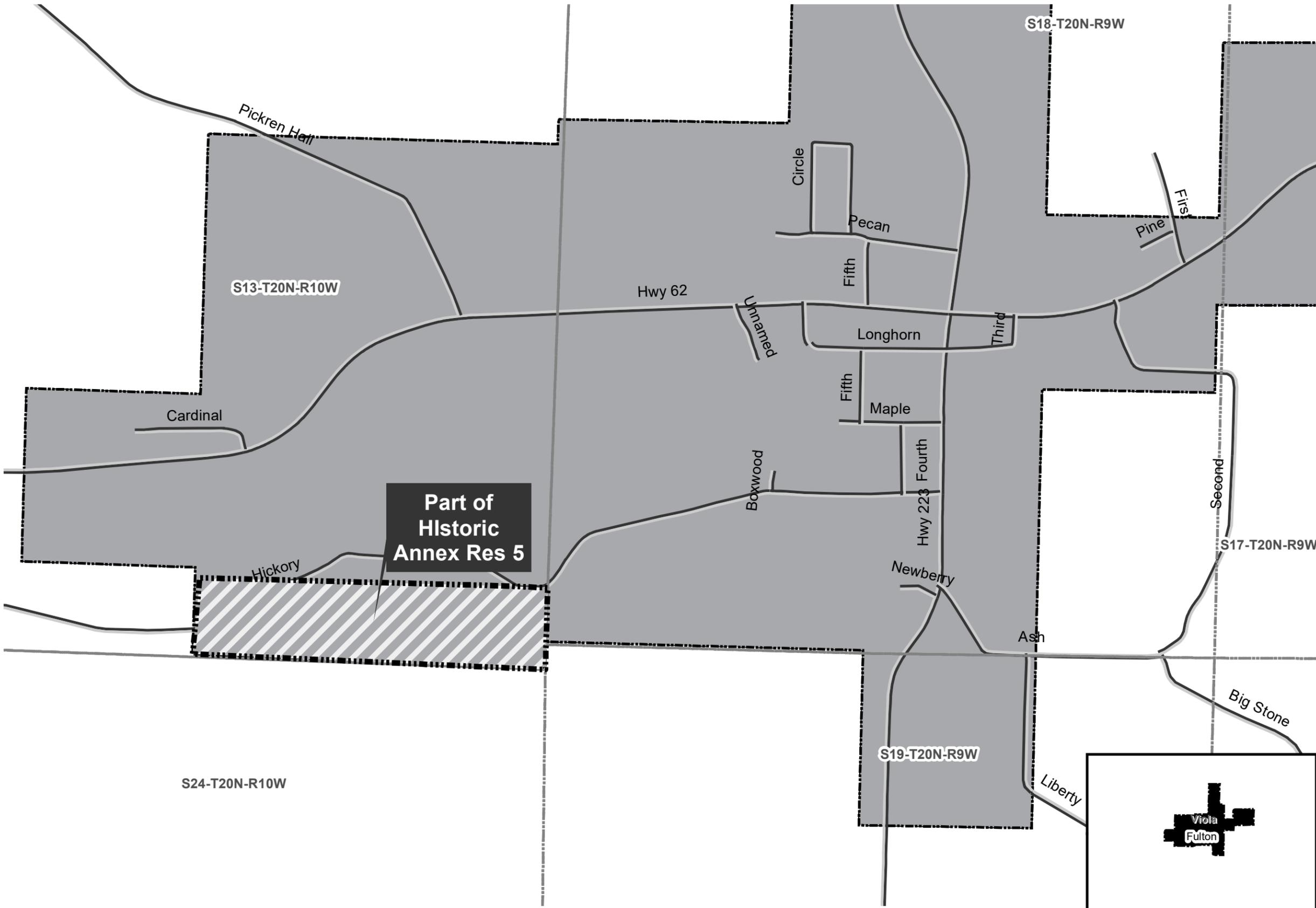
**BAS Correction Part of Historic Annex Res 5 : City of Viola**  
 \*for Census only - was already in state map

City: Viola  
 Mayor: Lowell "Jackie" Estes, Jr.

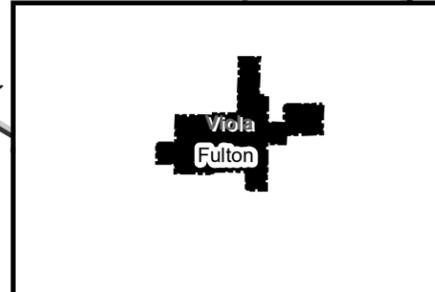
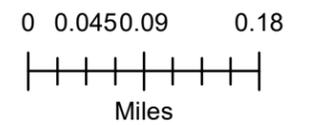
Arkansas Code 14-40-101.

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
- Neighboring City
- County Boundary



IN THE FULTON COUNTY COURT  
FULTON COUNTY, ARKANSAS

*Copy*

ERBY CARROLL ET AL. ----- PETITIONERS

P E T I T I O N

Comes, ERBY CARROLL, JERRY JAMES, JIM DE SHAZO, B. G. BEAVERS, V. J. SPARKS, OTIS DIHEL,  
TOMMY RICHMOND, and CHLOE HARBER,

and for their petition would state and show to the Court:

That the undersigned petitioners are a majority in value and are all the property owners and the only property owners and own the entire acreage of the following described real property:

- The North  $\frac{1}{2}$  of NE $\frac{1}{4}$  of SE $\frac{1}{4}$  of Section 18, Twp. 20 N. R. 9 W, 5th. P. M. - 20 acres.
- The South  $\frac{1}{2}$  of NW $\frac{1}{4}$  and the S $\frac{1}{2}$  of N $\frac{1}{2}$  of NW $\frac{1}{4}$ , Section 17, Twp. 20 N. R. 9 W, 5th. P. M. 120 acres.
- SW $\frac{1}{4}$  of SW $\frac{1}{4}$ , Sec. 18, Twp. 20 N. R. 9 W, 5th. P. M. - 40 acres.
- S $\frac{1}{2}$  of SE $\frac{1}{4}$  of Section 13, Twp. 20 N. R. 10 W. 5th. P. M. 80 acres.

CORRECTION OF FORMER LAND DESCRIPTIONS: IN THE ANNEXATION OF 1961:  
S $\frac{1}{2}$  of NE $\frac{1}{4}$  of SW $\frac{1}{4}$ ; N $\frac{1}{2}$  of SE $\frac{1}{4}$  of SW $\frac{1}{4}$ ; and SW $\frac{1}{4}$  of NE $\frac{1}{4}$ , ALL IN SECTION 13, TWP. 20 N. R. 10 W. 5th. P. M.

Which property adjoins and is contiguous to the Incorporated Town of Viola in the County of Fulton and State of Arkansas. An accurate map of said territory is marked "EXHIBIT "A", attached to this petition and made a part thereof.

That said property owners in value desire that said property be annexed and become a part of the Incorporated Town of Viola; and they herewith name Attorney E. H. LeMere of Salem, Arkansas, as being the authorized agent and attorney of the Petitioners to act in their behalf with regard to said annexation.

Wherefore, the premises being seen and understood by the Court, Petitioners would pray and ask that the Court make and enter its order annexing the above described territory and that it be added to and included within the boundaries of said Town of Viola,

Respectfully Submitted,

*Erby Carroll*  
*Jerry James*  
*Jim De Shazo*  
*B G Beavers*  
*V J Sparks*  
*Otis Dihel*  
*Tommy Richmond*  
*Chloe Harber*

(Filed October 28, 1961  
L. W. Posa, Clerk)

SHEET NUMBER TWO (Petition to Annex Territory to Viola)

State of Arkansas \*  
\* Verification of Petition  
County of Fulton \*

The following signers of the foregoing petition to annex Territory to Viola all of lawful age, being duly sworn say: That they are the Petitioners therein named and that they have read the foregoing petition and know the contents thereof, and that the facts therein set forth are true as they verily believe.

Erby Carroll

Jeary James

Jim DeShazo

B. G. Beavers

V. J. Sparks

Chis Dibel

Tommy Richmond

Chlod Harber

OCTOBER

Subscribed and sworn to before me this the 28 Day of ~~October~~, 1969.

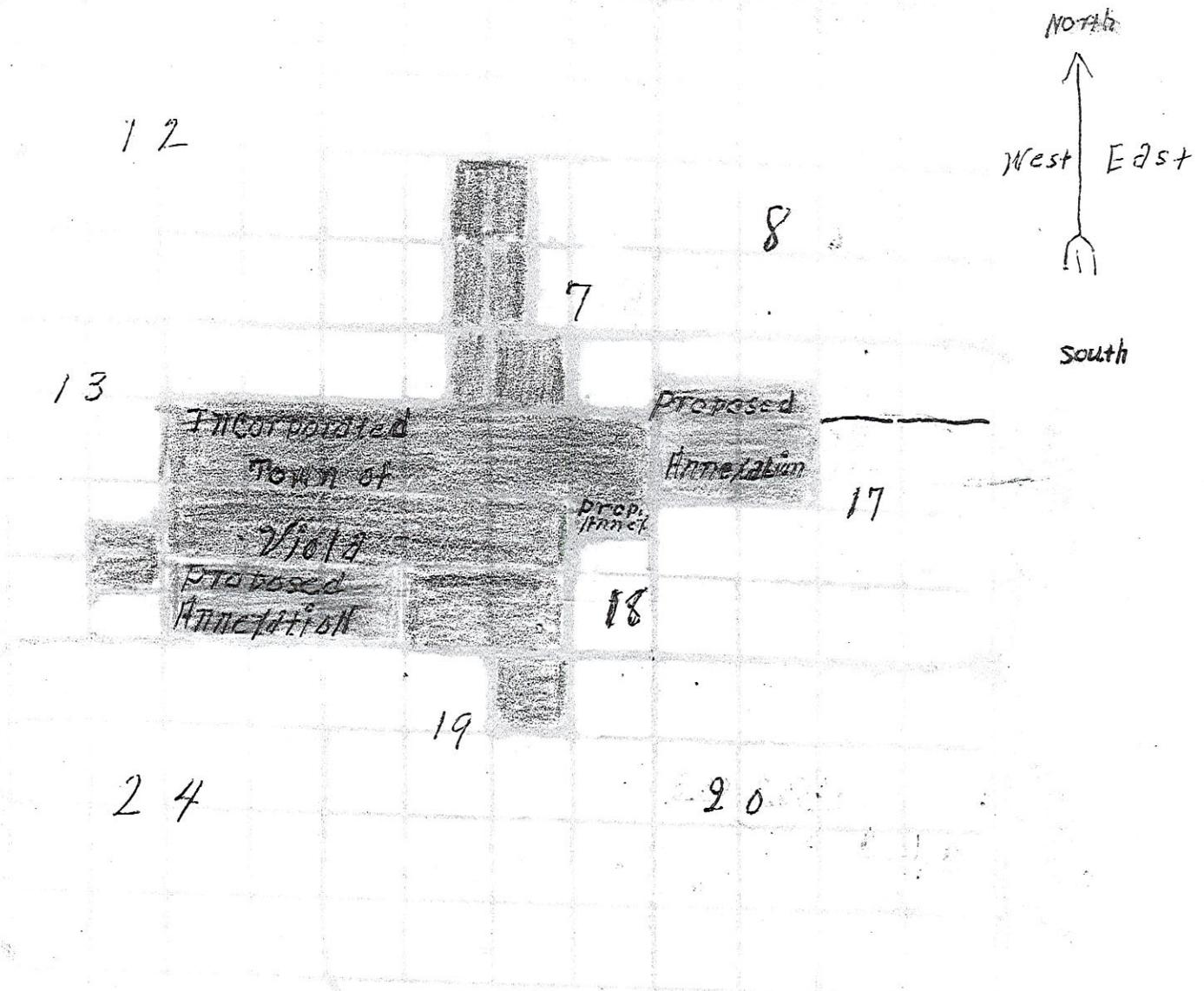
SEAL

L. W. Love

COUNTY CLERK, GULTON COUNTY, ARKANSAS

Exhibit A

Map of Territory to be Annexed to The Incorporated Town of Viola  
 Township 20 Ranges 10 and 9 West, 5th. Principal Meridian.  
 Fulton County Arkansas



The North  $\frac{1}{2}$  of NE  $\frac{1}{4}$  of SE  $\frac{1}{4}$  of Section 18 Twp. 20 N. R. 9 W. 5th. P. M. 20 acres.

The South  $\frac{1}{2}$  of NW  $\frac{1}{4}$  and the SE  $\frac{1}{2}$  of N  $\frac{1}{2}$  of NW  $\frac{1}{4}$  of section 17 Twp. 20 N. R. 9 W. 5th. P. M. 120 acres

SW  $\frac{1}{4}$  of SW  $\frac{1}{4}$  of sec 18 Twp. 20 N. R. 9 W. 5th. P. M. 40 acres.

SE  $\frac{1}{2}$  of SE  $\frac{1}{2}$  of Section 13, Twp. 20 N. R. 10 W 5th. P. M. 80 acres

Corrections of Former Land Descriptions.

SE  $\frac{1}{2}$  of NE  $\frac{1}{4}$  of SW  $\frac{1}{4}$ ; N  $\frac{1}{2}$  SE  $\frac{1}{2}$  SW  $\frac{1}{4}$  and SW  $\frac{1}{4}$  NE  $\frac{1}{4}$ , All in Section 13 Twp. 20 N, Range 10 W 5th. P. M.

Court Order for Annexation of Territory

IN THE FULTON COUNTY COURT  
FULTON COUNTY, ARKANSAS

Erby Carroll, Jerry James, Jim DeShaze, R. G. Beavers, V. J. Sparks,  
Otis Dibel, Tommy Richmond, and Chleo Harber, ----- PETITIONERS

C O U R T   O R D E R

On this the 1st Day of December, 1969, the above entitled cause of action coming on to be heard and having been submitted to the Court upon the verified petition of the Petitioners, with their sworn statement thereto, notice of Petition for Annexation with Proof of Publication thereof in the Salem Headlight, a weekly newspaper having a bonafide circulation for and within Fulton County, Arkansas for the time required by law, the statements of E. W. LaMore, Attorney and Agent for the Petitioners, the Court finds:

That the Petitioners are a majority in value and are all the property owners and the only property owners in said tract sought to be annexed and that they own the entire acreage of the said tract which is described as follows:

The North $\frac{1}{2}$  of NE $\frac{1}{4}$  of SE $\frac{1}{4}$  of Section 18, Twp. 20 N. R. 9 W, 5th. P. M. -20 acres.  
The South  $\frac{1}{2}$  of NW $\frac{1}{4}$  and the S $\frac{1}{2}$  of NE $\frac{1}{4}$  of NW $\frac{1}{4}$ , Section 17, Twp. 20 N. R. 9 W,  
5th. P. M. 120 acres.  
SW $\frac{1}{4}$  of SW $\frac{1}{4}$ , Sec. 18, TWP. 20 N. R. 9 W. 5th. P. M. - 40 acres.  
S $\frac{1}{2}$  of SE $\frac{1}{4}$  of Section 13, Twp. 20 N. R. 10 W. 5th. P. M. 80 acres.

CORRECTION OF FORMER LAND DESCRIPTION - IN THE ANNEXATION OF 1961,

S $\frac{1}{2}$  of NE $\frac{1}{4}$  of SW $\frac{1}{4}$ ; N $\frac{1}{2}$  of SE $\frac{1}{4}$  of SW $\frac{1}{4}$ ; and SW $\frac{1}{4}$  of NE $\frac{1}{4}$ . ALL IN  
SECTION 13, TWP. 20 N. R. 10 W. 5th. P. M.

Which property touches and is contiguous to the Incorporated Town of Viola in the County of Fulton and State of Arkansas and that an accurate map of said territory is marked "EXHIBIT A", and has been attached to the petition of the petitioners and filed in the Clerk's Office as required by law and that said territory should be annexed and become a part of the Town of Viola.

It is therefore, considered, ordered, and adjudged by the Court, that said property be annexed and made a part of the Town of Viola and included within its boundaries, provided the Incorporated Town of Viola, by Ordinance or by Resolution accept said territory and the annexation thereof to the Town of Viola.

It is further ordered and directed that in accordance with Section 19-303 and 19-304 of the Arkansas Statutes, that unless notice is given of the filing of objections to the Court's action herein that at the expiration of the period of thirty days (30) from the date of this order, the proceedings herein before this Court and the order herein shall in all things be confirmed; and after the expiration of said thirty days, the Clerk of this Court is ordered and directed to prepare three (3) copies of the entire proceedings before this Court including said plat and a copy of the City's Resolution accepting the Territory herein, which copies shall be certified by said Clerk; and he shall forward one copy of said proceedings to the Secretary of State at Little Rock, Arkansas, one copy to The Director of the Tax Division of Arkansas Public Service Commission, Little Rock Arkansas, and one copy to the City Recorder, Town of Viola, Salem, Arkansas, or other agent of said Town, provided the Town of Viola has accepted the annexation as above stated.

  
\_\_\_\_\_  
JUDGE OF THE COUNTY COURT, FULTON COUNTY, ARKANSAS

RESOLUTION

NUMBER

5

OF THE INCORPORATED TOWN OF VIOLA BY THE TOWN COUNCIL

Whereas The County Court of Fulton County, Arkansas, on the 1st. Day of December, 1969, did find that ERBY CARROLL, JERRY JAMES, JIM DE SHAZO, B. G. BEAVERS, V. J. SPARKS, OTIS DIEHL, TOMMY RICHMOND, AND CHLOE HARBUR are a majority in value and are all the property owners and the only property owners and own the entire acreage in the tract of land hereinafter described and sought to be annexed to the Incorporated Town of Viola, and that the said tract of land is contiguous and touches the said Town of Viola,

And whereas, the said County Court on the 1st. Day of December, 1969, did order said tract to be annexed, made a part of, and included within the boundaries of the Town of Viola, provided that the Town of Viola, should by Ordinance or Resolution accept said territory and the annexation thereof, and which territory sought to be annexed is described as follows, to-wit:

The North  $\frac{1}{2}$  of NE  $\frac{1}{4}$  OF SE  $\frac{1}{4}$  OF SECTION 18, TWP. 20 N. R. 9 W, 5TH. P. M. -20 acres.  
THE SOUTH  $\frac{1}{2}$  OF NW  $\frac{1}{4}$  AND THE S  $\frac{1}{2}$  OF N  $\frac{1}{2}$  OF <sup>of NW</sup> SECTION 17, TWP. 20 N. R. 9 W, 5TH. P. M. 120 ac.  
acres  
SW  $\frac{1}{4}$  OF SW  $\frac{1}{4}$ , SEC. 18, TWP. 20 N. R. 9 W, 5TH. P. M. - 40 acres.  
S  $\frac{1}{2}$  OF SE  $\frac{1}{2}$  OF SECTION 13, TWP. 20 N. R. 10 W. 5TH. P.M. 80 acres.

CORRECTION OF FORMER LAND DISCRPTION: IN THE ANNEXATION OF 1961:  
S  $\frac{1}{2}$  OF NE  $\frac{1}{4}$  OF SW  $\frac{1}{4}$ ; N  $\frac{1}{2}$  OF SE  $\frac{1}{4}$  OF SW  $\frac{1}{4}$ ; AND SW  $\frac{1}{4}$  OF NE  $\frac{1}{4}$ , ALL IN  
SECTION 13, TWP. 20 N. R. 10 W. 5TH. P. M.

Now, therefore, be it resolved by the Town Council of Viola, Fulton County, Arkansas that said County Court's Order of Annexation made on the 1st. Day of December, 1969, to the above and foregoing described tract of land be accepted by the Town of Viola; and by and through this Resolution of its Town Council at one of its regular meetings, do in fact, herewith accept said annexation of Territory as herein and heretofore described.

And the Town Recorder is directed to attach a map or plat of said territory to this Resolution, together with a copy of the County Court's Order herein and file and make it a permanent record of the Town of Viola for inspection of interested parties.

The Recorder is further directed to mail a copy of this Resolution to E. H. Lamere, P. O. B ex 8, Salem, Arkansas, the Agent of the Petitioners, that he may complete three transcripts of the whole proceedings herein and mail one transcript to the Secretary of State, one to the Public Service Commission, and one to the Recorder of the Town of Viola, as a permanent record of the proceedings hereto.

Approved this the 10 Day of Dec. 19 69.

Attest:

Frank Patterson  
RECORDER OF THE TOWN OF VIOLA

Erby Carroll  
MAYOR

IN THE MATTER OF THE PROCEEDINGS  
OF ANNEXATION OF TERRITORY OF THE TOWN OF VIOLA  
FULTON COUNTY, ARKANSAS  
( BY ERBY CARROLL AND OTHERS )

I, L. W. Love, Clerk of the County Court of Fulton County  
Arkansas, do certify that the foregoing Instrument of Writing  
consisting of 10 Pages, is a true and correct transcript of  
the proceedings had and done in the matter of the Annexation  
of the Territory described therein to the Town of Viola in  
Fulton County, Arkansas.

Witness my hand as such Clerk and the Seal of said Court on  
the 17 Day of December, 1969.

(Seal)

*L. W. Love*

CLERK OF THE COUNTY COURT  
FULTON COUNTY, ARKANSAS

FILED  
DEC 18 1969  
KELLY BRYANT  
SECRETARY OF STATE  
BY *VB*