

ARKANSAS SECRETARY OF STATE

March 2, 2021

The Hon. Sarah Smith Garland County Clerk 501 Ouachita Ave Hot Springs, AR 71901

Re:

City of Hot Springs Annexation Ordinance O-6351

Dear Ms. Smith,

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 \$14-40-602 (petition of majority of landowners)

Effective Date: 10/6/2020

County: Garland City Ordinance: O-6351

County Court Order: CC-20-28

City: Hot Springs

Dated: 10/6/2020 Date Filed: 8/14/2020

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,

Elections Division

cc:

Mac)

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. Pat McCabe, Mayor of Hot Springs (w/encl)

The Hon. Harmony H. Morrissey, Hot Springs City Clerk (w/encl)



Arkansas Secretary of State John Thurston Arkansas Secretary of State, 500 Woodlane Ave, Little Rock, AR 72201-1094

Municipal Boundary Change Checklist

Act 655 of 2017 and A.C.A. §14-40-103

County: Garland	_City/Town: H	Hot Springs
City Ordinance/Resolution No: 0-6351	_Date approved	_{d:} 10/6/2020
County Court Case No: CC-20-28		iled: <u>8/14/2020</u>
Type: Annexation by Petition Majority of Lando	wners A.C.A.	. 14-40-602
Date Change Effective: 10/6/2020 Set by: Mu (Required by Act 655 of 2017)	unicipal Ordinand	nce O Emergency Clause O Court O Default
For Circuit Court Challenge: Date Order Filed:	O Upho	held Overturned Other (attach explanation
Please indicate which ward(s) the territory will be assi	gned to: Distr	trict 6 (See A.C.A § 14-40-203)
Initiating party:		(366 A.C.A § 14-40-203)
• All Landowners • Majority Landowners • Munic	cipal Governing (Body OState OOther
Supporting Documentation attached (check all that apply	·):	
\checkmark File marked copy of City Ordinance/Resolution (<i>requ</i>	uired)	
File marked copy of County Court Order or certified	annexation elec	ction results (required except for A.C.A. §14-40-501)
$\overline{\checkmark}$ Copy of Arkansas GIS approved printed map and ce	rtification letter	r (required)
✓ Proof of Publication for all Legal Notices (include Hea		
File marked copy of Petition Part (if applicable)		
File marked copy of Complaint and final Circuit Cou	rt Order (Court Ch	Challenge only)
Municipal Contact:		
Name: Harmony Morrissey	_{Title:} City	y Clerk
Street Address: 133 Convention Blvd.		
City: Hot Springs	_{St:} AR	Zip code: 71901
Complete one form per ordinance/resolution, attach it as a cover within 45 days of the Effect		
County Official:		
Signature:	Title:	
Date:		
Pursuant to Act 655 of 2017, County Officials must submit a file-ma to: Arkansas Secretary of State, Attn: Municipal Bound	arked copy of munic ary Filing, 500 Wood	odlane Ave Suite 256, Little Rock, AR 72201-1094
Office of the Arkansas Secretary of State use only		FILED
Received by: Multille		MAR 0 2 2021
neceived by.		Arkansas Secretary of State



October 30, 2020

City of Hot Springs
Office of the City Clerk

133 Convention Blvd. Post Office Box 700 Hot Springs National Park, Arkansas 71902 (501) 321-6805 (501) 321-6809 Fax

Ms. Sarah Smith County Clerk Garland County Courthouse 501 Ouachita Hot Springs, AR 71901

Re: Hot Springs Annexation Ordinance No. 6351

Dear Ms. Smith:

This letter is to notify you that the City of Hot Springs Board of Directors confirmed the acceptance of the territory commonly known as 220 Robertsridge Street, formerly 345 Ridgemont Circle, into the incorporated City limits by the passage of Ordinance 6251 on October 6, 2020.

Please find enclosed the Municipal Boundary Change Packet including file marked copies of Ordinance No. 6351, including the Scrivener's Affidavit correcting a mistype in the legal description, map for the Annexation of said territory, Decree of Annexation from Garland County, Arkansas GIS map and certification letter, proof of publications as well as the approval of the Address change from the City of Hot Springs.

The territory in this petition for annexation is a single lot that is contiguous to the City of Hot Springs incorporated limits at its western boundary. In addition, please note that the newly annexed property has been assigned to District 6 and also has been assigned the new address of 220 Robertsridge Street.

I have carbon copied the above information via e-mail to the Secretary of State's Office, Director of the Tax Division of the Arkansas Public Service Commission and the Excise Tax Office of the Department of Finance and Administration, Windstream, CenterPoint Energy, Entergy, AT&T, Resort Cable Television and Ritter Communications, as noted below.



City of Hot Springs Office of the City Clerk

133 Convention Blvd.
Post Office Box 700
Hot Springs National Park,
Arkansas 71902
(501) 321-6805
(501) 321-6809 Fax

Thank you for your assistance in this matter. Please do not hesitate to contact me if you have any questions or comments.

Sincerely,

Harmony Hurst Morrissey

Enclosures as noted

Cc via e-mail: Mr. Tom Atchley, Arkansas Department of Finance & Administration

Rob Hammons, Secretary of State

Sarah Bradshaw, Public Service Commission

Shelby Johnson, Arkansas Geographic Information Office Jonathan Duran, Arkansas Geographic Information Office Jennifer Wheeler, Arkansas Geographic Information Office

Ryan Roberts, Windstream Mike Chandler, Windstream

Rita Medlock, CenterPoint Energy

Brian Chancellor, CenterPoint Energy

Matthew Pye, Entergy

Hector Loya, Entergy

Aaron Scruggs, Entergy

Derek Johnson, AT&T

Glenn Woner, AT&T

Todd Gregory, AT&T

Chuck Launius, Resort Cable

Charles Hill, Resort Cable

Bob Mouser, Ritter Communications

ORDINANCE NO. 6351

Jeannie Pike - Circuit Clerk Garland County, AR Term/Cashier: 9W29RD2/TAMMIE KELLAR 10/08/2020 10:42AM Tran: 293422

AN ORDINANCE ACCEPTING THE ANNEXATION OF CERTAIN TERRITORY, PROPERTY ID #11418; LOCATED ON 7.89 ACRES AT ROBERTSRIDGE STREET AND RIDGEMONT CIRCLE, TO THE CITY OF HOT SPRINGS, ARKANSAS; MAKING SAME A PART OF THE CITY OF HOT SPRINGS; ASSIGNING SAID LANDS TO A ZONING DISTRICT; ASSIGNING SAID LANDS TO A BOARD DISTRICT; AND FOR OTHER PURPOSES.

WHEREAS, a Petition was filed with the County Clerk of Garland County, Arkansas, pursuant to Arkansas Code Annotated §14-40-601 et seq. by the majority of real estate owners of the hereinafter described territory praying that said territory be annexed to, and made a part of the City of Hot Springs, Arkansas; and that

WHEREAS, on the 14th day of August, 2020, the County Court of Garland County, Arkansas, found that the Petition was signed by a majority of the real estate owners in said territory; that said territory was contiguous and adjoining the present corporate limits of the City of Hot Springs, Arkansas; that an accurate plat or map of said territory had been filed with and made a part of said Petition; that proper 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 Hot Springs, Arkansas; and that

WHEREAS, the time set by law for appealing from said Order of Annexation made by the County Court has expired, and no appeal has been taken from said Order.

NOW, THEREFORE, BE IT ORDAINED by the Board of Directors of the City of Hot Springs, Arkansas, as follows:

SECTION 1. That the following described lands and territory contiguous to and adjoining the City of Hot Springs, Arkansas, be and the same is hereby accepted as part of and annexed to and made a part of the City of Hot Springs, Arkansas:

A part of the SE ¼ NE ¼ of Section 11, Township 3 South, Range 19 West, Garland County, Arkansas, that prat of the said SE ¼ NW ¼ being further described as follows:

Beginning at the NW corner of the SE ¼ NW ¼ being a found ½ inch iron pipe; thence South 89 degrees 00 minutes 25 seconds East 444.65 feet to a found 5/8 inch rebar; thence South 89 degrees 09 minutes 55 seconds east 110.77 feet to a found 5/8 inch rebar; thence South 48degrees 58 minutes 55 seconds West 153.83 feet; thence South 02 degrees 57 minutes 58 seconds West 540.94 feet to the center of a creek; thence along the center of said creek 521.75 feet to a point that bears South 63 degrees 37 minutes 04 seconds West 509.82 feet from the last said point; thence leaving said creek North 02 degrees 57 minutes 58 seconds East 878.21 feet to the Point of Beginning.

SECTION 2. That the above-described territory shall be and is hereby zoned (R-1), and the zoning map as adopted by the Zoning Code is hereby amended to the extent necessary to designate this zoning classification.

SECTION 3 Future development is subject to local, state, and federal requirements in effect at the time of development.

SECTION 4. That the above-described territory shall be made a part of District 6 of the City of Hot Springs, Arkansas, and the same shall, henceforth, be a part of said District as fully as the existing part of said District.

APPROVED AS TO LEGAL FORM:

BRIAN/W. A/BRIGHT, CITY ATTORNEY

ACKNOWLEDGMENT

STATE OF ARKANSAS **COUNTY OF GARLAND**

SUBSCRIBED AND SWORN to before me this O day of

My Commission Expires:

LEIGH LEAVERTON Notary Public-Arkansas Garland County ommission Expires 11-04-2029 Commission#12709265

This affidavit is given as an addendum to Ordinance No. 6351 for purpose of correcting the scrivener's error contained therein and recited above.

FURTHER THE AFFIANT SAYETH NOT.

HARMONY HURST MORRISSEY, CITY CLERK

Garland County, AR I certify this instrument was filed on 10/19/2020 2:55PM and recorded in DEED Book 4249 at pages 0104 - 0105 Jeognie Pike - Cipcuit Cleo

STATE OF ARKANSAS

) SS

ACKNOWLEDGMENT

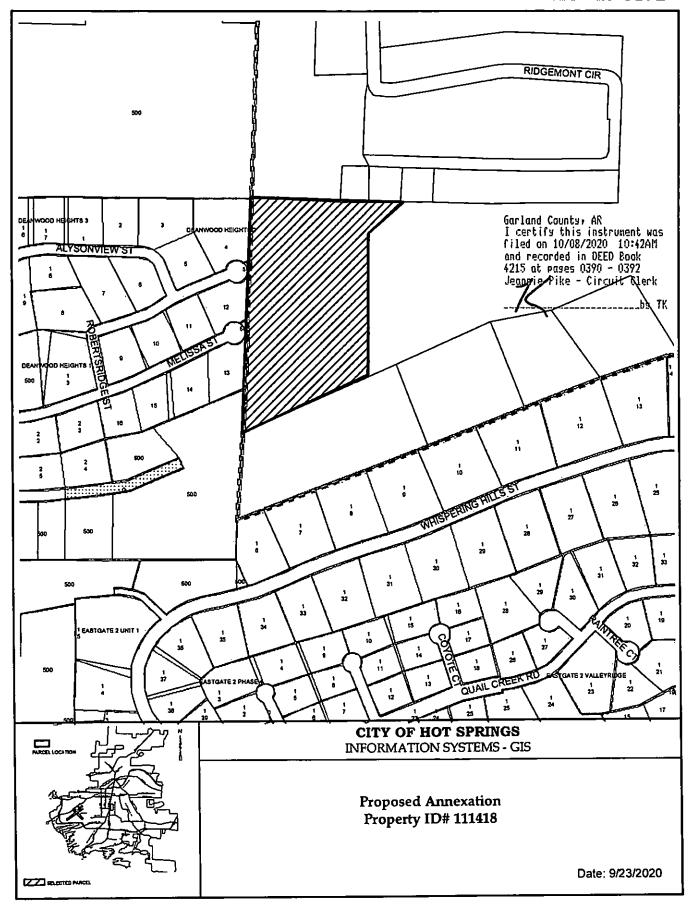
COUNTY OF GARLAND

SUBSCRIBED AND SWORN TO before a Notary Public on this

day of October, 2020.

My Commission Expires:

LEIGH LEAVERTON Notary Public-Arkansas Garland County My Commission Expires 11-04-2029 Commission#12709265



Chr

Book 4219 Page 0104

SCRIVENER'S AVIDAVIT ADDENDUM

TO

Jeannie Pike - Circuit Clerk Garland County, AR Térm/Cashier: 9W29RD2/TAMMIE KELLAR 10/19/2020 2:55PN

Tran: 294082 Total Fees: \$20.00

ORDINANCE NO. 6351, adopted October 6, 2020

The undersigned, Harmony Hurst Morrissey, the duly appointed and acting City Clerk of and for the City of Hot Springs, Arkansas, having been duly sworn, states the following under oath:

- 1. Ordinance No. 6351, was duly adopted by the Hot Springs Board of Directors on October 6, 2020. Reference Book 4215 page 0390
- 2. Section 1. of said ordinance contains, in part, the following legal description of certain real property:

A part of the SE ¼ NE ¼ of Section 11, Township 3 South, Range 19 West, Garland County, Arkansas, that prat of the said SE ¼ NW ¼ being further described as follows:

Beginning at the NW corner of the SE ¼ NW ¼ being a found ½ inch iron pipe; thence South 89 degrees 00 minutes 25 seconds East 444.65 feet to a found 5/8 inch rebar; thence South 89 degrees 09 minutes 55 seconds east 110.77 feet to a found 5/8 inch rebar; thence South 48degrees 58 minutes 55 seconds West 153.83 feet; thence South 02 degrees 57 minutes 58 seconds West 540.94 feet to the center of a creek; thence along the center of said creek 521.75 feet to a point that bears South 63 degrees 37 minutes 04 seconds West 509.82 feet from the last said point; thence leaving said creek North 02 degrees 57 minutes 58 seconds East 878.21 feet to the Point of Beginning.

3. The legal description described above is in error, and Section 1. of said Ordinance No. 6351 should have contained the following legal description:

A part of the SE ¼ NW ¼ of Section 11, Township 3 South, Range 19 West, Garland County, Arkansas, that part of the said SE ¼ NW ¼ being further described as follows:

Beginning at the NW corner of the SE ¼ NW ¼ being a found ½ inch iron pipe; thence South 89 degrees 00 minutes 25 seconds East 444.65 feet to a found 5/8 inch rebar; thence South 89 degrees 09 minutes 55 seconds east 110.77 feet to a found 5/8 inch rebar; thence South 48 degrees 58 minutes 55 seconds West 153.83 feet; thence South 02 degrees 57 minutes 58 seconds West 540.94 feet to the center of a creek; thence along the center of said creek 521.75 feet to a point that bears South 63 degrees 37 minutes 04 seconds West 509.82 feet from the last said point; thence leaving said creek North 02 degrees 57 minutes 58 seconds East 878.21 feet to the Point of Beginning.

The Court further finds that attached to and made a part of said Petition is an accurate map of the territory sought to be annexed to the City of Hot Springs, Arkansas.

The Court further finds that Garland County, Arkansas, is not the issuing entity for addresses within the boundaries of the City of Hot Springs and the Petitioners shall resolve any addressing issues directly with the City of Hot Springs.

The Court further finds that the Prayer of the Petition is right and proper.

THEREFORE, the Court does hereby ORDER, ADJUDGE, and DECREE that the following territory be and the same is hereby annexed to and made a part of the City of Hot Springs, Arkansas, to-wit:

Part of the SEI/4 NWI/4 of Section 11, Township 3 South, Range 19 West, Garland County, Arkansas, that part of the said SEI/4 NWI/4 being further described as follows:

Beginning at the NW corner of the SEI/4 NWI/4 being a found 1/2 inch iron pipe; thence South 89 degrees 00 minutes 25 seconds East 444.65 feet to a found 5/8 inch rebar; thence South 89 degrees 09 minutes 55 seconds East 110.77 feet to a found 5/8 inch rebar; thence South 48 degrees 58 minutes 55 seconds West 153.83 feet; thence South 02 degrees 57 minutes 58 seconds West 540.94 feet to the center of a creek; thence along the center of said creek 521.75 feet to a point that bears South 63 degrees 37 minutes 04 seconds West 509.82 feet from the last said point; thence leaving said creek North 02 degrees 57 minutes 58 seconds East 878.21 feet to the Point of Beginning.

The Court further orders that the original papers in this cause be delivered to the Clerk of Garland County, Arkansas, same to be properly recorded upon the records of Garland County, Arkansas, and the Clerk, after properly recording and filing the original papers, prepare transcripts of same; that one of the certified transcripts be delivered to the City of Hot Springs, Arkansas, one copy to the Secretary of State, and one copy to the Director of the Tax Division of the Arkansas Public Service Commission.

FILED

7070 AUG 14 PH 3: 20
IN THE COUNTY COURT OF GARLAND COUNTY, ARKANSAS

BYY CLUSALLET

IN THE MATTER OF ANNEXING TO THE CITY OF HOT SPRINGS ARKANSAS, CERTAIN TERRITORY CONTIGUOUS TO THE CITY OF HOT SPRINGS, ARKANSAS

DECREE OF ANNEXATION

On this day the above-captioned matter comes before the Court on the Petition for Annexation of certain territory, hereinafter more particularly described, to the City of Hot Springs, Arkansas. The petitioners, Willis Family Trust, by and through William H. Willis II and Donna M. Willis appear. The Court, being fully advised of the facts and the law, doth hereby find, judge and decree as follows:

The Court finds that the Petition was filed more than thirty (30) days prior to this date and that William B. Willis II was selected by the Petitioners to act on their behalf in filing and presenting the Petition. Notice of the hearing has been proven pursuant to A.C.A. § 14-40-602.

The Court finds that a majority of the total number of real estate owners in the area affected by this Petition have signed said Petition and that such majority owns more than one-half (1/2) of the acreage affected.

The Court further finds that the territory sought to be annexed was accurately described in the Petition, as amended, and that said territory is contiguous to the boundaries of the City of Hot Springs, Arkansas.

IT IS SO ORDERED.

DARRYL MAHONEY Garland County Judge

08/14/202

EXHIBIT A

Lot 1 of Ridgemont Subdivision as recorded in Book 5 Page 90 of the Plat Records of Garland County Arkansas.

ALSO: Part of the SE1/4 NW1/4 of Section 11, Township 3 South, Range 19 West, Garland County Arkansas, that part of the said SE1/4 NW1/4 being further described as follows: Beginning at the NW corner of the SE1/4 NW1/4 being a found 1/2 inch iron pipe; thence South 89 degrees 00 minutes 25 seconds East 444.65 feet to a found 5/8 inch rebar; thence South 89 degrees 09 minutes 55 seconds East 110.77 feet to a found 5/8 inch rebar; thence South 48 degrees 58 minutes 55 seconds West 153.83 feet; thence South 02 degrees 57 minutes 58 seconds West 540.94 feet to the center of a creek; thence along the center of said creek 521.75 feet to a point that bears South 63 degrees 37 minutes 04 seconds West 509.82 feet from last said point; thence leaving said creek North 02 degrees 57 minutes 58 seconds East 878.21 feet to the Point of Beginning.

Merry Bellomy

certify that the legal notice hereto attached was published in said newspaper for

a Manager, of The Stitling Attit a newspaper of general circulation published, and having bonifide circulation in Hot Springs, Garland County, Arkansas, hereby

2020 2020 2020 2020 Day of July July 28th_ Day of July Day of July 14th Day of Day of Day of consecutive insertions and that the 28th 21st First Insertion was on the and the last insertion was Second Insertion was Fourth Insertion was Third Insertion was Fifth Insertion was

State of Arkansas County of Garland

A.D. 2020 Subscribed and sworn to before me this 3rd Day of August

Kande Chryls Signature of Notary
My Commission Expires: January 5, 2029

Merry Bellomy	a Manager, of The Sentinel Accord a new	vspap
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ORDINANCE NO. 06351 AN ORDINANCE ACCEPTING THE ANNEXATION OF CERTAIN TERRITORY, PROPERTY ID #111418, LOCATED ON 7.89 ACRES AT ROBERTSRIDGE STREET AND RIDGEMONT CIRCLE, TO THE CITY OF	100,000	hed w
HOT SPRINGS, ARKANSAS; MAKING SAME A PART OF THE CITY OF HOT SPRINGS: ASSIGNING SAID LANDS TO A ZONING DISTRICT.	consecutive insertions and t	hat th
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SECTION 4. That the above-described territory shall be made a part of District 6 of the City of Hot Springs, Arkansas, and the same shall, henceforth, be a part of eaid District as fully as the existing part of sald District.

PASSED: October 6, 2020

APPROVED: PAT McCABE MAYOR

ATTEST: HARMONY MORRISSEY, CITY CLERK
APPROVED AS TO LEGAL FORM: BRIAN W. ALBRIGHT
CITY ATTORNEY

ACKNOWLEDGMENT

ACKNOWLEDGMENT
STATE OF ARKANSAS
COUNTY OF GARLAND
SUBSCRIBED AND SWORN to before me this 5th day of October.
2020. Leigh Leaverton

Leigh Leaverton Notary Public

My Commission Expires: 11-4-2029

a Manager, of the Sentinel	etord a ne	wspaper o	f general circulati	on published, and
having bonifide circulation	in Hot Spr	ings, Garla	and County, Arkan	sas, hereby
certify that the legal notice l	hereto atta	ched was p	ublished in said n	ewspaper for
f 1 consecutive inse	ertions and	that the		
First Insertion was on the	16th	Day of	October	2020
Second Insertion was		Day of		2020
Third Insertion was		Day of		2020
Fourth Insertion was		Day of		2020
Fifth Insertion was		Day of		2020
and the last insertion was	16th	Day of	October	2020
State of Arkansas County of Garland	/	Ne	Manager	ellomy.

Lind

Signature of Notary

My Commission Expires: January 5, 2029

October Day of

> LINDA ARNESON LINDA ARNESUN
> Notary Public - Arkansas
> Garland County
> Commission # 12706397
> My Commission Expires Jan 5, 2029

A.D. 2020



Date Assigned:	10-12-2020),
Assigned By:	iv3	
Zone: \overline{R}	[

ADDRESS REQUEST FORM

,
NAME: William + Donna Willis (Willis Family Trist) DATE OF APP: 7/29/2020 HOMEOWNER/ BUSINESS OWNER)
MAILING ADDRESS: 345 Ridgement Circle
Hot Springs, AR 71901
TELEPHONE #: 501-655-9875 501-282-4358 EMAIL ADDRESS: + trippigs@gintail.com
STREET NAME: ROBERTS RIDLE STREET
SUBDIVISION NAME DEAKLLOCK HEIGHTS PHASE !
OTH MA BLOCK # MA PARCEL # MA (FASTERN EM) CF STROT)
OO YOU HAVE A DRIVEWAY ESTABLISHED? YES! NO IF NO, PLEASE MARK THE DRIVEWAY LOCATION ON SITE PLAN
BUILDER NAME: Whiley Construction
ELEPHONE #: 501-627-8499 EMAIL ADDRESS: Whiley, const@hotmail.com
ADDRESS: 4836 Park Ave
Hot Springs AR 71901
IGNATURE: Wn #, Will DATE: 9/24/2020
ussigned address: 220 Robertsridge St Hot Springs, AR 7190/
Pate: 10-12-2020 By: WS.L.



Department of Transformation and Shared Services

Governor Asa Hutchinson Secretary Amy Fecher Director Shelby Johnson

September 23, 2020

Ms. Harmony Hurst Morrissey City Clerk City of Hot Springs 133 Convention Blvd. Hot Springs, AR 71901

RE: City of Hot Springs Annexation Coordination Requirement

Ms. Morrissey,

Thank you for coordinating with our office as you seek to annex property into the City of Hot Springs, AR located in Section 11, Township 3 South, Range 19 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^{th} 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

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

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