

## ARKANSAS SECRETARY OF STATE

# MARK MARTIN

September 6, 2018

The Honorable Doug Curtis Saline County Clerk 215 N. Main St, #9 Benton, AR 72015

Re: City of Bryant Annexation Ordinance 2018-26

Dear Mr. Curtis,

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: 07/26/2018

County: Saline

City: Bryant

City Ordinance: 2018-26

Dated: 06/26/2018

County Court Order: CC-2017-3

Filed: 07/18/2017

Honorable Jeff Arey, Saline 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,

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)

Mr. Truett Smith, Bryant Director of Planning and Commercial Development (w/encl)

Legal Division • 500 Woodlane Street • Suite 256 • Little Rock, Arkansas 72201-1094

501-682-3401 • Fax: 501-682-1213

e-mail: legal@sos.arkansas.gov • www.sos.arkansas.gov

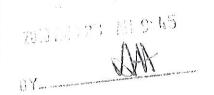


# **Arkansas Secretary of State**

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

Municipal Boundary Change Checklis	it All
County: Saling City/Town: Bow	ant By CM
City Ordinance/Resolution No: 2018 20 Date approved:	20-18
County Court Case No: Date Order Filed:	-18-17
Type: A.C.A 3 14-40-609 (petition by 1002) (Choose from the list of Arkansas Code Sections located on the back	B of the landowners)
Date Change Effective: 7:200 Set by: Municipal Ordinance © Emerge (Required by Act 655 of 2017)	ency Clause OCourt ODefault
For Circuit Court Challenge: Date Order Filed:OUpheldOovertu	rned Oother (attach explanation)
Initiating party:	
O All Landowners	e 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 a	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 Ordinan	ce/Resolution notices)
File marked copy of Petition Part or File marked copy of the certified special elec	ction results (if applicable)
File marked copy of Complaint and final Circuit Court Order (Court Challenge only)	
Municipal Contact:	
Name: TVAPH OMHY) Title: Picechoco	8 Planning (Comm. Dev.
Street Address: 210 SW 3rdSt reex	
City: Bryant St: W Zip code:	12000
Complete one form per ordinance/resolution, attach it as a cover page to the supporting document set within 45 days of the Effective Date as required by Act 655 of 201	
	, O
County Official:	Chook
Date: S > 8	y con
Pursuant to Act 655 of 2017, County Officials must submit a file-marked copy of municipal boundary receipt to: Arkansas Secretary of State, Attn: Municipal Boundary Filing, 500 Woodlane Ave Suite	
Office of the Arkansas Secretary of State use only	Try -
1 1 1 1	FILED
Received by: Lythia Fisher	SEP 06 2018

Arkansas Secretary of State



Annexation Benjamin Grove Subdivision -Correction of Ordinance 2017-34

## ORDINANCE NUMBER 2018 - 26

# AN ORDINANCE AMENDING ORDINANCE 2017-34 FOR THE ANNEXATION OF BENJAMIN GROVE SUBDIVISION

WHEREAS, Thomas D.B. Collins, Ltd., filed a Petition with the County Court of Saline County, Arkansas, to annex certain property hereinafter described, to the City of Bryant, Saline County, Arkansas; and

WHEREAS, on July 18, 2017, Jeff Arey, County Judge of Saline County Arkansas, determined that said petition should be granted and that the property hereinafter described should be released from Saline County and annexed to the City of Bryant, Saline County, Arkansas.

WHEREAS, more than thirty (30 days have expired since entry of said order and the City of Bryant desires to accept said property into the City.

WHEREAS, Ordinance 2017-34 was pass by Bryant City Council with a logal description error, and as such, is hereby amended to reflect the correct property description by removing and replacing Tract 1 and Tract 2 from Ordinance 2017-34 with the described Tract 3 herein below.

#### BE IT ORDAINED BY THE CITY COUNCIL OF BRYANT, ARKANSAS;

Section 1. That the property hereinafter described be annexed to and made a part of the City of Bryant, Saline County, Arkansas.

### TRACT 3 PROPERTY DESCRIPTION: (AS SURVEYED):

A PART OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 12; TOWNSHIP I SOUTH; RANGE IS WEST; SALINE COUNTY, ARKANSAS; BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 12; THENCE N 1° 30' 03" E A DISTANCE OF 630.67 FEET TO A POINT BEING ON THE EAST LINE OF SECTION

12; THENCE N 88° 06' 35" W A DISTANCE OF 750.78 FEET TO THE POINT OF BEGINNING; THENCE S 1° 50' 17" W A DISTANCE OF 630.00 FEET TO A FOUND T-POST ON THE SOUTH LINE OF SAID SOUTHEAST QUARTER OF THE

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THE SOUTHWEST CORNER OF SAID SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 12; THENCE N 1° 30' 01" E ALONG THE WEST LINE OF SAID SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 12 A

Page 1 of 2



08' 55" E ALONG THE NORTH LINE OF SAID SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 12 A DISTANCE OF 645.98 FEET TO A POINT; THENCE S 1° 51' 05" W A DISTANCE OF 140.00 FEET TO A POINT; THENCE S 88° 08' 55" E A DISTANCE OF 50.16 FEET TO A POINT; THENCE S 1° 30' 03" W A DISTANCE OF 550.72 FEET TO THE POINT OF BEGINNING; CONTAINING 20.88 ACRES (909,750 SQUARE FEET), MORE OR LESS,

The area to be annexed is to include all adjacent and abutting public streets and rights-of-way.

Section 2.

That the hereinabove described property shall be annexed to and made a part of Ward 2 of the City of Bryant with a zoning designation of R-1.S and the same shall henceforth be a part of said ward as fully as existing part of said ward.

Passed and approved this

Ammyer

Attest: // City Clark

Page 2 of 2

# IN THE COUNTY COURT OF SALINE COUNTY, ARKANSAS NO. CC 2017-3

# IN THE MATTER OF ANNEXATION OF CERTAIN TERRITORY CONTIGUOUS TO THE CITY OF BRYANT, ARKANSAS

# A.

## DECREE OF ANNEXATION

Comes for hearing the Petition of THOMAS D.B COLLINS, LTD, who is the one hundred percent (100%) property owner of portions of Section 12, Township 1 South, Range 15 West, asking that the following territory be annexed to the City of Bryant, Saline County, Arkansas, to-wit:

LEGAL DESCRIPTION, SEE ATTACHED EXHIBIT "A"

The area to be annexed is to include all adjacent and abutting public streets and rights of way.

After hearing the evidence, the Court finds:

- 1. That the Petition for Annexation is attested by the property owner;
- 2. That the boundaries of said territory have been accurately described within the petition;
- 3. That said land is adjacent and contiguous to the City of Bryant, Saline County, Arkansas and provides for contiguity of access;
- 4. That said petition contained all required verifications and is complete and accurate;
- 5. That no enclaves will be created by the annexation;
- 6. That said petition contains a schedule of services; and
- 7. That said petition should be granted and the territory as above described should be annexed to the City of Bryant, Saline County, Arkansas, and become part of said City.

THEREFORE the Court hereby ORDERS, JUDGES, and DECREES that the lands described above are hereby annexed to and made part of the City of Bryant, Saline County, Arkansas. The Court hereby orders that the original papers in this cause be delivered to the Clerk of Saline 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 Bryant, Arkansas, one copy to the Arkansas Secretary of State and one copy to the Director of the Tax Division of the Arkansas Public Service Commission.

MAN, Saline County Judge

Date

FILED

SEP 06 2018

Arkansas Secretary of State

## **Tract 3 Legal Description**

TRACT 3 PROPERTY DESCRIPTION: (AS SURVEYED): A PART OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 12: TOWNSHIP 1 SOUTH; RANGE 15 WEST; SALINE COUNTY, ARKANSAS; BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF SAID SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 12; THENCE N 1° 30' 03" E A DISTANCE OF 630.67 FEET TO A POINT BEING ON THE EAST LINE OF SECTION 12: THENCE N 88° 06' 35" W A DISTANCE OF 750.78 FEET TO THE POINT OF BEGINNING: THENCE S 1° 50' 17" W A DISTANCE OF 630.00 FEET TO A FOUND T-POST ON THE SOUTH LINE OF SAID SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 12; THENCE N 88° 03' 34" W ALONG THE SOUTH LINE OF SAID SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 12 A DISTANCE OF 691.56 FEET TO A FOUND REBAR BEING THE SOUTHWEST CORNER OF SAID SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 12; THENCE N 1° 30' 01" E ALONG THE WEST LINE OF SAID SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 12 A DISTANCE OF 1319.66 FEET TO A FOUND REBAR, BEING THE NORTHWEST CORNER OF SAID SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 12; THENCE S 88° 08' 55" E ALONG THE NORTH LINE OF SAID SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 12 A DISTANCE OF 645.98 FEET TO A POINT; THENCE S 1° 51' 05" W A DISTANCE OF 140.00 FEET TO A POINT; THENCE S 88° 08' 55" E A DISTANCE OF 50.16 FEET TO A POINT; THENCE S 1° 30' 03" W A DISTANCE OF 550.72 FEET TO THE POINT OF BEGINNING; CONTAINING 20.88 ACRES (909,750 SQUARE FEET), MORE OR LESS.



July 17, 2017

Mr. Vernon J. Williams, P.E. GarNat Engineering LLC 2909 Military Road Benton, AR 72015

RE: City of Bryant Annexation Coordination Requirement

Mr. Williams

Thank you for coordinating with our office as you seek to annex property into the City of Bryant, AR. 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

/jjw

FILED

SEP 06 2018

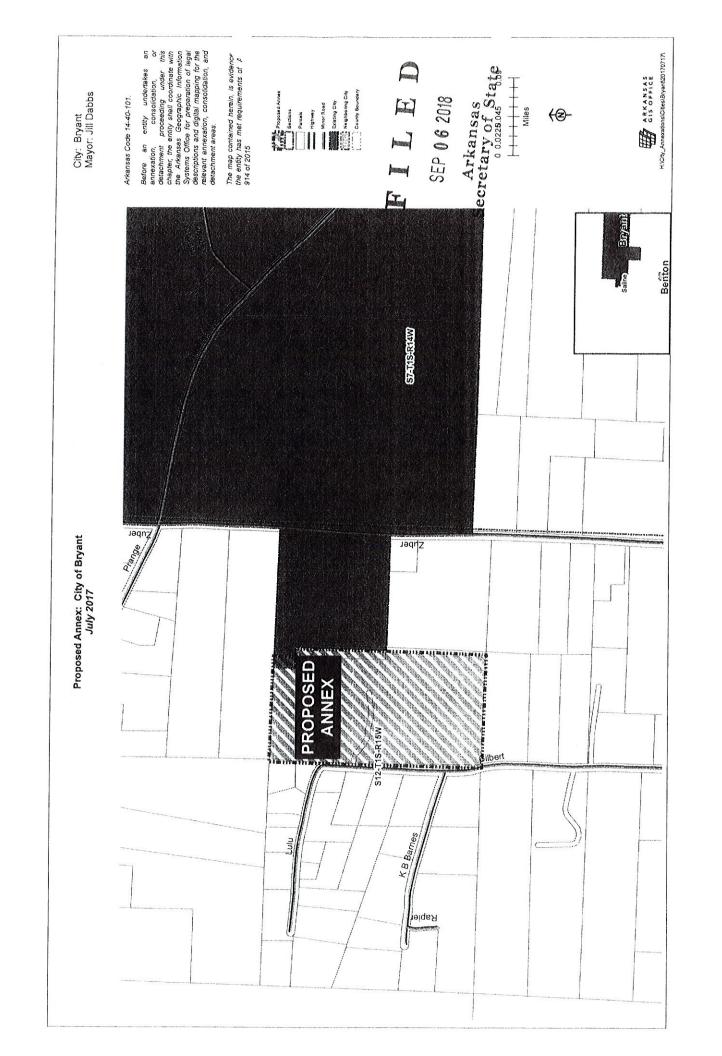
Arkansas Secretary of State

Attachments:

GIS Office Map of Proposed Annexation Secretary of State Municipal Change Checklist

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ARKANSAS GIS OFFICE · 1 CAPITOL MALL SUITE 6D · LITTLE ROCK · ARKANSAS · 72201
PHONE (501) 682-2767 · www.gis.arkansas.gov · FAX (501) 682-6077



## IN THE COUNTY OF SALINE COUNTY, ARKANSAS [17] [17] [18] [1: 55]

CASE NO. 2017:3

IN THE MATTER OF ANNEXATION OF CERTAIN
TERRITORY CONTIGUOUS TO THE CITY OF BRYANT, ARKANSAS

# AMENDED PETITION FOR ANNEXATION TO THE CITY OF BRYANT, ARKANSAS

Petitioner, Thomas D. B. Collins, LTD, is the owner of the real property described in the attached Attachments "A" and "B".

The undersigned further states that it is the one hundred percent (100%) owner of the property, that the property is contiguous to the City of Bryant, Arkansas (the City), and that all of the property lies within Saline County, Arkansas. The undersigned petitions that the property be annexed to the City in accordance with Arkansas Code Annotated §14-40-609 (Act 991 of 2015). The undersigned hereby authorizes Vernon Williams, P.E. of GarNat Engineering to act on behalf of the Petitioner in connection with this petition and the request for annexation to the City.

The following services shall be extended to the annexed area within three (3) years after the date the annexation becomes final:

- 1. Sewer from the City of Bryant;
- 2. Water from Salem Water Users;
- 3. Electric from First Electric;
- 4. Phone from Fidelity Communications.

**PETITIONER:** 

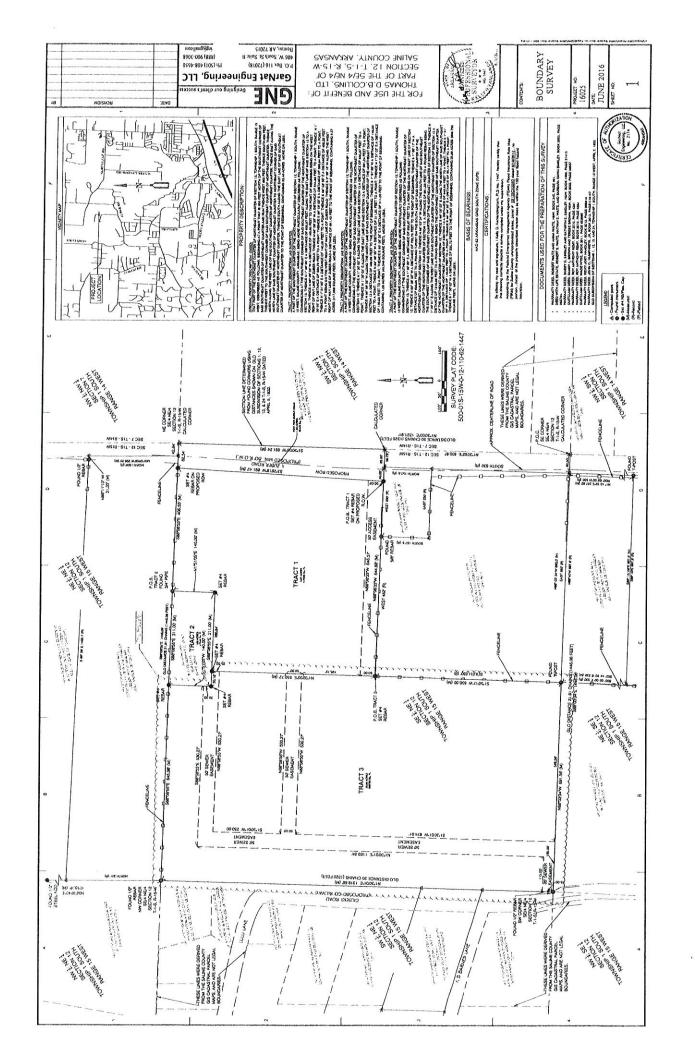
THOMAS D.B. COLLINS, LTD

Phillip Pengelly, Owner

FILED

SEP 06 2018

Arkansas Secretary of State



## **ATTACHMENT B**

## **Tract 3 Legal Description**

TRACT 3 PROPERTY DESCRIPTION: (AS SURVEYED):

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# BOB RAMSEY

Saline County Assessor

2017 JUL 16 PM 3: 38

The same property and the state of the state

July 18, 2017

Re:

In the Matter of Annexation of Certain Territory Contiguous to the City of Bryant, Arkansas Saline County Court Case No. CC-2017-3

Judge Arey,

In accordance with Arkansas Code Annotated § 14-40-609 (Act 991 of 2015), I have:

A) Verified the identify of Petitioner in the above referenced matter;

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 is contiguous with the City of Bryant; and

D) Verified that no enclaves will be created if the petition is accepted by the City of Bryant.

If you have any questions, or need anything further, please do not hesitate to contact me.

Sincerely,



Z617 JAL 18 PH 3: 39

BY ......

July 18, 2017

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If you have any questions, or need anything further, please do not hesitate to contact me.

Sincerely,

lon !

Doug Curtis

County Clerk

Ordinance No. 2017-34 | Code of Ordinances | Bryant, AR | Municode Library

## **APPLICATION** FOR CHANGE IN ZONING DISTRICT BOUNDARIES

Applicant Name: Thurses D. B. Collins	
Spouse Name: 11/1	
Property Address:	
ogal Doscription: See attacked Exhibit A &B	
	OURNO DE
xisting Zoning Classification: N/A	
equested Change; <u>R-1-5</u>	
lat of Property is Attached Yes	
cinity Map of property is attached Yes	
ne undersigned designates the following process agent or attorney to represent	
e applicant at all hearings:	
Vernow Williams, Can Nest Kingmaning	
Vernor Williams, the root Kings	
is 24th day of October 2017	
Moderal Senegelles Phone Penselly	
Thomas D. B. Gallins, CID	
oues of Applicant	
W	
His Waterst Valley Hive	
Little Rock, AR 72711	
(Mar) Coperation Phone	
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Ordinance No. 2017-34 | Code of Ordinances | Bryant, AR | Municode Library

GNE

GarNat Engineering, LLC

Designing our client's success

P,O. Box 116 (72018) 406 West South Street, Suite 8 Benton, Arkansas 72015 PH: (501) 408-4650 FX: (888) 900-3068 garnatengineering @gmail.com

October 25, 2017

Mr. Truett Smith Bryant Planning Commission 210 SW 3<sup>rd</sup> Street Bryant, AR 72022

Re: Annexation & Zoning - Phase 2 & 3 - Benjamin Grove Subdivision

Dear Mr. Smith:

Please allow this letter and the following list of enclosures to serve as my application for approval of annexation and proposed zoning for the referenced subdivision. It is my desire that this matter be included on the agenda for your November 2017 City of Bryant Planning Commission meeting.

The developer for the project is Thomas D.B. Collins, Ltd. #39 Walnut Valley Drive, Little Rock, Arkansas, 72211, <a href="https://owncast.net">owncast.net</a>, (501) 680-0970.

#### List of Enclosures

- Patition for Annexation
- Application for Change in Zoning District Boundaries
- Filing fee of \$125.00
- Exhibit A Annexation Figure with legal descriptions
- Exhibit B ~ Legal Description of Property

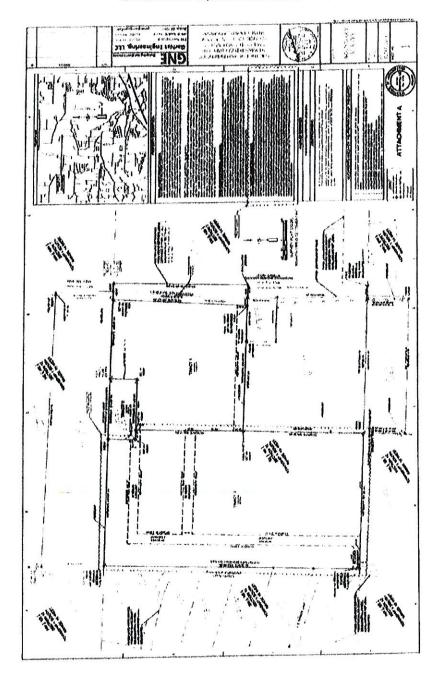
If you have questions or need any additional information, please do not hasitate to contact me.

Sincerely,

GarNat Engineering, LLC

Vernon J. Williams, P.E., President

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Ordinance No. 2017-34 | Code of Ordinances | Bryant, AR | Municode Library



July 17, 2017

Mr. Vernon J. Williams, P.E. GarNat Engineering LLC 2909 Military Road Bonton, AR 72015

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Mr. Williams

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Thank you,

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/jjw

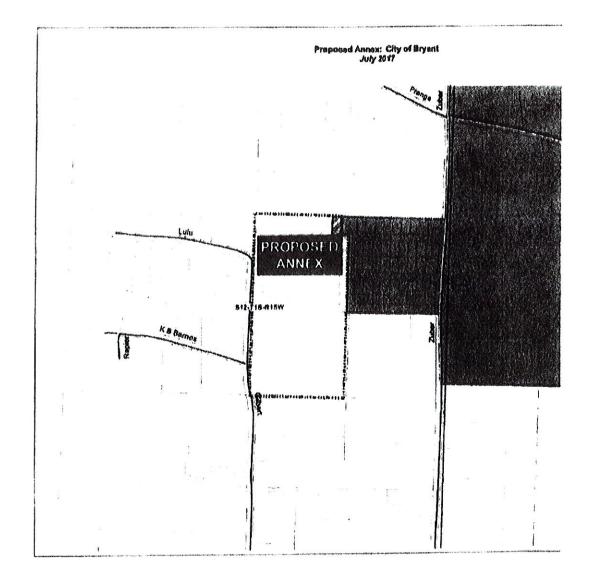
Attachments:

GIS Office Map of Proposed Annexation Secretary of State Municipal Change Checklist

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IN THE COUNTY OF SAUNE COUNTY, ARKANS AS 11. 19. 17 M111: 55

CASE NO. 2017-3

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- 4. Phone from Fidelity Communications.

PETITIONER:

THOMAS D.D. COLLINS, LTD

Obitto Consilly Owner

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July 17, 2017

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Thank you,

Jennifer Wheeler, GIS Analyst /liw

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

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ARKANEAB DIS OFFICE + 1 CAPITOL MALL SUITE 6D + LITTLE ROCK + ARKANSAS +73891 PHONE (661) 682-2767 · www.glo.arkenese.gov · FAX (601) 682-6077

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### ATTACHMENT B

#### **Tract 3 Legal Description**

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Ordinance No. 2017-34 | Code of Ordinances | Bryant, AR | Municode Library

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No: 138320

Doug Curtis, County Clerk 215 N. Main Sta 9 Benton, AR 72015 (501) 303-5630

Date:

07/17/2017

Received of:

GarNat Engineering LLC

Qty	Descripti	loh			Amount
1	County	Court	Cu 9 9		30.00
				Total	30.00

CC2017-3 Benjamine Grove Ph 2 & 3

Cash	
X Check	30.00
	<b>≬</b> 2659
Credit Cd	

Allison Cain DC Doug Curtis, County Clerk