

JOHN THURSTON

Arkansas Secretary of State

November 6, 2019

The Hon. Carla Ervin White County Clerk 315 N. Spruce Searcy, AR 72143

Re:

City of Beebe Annexation Ordinance 2019-09

Dear Ms. Ervin,

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 14-40-609 (petition by all landowners)

Effective Date: 08/21/2019

County: White

City Ordinance: 2019-9

County Court Order: 2019-37 & 38

City: Beebe

Dated: 07/22/2019

Date Filed: 09/17/2019 & 9/17/2019

A file marked copy of the ordinance 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.

Elections Division

Arkansas Geographic Information Systems Office (w/encl) cc:

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. Mike Robertson, Mayor of Beebe (w/encl)

The Hon. Carol Westergren, Beebe City Clerk/Treasurer (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:	White	City/Town:	Beebe
City Ordinance/	Resolution No: 2019-9	Date approved	1: <u>07/22/19</u>
County Court Ca	use No: 2019-37	+ B Date Order Fi	led: 09/18/19
Туре:	A.C.A. 14	-40-609	Petition of All Jandamers
Date Change Eff	00/2 1.0	Arkansar Code Sections loc y: GiMunicipal Ordinan	ce O Emergency Clause O Court O Default
For Circuit Court	: Challenge: Date Order Filed:	OUpl	neld Overturned O Other (attach explanation
Please indicate i	which ward(s) the territory will	be assigned to:	Ward 3
Initiating party:			(366 N.C.A & 14740-205)
All Landowne	ers OMajority Landowners (Municipal Governing	Body OState OOther
Supporting Docu	imentation attached (check oll th	nat apply):	
File marked copy of City Ordinance/Resolution (required)			
File marked copy of County Court Order or certified annexation election results (required except for A.C.A. §14-40-501)			
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 (if opplicable)			
File marked copy of Complaint and final Circuit Court Order (Court Choilenge only)			
Municipal Conta	rol Westergres	Title:	Clerk Treasurer
Street Address:	321 N. Elm St	<u>_</u>	
city: <u>Ree</u>	be	st: AK	Zip code: 120/2
		as a cover page to the suppa the Effective Date as require	rting document set and submit to the County Clerk's Office of by Act 655 of 2017
County Official:	0		0
Signature:	Cures alua	Title:	County Clerk
Date: 9-2	24-19		
			Scipal boundary change documents within 30 days of receipt odiane Ave Suite 256, Little Rock, AR 72201-1094
·	cansas Secretary of State use only	Ň	FILED
Received by:	/	1	

Arkansus Secretary of State

ORDINANCE NO. 2019-

AN ORDINANCE ACCEPTING THE ANNEXATION OF CERTAIN TERRITORY TO THE CITY OF BEEBE; APPROVING THE SCHEDULE OF SERVICES TO BE EXTENDED TO SAID AREA; AND ASSIGNING SUCH TO WARD 3

WHEREAS, a petition was filed, pursuant to Ark. Code Ann. § 14-40-609, for the annexation of certain territory into the City of Beebe, Arkansas; and

WHEREAS, the White County Assessor and the White County Clerk have (A) verified the identity of the petitioner; (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 Beebe; (D) verified that no enclaves will be created if the petition is accepted by the City of Beebe; and presented the petition and their respective verifications to the White County Judge; and

WHEREAS, the County Judge has (A) reviewed the petition and verifications for completeness and accuracy; (B) determined that no enclaves will be created by the annexation; (C) confirmed that the petition contains a schedule of services; (D) found that the City of Beebe, Arkansas is required to annex the following-described dedicated public road and right of ways: Dugger Road; and (E) issued an order articulating these findings and forwarded the petition and order to the contiguous City of Beebe, Arkansas for consideration; and

WHEREAS, it is the desire of the City Council of Beebe, Arkansas that said territory be annexed.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BEEBE, ARKANSAS:

SECTION 1. That the following described territory, contiguous to the City of Beebe, by and the same is hereby accepted as part of, and annexed to and made a part of the City of Beebe, Arkansas:

TRACT 3:

A PART OF THE EAST HALF OF THE NORTHEAST QUARTER OF SECTION ELEVEN, TOWNSHIP FIVE NORTH, RANGE NINE WEST OF THE FIFTH PRINCIPAL MERIDIAN, WHITE COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 11, T5N-R9W: THENCE NORTH 00 DEGREES 04 MINUTES 48 SECONDS EAST A DISTANCE OF 60.48 FEET TO THE POINT OF BEGINNING: THENCE NORTH 57 DEGREES 32 MINUTES 00 SECONDS WEST 59.08 FEET TO A POINT; THENCE NORTH 84 DEGREES 47 MINUTES 45 SECONDS WEST A DISTANCE OF 122.30 FEET TO A POINT; THENCE NORTH 85 DEGREES 29 MINUTES 53 SECONDS WEST A DISTANCE OF 120.06 FEET TO A POINT; THENCE SOUTH 04 DEGREES 38 MINUTES 25 SECONDS EAST 121.71 FEET TO A

POINT; THENCE NORTH 83 DEGREES 12 MINUTES 59 SECONDS EAST A DISTANCE OF 102.15 FEET TO A POINT; THENCE SOUTH 89 DEGREES 08 MINUTES 52 SECONDS EAST A DISTANCE OF 179.99 FEET RETURNING TO THE POINT OF BEGINNING, CONTAINING 0.64 ACRES MORE OR LESS. PROPERTY IS SUBJECT TO AN EXISTING WATER AND SEWER EASEMENT AND A 10.00 FOOT UTILITY EASEMENT ALONG THE WESTERLY LINE AND A 5.00 FOOT UTILITY EASEMENT ALONG THE SOUTHERLY AND NORTHERLY LINE.

AND

TRACT 4:

A PART OF THE EAST HALF OF THE NORTHEAST QUARTER OF SECTION ELEVEN, TOWNSHIP FIVE NORTH, RANGE NINE WEST OF THE FIFTH PRINCIPAL MERIDIAN, WHITE COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 11, T5N-R9W; THENCE SOUTH 00 DEGREES 04 MINUTES 48 SECONDS WEST A DISTANCE OF 53.52 FEET TO A POINT; THENCE SOUTH 89 DEGREES 30 MINUTES 49 SECONDS WEST A DISTANCE OF 165.61 FEET TO THE POINT OF BEGINNING: THENCE NORTH 00 DEGREES 00 MINUTES 00 SECONDS EAST A DISTANCE OF 117.87 FEET TO A POINT; THENCE NORTH 89 DEGREES 08 MINUTES 52 SECONDS WEST A DISTANCE OF 14.21 FEET TO A POINT: THENCE SOUTH 83 DEGREES 12 MINUTES 59 SECONDS WEST A DISTANCE OF 102.15 FEET TO A POINT; THENCE SOUTH 04 DEGREES 38 MINUTES 25 SECONDS EAST A DISTANCE OF 405.12 FEET TO AN EXISTING 1/3" REBAR; THENCE NORTH 89 DEGREES 30 MINUTES 49 SECONDS EAST A DISTANCE OF 20.00 FEET TO A POINT; THENCE NORTH 00 DEGREES 04 MINUTES 40 SECONDS EAST A DISTANCE OF 178.74 FEET TO A POINT; THENCE SOUTH 89 DEGREES 38 MINUTES 49 SECONDS EAST A DISTANCE OF 62.63 FEET TO A POINT: THENCE NORTH 00 DEGREES 00 MINUTES 00 SECONDS EAST A DISTANCE OF 119.24 FEET RETURNING TO THE POINT OF BEGINNING, CONTAINING 0.68 ACRES MORE OR LESS. PROPERTY IS SUBJECT TO AN EXISTING WATER AND SEWER EASEMENT AND A 10.00 FEET UTILITY EASEMENT ALONG THE WESTERLY AND SOUTH LINE AND A 5.00 FOOT EASEMENT ALONG THE EASTERLY LINE AND A 20.00 EGRESS-INGRESS • EASEMENT NEAR THE SOUTH LINE.

AND

TRACT 5:

A PART OF THE EAST HALF OF THE NORTHEAST QUARTER OF SECTION ELEVEN, TOWNSHIP FIVE NORTH, RANGE NINE WEST OF THE FIFTH

PRINCIPAL MERIDIAN, WHITE COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 11, T5N-R9W; THENCE SOUTH 00 DEGREES 04 MINUTES 48 SECONDS WEST A DISTANCE OF 53.52 FEET TO A POINT; THENCE SOUTH 89 DEGREES 30 MINUTES 49 SECONDS WEST A DISTANCE OF 165.61 FEET TO A POINT; THENCE NORTH 00 DEGREES 00 MINUTES 00 SECONDS EAST A DISTANCE OF 117.87 FEET TO A POINT; THENCE SOUTH 89 DEGREES 08 MINUTES 52 SECONDS EAST A DISTANCE OF 165.78 FEET TO A POINT; THENCE SOUTH 00 DEGREES 04 MINUTES 48 SECONDS A DISTANCE OF 60.48 FEET RETURNING TO THE POINT OF BEGINNING, CONTAINING 0.44 ACRES MORE OR LESS. PROPERTY IS SUBJECT TO A SEWER EASEMENT AND A 5.00 UTILITY EASEMENT ALONG THE NORTH, WEST AND SOUTH LINE.

AND

TRACT 6:

A PART OF THE EAST HALF OF THE NORTHEAST QUARTER OF SECTION ELEVEN, TOWNSHIP FIVE NORTH, RANGE NINE WEST OF THE FIFTH PRINCIPAL MERIDIAN, WHITE COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 11, T5N-R9W; THENCE SOUTH 00 DEGREES 04 MINUTES 48 SECONDS A DISTANCE OF 53.52 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 89 DEGREES 30 MINUTES 49 SECONDS WEST A DISTANCE OF 165.61 FEET TO A POINT; THENCE SOUTH 00 DEGREES 00 MINUTES 00 SECONDS WEST A DISTANCE OF 119.24 FEET TO A POINT; THENCE SOUTH 89 DEGREES 38 MINUTES 49 SECONDS EAST A DISTANCE OF 165.43 FEET TO A POINT; THENCE NORTH 00 DEGREES 04 MINUTES 48 SECONDS EAST A DISTANCE OF 121.67 FEET RETURNING TO THE POINT OF BEGINNING, CONTAINING 0.46 ACRES MORE OR LESS. PROPERTY IS SUBJECT TO A 5.00 FOOT UTILITY EASEMENT ALONG THE NORTH, WEST AND SOUTH LINE.

AND

TRACT 7:

A PART OF THE EAST HALF OF THE NORTHEAST QUARTER OF SECTION ELEVEN, TOWNSHIP FIVE NORTH, RANGE NINE WEST OF THE FIFTH PRINCIPAL MERIDIAN, WHITE COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 11, T5N-R9W; THENCE SOUTH 00 DEGREES 04

MINUTES 48 SECONDS WEST A DISTANCE OF 175.19 FEET TO THE POINT OF BEGINNING; THENCE NORTH 89 DEGREES 38 MINUTES 49 SECONDS WEST A DISTANCE OF 114.03 FEET TO A POINT; THENCE SOUTH 00 DEGREES 04 MINUTES 44 SECONDS WEST A DISTANCE OF 177.07 FEET TO A POINT; THENCE NORTH 89 DEGREES 30 MINUTES 49 SECONDS EAST A DISTANCE OF 114.03 FEET TO AN EXISTING COTTON PICKER SPINDLE; THENCE NORTH 00 DEGREES 04 MINUTES 48 SECONDS EAST A DISTANCE OF 175.4 FEET RETURNING TO THE POINT OF BEGINNING, CONTAINING 0.46 ACRES MORE OR LESS. PROPERTY IS SUBJECT TO A 5.00 FOOT UTILITY EASEMENT ALONG THE NORTH AND WEST LINE AND A 10.00 UTILITY EASEMENT ALONG SOUTH LINE AND A 20.00 EGRESSINGRESS EASEMENT NEAR SOUTH LINE.

AND

TRACT 8:

A PART OF THE EAST HALF OF THE NORTHEAST QUARTER OF SECTION ELEVEN, TOWNSHIP FIVE NORTH, RANGE NINE WEST OF THE FIFTH PRINCIPAL MERIDIAN, WHITE COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 11, T5N-R9W; THENCE SOUTH 00 DEGREES 04 MINUTES 48 SECONDS WEST A DISTANCE OF 175.19 FEET TO A POINT; THENCE NORTH 89 DEGREES 38 MINUTES 49 SECONDS WEST A DISTANCE OF 114.03 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE NORTH 89 DEGREES 38 MINUTES 49 SECONDS WEST A DISTANCE OF 114.03 FEET TO A POINT; THENCE SOUTH 00 DEGREES 04 MINUTES 44 SECONDS WEST A DISTANCE OF 178.74 FEET TO A POINT; THENCE NORTH 89 DEGREES 30 MINUTES 49 SECONDS EAST A DISTANCE OF 114.03 FEET TO A POINT; THENCE NORTH 00 DEGREES 04 MINUTES 44 SECONDS EAST A DISTANCE OF 177.07 FEET RETURNING TO THE POINT OF BEGINNING, CONTAINING 0.46 ACRES MORE OR LESS. PROPERTY IS SUBJECT TO A 5.00 FOOT UTILITY EASEMENT ALONG THE NORTH, EAST AND WEST LINE AND A 10.00 UTILITY EASEMENT ALONG SOUTH LINE AND A 20.00 EGRESS-INGRESS EASEMENT NEAR SOUTH LINE.

SECTION 2. That the police, fire, and sanitation services shall be extended to the area by the City of Beebe within the statutorily required three (3) year period after the date the annexation becomes final.

SECTION 3. That the above-described territory shall be annexed to and made a part of Ward 3 of the City of Beebe, and the same shall henceforth be a part of said ward as fully as existing parts of said ward.

SECTION 4. Thirty (30) days after passage and publication or posting of this Ordinance as authorized by law, the annexation shall be final and the property shall be within the corporate limits of the City of Beebe, except as otherwise ordered by the Circuit Court pursuant to a cause action filed within said thirty (30) day period.

SECTION 5. Notice. Within forty-five (45) days of the effective date of this ordnance the city clerk shall provide written notice, along with complete documentation, to the county clerk of each county in which the territory is affected.

PASSED, APPROVED, AND ADOPTED this 2 day of

MIKE ROBERTSON, MAYOR

ATTEST:

CAROL CRUMP-WESTERGREN, CITY CLERK-TREASURER

PREPARED AND APPROVED AS TO FORM BY:

RANDY L. GRICE, ABN 93131 INTERIM CITY ATTORENY

IN THE COUNTY COURT OF WHITE COUNTY, ARKANSAS

No. <u>2019-37</u>

FILED

SEP 18 2019

CARLA ERVIN
WHITE COUNTY
CLERK

S 7 E 7 L WIN

IN THE MATTER OF ANNEXING TO THE CITY OF BEEBE, ARKANSAS, CERTAIN TERRITORY CONTIGUOUS TO SAID CITY OF BEEBE, ARKANSAS IN WHITE COUNTY ARKANSAS

ORDER

Comes on for hearing the above-styled proceeding before the County Court of White County, Arkansas. The said Court being well and sufficiently advised in the premises finds:

- 1. That this Court entered its Order for Annexation of certain territory as subscribed in the Petition for Annexation on April 18, 2019.
- 2. That the City Council for the City of Beebe, Arkansas, has by ordinance No. 2019-9, accepted the said territory pursuant to the requirements of Arkansas Code Annotated Section 14-40-605(a).
- 3. That pursuant to Arkansas Code Annotated Section 14-40-609, more than 30 days from and after the adoption of City of Beebe Ordinance No. 2019-9, no notice objecting to the said annexation or any other proceeding to prevent the said annexation was given or filed.

NOW, THEREFORE, IT IS CONSIDERED, ORDERED AND ADJUDGED that the annexation of the territory described in the attached Ordinance to the City of Beebe, Arkansas be and it is in all things confirmed and approved and the County Clerk is hereby directed to certify one copy of the Plat of the annexed territory and one copy of the Order of the Court authorizing the annexation and the Ordinance of the Council of the City of Beebe, Arkansas authorizing the annexation to the Secretary of the State of Arkansas.

IT IS SO ORDERED this <u>17th</u> day of September, 2019.

Michael Lincoln, White County Judge

ATRUE COPY, I CERTIFY
CARLA ERVIN
WHITE COUNTY CLERK
this 19th day of September, 2019
Conta Grundy & Goon, OC

IN THE COUNTY COURT OF WHITE COUNTY, ARKANSAS

No. 2019-38

IN THE MATTER OF ANNEXING TO THE CITY OF BEEBE, ARKANSAS, CERTAIN TERRITORY CONTIGUOUS TO SAID CITY OF BEEBE, ARKANSAS IN WHITE COUNTY ARKANSAS



ORDER

Comes on for hearing the above-styled proceeding before the County Court of White County, Arkansas. The said Court being well and sufficiently advised in the premises finds:

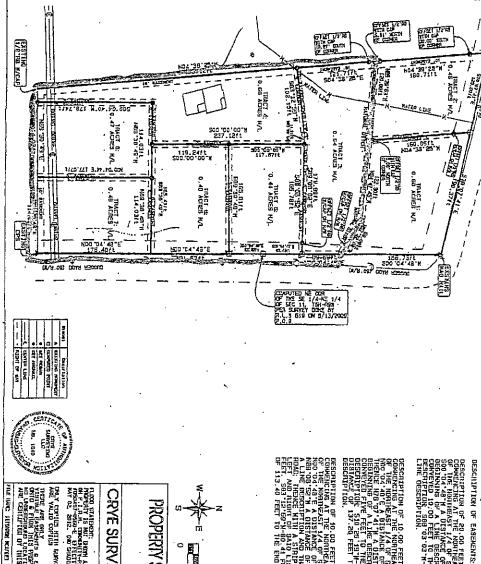
- 1. That this Court entered its Order for Annexation of certain territory as subscribed in the Petition for Annexation on April 18, 2019.
- 2. That the City Council for the City of Beebe, Arkansas, has by ordinance No. 2019-9, accepted the said territory pursuant to the requirements of Arkansas Code Annotated Section 14-40-605(a).
- 3. That pursuant to Arkansas Code Annotated Section 14-40-609, more than 30 days from and after the adoption of City of Beebe Ordinance No. 2019-9, no notice objecting to the said annexation or any other proceeding to prevent the said annexation was given or filed.

NOW, THEREFORE, IT IS CONSIDERED, ORDERED AND ADJUDGED that the annexation of the territory described in the attached Ordinance to the City of Beebe, Arkansas be and it is in all things confirmed and approved and the County Clerk is hereby directed to certify one copy of the Plat of the annexed territory and one copy of the Order of the Court authorizing the annexation and the Ordinance of the Council of the City of Beebe, Arkansas authorizing the annexation to the Secretary of the State of Arkansas.

IT IS SO ORDERED this 17th day of September, 2019.

Michael Lincoln, White County Judge

CARLA ERVIN
WHITE COUNTY CLERK
this 19th day of September, 20 19
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CRYE SURVEYING LLC

DAVID MICAFEE 34 SHADED OAKS DR. CABOT, ARK, 72023 (OFF 601,941,3006)..(CEL 601,516,6663)

PROPERTY SURVEY MADE FOR THE USE AND BENEFIT OF

BASIS OF DEASTHO FROM PREVIOUS SURVEY DOME BY H.L.S 819 ON 5/13/2009

PAGE 1 OF 2 SEE PAGE 2 OF 2 FOR PROPERTY DESCRIPTIONS

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A Division of the Department of Transformation and Shared Services

September 6, 2019

Ms. Kristen Boswell Public Relations – City of Beebe 321 N. Elm Street Beebe, AR 72012

RE: City of Beebe Annexation Coordination Requirement

Ms. Boswell

Thank you for coordinating with our office as you seek to annex property into the City of Beebe, AR Ordinance 2019-9 located in Section 12, Township 5 North, Range 9 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

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

H:\City_Annexations\Cities\Beebe\20190906\Doc\20190906_Beebe_Annexation_Coordination_Letter.docx

CARLA ERVIN WHITE COUNTY CLERK

COUNTY COURT PROBATE COURT MARRIAGE LICENSE Phone: (501) 279-6204

VOTER REGISTRATION Phone: (501) 279-6207



315 N. SPRUCE SEARCY, AR 72143 PHONE: (501) 279-6204 Fax: (501) 279-6260 ACCOUNTING/PAYROLL: Phone: (501) 279-6262

E-MAIL: whitecounty.clerk@yahoo.com

WEBSITE: www.whitecountyar.org/white county clerk.php

September 19, 2019

Honorable John Thurston Arkansas Secretary of State 500 Woodland Ave. Suite 256 Little Rock, AR 72201-1094

RE: Beebe Annexation

Dear Sir/Ma'am:

Pursuant to Act 655 of 2017, I have enclosed one (1) certified copy of the order for each of the County Court cases CO-2019-37 and CO-2019-38 of the Annexation of certain territory in the City of Beebe.

If you have any questions regarding this issue, please contact my office at any time.

Best Regards,

Carla Ervin

White County Clerk

CC: File

Voter Registration White County Assessor City of Beebe John Wesley & Reagan McAfee