



# JOHN THURSTON

ARKANSAS SECRETARY OF STATE

July 8, 2019

The Hon. Tammy Sisson  
Franklin County Clerk  
211 West Commercial  
Ozark, AR 72949

Re: City of Ozark Annexation Ordinance 1993-13

Dear Ms. Sisson,

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: 6/8/93

County: Franklin

City Ordinance: 1993-13

County Court Order: 93-03

City: Ozark

Dated: 6/8/93

Date Filed: 4/30/93

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 filing, please contact our office at 501-682-3478.

Sincerely,

Kristy Jackson  
Elections Division  
Room 26  
501-682-3478

cc: 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 Honorable Roxie Hall, Mayor of Ozark (w/encl)  
The Honorable Rickey Bowman, County Judge of Franklin County (w/encl)  
Mr. Cecil Zollicoffer, Manager of Ozark Water Department (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: Franklin City/Town: Ozark

City Ordinance/Resolution No: 1993-13 Date approved: 6-8-1993

County Court Case No: 93-03 Date Order Filed: 4-23-1993

Type: A.C.A. § 14-40-609  
(Choose from the list of Arkansas Code Sections located on the back)

Date Change Effective: 6-8-93 Set by:  Municipal Ordinance  Emergency Clause  Court  Default  
(Required by Act 655 of 2017)

For Circuit Court Challenge: Date Order Filed: N/A  Upheld  Overturned  Other (attach explanation)

Please indicate which ward(s) the territory will be assigned to: Ward 1  
(See A.C.A § 14-40-203)

### 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 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 applicable)
- File marked copy of Complaint and final Circuit Court Order (Court Challenge only)

### Municipal Contact:

Name: Roxie Hall Title: Mayor

Street Address: 2910 W. Commercial

City: Ozark St: AR Zip code: 72949

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:

X Signature: [Signature] Title: Franklin C. Judge

Date: 6/24/19

Pursuant to Act 655 of 2017, County Officials must submit a file-marked copy of municipal boundary change documents 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: [Signature]

### **Municipal Annexation, Detachment, and Incorporation Reference**

- Annexation of Territories Contiguous to County Seat A.C.A §14-40-201
- Annexation of Territories in another Judicial District (multiple county seats) A.C.A. §14-40-202
  - Annexation of City Park or Airport (automatic) A.C.A §14-40-204
- Annexation of building on boundary of two municipalities (written notice) A.C.A. §14-40-207
  - Annexation by Election (contiguous land) A.C.A. §14-40-302
  - Annexation of land in adjoining County A.C.A §14-40-401
- Annexation of surrounded unincorporated area (island/doughnut holes) by ordinance A.C.A. §14-40-501
  - Annexation by Petition of majority of Landowners A.C.A. §14-40-602
  - Annexation by Petition of all Landowners A.C.A §14-40-609
  - Consolidation of two municipalities by Election A.C.A §14-40-1201
- Annexation with Detachment from another municipality at landowner request A.C.A §14-40-2001
  - Annexation with Detachment from adjoining city at city request A.C.A §14-40-2101
  - Detachment of Land annexed by petition under §14-40-601 A.C.A §14-40-608
  - Detachment of municipal lands back to County by election A.C.A. §14-40-1801
  - Detachment of unsuitable land by municipal resolution A.C.A §14-40-1901
  - Incorporation by direct petition of landowners A.C.A §14-38-101
  - Incorporation by petition for special election A.C.A §14-38-115
- Surrender of Charter (Disincorporation) by second class city A.C.A §14-39-101

FILED

JUL 08 2019

Arkansas  
Secretary of State

ORDINANCE NO. 1993- 13

AN ORDINANCE TO ANNEX LAND INTO THE CITY LIMITS OF THE CITY OF OZARK, ARKANSAS; DECLARING AN EMERGENCY, AND OTHER PURPOSES.

WHEREAS, a petition was filed in the County Court of Franklin County, Arkansas on the 9th day of February, 1993, for the purpose of annexing certain land into the City Limits of the City of Ozark, Arkansas; and,

WHEREAS, an order has been signed by the county Judge concerning that petition; and,

WHEREAS, no notice has been given within thirty (30) days from the signing of the order of the annexation objecting to such;

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF OZARK, ARKANSAS:

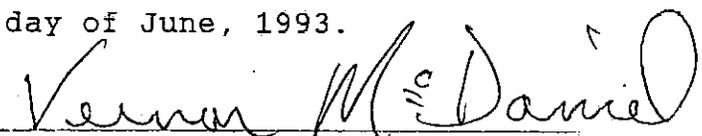
SECTION 1. That no notice has been given to prevent the annexation of the lands described on Exhibit A to Petition Nos. 93-01, 93-02, and 93-03, filed in the County Court of Franklin County, Arkansas on the 9th day of February, 1993.

SECTION 2. That the proceedings before the court shall in all things be affirmed, and the City of Ozark accepts the territory listed as Exhibit A in the above listed petitions.

SECTION 3. From the passage and approval of this ordinance, the County Clerk shall be directed to certify one copy of the plat of the annexed territory and one copy of the order of the Court along with the ordinance, and shall forward a copy of each document to the Secretary of State, who shall ~~and~~ preserve them. The Clerk shall take all further measures that are required by law to confirm the annexation to the above referenced petition.

SECTION 4. All legal requirements have been met in order that the above referenced territory may be annexed into the City Limits of Ozark, Arkansas, and this ordinance being necessary for the public peace, safety, health and welfare of the citizens of Ozark, Arkansas, an emergency is declared and this ordinance shall become law upon its passage and approval.

PASSED AND APPROVED this 8<sup>th</sup> day of June, 1993.

  
Vernon McDaniel, Mayor

Notice is hereby given that a petition has been filed in the County Court for the purpose of annexing the hereinafter described property to the City of Ozark, Arkansas, said property being described as follows:

Part of Section 33, Township 10 North, Range 27 west, Franklin County, Arkansas, more particularly described as follows: Part of the Northeast Quarter of the southeast Quarter of Section 33, Township 10 North, Range 27 West. Described as beginning 501.4' South of the Northwest Corner of the Northeast Quarter of the Southeast Quarter of said Section, Township and Range, thence South 392.0', thence S-85-33-E 169.3', thence N-67-34-E 171.7', thence N-57-48-E 217.0', thence N-54-08-W 382.4', thence West 201.2' to the point of beginning. Containing 3.29 acres, more or less.

and,

Part of the Northeast Quarter, southeast Quarter of Section 33, Township 10 North, Range 27 West, Franklin County, Arkansas more particularly described as follows: Beginning at the Northwest corner of said Northwest Quarter Southeast Quarter, thence South 00 degrees 27 minutes West along the west line of said Forty, 207.8 feet to the point of beginning. Thence South 89 degrees 111 minutes East 358.43 feet to the center of an existing road. Thence along the center of said Road, North 55 degrees 38 minutes East 76.6 feet. Thence North 86 degrees, 20 minutes East 53.0 feet. Thence South 54 degrees 33 minutes East 55.0 feet. Thence South 28 degrees 09 minutes East 85.0 feet. Thence South 076 degrees 26 minutes East 80.0 feet. Thence South 48 degrees 01 minutes East 111.2 feet to the Westerly right of Way line of Arkansas Highway #219. Thence South 32 degrees 15 minutes West along said Right-of-Way line, 268.86 feet. Thence North 53 degrees 48 minutes West 422.4 feet. Thence North 89 degrees 19 minutes West 200.0 feet to the West line of said Northeast Quarter Southeast Quarter. Thence North 00 degrees 27 minutes East along said West line 295.2 feet to the point of beginning, containing 5.48 acres, more or less, subject to existing Road Rights-of-Way and other prior reservations.

That the County Court has set a hearing on said petition for 11:30 a.m. June 12, 1992 in the courtroom of the Franklin County Courthouse, Ozark, Arkansas. The hearing on said petition will be a public hearing open to all concerned.

Jefferson K. Faught, City Attorney  
Representative for Petitioners

Petitioners:  
M.E. Taylor  
James P. Robertson  
Katherine F. Robertson

EXHIBIT "A"

Part of the South Half of the Southeast Quarter of Section 24, Township 10 North, Range 27 West, more particularly described as beginning at a point 6 chains and 92 links North of the Southwest Corner of the said South Half of the Southeast Quarter of said Section, Township and Range, running thence East 3 chains and 16 links, thence North 3 chains and 16 links, thence West 3 chains and 16 links, thence South 23 degrees West 2 chains, thence South 1 degree 30 minutes West 1 chain and 17 links to the place of beginning, containing 1 acre, more or less.

IN THE COUNTY COURT OF FRANKLIN COUNTY, ARKANSAS  
IN THE MATTER OF ANNEXATION TO  
THE CITY OF OZARK, ARKANSAS

FILED  
FOR RECORD  
AT 1:36 O'CLOCK

FEB 09 1993

Case No. 93-03

RECORDED IN BOOK PAGE  
Mary E. Williams  
COUNTY AND PROBATE CLERK  
BY 10.22 D.C.

PETITION

Comes now Jefferson K. Faught, City Attorney for the City of Ozark, Arkansas, and representative of a majority of landowners that desire their land to be within the City Limits of the City of Ozark, Arkansas, and for their petition, state:

1) The Petitioners, compromise a majority of the landowners that wish to have their land annexed by the City of Ozark, Arkansas.

2) That the purpose of said Annexation Petition is to request that the lands petitioned herein and the landowners of said land inured to the benefits given to all inhabitants of the City of Ozark, Arkansas, such as fire, police protection and all other rights not enumerated herein.

3) That the Petitioners request that upon filing of the petition with the County Clerk, that a hearing be held no sooner than thirty days from the date that this petition is filed.

4) That Petitioners hereby desire that the County Court approve the annexation of the Petitioner's land as described in Exhibit A, attached hereto.

5) That this Petition is made in accordance with the terms of A.C.A. 14-40-601 et seq. That signatures of Petitioners representing a majority of the landowners annexing is attached

hereto.

6) That the map attached hereto and labeled Exhibit B is an accurate description of the land described in Exhibit A.

WHEREFORE, Petitioners pray that the County Court sign an order annexing the above described land for the purpose hereinabove described.

Respectfully submitted,

  
\_\_\_\_\_  
JEFFERSON K. FAUGHT  
Ozark City Attorney  
P. O. Box 253  
Ozark, Arkansas 72949  
501-667-2238

Attorney and Representative for  
Petitioners

**FILED**

JUL 08 2019

Arkansas  
Secretary of State

.72 ACRES

PT SE NE Sec 33 Twp 10 RNG 27  
Parcel No. 009-00210-000  
Tax Book and Page OZ 0425 01

1.62 ACRES

PT NW NE Sec 33 Twp. 10 RNG 27  
Parcel No. 009-00204-000  
Tax book page 02-0419-01

EXHIBIT "A"



MAP OF  
**OZARK**  
 IN COUNTY, ARKANSAS  
 T-9,10-N, R-27-W  
 ANSAS STATE HIGHWAY  
 1905

AUGUST 26, 1992

I wish to have this property  
annexed to the City of Clark;

.72 acres

PT SE NE Sec 33 Twp 10 RNG 2

Parcel No. 009-00210-000

Tax book and page 02 0425 01

1.62 acres

PT NW NE Sec 33 Twp 10 RNG 2

Parcel No. 009-00204-000

Tax book & page 02-0419-01

Roy F. Baskin

Rt. 2 Box 338

Ozark

667-2846

IN THE COUNTY COURT OF FRANKLIN COUNTY, ARKANSAS  
IN THE MATTER OF ANNEXATION TO  
THE CITY OF OZARK, ARKANSAS

**FILED**  
**FOR RECORD**  
AT 6:30 O'CLOCK 4 A.M.

Case No. 93-03

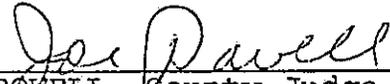
APR 30 1993

RECORDED IN BOOK \_\_\_\_\_ PAGE \_\_\_\_\_  
Mary E. Williams  
COUNTY AND PROBATE CLERK  
BY 147 L.H. D.C.

ORDER

Comes now on this 23<sup>rd</sup> day of APRIL, 1993, the above referenced matter for hearing, and after a hearing on the Petition, it is found that the signature requirements of the Petition have been complied with, the land to be annexed has been accurately described, and an accurate map thereof has been made and filed and that the prayer of the Petitioner's is right and proper, and such territory should, and is hereby ordered to be annexed into the City Limits of the City of Ozark, Arkansas.

IT IS SO ORDERED.

  
\_\_\_\_\_  
JOE POWELL, County Judge

**FILED**  
**JUL 08 2019**  
Arkansas  
Secretary of State

# Sworn Proof of Publication

STATE OF ARKANSAS  
COUNTY OF FRANKLIN

I, *[Signature]*,  
publisher or business manager of The Spectator,  
newspaper published in Ozark, Franklin Coun-  
ty, Arkansas, do solemnly swear that the notice  
of advertisement or legal, of which the annexed  
is a true copy, was published in The Spectator

3 times in the complete editions dated  
as follows: *April 8, 15 & 22*  
1993

and that said newspaper was published and had  
a bona fide circulation in Franklin County more  
than one year prior to the first insertion,  
(established Aug. 1, 1911) and during the time of  
publication of said attached notice.

Subscribed and sworn to before me this 22  
day of *April*, 1993.  
*[Signature]*

My Commission Expires  
10-9-99

Publication Cost \$ 59.64

## NOTICE

Notice is hereby given that a petition  
has been filed in the County Court for the  
purpose of annexing the hereinafter de-  
scribed property to the City of Ozark,  
Arkansas, said property being described as  
follows:

PT SE NE Section 33, Township 10,  
Range 27 - .72 acre; Parcel No. 009-00210-  
000; Tax Book and Page OZ-0425-01

PT NW NE Section 33, Township 10,  
Range 27 - 1.62 acres; Parcel No. 009-  
00204-000; Tax Book and Page OZ-0419-  
01

That the County Court has set a hearing  
on said petition for 1 p.m. April 23, 1993,  
in the courtroom of the Franklin County  
Courthouse, Ozark, Arkansas. The hearing  
on said petition will be a public hearing  
open to all concerned.

Petitioner:

Roy F. Baskin

Jefferson K. Faught,

City Attorney

Representative for Petitioner

4-8, 15 & 22

FILED  
FOR RECORD  
AT 10:30 O'CLOCK 23 M.

APR 30 1993

RECORDED IN BOOK \_\_\_\_\_ PAGE \_\_\_\_\_  
Mary E. Williams  
COUNTY AND PROBATE CLERK  
BY 77-121 D.C.

This instrument prepared by Gregory P. McKenzie, Attorney at Law  
Ozark, Arkansas

CORPORATION DEED

KNOW ALL MEN BY THESE PRESENTS:

That Medlock Forest Products, Inc., a corporation organized and doing business under the laws of the State of Arkansas, for and in consideration of the sum of Ten Dollars and Other Valuable Consideration, to it in hand paid by James W. Medlock and Lisa D. Medlock, husband and wife, does hereby grant, bargain, sell and convey unto the said James W. Medlock and Lisa D. Medlock, husband and wife, and unto their heirs and assigns forever, the following lands lying in the County of Franklin and State of Arkansas, to-wit:

Part of the Northwest Quarter of the Northeast Quarter of Section 33, Township 10 North, Range 27 West Franklin County, Arkansas, more particularly described as follows: Beginning at the Southeast Corner of said Northwest Quarter of the Northeast Quarter thence South 88 degrees 53 minutes West along the South line of said Forty 99.15 feet thence North 37 degrees 21 minutes West 313.0 feet to the point of beginning thence continue North 37 degrees 30 minutes West 212.59 feet thence North 40 degrees 44 minutes East 212.24 feet to the Southwesterly right of way line of U.S. Highway #64 thence South 37 degrees 21 minutes East along said right of way line 251.6 feet thence Southwest to the point of beginning containing 1 acre more or less.

Subject, however, to all prior Easements, Rights of way, Reservations and all other instruments of record.

Less and Except, and reserving unto the grantor herein and unto its successors and assigns forever, all coal, oil, gas and all other minerals lying in and under said lands.

To have and to hold the same unto the said James W. Medlock and Lisa D. Medlock, husband and wife, and unto their heirs and assigns forever, with all appurtenances thereto belonging.

And it hereby covenants with the said James W. Medlock and Lisa D. Medlock, husband and wife, that it will forever warrant and defend the title to the said lands against all lawful claims whatever.

In Witness Whereof, the said Medlock Forest Products, Inc., a corporation, has caused these presents to be signed by its President and its corporate seal to be hereunto affixed, all in accordance with and pursuant to resolution of its board of directors duly and regularly adopted, this 26<sup>th</sup> day of February, 1988.

correct amount of tax stamps have been placed on this instrument.  
*James W. Medlock*  
Grantor or Grantor's Agent  
*Lisa D. Medlock*  
Grantor's Address

100  
\$110  
\$22.00  
0009879  
0199034



# ARKANSAS GIS OFFICE

June 6, 2019

Mr. Cecil Zollicoffer  
Manager – Ozark Water Department  
2910 West Commercial  
Ozark, AR 72949

RE: City of Ozark Annexation Coordination Requirement

Mr. Zollicoffer,

Thank you for coordinating with our office as we seek to file Ozark's missing annexation ordinance 1993-13. 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<sup>th</sup> 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  
/jw

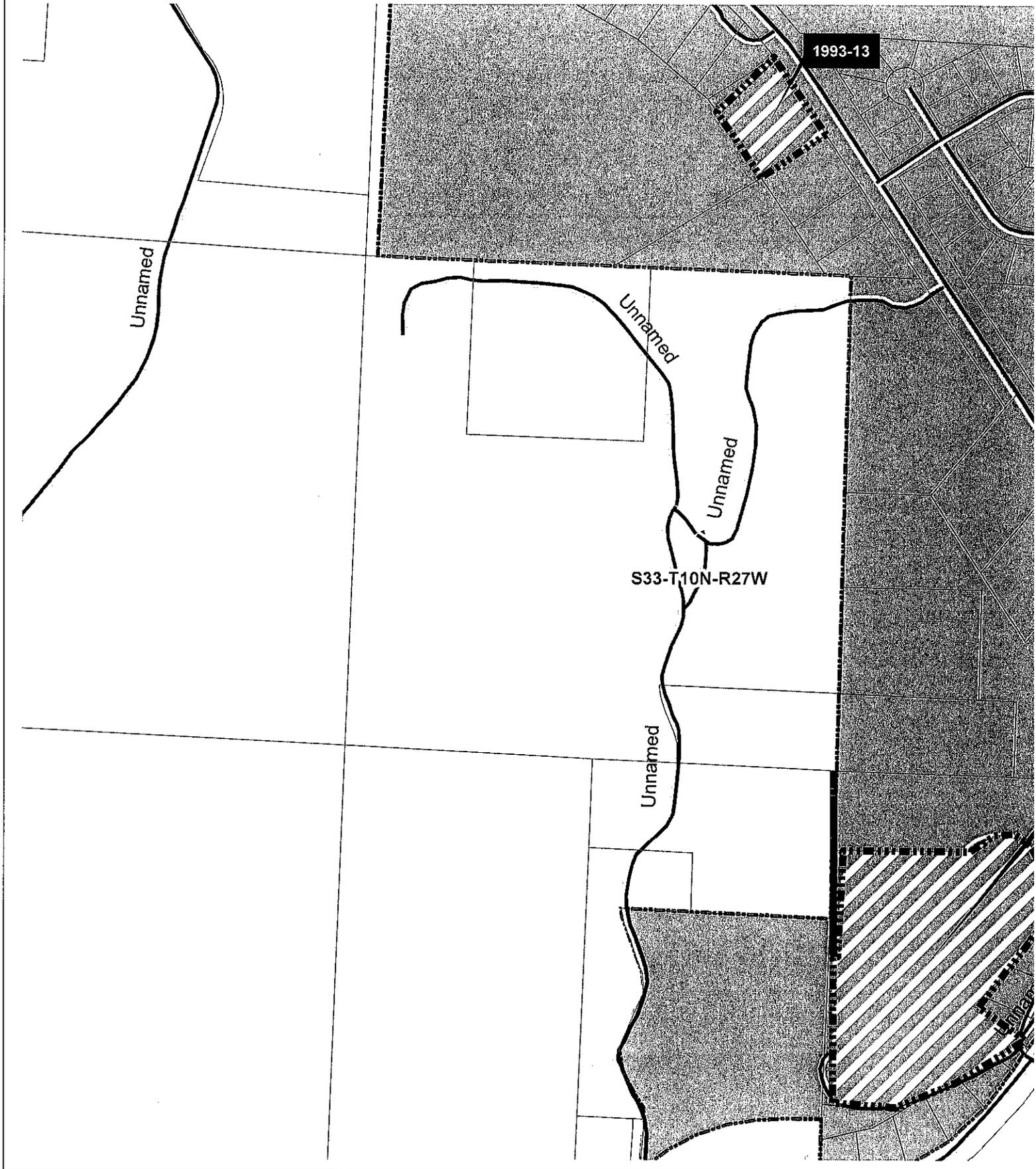
Attachments:  
GIS Office Map of Proposed Annexation  
Ordinance ~~1992-13~~ 1993.13  
County Order  
Municipal Boundary Checklist

**FILED**  
**JUL 08 2019**  
**Arkansas**  
**Secretary of State**

H:\City\_Annexations\Cities\Ozark\20180125\_OzarkResearch\Doc\20190606\_Ozark\_Annexation\_Coordination\_Letter\_Ord1993-13.docx

ARKANSAS GIS OFFICE · 1 CAPITOL MALL SUITE 6D · LITTLE ROCK · ARKANSAS · 72201

PHONE (501) 682-2767 · www.gis.arkansas.gov · FAX (501) 682-6077



was already in state map

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
-  River Flowline
-  Existing City

