



**JOHN THURSTON**  
**ARKANSAS SECRETARY OF STATE**

December 2, 2019

The Hon. Tracy Mitchell  
Independence County Clerk  
192 E. Main St.  
Batesville, AR 72501

Re: City of Pleasant Plains Annexation Resolution 2019-03

Dear Ms. Mitchell,

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 by majority of landowners)

Effective Date: 08/10/2019

County: Independence

City: Pleasant Plains

City Resolution: 2019-03

Dated: 10/08/2019

County Court Order: CO 2019-02

Date Filed: 09/04/2019

A file marked copy of the resolution 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,

A handwritten signature in black ink, appearing to read "Shantell McGraw".

Shantell McGraw  
Elections Division

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 Hon. Kenneth Burns, Mayor of Pleasant Plains (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: Independence City/Town: Pleasant Plains  
 City Ordinance/Resolution No: 2019-03 Date approved: 10/08/2019  
 County Court Case No: C02019-02 Date Order Filed: 09/04/2019  
 Type: Annexation by Petition of Majority of Landowners A.C.A. 14-40-602  
(Choose from the list of Arkansas Code Sections located on the back)  
 Date Change Effective: 10/11/2019 Set by:  Municipal Ordinance  Emergency Clause  Court  Default  
(Required by Act 655 of 2017)  
 For Circuit Court Challenge: Date Order Filed: \_\_\_\_\_  Upheld  Overturned  Other (attach explanation)

Please indicate which ward(s) the territory will be assigned to: \_\_\_\_\_  
(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: Ken Burns Title: Pleasant Plains Mayor  
 Street Address: 6 Floral Road  
 City: Pleasant Plains St: AR Zip code: 72568

*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:

Signature: Gracy Mitchell Title: County Clerk  
 Date: 10/11/2019

*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]

**DEC 02 2019**

Arkansas Secretary of State

**RESOLUTION NO. 2019-03  
A RESOLUTION ACCEPTING THE ANNEXATION  
OF CERTAIN PROPERTY**

**WHEREAS, a majority of the owners, owning a majority of certain property hereinafter described, located in Independence County and contiguous to the corporate limits of the City of Pleasant Plains, heretofore filed a petition in the Independence County Court to annex said territory to the City of Pleasant Plains, Arkansas; and**

**WHEREAS, a notice was duly published, as required by law , of the filing of said petition and that a hearing on the petition would be held in the County Court of Independence County; and**

**WHEREAS, at the time and place fixed in said notice, the County Court, being fully advised of the facts and the law, heard all persons desiring to be heard. The Court subsequently ascertained and declared in a Decree of Annexation order that the petition was signed by a majority of the real estate owners, owning a majority of the acreage affected; that said territory sought to be annexed was accurately described in said petition; that said territory is suitable for annexation, and is contiguous to the corporate boundary of Pleasant Plains; that an accurate map of said territory was attached to and made part of said petition; and that the prayer of the petition is right and proper, and ordered that the territory be annexed to the City of Pleasant Plains; and**

**WHEREAS, no appeals having been taken within thirty (30) days from issuance of the County Court's order, it is now the desire of the Pleasant Plains City Council to accept said Annexation.**

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF PLEASANT PLAINS, ARKANSAS:**

**That the following described land is hereby annexed into and accepted, effective this date, as part of the City of Pleasant Plains, Arkansas, to-wit: All of the following described area in Independence County,**

J

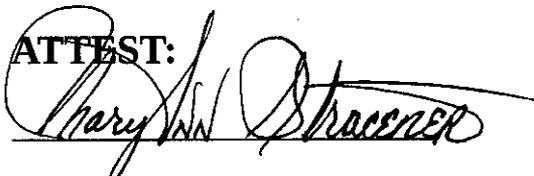
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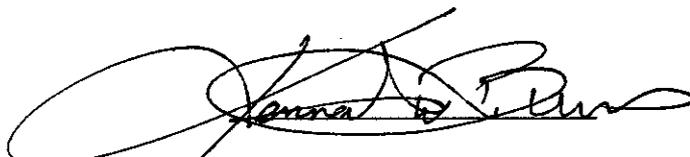
**Arkansas, collectively being contiguous to the City of Pleasant Plains: A tract of land being part of the Northeast Quarter of the Northeast Quarter of Section 27 in Township 11 North, Range 6 West of the 5<sup>th</sup> Principal Meridian in Independence County, Arkansas more particularly described as follows: Commencing at the Northwest Corner of said Northeast Quarter, Northeast Quarter; thence run North 88 degrees 02 minutes 01 seconds East along the North line of said Section 27, a distance of 64.01 feet to the Point of Beginning on the East right of way line of U, S. Highway 167; thence run along said East right of way line as follows: South 03 degrees 05 minutes 41 seconds East, 18.15 feet; South 08 degrees 48 minutes 20 seconds East, 100.58 feet; South 03 degrees 05 minutes 41 seconds East 316.38 feet; thence leaving said East right of way line run North 88 degrees 02 minutes 01 seconds East, a distance of 585.42 feet to the West right of way line of Arkansas Highway 157; thence run North 08 degrees 14 minutes 08 seconds East along said West right of way line a distance of 441.23 feet to the North line of said Section 27; thence run South 88 degrees 02 minutes 01 seconds West along said North line, a distance of 682.13 feet to the Point of Beginning,**

**And a 30' strip of land being part of the Northeast Quarter of the Northeast Quarter of Section 27 in Township 11 North, Range 6 West of the 5<sup>th</sup> Principal Meridian in Independence County, Arkansas more particularly described as follows: Commencing at the Northwest Corner of said Northeast Quarter Northeast Quarter; thence run North 88 degrees 02 minutes 01 seconds East along the North line of said Section 27 a distance of 64.01 feet; thence run along said East right of way line as follows: South 03 degrees, 05 minutes, 41 seconds East 18.15 feet; South 08 degrees 48 minutes 20 seconds East 100.50 feet; South 03 degrees 05 minutes 41 seconds East 31.35 feet to the Point of Beginning; thence Easterly 216.26 feet; thence South 03 degrees, 05 minutes, 41 seconds West 30 feet; thence Westerly 216.26 feet; thence North 03 degrees, 05 minutes, 41 seconds West 30 feet to the Point of Beginning.**

**Less and Except all that part already within the City of Pleasant Plains.**

**PASSED AND APPROVED THIS 8TH DAY OF OCTOBER, 2019.**

**ATTEST:**  
  
Recorder/Treasurer

  
Mayor

**FILED**  
OCT 10 2019  
8:12 A M  
TRACEY MITCHELL  
COUNTY & PROBATE CLERK  
D.C. Tm

C0-2019-02

**IN THE COUNTY COURT OF INDEPENDENCE COUNTY, ARKANSAS**

**IN THE MATTER OF ANNEXING TO  
THE CITY OF PLEASANT PLAINS, ARKANSAS,  
CERTAIN TERRITORY CONTIGUOUS TO  
THE SAID CITY OF PLEASANT PLAINS, ARKANSAS**

**FILED**

SEP 04 2019

4 05 P M  
TRACEY MITCHELL  
COUNTY & PROBATE CLERK  
D.C. Tm

**DECREE OF ANNEXATION**

On this regular day of the July term of the County Court of Independence County, Arkansas, there is presented to the Court by, Kenneth Burns agent of the petitioners, a petition for annexation of certain territory, hereinafter more particularly described, to the City of Pleasant Plains, Arkansas, and the Court being fully advised of the facts of the law, does 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 in said petition the said Kenneth Burns was selected by the petitioners to act on their behalf in filing and presenting the petition.

The Court further finds that notice of the hearing on this matter was published one [1] time a week for three [3] consecutive weeks as required by 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 of the acreage affected.

The Court further finds that the territory consists of lands that furnish the abode for a densely settled community or represent the actual growth of the municipality beyond its legal boundary.

The Court further finds that the territory sought to be annexed was accurately described in said petition and that said territory is contiguous to the boundaries of the City of Pleasant Plains, Arkansas.

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 Pleasant Plains.

Therefore, the Court hereby **ORDERS, JUDGES and DECREES** that the following described territory be and the same is hereby annexed to and made part of the City of Pleasant Plains, Arkansas, to-wit:

A tract of land being part of the Northeast Quarter of the Northeast Quarter of Section 27 in Township 11 North, Range 6 West of the 5th Principal Meridian in Independence County, Arkansas more particularly described as follows: Commencing at the Northwest Corner of said Northeast Quarter, Northeast Quarter; thence run North 88 degrees 02 minutes 01 seconds East along the North line of said Section 27, a distance of 64.01 feet to the Point of Beginning on the East right of way line of U. S. Highway 167; thence run along said East right of way line as follows: South 03 degrees 05 minutes 41 seconds East, 18.15 feet; South 08 degrees 48 minutes

20 seconds East, 100.58 feet; South 03 degrees 05 minutes 41 seconds East 316.38 feet; thence leaving said East right of way line run North 88 degrees 02 minutes 01 seconds East, a distance of 585.42 feet to the West right of way line of Arkansas Highway 157; thence run North 08 degrees 14 minutes 08 seconds East along said West right of way line a distance of 441.23 feet to the North line of said Section 27; thence run South 88 degrees 02 minutes 01 seconds West along said North line, a distance of 682.13 feet to the Point of Beginning,

And a 30' strip of land being part of the Northeast Quarter of the Northeast Quarter of Section 27 in Township 11 North, Range 6 West of the 5th Principal Meridian in Independence County, Arkansas more particularly described as follows: Commencing at the Northwest Corner of said Northeast Quarter Northeast Quarter; thence run North 88 degrees 02 minutes 01 seconds East along the North line of said Section 27 a distance of 64.01 feet; thence run along said East right of way line as follows: South 03 degrees, 05 minutes, 41 seconds East 18.15 feet; South 08 degrees 48 minutes 20 seconds East 100.50 feet; South 03 degrees 05 minutes 41 seconds East 31.35 feet to the Point of Beginning; thence Easterly 216.26 feet; thence South 03 degrees, 05 minutes, 41 seconds West 30 feet; thence Westerly 216.26 feet; thence North 03 degrees, 05 minutes, 41 seconds West 30 feet to the Point of Beginning.

Less and except all that part already within the City of Pleasant Plains.

The Court further orders that the original papers in this cause be delivered to the Clerk of Independence, County, Arkansas, same to be properly recorded upon the records of Independence 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 Pleasant Plains, Arkansas, one copy to the Secretary of State and one copy to the Director of the Tax Division of the Arkansas Public Service Commission.

**IT IS SO ORDERED.**

  
\_\_\_\_\_  
Honorable Robert T. Griffin  
County Judge

NOTICE

Notice is hereby given that there has been filed in the County Court of Independence, Arkansas, the petition of and others, asking for the annexation to the City of Pleasant Plains the following described lands situated in Independence County, Arkansas, and is contiguous to said city, to-wit: A tract of land being part of the Northeast Quarter of the Northeast Quarter of Section 27 in Township 11 North, Range 6 West of the 5th Principal Meridian in Independence County, Arkansas more particularly described as follows: Commencing at the Northwest Corner of said Northeast Quarter, Northeast Quarter; thence run North 88 degrees 02 minutes 01 seconds East along the North line of said Section 27, a distance of 64.01 feet to the Point of Beginning on the East right of way line of U. S. Highway 167; thence run along said East right of way line as follows: South 03 degrees 05 minutes 41 seconds East, 18.15 feet; South 08 degrees 48 minutes 20 seconds East, 100.58 feet; South 03 degrees 05 minutes 41 seconds East 316.38 feet; thence leaving said East right of way line run North 88 degrees 02 minutes 01 seconds East, a distance of 585.42 feet to the West right of way line of Arkansas Highway 157; thence run North 08 degrees 14 minutes 08 seconds East along said West right of way line a distance of 441.23 feet to the North line of said Section 27; thence run South 88 degrees 02 minutes 01 seconds West along said North line, a distance of 682.13 feet to the Point of Beginning. And a 30' strip of land being part of the Northeast Quarter of the Northeast Quarter of Section 27 in Township 11 North, Range 6 West of the 5th Principal Meridian in Independence County, Arkansas more particularly described as follows: Commencing at the Northwest Corner of said Northeast Quarter Northeast Quarter; thence run North 88 degrees 02 minutes 01 seconds East along the North line of said Section 27 a distance of 64.01 feet; thence run along said East right of way line as follows: South 03 degrees, 05 minutes, 41 seconds East 18.15 feet; South 08 degrees 48 minutes 20 seconds East 100.50 feet; South 03 degrees 05 minutes 41 seconds East 31.35 feet to the Point of Beginning; thence Easterly 216.26 feet; thence South 03 degrees, 05 minutes, 41 seconds West 30 feet; thence Westerly 216.26 feet; thence North 03 degrees, 05 minutes, 41 seconds West 30 feet to the Point of Beginning. Less and Except all that part already within the City of Pleasant Plains.

A plat of said land proposed for annexation is on file with said petition in the office of the Clerk of said Court and the undersigned has been named by the petitioners as the person authorized to act for them. The Court has fixed the 3rd day of September at 10 o'clock as the date for a hearing on said petition, and all interested parties are now notified to be present at said Court at the time and date so fixed. Given this August 12th, 2019 Kenneth W. Burns.

PROOF OF PUBLICATION

STATE OF ARKANSAS }  
COUNTY OF INDEPENDENCE } SS. No. \_\_\_\_\_

I, Kevin Guthrie, do solemnly swear that I am the Editor of The Batesville Guard, a daily newspaper printed in said county and that I was such Editor at the dates of publication herein-after stated, and that such newspaper has a bona fide circulation in such county at said dates, and had been regularly published in said county for the period of one month next before the date of the first publication of the advertisement hereto annexed and that said advertisement was published in said newspaper 3 times, the first publication having been made on:

the 14th day of August 2019  
the second on the 21st day of August 2019  
the third on the 28th day of August 2019  
the fourth on the \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_  
the fifth on the \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_  
the sixth on the \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_  
the seventh on the \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_

[Signature]  
Sworn to and subscribed before me this 30 day  
of August, 2019.

[Signature]  
(Notary Public)

My Commission expires 8-19-25

Publication Fee \$ 392.25



FILED  
SEP 03 2019  
10:27 A M  
TRACEY MITCHELL  
COUNTY & PROBATE CLERK  
D.C.

**Petition Method****IN THE INDEPENDENCE COUNT IN THE MATTER OF  
ANNEXING TO THE CITY OF PLEASANT PLAINS,  
ARKANSAS, CERTAIN TERRITORY CONTIGUOUS TO  
THE SAID CITY OF PLEASANT PLAINS, ARKANSAS.****PETITION**

**We, as property owners of the following described area, do hereby petition the County Court of Independence , Arkansas. We further state the petition is signed by a majority of the real estate owners owning more than one-half of the acreage in said area, and do further by our petition appoint Kenneth Burns to act on our behalf in presenting this matter to the court.**

**Description of the area to be annexed to the City Of Pleasant Plains, Arkansas:**

**A tract of land being part of the Northeast Quarter of the Northeast Quarter of Section 27 in Township 11 North, Range 6 West of the 5th Principal Meridian in Independence County, Arkansas more particularly described as follows: Commencing at the Northwest Corner of said Northeast Quarter, Northeast Quarter; thence run North 88 degrees 02 minutes 01 seconds East along the North line of said Section 27, a distance of 64.01 feet to the Point of Beginning on the East right of way line of U, S. Highway 167; thence run along said East right of way line as follows: South 03 degrees 05 minutes 41 seconds East, 18.15 feet; South 08 degrees 48 minutes 20 seconds East, 100.58 feet; South 03 degrees 05 minutes 41 seconds East 316.38 feet; thence leaving said East right of way line run North 88 degrees 02 minutes 01 seconds East, a distance of 585.42 feet to the West right of way line of Arkansas Highway 157; thence run North 08 degrees 14 minutes 08 seconds East along said West right of way line a distance of 441.23 feet to the North line of said Section 27; thence run South 88 degrees 02 minutes 01 seconds West along said North line, a distance of 682.13 feet to the Point of Beginning,**

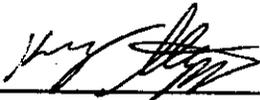
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Less and Except all that part already within the City of Pleasant Plains.

**The following services shall be extended to the annexed area within [3] years after the date the annexation becomes final:**

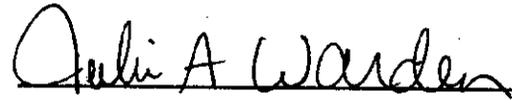
- Solid Waste**
- Police Protection**
- Fire Protection**
- City Sewer**

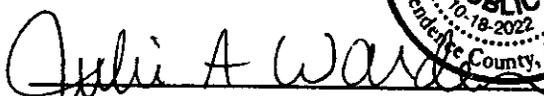
  
\_\_\_\_\_  
**Signature of Property Owner**

\_\_\_\_\_  
**Address**

  
\_\_\_\_\_  
**Signature of Property Owner**

\_\_\_\_\_  
**Address**

  
\_\_\_\_\_  
**Signature of Attesting Witness**

  
\_\_\_\_\_  
**Signature of Attesting Witness**



**FILED**  
JUL 19 2019  
10:10 A M  
TRACEY MITCHELL  
COUNTY & PROBATE CLERK  
D.C. 



**ARKANSAS  
GIS OFFICE**

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July 5, 2019

Honorable Kenneth Burns  
City of Pleasant Plains  
PO Box 269  
Pleasant Plains, AR 72568

RE: City of Pleasant Plains Annexation Coordination Requirement

Honorable Mayor Burns,

Thank you for coordinating with our office as you seek to annex property into the City of Pleasant Plains, AR located in Section 27, Township 11 North, Range 6 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<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,

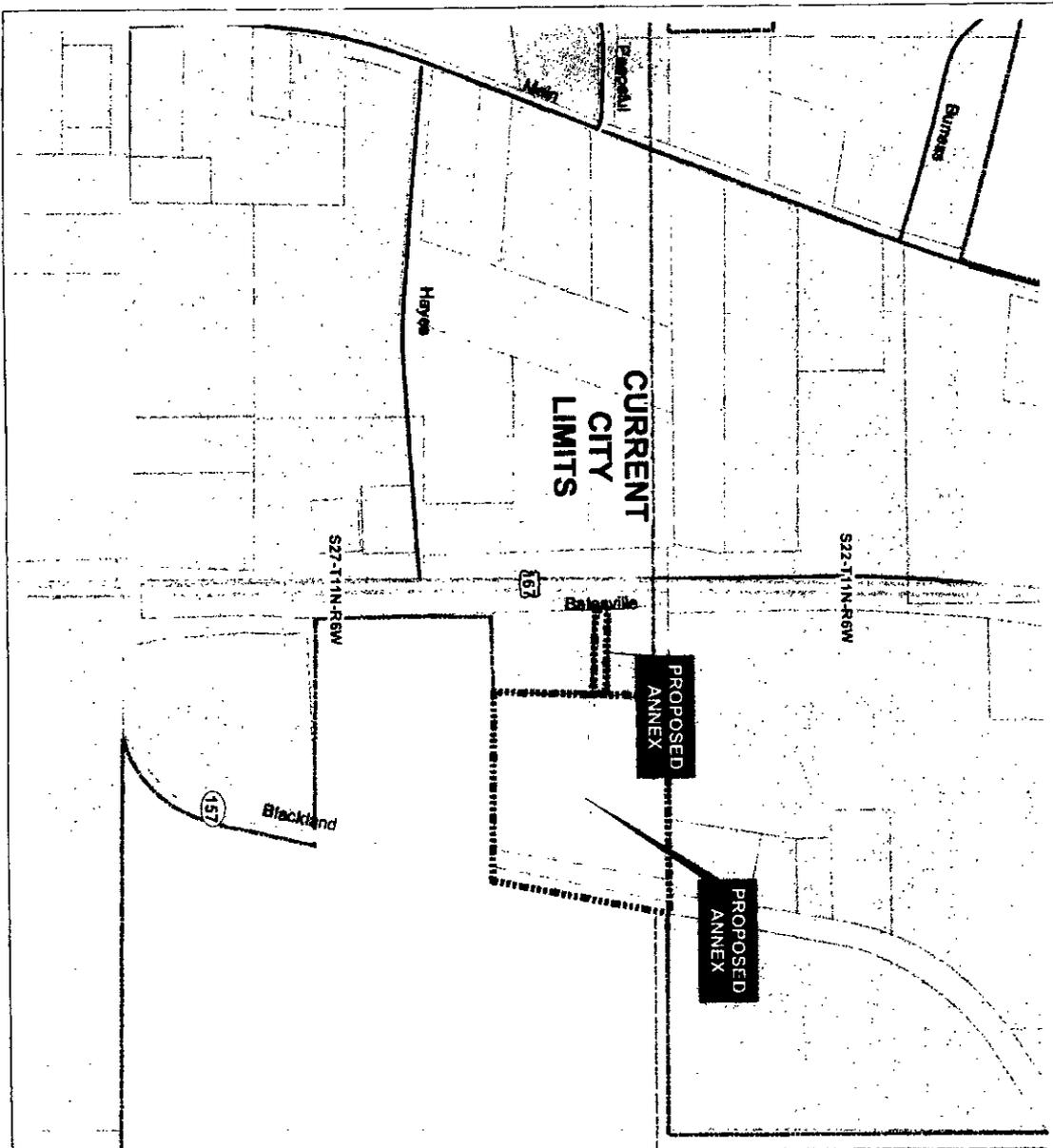
Jennifer Wheeler, GIS Analyst  
/jw

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

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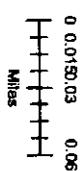
**Proposed Annex: City of Pleasant Plains**  
**July 2019**

**City: Pleasant Plains**  
**Mayor: Kenneth Burns**



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

- Parishes
- City Limits
- Proposed Annex
- Suburbs
- Highways
- Water Body
- Utility Cor



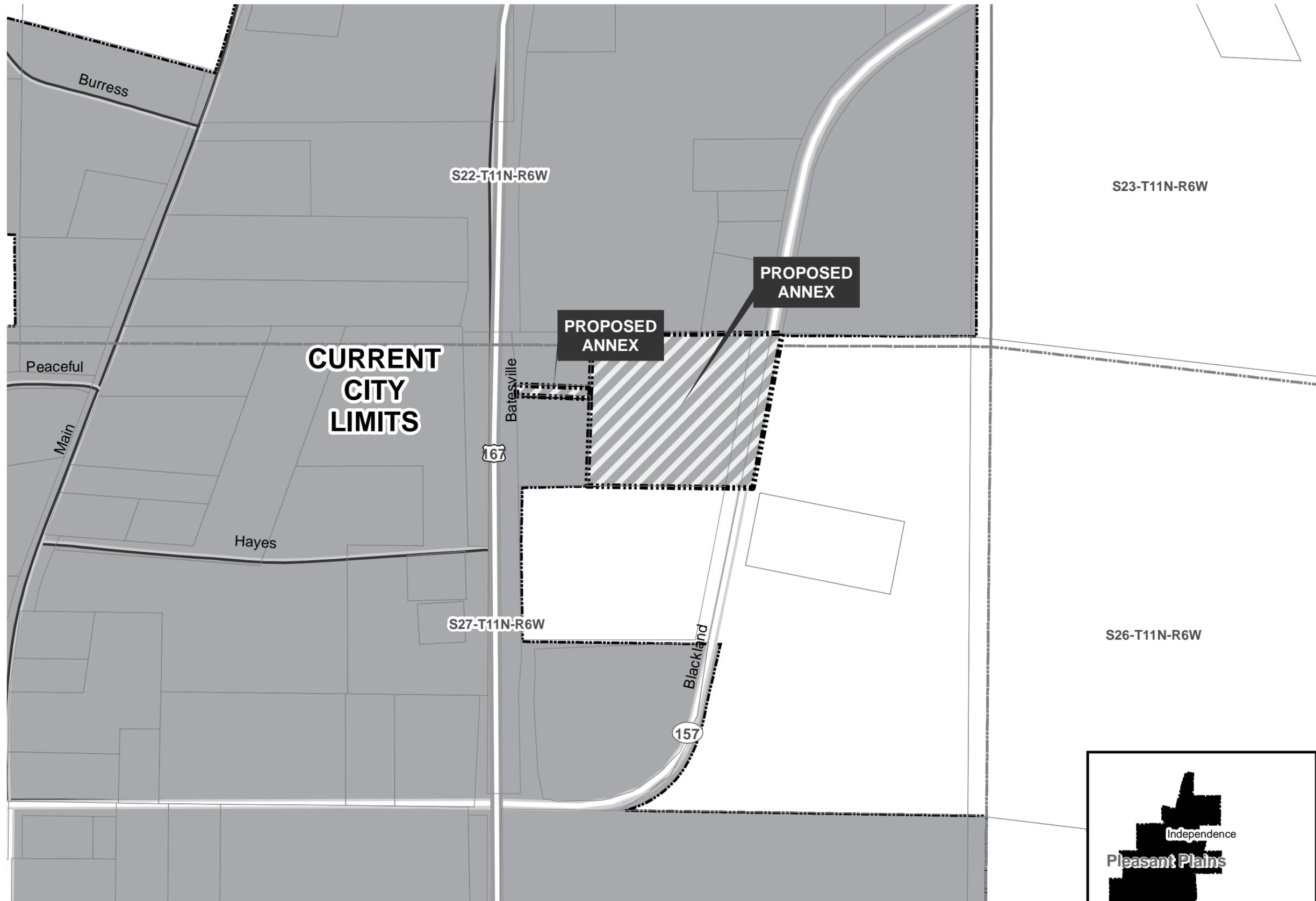
Proposed Annex: City of Pleasant Plains  
July 2019

City: Pleasant Plains  
Mayor: Kenneth Burns

Arkansas Code 14-40-101.

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- Parcels
- Proposed Annex
- Sections
- Highway
- Minor Road
- Existing City

