



ARKANSAS SECRETARY OF STATE
MARK MARTIN

December 19, 2018

The Honorable Teresa Rouse
Poinsett County Clerk
401 Market St
Harrisburg, AR 72432

Re: City of Trumann Annexation Ordinance 642-2017

Dear Ms. Rouse,

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 § 14-40-602 (petition by a majority of the landowners)

Effective Date: 11/10/2018

County: Poinsett

City: Trumann

City Ordinance: 642-2018

Dated: 10/11/2018

County Court Order: CC 2018-02

Filed 08/16/2018

Hon. Bob Cantrell, Poinsett 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

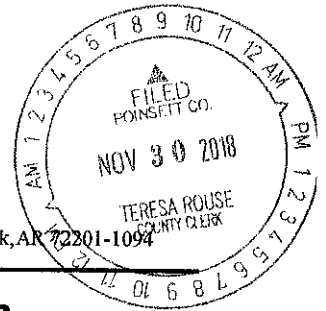
cc: Arkansas Geographic Information Systems Office (w/ encl)
Arkansas Highway and Transportation Department Mapping Department (w/ encl)
Department of Finance and Administration (w/encl)
Arkansas Public Service Commission (w.encl)
UALR Institution for Economic Advancement (w/encl)
Hon. Barbara Lewallen, Mayor of Truman (w/encl)





Arkansas Secretary of State
 Mark Martin

State Capitol 500 Wood Lane Ave Suite 256 • Little Rock, AR 72201-1094



Municipal Boundary Change Form

County: Poinsett City/Town: Trumann

City Ordinance/Resolution No: 642-2018 Date approved: October 11, 2018

County Court Case No: CC2018-02 Date Order Filed: August 16, 2018

Type: Annexation by petition of majority landowners

(Choose from the list of Arkansas Code Sections located on the back)

Date Change Effective: November 10, 2018 Emergency clause: Yes No

For Circuit Court Challenge: Date Order Filed: _____ Upheld Overturned Other (attach explanation)

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 (not required for A. CA § 14-40-1801)
- File marked copy of County Court Order (not required for A. CA. § 14-40-501)
- Proof of Publication for all Legal Notices (Hearing, Election, City Ordinance/Resolution)
- Copy of Arkansas GIS approved printed map and certification letter
- File marked copy of Petition Part or File marked copy of the certified special election results (if applicable)
- File marked copy of Complaint and final Circuit Court Order (Court Challenge only)

Municipal Contact:

Name: Barbara Lewallen Title: Mayor

Street Address: 225 Highway 463

City: Trumann St: AR Zipcode: 72472

City/County Official:

Signature: Barbara Lewallen Title: Mayor

Date: 11-20-18 Teresa Rouse, Poinsett County Clerk 11/30/18

(Complete one form for each ordinance/resolution and attach it as a cover page to the supporting document set. Submit the documents to Arkansas Secretary of State, 500 Wood/one Ave, Suite 256, Little Rock, AR 72201-1094)

FILED

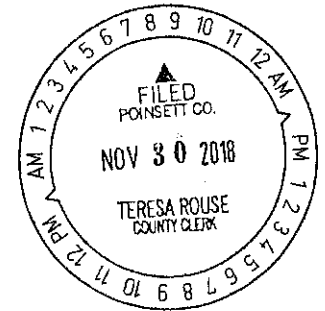
Office of the Arkansas Secretary of State use only

Received by: Cynthia Fisher

DEC 19 2018

Arkansas Secretary of State

ORDINANCE NO. 642-2018



AN ORDINANCE ACCEPTING THE ANNEXATION OF CERTAIN TERRITORY TO THE CITY OF TRUMANN AND APPROVING THE SCHEDULE OF SERVICES TO BE EXTENDED TO SAID AREA

WHEREAS, a petition was filed, pursuant to Arkansas Code Annotated section 14-60-609, for the annexation of certain territory in the city of Trumann, Arkansas; and

WHEREAS, the Poinsett County Assessor and the Poinsett County Clerk have (A) verified the identity of the petitioners; (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 or properties are contiguous with the city of Trumann; (D) verified that no enclaves will be created if the petition is accepted by the city of Trumann; and presented the petition and their respective verifications to the Poinsett 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—police protection; (D) found that the land to be annexed is valuable by its adaptability for prospective municipal uses; and issued an order articulating these findings and forwarded the petition and order to the contiguous city of Trumann for consideration; and

WHEREAS, it is the desire of the City Council of Trumann that said territory by annexed.

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

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

The NW NE of Section 16, Township 12 North, Range 5 East and the East ½ of the Northeast ¼ of Section 16, Township 12 North, Range 5 East not already within the City of Trumann.

Also, the West ½ of the Northwest ¼ of Section 15, Township 12 North, Range 5 East not already within the City of Trumann.

To include the portions of I-555 and its right of ways that lie within the above described Quarter and half-sections

FILED

DEC 19 2018

**Arkansas
Secretary of State**

SECTION 2. That the following schedule of services shall be extended to the area by the City of Trumann within the statutorily required three (3) year period after the date the annexation becomes final, as follows: Police protection.

SECTION 3. That the above-described territory shall be annexed to and made a part of Ward 5 of the City of Trumann, and the same shall henceforth be a part of said ward as fully as existing parts of said ward.

SECTION 4. That the above-described territory shall be zoned as follows:

Zone C2:

Vinyard Devopment Group, LLC -- 8.92 ac +/- Pt NE NE Sec 16 TN 12N R 5E

Zone A1:

Polecat LLC 38.0 ac +/- Pt NW NE Sec 16 TN 12N R 5E

Myra Biggers 9.03 ac +/- Pt NE NE Sec 16, TN 12 N R 5E

.50 ac +/- Pt NE NE Sec 16, TN 12N R 5E

20.0 ac +/- Pt N ½ SE NE Sec 16, TN 12N R 5E

20.0 ac +/- Pt S ½ SE NE Sec 16, TN 12N R 5E

Trumann Rural Water 3.0 ac +/- Pt S ½ SW ¼ Sec 15, TN 12N R 5E

Zone R1:

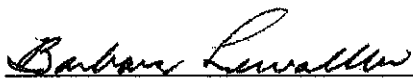
Shirley Roberts 0.35 ac +/- NW corner NW NE Sec 16, TN 12N R 5E

Roger Moon 1.0 ac +/- NW corner NW NE Sec 16, TN 12N R 5E

SECTION 5. 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 final and the property shall be within the corporate limits of the city of Trumann, except as otherwise ordered by the Circuit Court pursuant to a cause of action filed within said thirty (30) day period.

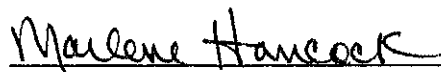
PASSED AND APPROVED THIS 11th DAY OF October, 2018.

APPROVED:



Barbara Lewallen, Mayor

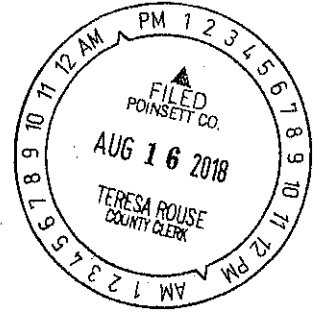
ATTEST:



Marlene Hancock, Clerk/Treasurer

IN THE POINSETT COUNTY COURT

IN THE MATTER OF ANNEXING TO
THE CITY OF TRUMANN, ARKANSAS,
CERTAIN TERRITORY CONTIGUOUS TO
THE SAID CITY OF TRUMANN, ARKANSAS



DECREE OF ANNEXATION

On this regular day of a regular term of the County Court of Poinsett County, Arkansas, there is presented to the Court by Jimmy Gazaway, counsel for the city of Trumann, Arkansas and agent of the Petitioners, having been authorized to act on behalf of the Petitioners, the petition for annexation of certain territory, hereinafter more particularly described, to the city of Trumann, Arkansas, and the Court being fully advised of the facts and the law, does hereby find, judge and decree as follows:

1. The Court finds that the petition was filed more than thirty (30) days prior to this date and that in said petition Jimmy Gazaway, counsel for the city of Trumann, was selected by the petitioners to act on their behalf in filing and presenting the petition. The Court finds that the petition and verifications are complete and accurate and that all necessary time periods have elapsed.
2. 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 Ark. Code Ann. 14-40-602.

The Court finds that the 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 are valuable by reason of their adaptability for prospective municipal use.

FILED

DEC 19 2018

Arkansas
Secretary of State

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4. STATE OF ARKANSAS
COUNTY OF POINSETT
I, Teresa Rouse, Clerk of the County and Probate Court within and for the County and State aforementioned do hereby certify that the above and foregoing is a true copy of the original, the same being of record in
Book 478-480 Page 478-480
of the records of my office in Hannsburg, Arkansas
I hereto set my hand and seal on the 20 day
of November, 2018
Teresa Rouse, Clerk of the Poinsett County and Probate Court

5. 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 Trumann, Arkansas.
6. The Court further finds that attached to and made part of said petition is an accurate map of the territory sought to be annexed to the City of Trumann, Arkansas.
7. The Court further finds that the prayer of the petition is right and proper.
8. The Court further finds that no enclaves will be created by the annexation.
9. The Court finds that the petition contains a schedule of services.
10. The Court finds that no person appeared in the office of the County Judge at the hearing on the date set forth in the Notice of Hearing that was publishes as evidenced by the Proof of Publication to contest or oppose the annexation and that the annexation of the territory described herein to the City of Trumann, Arkansas is hereby affirmed by the Court.
11. The Court orders that the City shall provide police protection to the territory described herein within three (3) years of the date the annexation becomes final.

THEREFORE, the Court hereby ORDERS, JUDGES and DECREES that the following described territory, as set forth in the map attached to the petition, be and the same is hereby annexed to and made a part of the City of Trumann, Arkansas, to wit:

The NW NE of Section 16, Township 12 North, Range 5 East and the E ½ of the NE ¼ of Section 16, Township 12 North, Range 5 East not already within the City of Trumann.

Also, the W ½ of the NW ¼ of Section 15, Township 12 North, Range 5 East not already within the City of Trumann.

To include the portions of I-555 and its right of ways that lie within

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the above-described quarter and half-sections.

The Court further orders that the original papers in this cause be delivered to the Clerk of Poinsett County, Arkansas, the same to be properly recorded upon the records of Poinsett 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 Trumann, 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.

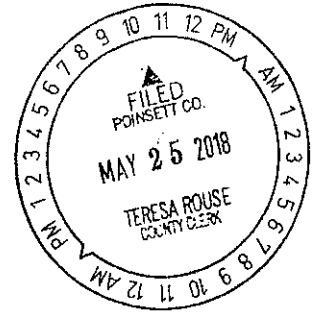
Bob Cantrell
COUNTY JUDGE BOB CANTRELL

8-16-2018
DATE

A-12
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**ARKANSAS
GIS OFFICE**



January 19, 2018

Mayor Barbara Lewallen
PO BOX 120
Trumann AR 72472

RE: City of Trumann Annexation Coordination Requirement

Honorable Mayor Lewallen,

Thank you for coordinating with our office as you seek to annex territory in Sections 15 & 16, Township 12 North, Range 5 East into the City of Trumann, 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 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
jjw

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

FILE

DEC 19 2013

**Arkansas
Secretary of State**

H:\City_Annexations\Templates\Folder Structure\Doc\20170913_Trumann_Annexation_Coordination_Letter.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

**Proposed Annexation: City of Trumann
January 2018**

City: Trumann
Mayor: Barbara Lewallen

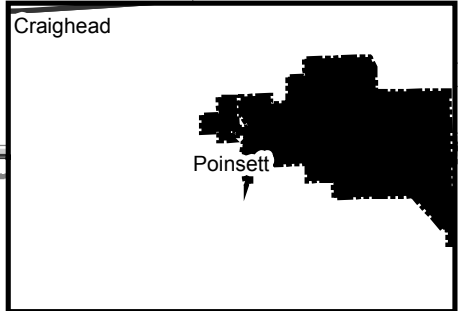
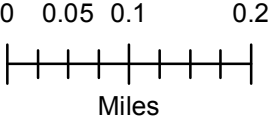
Arkansas Code 14-40-101.

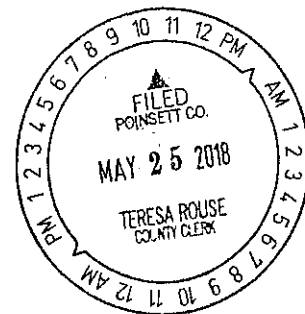
Before an entity undertakes an annexation, consolidation, or detachment proceeding under this chapter, the entity shall coordinate with the Arkansas Geographic Information Systems Office for preparation of legal descriptions and digital mapping for the relevant annexation, consolidation, and detachment areas.

The map contained herein, is evidence, the entity has met requirements of Act 914 of 2015



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





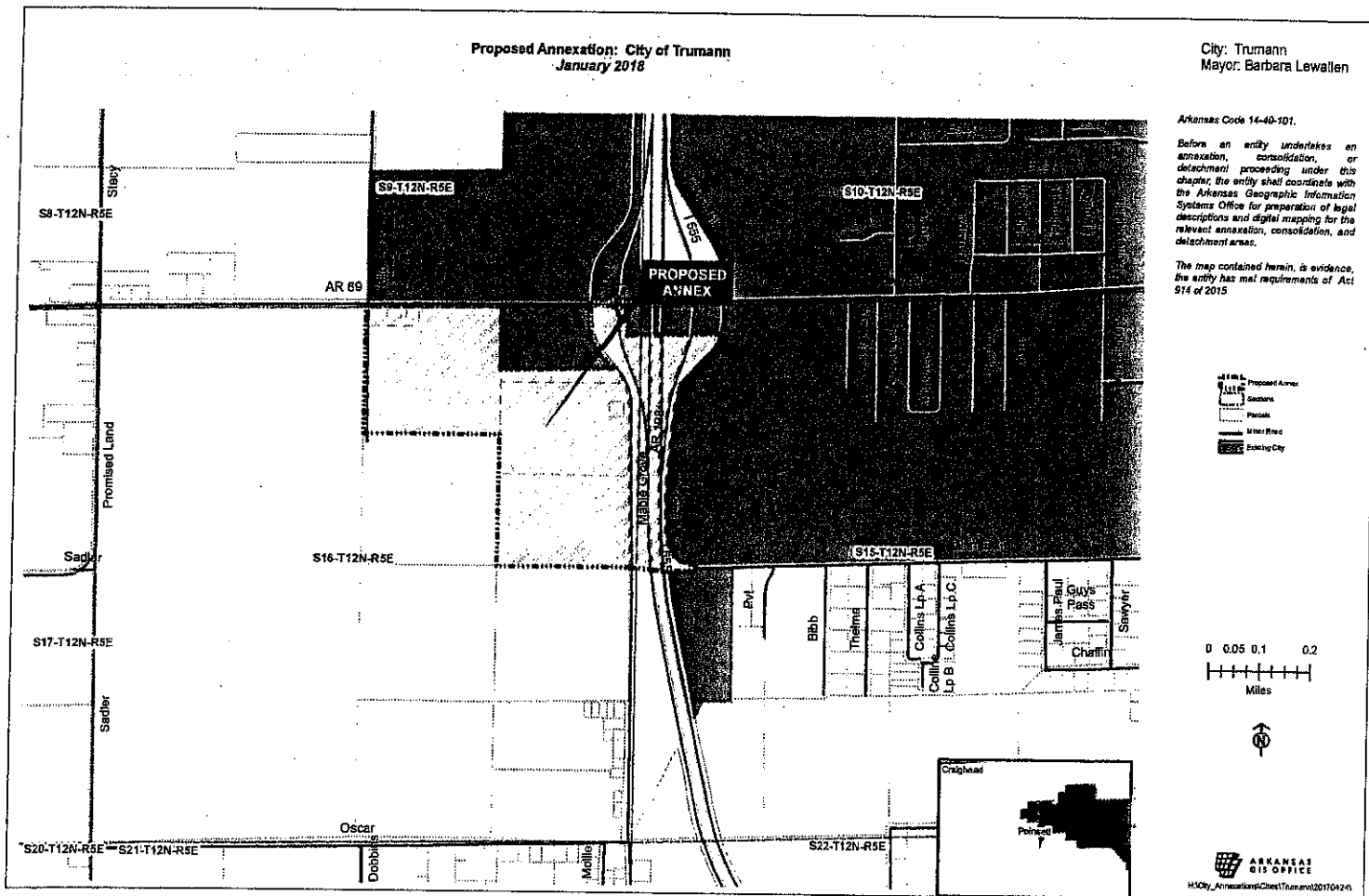
**Proposed Annexation: City of Trumann
January 2018**

City: Trumann
Mayor: Barbara Lewallen

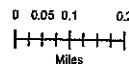
Arkansas Code 14-40-101.

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, in evidence, the entity has met requirements of Act 514 of 2015



- Proposed Annex
- County
- Parcels
- Water Road
- Existing City



ARKANSAS
GIS OFFICE

H:\City_Annexations\Chart\Trumann\20170424

Affidavit of Publication

I, Leah Hazelwood, do hereby make oath that I am Office Manager of the Poinsett County Democrat Tribune, a weekly newspaper published in the town of Trumann, Poinsett County, Arkansas, and that the attached notice was published for 3 consecutive week (s). The first publication was on the 19th day of July 2018 and the last insertion was on the 2nd day of August 2018.

Cost of Publication \$ 263.70

Cost of Proof \$ 5.00

Total Cost \$ 268.70

Signed:

Leah Hazelwood
Office Manager

Sworn to before me this

2nd day of August, 2018

Debbie Davis

My Commission Expires: 07-19-2023

DEBBIE DAVIS
POINSETT COUNTY
NOTARY PUBLIC - ARKANSAS
My Commission Expires July 19, 2023
Commission No. 12395137

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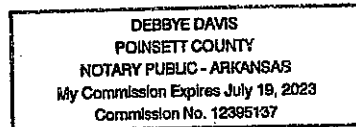
Cost of Publication \$ 263.70
Cost of Proof \$ 5.00
Total Cost \$ 268.70

Signed: Leah Hazelwood
Office Manager

Sworn to before me this

2nd day of August, 2018
Debbie Davis

My Commission Expires: 07-19-2023



Notice

IN THE POINSETT COUNTY COURT

IN THE MATTER OF ANNEXING
TO THE CITY OF TRUMANN, ARKANSAS
CERTAIN TERRITORY CONTIGUOUS TO
THE SAID CITY OF TRUMANN, ARKANSAS

NOTICE

Notice is hereby given that there has been filed in the County Court of Poinsett County, Arkansas, the petition of Myra Jane Biggers, Shirley Roberts, and Ken Yarbrough, asking for the annexation to the City of Trumann of the following described lands situated in Poinsett County, Arkansas and contiguous to said city, to-wit:

The NW NE of Section 16, Township 12 North, Range 5 East and E 1/2 of the Ne 1/4 of Section 16, Township 12 North, Range 5 East not already within the City of Trumann.

Also, the W 1/2 of the NW 1/4 of Section 15, Township 12 North, Range 5 East not already within the City of Trumann.

To include to portions of I-555 and its right of ways that lie within the above-described quarter and half-sections.

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 16th day of August, 2018, at 9:30 a.m. as the date for a hearing on said petition to be held in the office of the County Judge of Poinsett County, Arkansas, located at the Poinsett County Courthouse, 401 Market St., Harrisburg, AR 72432, and all interested persons are now notified to be present at said Court at the time and date so fixed.

Given this 11th day of July, 2018.

Jimmy D. Gazaway, Attorney at Law
902 W. Court St.
Paragould, Arkansas 72450
Phone: 870-239-4002
AR Bar No. 2006265

Published 7-19,26; 8-2-18

Affidavit of Publication

I, Taylor Green, do hereby make oath that I am Office Manager of the Poinsett County Democrat Tribune, a weekly newspaper published in the town of Trumann, Poinsett County, Arkansas, and that the attached notice was published for 1 consecutive week (s). The first publication was on the 18th day of October and the last insertion was on the 18th day of October.

Cost of Publication \$ 195.30
Cost of Proof \$ 5.00
Total Cost \$ 200.30

Signed: Taylor Green
Office Manager

Sworn to before me this
18 day of October, 2018
Debbie Davis

My Commission Expires: 07-19-2023

DEBBIE DAVIS
POINSETT COUNTY
NOTARY PUBLIC - ARKANSAS
My Commission Expires July 19, 2023
Commission No. 12385137

Notice

ORDINANCE NO. 642-2018

AN ORDINANCE ACCEPTING THE ANNEXATION OF A CERTAIN TERRITORY TO THE CITY OF TRUMANN AND APPROVING THE SCHEDULE OF SERVICES TO BE EXTENDED TO SAID AREA

WHEREAS, a petition was filed, pursuant to Arkansas Code Annotated section 14-60-609, for the annexation of certain territory in the city of Trumann, Arkansas; and

WHEREAS, the Poinsett County Assessor and the Poinsett County Clerk have (A) verified the identity of the petitioners; (b) verified that there are no property owners included in the petition that do not wish to have their property annexed; © verified that the property or properties are contiguous with the city of Trumann; (D) verified that no enclaves will be created if the petition/s accepted by the city of Trumann; and presented the petition and their respective verifications to the Poinsett 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 annexation; © confirmed that the petition contains a schedule of services-police protection; (D) found that the land to be annexed is valuable by its adaptability for prospective municipal uses; and issued an order articulating these findings and forwarded the petition and order to the contiguous city of Trumann for consideration; and

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

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

SECTION 1. That the following described territory, contiguous to the city of Trumann, be and the same is hereby accepted as part of, and annexed to and made part of the city of Trumann, Arkansas:

THE NW NE of Section 16, Township 12 North, Range 5 East and East 1/2 of the Northeast 1/4 of Section 16, Township 12 North, Range 5 East not already within the City of Trumann

Also, the West 1/2 of the Northwest 1/4 of Section 15, Township 12 North, Range 5 East not already within the City of Trumann.

To include the portions of I-555 and its right of ways that lie within the above described Quarter and half-sections.

SECTION 2. That the following schedule of services shall be extended to the area by the City of Trumann within the statutorily required three (3) year period after the date the annexation becomes final, as follows: Police protection.

SECTION 3. That the above-described territory shall be annexed to and made a part of Ward 5 of the City of Trumann, and the same shall henceforth be a part of said ward as fully as existing parts of said ward.

SECTION 4. That the above-described territory shall be zoned as follows:

Zone C2:
Vineyard Development Group, LLC - 8.92 ac +/- Pt NE NE Sec 16 TN 12N R 5E

Zone A1:
Polecat LLC 38.0 ac +/- Pt NW NE Sec 16 TN 12N R 5E

Myra Biggers 9.03 ac +/- Pt NE NE Sec 16, TN 12N R 5E
.50 ac +/- Pt NE NE Sec 16, TN 12N R 5E
20.0 ac +/- Pt N 1/2 SE NE Sec 16 TN 12N R 5E

Trumann Rural Water 3.0 ac +/- Pt S 1/2 SW 1/4 Sec 15, TN 12N R 5E

Zone R1:
Shirley Roberts 0.35 ac +/- NW corner NW NE Sec 16, TN 12N R 5E

Roger Moon 1.0 ac +/- NW corner NW NE Sec 16, TN 12N R 5E

SECTION 5. 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 final and the property shall be within the corporate limits of the City of Trumann, except as otherwise ordered by the Circuit Court pursuant to a cause of action filed within said thirty (30) day period.

PASSED AND APPROVED THIS 11th DAY OF OCTOBER, 2018.

APPROVED:
Barbara Lewallen, Mayor

ATTEST:
Marlene Hancock, Clerk/Treasurer

Published 10-18-18