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**RESOLUTION NO. 2018-05**

**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 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 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 a 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 the 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, Arkansas, collectively being contiguous to the City of Pleasant Plains: **A part of the West Half of the Southeast Quarter of Section 22, Township 11 North, Range 6 West, Described as Follows: Beginning at the Northeast corner of the West Half of the Southeast Quarter of Section 22, Township 11 North, Range 6 West, Thence run South 208' to the POB; Thence Continue South 1111' to the NW Corner of the SE SE of said Section; Thence, Continue South 360' to a Point on the West ROW of BATESVILLE BLVD/US HIGHWAY 167; Thence West 712' to the**

Centerline of Main Street; Thence Northeasterly along the  
Centerline of Main Street Approximately 1563' to a Point; Thence  
S80°33'1"E 314' to the POB

PASSED AND APPROVED THIS 14<sup>th</sup> DAY OF *August*, 2018.

  
Mayor

Attest:  
  
Recorder-Treasurer

LEGAL DESCRIPTION DERIVED USING GIS SOFTWARE AND THE FOLLOWING WARRANTY DEEDS FILED WITH THE INDEPENDENCE COUNTY CIRCUIT CLERK'S OFFICE; BOOK 2010 PAGE 3004 AND BOOK 2014 PAGES 4996-4998

A PART OF THE WEST HALF OF THE SOUTHEAST QUARTER OF SECTION 22, TOWNSHIP 11 NORTH, RANGE 6 WEST, DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHEAST CORNER OF THE WEST HALF OF THE SOUTHEAST QUARTER OF SECTION 22, TOWNSHIP 11 NORTH, RANGE 6 WEST, THENCE RUN SOUTH 208' TO THE POB; THENCE CONTINUE SOUTH 1111' TO THE NW CORNER OF THE SE SE OF SAID SECTION; THENCE, CONTINUE SOUTH 360' TO A POINT ON THE WEST ROW OF BATESVILLE BLVD/US HIGHWAY 167; THENCE WEST 712' TO THE CENTERLINE OF MAIN STREET; THENCE NORTHEASTERLY ALONG THE CENTERLINE OF MAIN STREET APPROXIMATELY 1563' TO A POINT; THENCE S80°33'1"E 314' TO THE POB.



# Arkansas Secretary of State

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

## Municipal Boundary Change Checklist

County: \_\_\_\_\_ City/Town: \_\_\_\_\_

City Ordinance/Resolution No: \_\_\_\_\_ Date approved: \_\_\_\_\_

County Court Case No: \_\_\_\_\_ Date Order Filed: \_\_\_\_\_

Type: \_\_\_\_\_

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

Date Change Effective: \_\_\_\_\_ 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)

### 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 (required except for island annexation and 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 Ordinance/Resolution notices)
- 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: \_\_\_\_\_ Title: \_\_\_\_\_

Street Address: \_\_\_\_\_

City: \_\_\_\_\_ St: \_\_\_\_\_ Zip code: \_\_\_\_\_

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: \_\_\_\_\_ Title: \_\_\_\_\_

Date: \_\_\_\_\_

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: \_\_\_\_\_

**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



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**Mayor**

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**Recorder-Treasurer**