

ORDINANCE NO. 369

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

WHEREAS, a petition was filed, pursuant to A.C.A. 14-40-609, for the annexation of certain territory into the City of Greenland, Arkansas; and

WHEREAS, the Washington County Assessor and the Washington County Clerk have verified that the petition: (A) is in writing; (B) contains an attestation signed before a notary by the property owner of the relevant property confirming the desire to be annexed; (C) contains an accurate description of the relevant property; (D) contains a letter or title opinion from a certified abstractor or title company verifying that the petitioner is the owner of record of the relevant property; (E) contains a letter or verification from a certified surveyor or engineer verifying that the relevant property is contiguous with the annexing city and that no enclaves will be created if the property or properties are accepted by the city; and (F) includes a schedule of services of the annexing city that will be extended to the area within three (3) years after the date the annexation becomes final; and presented the petition and records of the matter to the Washington County Judge; and

WHEREAS, the County Judge has: (A) reviewed the petition and records 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; and (D) issued an order articulating these findings, and forwarded the petition and an Order authorizing the annexation to the contiguous City of Greenland for consideration; and

WHEREAS, it is the desire of the Mayor and City Council of Greenland that said territory be annexed.

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

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

Swinson Annexation into the City of Greenland, Arkansas

(Parcel: 001-06789-000)

A PART OF THE SW/4 OF THE SW/4 OF SECTION 8, TOWNSHIP 15 NORTH, RANGE 30 WEST, WASHINGTON COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE SE CORNER OF SAID 40 ACRE TRACT, AND RUNNING THENCE WEST 1312.08 FEET TO THE CENTERLINE OF COUNTY ROAD 65; THENCE RUNNING NORTH ALONG SAID COUNTY ROAD CENTERLINE 137.12 FEET TO THE POINT OF BEGINNING, ON THE CITY LIMITS OF

GREENLAND; THENCE N 00°21'06" E 280.00 FEET; THENCE S 89°24'18" E 420.00 FEET; THENCE LEAVING THE CITY LIMITS, S 00°21'06" W 280.00 FEET; THENCE N 89°24'18" W 420.00 FEET TO THE POINT OF BEGINNING.

SECTION 2. That the following schedule of services shall be extended to the area by the City of Greenland within the statutorily required three (3) years after the date the annexation becomes final, as follows: police and fire protection; public street maintenance; and solid waste collection and disposal.

SECTION 3. That the above described territory shall be annexed to and made a part of Ward #1 of the City of Greenland, and the same shall henceforth be a part of said ward as fully as existing parts of said ward.

SECTION 4. That this annexation shall be effective and final thirty (30) days after passage of this ordinance.

SECTION 5. That the City Clerk shall certify and send one (1) copy of the map of the annexed property and one (1) copy of this ordinance to the Washington County Clerk for County Judge confirmation consideration.

PASSED AND APPROVED THIS 13<sup>th</sup> DAY OF November, 2023.

  
Mayor

Attest: Misty McCand  
City Clerk

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

CC: 2023-31

**ORDER AUTHORIZING ANNEXATION PURSUANT TO A.C.A. 14-29-609**

I, Patrick Deakins, County Judge of Washington County, having reviewed the petition, referred to as the "Swinson Annexation," for annexation and verification of petition, hereby find that the petition:

- (A) Is in writing;
- (B) Contains an attestation signed before a notary or notaries by the property owner or owners of the relevant property or properties confirming their desire to be annexed;
- (C) Contains an accurate description of the relevant property or properties;
- (D) Contains a letter or title opinion from a certified abstractor or title company verifying that the petitioners are all owners of record of the relevant property or properties;
- (E) Contains a letter or verification from a certified surveyor or engineer verifying that the relevant property or properties are contiguous with the annexing city and that no enclaves will be created if the property or properties are accepted by the city – additionally, a copy of the coordination letter from the State of Arkansas GIS Office approving the legal description for the annexation was provided; and
- (F) Includes a schedule of services of the annexing city that will be extended to the area within three (3) years after the date the annexation becomes final.

The County Clerk is directed to forward a copy of this Order and the related Petition to the Mayor of the City of Greenland.

  
Patrick Deakins, County Judge

11/1/2023

Date

2023 NOV - 1 PM 3:40  
CLERK  
WASHINGTON  
CO. & PROBATE  
DEPARTMENT

FILED

### Voluntary Annexation –100% Method

Act 991 of 2015 amended the petition method of annexation in an attempt to simplify the procedure when 100% of the owners, owning 100% of the property, seek annexation of their property—which must be contiguous to the city limits. That amendment was codified at **A.C.A. 14-40-609**. The procedure was amended by Act 567 of 2017, and the revised procedure is summarized below.

The petition, which is technically made to the governing body of the annexing city, shall (A) Be in writing; (B) Contain an attestation signed before a notary or notaries by the property owner(s) of the relevant property or properties confirming the desire to be annexed; (C) Contain an accurate description of the relevant property or properties; (D) Contain a letter or title opinion from a certified abstractor or title company verifying that the petitioners are all owners of record of the relevant property or properties; (E) Contain a letter or verification from a certified surveyor or engineer verifying that the relevant property or properties are contiguous with the annexing city or town and that no enclaves will be created if the property or properties are accepted by the city or town; and (F) Include a schedule of services of the annexing city or town that will be extended to the area within three (3) years after the date the annexation becomes final. A map (plat) of the area to be annexed should also accompany the filing (as Exhibit A). Note: The requirements of A.C.A. 14-40-101 regarding coordination with the Arkansas Geographic Information Systems Office (AGIOS) regarding the description and map are applicable.

The petition shall be filed (by the petitioner(s)) with the county assessor and the county clerk, and within fifteen (15) business days of the filing, the county assessor and the county clerk shall verify that the petition meets the requirements of (A) through (F) above. Upon completion of the requirements under (A) through (F) above, the county clerk shall present the petition and records of the matter to the county judge who shall review the petition and records for accuracy.

Within fifteen (15) days of the receipt of the petition and records, the county judge shall: (A) Review the petition and records for completeness and accuracy; (B) Determine that no enclaves will be created by the annexation; (C) Confirm that the petition contains a schedule of services; (D) Issue an order articulating the findings under (A) through (C) (of this paragraph) and forward the petition and order to the contiguous city; and (E) Require at his or her discretion that the city or town annex dedicated public roads and rights-of-way abutting or traversing the property to be annexed.

The city may, by ordinance or resolution, grant the petition and accept the property for annexation to the city or town. (The city or town is not required to grant the petition and accept the property petitioned to be annexed). If the governing body accepts the contiguous property, the city clerk or recorder shall certify and send one (1) copy of the plat (map) of the annexed property and one (1) copy of the ordinance or resolution of the governing body to the county clerk. The county clerk shall forward a copy of each document received (back from the city or town) to the county judge. If the county judge determines the requirements have been complied with and the annexation is in all respects proper, the county judge shall enter an order confirming the annexation. Upon receipt of the order of the county judge confirming the annexation, the county clerk shall file a copy of each document previously received from the city with the State as required by law. If no challenge is filed in county circuit court within thirty (30) days after passage of the ordinance or resolution by the governing body of the city or town, the annexation shall be final. .

This summary was prepared by:

Jeff Hawkins, (479) 841-9125

PETITION FOR ANNEXATION

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

DATE: 28 JULY 2023

Comes now the undersigned petitioners, and state as follows:

That we, owning 100% of the property in the following described territory, in Washington County, Arkansas, do hereby petition, pursuant to A.C.A. 14-40-609, the City Council of Greenland, Arkansas, to annex the following lands to the City of Greenland, Arkansas:

Swinson Annexation into the City of Greenland, Arkansas

(Parcel: 001-06789-000)

A PART OF THE SW/4 OF THE SW/4 OF SECTION 8, TOWNSHIP 15 NORTH, RANGE 30 WEST, WASHINGTON COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE SE CORNER OF SAID 40 ACRE TRACT, AND RUNNING THENCE WEST 1312.08 FEET TO THE CENTERLINE OF COUNTY ROAD 65; THENCE RUNNING NORTH ALONG SAID COUNTY ROAD CENTERLINE 137.12 FEET TO THE POINT OF BEGINNING, ON THE CITY LIMITS OF GREENLAND; THENCE N 00°21'06" E 280.00 FEET; THENCE S 89°24'18" E 420.00 FEET; THENCE LEAVING THE CITY LIMITS, S 00°21'06" W 280.00 FEET; THENCE N 89°24'18" W 420.00 FEET TO THE POINT OF BEGINNING.

1. We further state that this petition is signed by 100% of the real estate owners owning 100% of the acreage in said area.
2. That said property described herein is contiguous to and adjoining the present Greenland city limits, as shown on the map attached hereto as Exhibit A.
3. That no enclaves will be created if this petition is accepted and the territory annexed into the City of Greenland.
4. That the following schedule of services shall be extended to the area by the City of Greenland within three (3) years after the date the annexation becomes final: police and fire protection; public street maintenance; and solid waste collection and disposal.
5. That a letter or title opinion from a certified abstractor or title company verifying the petitioner is the owner of record of the relevant property is attached hereto as Exhibit B, and is made part of this petition.
6. That a letter or verification from a certified surveyor or engineer verifying that the relevant property is contiguous with the city limits of Greenland and that no

enclaves will be created if the property is accepted for annexation into the City of Greenland is attached hereto as Exhibit C, and is made part of this petition.

- 7. That the undersigned person(s) executing this petition have confirmed by their signature below a desire that his property, which is described above, be annexed into the City of Greenland.

Stormy Swinson  
Printed Name of Property Owner/Petitioner

[Signature]  
Signature of Property Owner/Petitioner

David Swinson  
Printed Name of Property Owner/Petitioner

[Signature]  
Signature of property Owner/Petitioner

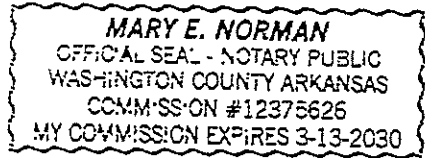
ACKNOWLEDGMENT

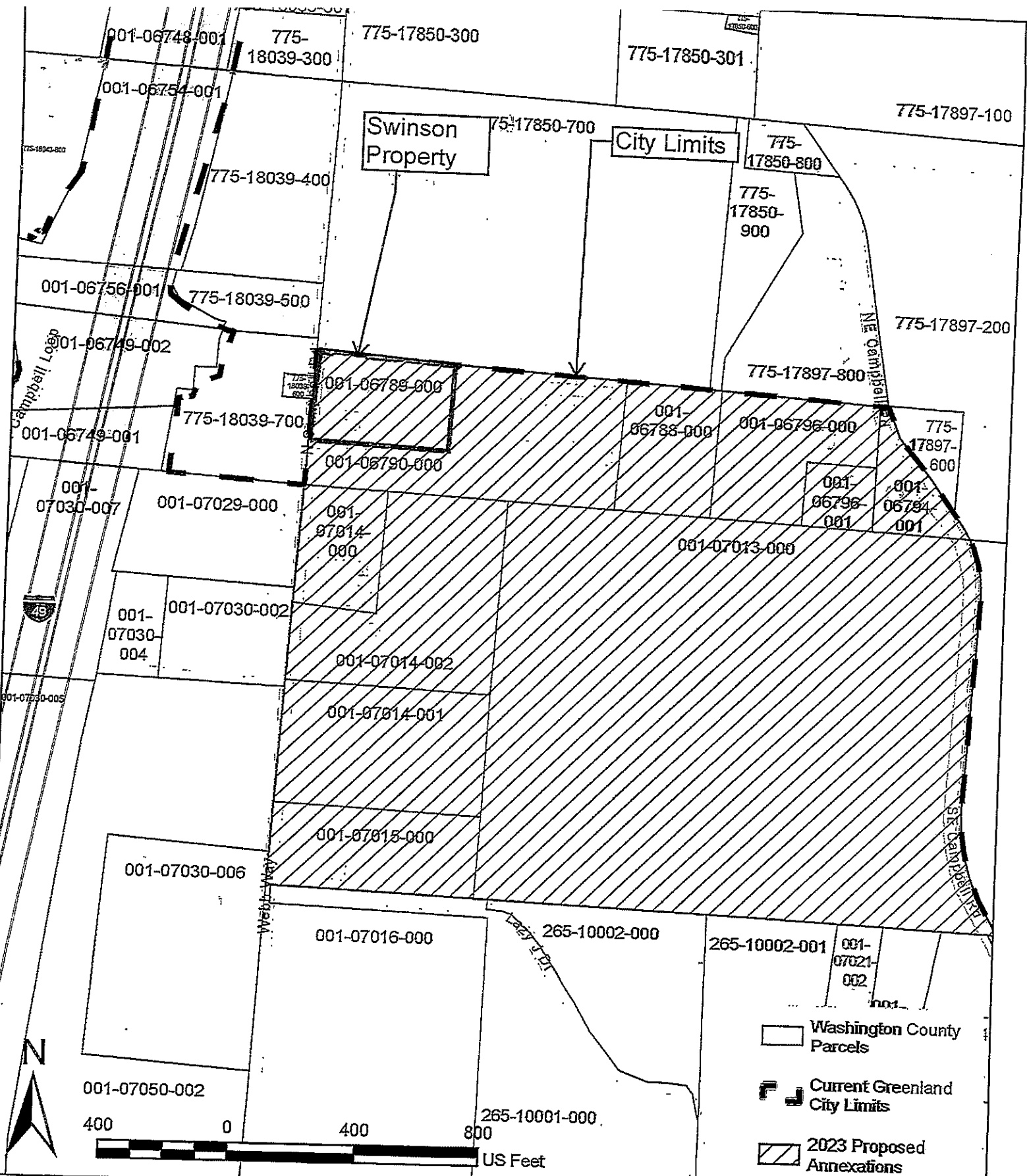
State of Arkansas )  
County of Washington ) ss.

On this the 28 day of July, 2023, before me, the undersigned officer, personally appeared David/Stormy Swinson known to me (or satisfactorily proven) to be the persons whose names are subscribed above and acknowledged and attested that it was executed for the purposes therein apparent.

My Commission Expires: 3-13-30

[Signature]  
NOTARY PUBLIC





**GREENLAND  
2023 ANNEXATION**  
 PARCEL LINES RETRIEVED FROM  
 WASHINGTON COUNTY AS OF EXHIBIT DATE



Designed By: DJB	Project: 23-2101	Exhibit:  5 of 5
Scale: Scale as Shown	Date: May. 18, 2023	