

ORDINANCE NO. 2023-11

AN ORDINANCE ACCEPTING THE ANNEXATION OF CERTAIN TERRITORY TO THE CITY OF WARD, ARKANSAS, AND MAKING SAME A PART OF THE CITY OF WARD, ARKANSAS, ASSIGNING SAME TO WARDS, AND ZONING SAID ANNEXED TERRITORY

WHEREAS, a Petition (Attached) was filed on the 12th day of May, 2022, with the County Clerk of Lonoke County, Arkansas, by the real estate owner of the hereinafter described territory praying that said territory be annexed to, and made a part of the City of Ward, Arkansas; and,

WHEREAS, the County Court of Lonoke County, Arkansas, found that the Petition was signed by a one-hundred percent (100%) of the real estate owners in said territory; that said territory was contiguous and adjoining the present corporate limits of the City of Ward, Arkansas; that an accurate plat or map of said territory had been filed with and made a part of said Petition; and that all things pertaining thereto had been done in the manner prescribed by law, and that said lands and territory could be annexed to and made a part of the City of Ward, Arkansas, subject to the acceptance of same by the City Council of said City at the proper time, as provided by law; and,

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

SECTION 1: The lands and territories described in Exhibit "A" to the attached Petition¹ and annexed to the City of Ward, by Order (Attached) of the County Court of Lonoke County, Arkansas, by its Order be and are hereby accepted by the City of Ward, Arkansas, said territory hereinafter described shall be hereafter deemed and taken to be a part and parcel of the limits of the City of Ward, Arkansas, and the inhabitants residing therein shall have and enjoy all of the rights and privileges of the inhabitants within the original limits of the City of Ward, Arkansas.

SECTION 2: The above described annexed lands and territories are hereby assigned and attached to Ward 3 of the City of Ward, Arkansas, and the same shall henceforth be a part of said ward as fully as existing parts of said ward.

¹ Otherwise known as the Legacy Farms Development

SECTION 3: The above described annexed lands and territories are hereby zoned as a Planned Unit Development (PUD) as described in the current City of Ward Zoning Regulations.

PASSED AND APPROVED this 15 day of May 2023.

YEAS 5 NAYS 0 ABSTAINS 0

SIGNED: _____


MAYOR CHARLES GASTINEAU

ATTEST: _____


CITY CLERK KRYSTAL RUMMEL

IN THE CITY OF WARD, ARKANSAS AND
THE COUNTY COURT OF LONOKE COUNTY, ARKANSAS

IN THE MATTER OF ANNEXING
CERTAIN TERRITORY CONTIGUOUS TO
THE CITY OF WARD, LONOKE COUNTY,
ARKANSAS

NO: 2022-___

ANNEXATION PETITION

Comes the undersigned Petitioners and for their Annexation Petition, state:

1. That the undersigned represents a totality (100%) of the real estate owners of the within described real property as defined in Ark. Code. Ann. Section 14-40-609.
2. That they desire that the following real property be annexed to and made a part of the City of Ward, Lonoke County, Arkansas:

Legal Description is attached hereto as Exhibit "A".
3. That the above-described property is contiguous to and adjoining the present corporate limits of the City of Ward, Lonoke County, Arkansas.
4. That an accurate map thereof has been made and attached hereto as Exhibit "B" and made a part hereof.
5. That a letter or title opinion from a certified abstractor or title company verifying that the petitioners are all owners of record of the subject property is attached hereto as Exhibit "C" and made a part hereof.
6. That a letter or verification from a certified surveyor or engineer verifying that the subject property is contiguous with the City of Ward, Lonoke County, Arkansas, and that no enclaves will be created if the property is accepted by the City of Ward is attached hereto as Exhibit "D" and made a part hereof.

FILED
2022 MAY 12 AM 9:50
LONOKE COUNTY CLERK
DANN FORTNEY
BY _____

7. That a schedule of services of the City of Ward, Arkansas that will be extended to the real property within three (3) years after the date the annexation becomes final is attached hereto as Exhibit "E" and made a part hereof.

6. That Chris Lacy has been appointed and authorized to act on behalf of the Petitioners.

WHEREFORE, Petitioners pray that the Clerk file this Petition, and that the County Court and City Council for the City of Ward accept and confirm the annexing of the above-described property.

PETITIONER



Michael Gabriel Beatty, Legacy Farms Development Group, LLC
165 Elk Farm Drive
Austin, AR 720007

By: Chris Lacy, Agent for Petitioners
P.O. Box 1549
Ward, AR 72023
P: 501-941-3730
F: 501-941-3731

BY _____ S.C.

LETTERS OF OFFER
EAMN PORTLANDFIELD

2022 MAY 12 AM 9:50

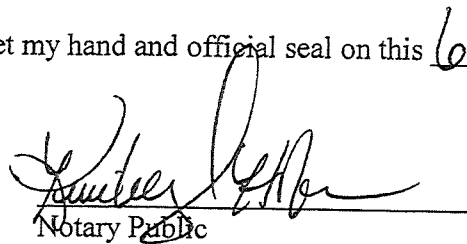
FILED

ACKNOWLEDGMENT

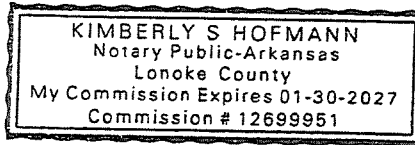
STATE OF ARKANSAS)
COUNTY OF LONOKE)

On this day, before me, the undersigned, a Notary Public, duly commissioned, qualified, and acting, within and for said County and State, appeared in person the within named Petitioners, to me personally well known, whose name is subscribed to the foregoing instrument and acknowledged that he had executed the same for the purposes set forth therein and that the facts so stated were true to the best of his knowledge and belief.

IN TESTIMONY WHEREOF, I have hereunto set my hand and official seal on this 6
day of May, 2022.


Notary Public

My commission expires:
1/30/2027



FILED
2022 MAY 12 AM 9:50
LEONARD POTTERFIELD
D.C.

EXHIBIT A

FILED
2022 MAY 12 AM 9:50
L. C. ...
BY

AS DEEDED:

PART OF THE NORTHEAST QUARTER, SECTION TWENTY-SEVEN (27), TOWNSHIP FIVE (5) NORTH, RANGE NINE (9) WEST, LONOKE COUNTY, ARKANSAS, AND MORE. PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS: BEGINNING AT THE NE CORNER OF THE NORTHEAST QUARTER OF SECTION TWENTY-SEVEN (27). RUNNING THENCE WEST ON SECTION LINE 160 RODS TO THE NE CORNER OF SAID NORTHEAST QUARTER: THENCE SOUTH PARALLEL WITH SECTION LINE 94 RODS AND 96 LINKS TO THE NEW CORNER OF SPENCER'S ADDITION TO THE TOWN OF WARD; THENCE EAST PARALLEL WITH THE SECTION LINE TO THE SECTION LINED BETWEEN SECTIONS TWENTY-SIX (26) AND TWENTY-SEVEN (27); THENCE NORTH ON SECTION LINE 94 RODS AND 96 LINKS TO THE PLACE OF BEGINNING.

AS SURVEYED:

PART OF THE NE ¼ OF SECTION 27, TOWNSHIP 5 NORTH, RANGE 9 WEST, LONOKE COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT A RAILROAD SPIKE FOR THE NORTHEAST CORNER OF SAID SECTION 27 RUN S 0 DEG. 46'37" W ALONG THE EAST LINE OF SAID SECTION 7, A DISTANCE OF 1597.56'; THENCE N 89 DEG. 56'19"W ALONG THE CENTER OF MILAM STREET A DISTANCE OF 1012.63': THENCE N 89 DEG. 48'00"W ALONG FENCE A DISTANCE OF 1628.85' TO THE FENCE CORNER; THENCE N 72 DEG. 32'32" W 13.51' TO A ½" ROD: THENCE N 0 DEG. 58'43" E ALONG THE WEST LINE OF THE SAID NE ¼ A DISTANCE OF 1599.23' TO A ½" ROD FOR THE NORTHWEST CORNER OF THE SAID NE ¼; THENCE N 89 DEG 24'13"E ALONG THE NORTH LINE OF SAID NE ¼ A DISTANCE OF 2649.54' TO THE POINT OF BEGINNING.

Part of the Northeast Quarter (NE 1/4) of the Northwest Quarter (NW 1/4/) of Section Twenty-seven (27), Township Five (5) North, Range Nine (9) West, more particularly described as follows: Commencing at the Southeast corner of the NE ¼ NW ¼ of section 27, Township 5 North, Range 9 West; thence North 210 feet for a point of beginning; thence North 120 feet; thence West 300 feet; thence South 120 feet; thence East 300 feet to the point of beginning containing 0.83 acres, more or less.

EXHIBIT



Proland Title Company
16 Ryeland Drive, Ste. D
Cabot, Arkansas 72023
Phone: 501-843-1881
FAX: 501-843-4882

24 Month Chain of Title

DATE: 4/6/22

TO: The City of Ward

RE: Michael Gabe Beatty & Crystal Beatty, husband and wife

File #: 5C-4884

The title to the following described property was searched in excess of a 24 month period of time in the records of the Circuit Clerk of Lonoke County, Arkansas:

AS DEEDED:

PART OF THE NORTHEAST QUARTER, SECTION TWENTY-SEVEN (27), TOWNSHIP FIVE (5) NORTH, RANGE NINE (9) WEST, LONOKE COUNTY, ARKANSAS, AND MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS: BEGINNING AT THE NE CORNER OF THE NORTHEAST QUARTER OF SECTION TWENTY-SEVEN (27). RUNNING THENCE WEST ON SECTION LINE 160 RODS TO THE NE CORNER OF SAID NORTHEAST QUARTER; THENCE SOUTH PARALLEL WITH SECTION LINE 94 RODS AND 96 LINKS TO THE NW CORNER OF SPENCER'S ADDITION TO THE TOWN OF WARD; THENCE EAST PARALLEL WITH THE SECTION LINE TO THE SECTION LINE BETWEEN SECTIONS TWENTY-SIX (26) AND TWENTY—SEVEN (27); THENCE NORTH ON SECTION LINE 94 RODS AND 96 LINKS TO THE PLACE OF BEGINNING.

AS SURVEYED:

PART OF THE NE 1/4 OF SECTION 27, TOWNSHIP 5 NORTH, RANGE 9 WEST, LONOKE COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT A RAILROAD SPIKE FOR THE NORTHEAST CORNER OF SAID SECTION 27, RUN S 0 DEG. 46'37"W ALONG THE EAST LINE OF SAID SECTION 7, A DISTANCE OF 1597.56'; THENCE N 89 DEG. 56'19"W ALONG THE CENTER OF MILAM STREET A DISTANCE OF 1012.63'; THENCE N 89 DEG. 48'00"W ALONG FENCE A DISTANCE OF 1628.85' TO THE FENCE CORNER; THENCE N 72 DEG. 32'32"W 13.51' TO A 1/2" ROD; THENCE N 0 DEG. 58'43"E ALONG THE WEST LINE OF THE SAID NE 1/4 A DISTANCE OF 1599.23' TO A 1/2" ROD FOR THE NORTHWEST CORNER OF THE SAID NE 1/4; THENCE N 89 DEG. 24'13"E ALONG THE NORTH LINE OF SAID NE 1/4 A DISTANCE OF 2649.54' TO THE POINT OF BEGINNING.

FILED
2022 MAY 12 AM 9:50
LONOK COUNTY CLERK
BY _____ B.C.

This property was conveyed as follows:

Warranty Deed: filed 6/26/19 as Instrument #2019-06116.

Grantor: Ridgewood Timber Corporation, an Arkansas corporation

Grantee: Michael Gabe Beatty and Crystal Beatty, husband and wife

Following is a list of any subsequent deeds and filings affecting the title to the above described property which have been recorded with the Circuit Clerk of Lonoke County, Arkansas during the last 24 months, if any:

Mortgage: filed 7/23/21 as Instrument #2021-09629.

Borrower: Michael Beatty, husband, and Crystal Beatty, wife

Lender: Centennial Bank

Partial Release: filed 1/11/22 as Instrument #2022-0504.

Plat: Legacy Farms, Phase 1, part of the NE ¼ of Section 27, T-5-N, R-9-W, Ward, Lonoke County, Arkansas - filed 10/8/21 in Plat Cabinet 2 at page 1544.

See document for details.

Warranty Deed: filed 11/10/21 as Instrument #2021-15132.

Grantor: Michael Gabe Beatty and Crystal Beatty, husband and wife

Grantee: Majestic Homes LLC, an Arkansas limited liability company
Lot 44, Legacy Farms, Phase 1

Warranty Deed: filed 11/10/21 as Instrument #2021-15134.

Grantor: Michael Gabe Beatty and Crystal Beatty, husband and wife

Grantee: Majestic Homes LLC, an Arkansas limited liability company
Lot 2, Legacy Farms, Phase 1

Warranty Deed: filed 11/10/21 as Instrument #2021-15137.

Grantor: Michael Gabe Beatty and Crystal Beatty, husband and wife

Grantee: Majestic Homes LLC, an Arkansas limited liability company
Lot 48, Legacy Farms, Phase 1

FILED
2022 MAY 12 AM 9:50
LONOK COUNTY ARKANSAS
CIRCUIT CLERK'S OFFICE
BY _____ D.O.

Proland Title Company is providing this chain of title for informational purposes only and as a courtesy to addressee for the above referenced property in conjunction with Proland Title Company closing the real property transaction and/or it issuing title insurance policies covering the above described property for the benefit of property owners. While Proland Title Company believes that the information stated above is accurate, no assurances are made nor is any liability assumed by Proland Title Company for any incorrect information stated herein or omitted herefrom. For assurances as to the title to the above described property, addressee should obtain a title insurance policy.



Authorized Countersignature
Alta Tharp, License#: 9840985

FILED

2022 MAY 12 AM 9:50

LSA
RECORDS SECTION

BY _____ D.G.



2601 T.P. White Drive
Jacksonville, AR 72076
TEL 501.982.1538
FAX 501.982.1530
www.bondce.com

EXHIBIT
D

May 6, 2022

TO: Whom it Concerns
RE: Petition to Annexation

I, Aaron K. Robinson, am a Professional Surveyor licensed by the State of Arkansas. I verify that the within described property is contiguous with the present City of Ward corporate limits and that no enclaves will be created if the property is accepted by the City of Ward, to the best of my knowledge and ability.

Sincerely,

A handwritten signature in black ink, appearing to be 'AR', with a horizontal line extending to the right.

Aaron K. Robinson, PE PS
AR #1619

cc: Mr. Gabe Beatty
BCE # 8543

FILED
2022 MAY 12 AM 9:50
LEONARD W. ROBINSON
PROF. SURV. AR #1619
BY _____
S.C.

EXHIBIT E

Schedule of Services

The following services will be made available to the Legacy Farms subdivision to be annexed into the City of Ward, Arkansas within three (3) years of final Annexation of the same:

- Fire Protection
- Police Protection
- City Sewer
- City trash pick -up (if any)
- City Water

FILED
2022 MAY 12 AM 9:50
LONOKÉ COUNTY CLERK
DAWN PORTERFIELD
BY _____ S.C.

FILED
2023 MAR 31 AM 11:39
LONOKÉ COUNTY CLERK
DAWN PORTERFIELD
BY _____

EXHIBIT E

Schedule of Services

The following services will be made available to the Legacy Farms subdivision to be annexed into the City of Ward, Arkansas within three (3) years of final Annexation of the same:

Fire Protection

Police Protection

City Sewer

City trash pick -up (if any)

City Water

FILED
2022 MAY 12 AM 9:50
LEGACY FARMS SUBDIVISION
BRANCH COUNTY ARKANSAS
BY _____ B.O.

EXHIBIT E

Schedule of Services

The following services will be made available to the Legacy Farms subdivision to be annexed into the City of Ward, Arkansas within three (3) years of final Annexation of the same:

Fire Protection

Police Protection

City Sewer

City trash pick -up (if any)

City Water

FILED
2022 MAY 12 AM 9:50
CLERK OF THE DISTRICT COURT
WARD, ARKANSAS
BY _____ D.C.



Tx:4047928

CERTIFICATE OF RECORD

INSTRUMENT # 2020-14808

FILED: 12/22/2020 12:45:54 PM

LONOKE COUNTY, ARKANSAS

DEBORAH OGLESBY, CIRCUIT CLERK

BY: CHANDRA PAGES: 3

25.00

BY _____ R.G.

LONGOKE COUNTY, ARKANSAS

2022 MAY 12 AM 9:52

FILED

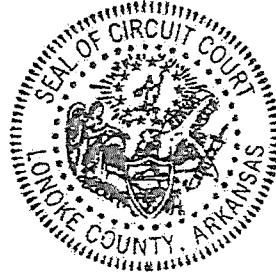
Please Return To:

Lenders Title Company
203 Westport Drive, Suite A
Cabot AR, 72023
Phone: 501-843-2128
Fax: 501-843-1019

File Number: 20-030295-140

This deed form prepared under the supervision of
J. Mark Spradley, Attorney at Law
1501 N. University, Suite 155
Little Rock, AR 72202

Transactional data completed by Lenders Title Company



FOR RECORDER'S USE ONLY

Phillips

WARRANTY DEED
(MARRIED PERSONS)

Tract # 2

KNOW ALL MEN BY THESE PRESENTS:

That, Rickey Lynn Phillips, being one and the same person as Rickey Lyn Phillips, as title was vested, a married person, Grantor(s), for and in consideration of the sum of ---TEN AND 00/100--- DOLLARS---(\$10.00)---and other good and valuable consideration in hand paid by Michael Beatty and Crystal Beatty, husband and wife, Grantee(s), the receipt and sufficiency of which is hereby acknowledged, do hereby grant, bargain, sell and convey unto the Grantee(s), and unto their heirs and assigns forever, the following lands lying in the County of Lonoke and the State of Arkansas to-wit:

Part of the Northeast Quarter (NE ¼) of the Northwest Quarter (NW ¼) of Section Twenty-seven (27), Township Five (5) North, Range Nine (9) West, more particularly described as follows: Commencing at the Southeast corner of the NE ¼ NW ¼ of Section 27, Township 5 North, Range 9 West; thence North 210 feet for a point of beginning; thence North 120 feet; thence West 300 feet; thence South 120 feet; thence East 300 feet to the point of beginning, containing 0.83 acres, more or less.

Subject to any recorded: assessments, building lines, easements, mineral reservations and/or conveyances, and restrictions, if any.

TO HAVE AND TO HOLD the above described lands unto the Grantee(s) and unto their heirs and assigns forever, with all tenements, appurtenances, and hereditaments thereunto belonging.

IN THE LONOKE COUNTY COURT IN THE MATTER OF ANNEXING TO
THE CITY OF WARD, ARKANSAS, CERTAIN TERRITORY CONTIGUOUS
TO THE SAID CITY OF WARD, ARKANSAS

NO. C-2023-189

ORDER

On this 10 day of April, 2023, in the County Court of Lonoke County, Arkansas, there is presented to the Court by Chris Lacy, agent of the petitioners, a petition for annexation of certain territory, hereinafter more particularly described, to the City of Ward, Arkansas, and the Court being fully advised of the facts and the law, doth hereby find, judge and decree as follows:

The Court finds that the petition was verified and filed within fifteen (15) days prior to this date and that in said petition the said Chris Lacy is identified by the petitioner to act on their behalf in filing and presenting the petition.

The Court doth find that one hundred percent (100%) of the total number of real estate owners in the area affected by this petition have signed said petition.

The Court further finds that the territory sought to be annexed was accurately and completely described in said petition, that said territory is contiguous to the boundaries of the City of Ward, Arkansas, and that no enclaves are created by the annexation.

The Court further finds that the petition contained a Schedule of Services of the City of Ward.


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 Ward.

The Court further finds that the prayer of the petition is right and proper.


WHEREFORE, the Court doth hereby ORDER, JUDGE and DECREE that the following described territory be and the same may hereby be annexed to and made a part of the City of Ward, Arkansas, to-wit:

Legal Description Attached as Exhibit A.

DATED THIS 10 DAY OF April 2023.

FILED
2023 APR 17 PM 3:11
LONOKE COUNTY CLERK
DAWN PORTER-FIELD
BY 


LONOKE COUNTY JUDGE

FILED
2023 APR 17 PM 3:11
LONOKE COUNTY CLERK
DAWN PORTERFIELD

00

FILED

2023 APR 17 PM 3:11

LONOKE COUNTY CLERK
DAWN PORTERFIELD

EXHIBIT "A"

AS DEEDED:

PART OF THE NORTHEAST QUARTER, SECTION TWENTY-SEVEN (27), TOWNSHIP FIVE (5) NORTH, RANGE NINE (9) WEST, LONOKE COUNTY, ARKANSAS, AND MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS: BEGINNING AT THE NE CORNER OF THE NORTHEAST QUARTER OF SECTION TWENTY-SEVEN (27). RUNNING THENCE WEST ON SECTION LINE 160 RODS TO THE NE CORNER OF SAID NORTHEAST QUARTER: THENCE SOUTH PARALLEL WITH SECTION LINE 94 RODS AND 96 LINKS TO THE NW CORNER OF SPENCER'S ADDITION TO THE TOWN OF WARD; THENCE EAST PARALLEL WITH THE SECTION LINE TO THE SECTION LINE BETWEEN SECTIONS TWENTY-SIX (26) AND TWENTY—SEVEN (27); THENCE NORTH ON SECTION LINE 94 RODS AND 96 LINKS TO THE PLACE OF BEGINNING.

AS SURVEYED:

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