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2024 JUL 23 PM 3:46

BETSY HARRELL
CO & PROBATE CLERK
BENTON COUNTY, AR

ORDINANCE NO. 24-20

AN ORDINANCE SUBMITTING TO THE VOTERS OF THE CITY OF SILOAM SPRINGS AND OTHER AFFECTED PERSONS, THE QUESTION OF ANNEXATION OF CERTAIN CONTIGUOUS TERRITORY FOR THE PURPOSE OF RESPONSIBLE GROWTH, IMPROVED TRANSPORTATION NETWORKS, AND UTILITY COST CONTROL.

WHEREAS, the Board of Directors of the City of Siloam Springs, Arkansas, finds that the annexation of certain hereinafter described territory, contiguous to the City of Siloam Springs, is necessary for the orderly growth and development of the City; and

WHEREAS, after extensive public input from residents, property owners, and city and county officials, including, but not limited to, a public kickoff meeting by the Board of Directors on March 5, 2024; an Interactive Town Hall held on April 11, 2024; and a Community Roundtable held on April 23, 2024; the Siloam Springs Planning Commission and the Board of Directors voted unanimously to approve Resolution 25-24 directing preparation of an ordinance submitting the question of annexation to the voters at the 2024 general election; and

WHEREAS, the Board of Directors further finds that the property meets one or more of the following criteria for annexation found in A.C.A. 14-40-302: the lands furnish the abode for a densely settled community or represent the actual growth of the municipality beyond its legal boundary; the lands are platted and held for sale or use as municipal lots; whether platted or not, the lands are held to be sold as suburban property; or the lands are valuable by reason of their adaptability for prospective municipal uses.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF DIRECTORS OF THE CITY OF SILOAM SPRINGS, ARKANSAS:

SECTION 1.

That there shall be submitted to the qualified electors of the City of Siloam Springs and of the following described area, the question of the annexation of the following described territory to the City of Siloam Springs:

All of the following described unincorporated area in Benton County, Arkansas, more particularly described as:

SE AREA (Parts of Sections 3,4,9 and 10 of T17N, R33W)

All of the unincorporated area of the SW/4 lying North and West of the South and East Right-Of-Way (ROW) of Bruce Rutherford Dr, of the area lying West of the East ROW in the NW/4 of the SE/4, and all the area lying West of the East ROW of Bruce Rutherford Dr in the SW/4 of the SE/4, all in Section 03, T17N, R33W;
All of the unincorporated area the in the S/2 of Section 04, T17N, R33W;

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All of the unincorporated area in the NW/4, the W/2 of the NW/4 of the NE/4 and all of the NE/4 of the NE/4 lying East of the West ROW of E Kenwood Rd, in Section 9, T17N, R 33W;

The West 3/4 of the NW/4 of the NW/4 in Section 10, T17N R33W;

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AND;

NW AREA (Parts of Section 36, T18N R34W)

All of the unincorporated area in the S/2 of lots 23 and 24, Sycamore Heights Subdivision, Benton County;

All of the ROW of Sycamore Heights Rd lying West of lot 24, Sycamore Heights Subdivision, Benton County, all area lying South of the North ROW of W Villa View Dr in the NE/4 of the NW/4 and the NW/4 of the NE/4 in Section 36, T18N R34W;

Lots A and B of lot split/replat of Sycamore Heights Subdivision 12/1/4 (b2004 p1388);

AND;

NE AREA (Parts of Section 19,20,21,27,28,29,30,32,33 and, 34 T18N R33W)

The part of SE/4 of the SE/4 lying East of the West ROW of N Hico St, All of the ROW of Hico St in the S/2 of the NE/4 of the SE/4 in Section 19 T18N, R33W;

The S/2 of the SW/4, the part of the SW/4 of the SE/4 lying West of the East ROW of County Club Rd, and all of the ROW of Davidson Rd and County Club Dr in the SE/4 of the SE/4, in Section 20, T18N, R33W;

All of the area lying South of the North ROW of Davidson Rd in the S/4 in Section 21, T18N, R33W;

All of the SW/4, all of the area lying West of the East ROW of Airport Rd in the SE/4, all of the area lying West of the East ROW of S Hwy 59 and all of the area lying South of the North ROW of Bill Young Rd in the NW/4, in Section 27, T18N, R33W;

All of the unincorporated area in Section 28, T18N R33W;

All of the unincorporated area in Section 29, T18N, R 33W;

All of the area lying East of the West ROW of N Hico St in the NW/4 of Section 30, T18N, R33W;

All of the unincorporated area in the NE/4 of Section 32 T18N, R33W;

All of the unincorporated area in the N/2 of Section 33, T18N, R33W;

The unincorporated area in the W/2, in Section 34, T18N, R33W.

A map depicting said annexation area is attached hereto as Exhibit "A" and incorporated herein.

SECTION 2.

The question of annexation of the territory described above in Section 1 shall be submitted to the electors qualified to vote on this issue at a special election to be held on Tuesday, November 5, 2024, in compliance with A.C.A. 7-11-205. Once this ordinance takes effect, the City Clerk shall immediately notify the Benton County Election Commission and the

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Benton County Clerk by forwarding to each, a certified copy of this ordinance and the map showing the area to be annexed.

SECTION 3.

If at such election a majority of the qualified electors voting in such election shall vote for such annexation, the annexation shall be effective and the territory included within the corporate limits of the City of Siloam Springs thirty (30) days following the County Clerk's certification of the election results and recording of the same, along with the description and a map of the annexed area, in the county records, and filing a certified copy thereof with the Secretary of State; or in the event an action is filed with the Circuit Court, on the date the judgment of said Court becomes final. If a majority of the qualified electors voting on the issue at the election vote against the annexation, the annexation ordinance shall be null and void.

SECTION 4.

No later than forty-five (45) days prior to the election, the City shall identify all persons who reside within the area proposed to be annexed, and the County Clerk shall assist the city in determining the names and addresses of all qualified electors residing within that area.

SECTION 5.

The City Clerk shall give notice of the election by publication by at least one (1) insertion in some newspaper having a general circulation in the city.

SECTION 6.

If the annexation is approved and becomes final, the governing body of the city shall, by ordinance, as soon as practical after the annexation, attach and incorporate such annexed territory to and in one (1) or more wards of the city lying adjacent thereto, and the territory so assigned and attached to a ward shall thereafter be considered and become a part thereof as fully as any other part of the city.

SECTION 7.

If the annexation is approved and becomes final, the following services shall be extended to the area within three (3) years:

<u>SERVICE</u>	<u>DATE</u>
Police Protection	Immediately
Fire Protection	Immediately
Code Enforcement	Immediately
Animal Control	Immediately
Sanitation Service	Within 90 Days of Certification
Street Maintenance	Immediately

The schedule of services shall be included in the annual written report required by A.C.A. 14-40-2201.

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SECTION 8.

The ballots used at said election on the question of annexation shall be marked as follows:

- FOR annexation of the territory described in Ordinance No. 24-20.
- AGAINST annexation of the territory described in Ordinance No. 24-20.

SECTION 9.

As required by A.C.A. 14-40-303, this ordinance shall be read and heard at three (3) consecutive regular meetings of the city Board of Directors prior to passage.

SECTION 10.

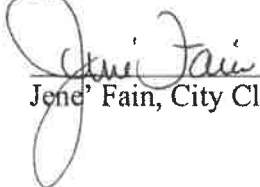
Within forty-five (45) days of the effective date of this ordinance the City Clerk shall provide written notice, along with complete documentation, to the County Clerk.

SECTION 11.

Should any of the property described herein no longer be legally available for annexation at the time of the election, this ordinance and the ballot shall be construed to refer only to the remaining legally annexable area.

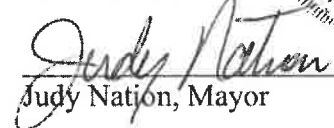
PASSED AND APPROVED THIS 16th DAY OF JULY 2024.

ATTEST:

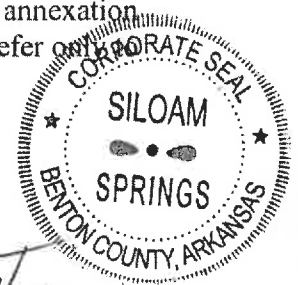


 Jene' Fain, City Clerk

APPROVED:



 Judy Nation, Mayor

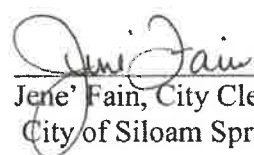


CERTIFICATE

I, Jene' Fain, City Clerk of the City of Siloam Springs, hereby certify that this ordinance was duly passed and approved by a two-thirds vote of the total number of members the Board of Directors of the City of Siloam Springs, Arkansas, on the 16th day of July, 2024.

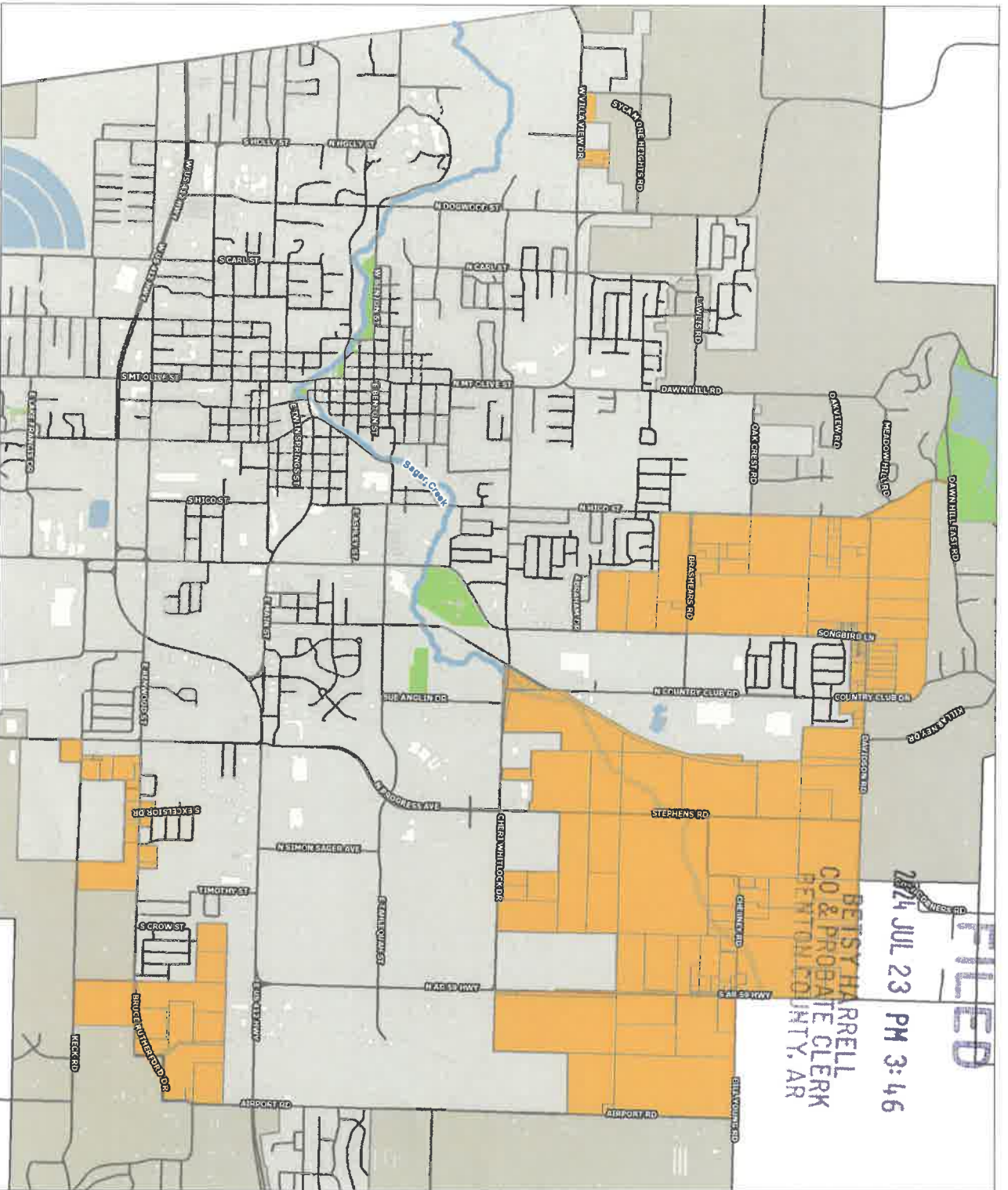
Seal





 Jene' Fain, City Clerk
 City of Siloam Springs

Annexation Concept - March 2024



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Estimated Acreage:	1874 acres
Number of Address Points:	147

- Streets
- ▭ Building Footprint
- ▭ Parcels
- ▭ Planning Area
- ▭ Siloam Springs City Limits
- ▭ Potential Annexation

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