

GENTRY CITY COUNCIL AGENDA

MONDAY, JANUARY 3, 2022

Meeting Called to Order
Invocation
Roll Call
Review of Minutes: December 6, 2021 Regular Council Meeting

COMMUNITY COMMENTS

1. Public Comment (Item(s) Not on Presented Agenda)
2. Main Street Gentry Chamber of Commerce – Janie Parks
3. Gentry Public Schools – Terrie Metz

UNFINISHED BUSINESS

1. Park Master Plan Update
 - a. Splashpad
 - b. Sports Complex
 1. Signage/Banners
2. Water Storage Facility Update
3. 117 N. Smith Ave. Cleanup Update
- 4.

NEW BUSINESS

1. Annexation Ordinance - Spickelmier/Newsom/Simmons
2. 2021 Budget Amendment Resolution
3. Planning Commission Re-Appointment Resolution (Church/Feemster)
4. Main Street Gentry Association Agreement Resolution
5. 2022 Regular Council Meeting Schedule
6. 2022 Council Committee Appointments
7. Council Meeting Procedural Rules and Format
- 8.

Any items that may arise after the publication of this Agenda must be voted on, to be heard, by the majority of the City Council.

ANNOUNCEMENTS

- Planning Commission Meeting, January 20, 2021 @ 7pm

	<u>2020</u>	<u>2021</u>	<u>2022</u>
City Sales & Use	\$106,687.75	\$124,524.16	\$142,801.81
County Tax	\$67,606.12	\$74,192.20	\$79,332.08

**CITY OF GENTRY
REGULAR CITY COUNCIL MEETING
MONDAY, DECEMBER 6, 2021**

The City Council of the City of Gentry, Arkansas, met in person and virtually, at the Council Chambers and, at various other locations, at 6:30 p.m. on December 6, 2021. Mayor Kevin Johnston called the meeting to order and, announced the Public Hearing.

**PUBLIC HEARING
119 N. Nelson Ave. Cleanup Lien**

Property owner Larry Babcock was present and stated he had not understood that ALL of his property would be removed from the address of 119 N. Nelson Ave. and he had ladders, scaffolding, saws, etc. that had been removed. Hearing no further comments this portion of the public hearing was closed.

**PUBLIC HEARING
Alley Vacate Petition (Between S. Otis Ave./S. McKinnon Ave.)**

There being no public comment regarding this matter, this portion of the public hearing was closed.

COUNCIL MEMBERS ANSWERING ROLL CALL:

Janice Arnold-present
Jason Barrett-present
Michael Crawford-present
Dan Erskin-present
Cindy Philpott-present
Jason Williams-present

COUNCIL MEMBERS ABSENT: Kristi Reams; Jimmy Thorburn

City Attorney Joel Kurtz gave the invocation.

Others in attendance: Janie Parks, Fire Chief Vester Cripps, Rick Craft, Larry Gregory with Garver, Larry Babcock, David Page, Justin Spafford- virtually, Randy Moll- virtually, Police Chief Clay Stewart and, Patrick Foyt- virtually.

REVIEW OF MINUTES: November 1, 2021- Regular Council Meeting

Motion: Philpott- to accept the minutes as presented

Second: Crawford

Roll Call: Arnold-pass Barrett-yes Crawford-yes
 Erksin-yes Philpott-yes Williams-yes

Motion passed.

COMMUNITY COMMENTS:

1. **Public Comment (Items Not on Presented Agenda):** None
2. **Main Street Gentry Chamber of Commerce – Janie Parks** provided her December report. Updates: Ribbon cuttings for Fit Ops, Apple Crest Inn and, Sweeten Collective Co. were had in November and, Janie will be collecting for Gentry Neighbors to Neighbors up until Christmas Eve. Should anyone know of someone in need, please let her know.

United Way Update- \$7,475.00 was presented to the Gentry Public Library Association to be earmarked for the Gentry Public Library Maker Space.

Upcoming events included: Gentry Christmas Parade, December 11th at 6:30pm

Gentry Chamber of Commerce Quilt Show, January 14-21, 2022 in the McKee room of the Gentry Public Library

Main Street Revitalization Plan final Town Hall Meeting is still to be determined

3. **Gentry Public Schools:** Terrie Metz was unavailable, Jason Barrett noted the last day for students will be December 21st. School will remain closed for Christmas break thru December 4th. Mr. Barrett also expressed his thanks to our Fire and Police Chiefs, Cripps and Stewart- respectively, for all their hard work and dedication to the City of Gentry.

*At this time Mayor Johnston brought to council’s attention that council member Kristi Reams had resigned her position and that position- Ward 2, was now vacant. He asked council to consider adding this issue to this evening’s agenda. *

Motion: Barrett- to add the vacant council position to the #9 position on the night’s agenda

Second: Arnold

Roll Call: Williams-yes Arnold-yes Barrett-yes
 Crawford-yes Erskin-yes Philpott-yes

Motion passed.

Motion: Williams- to pass on three readings with a single vote

Second: Barrett

Roll Call: Williams-yes Arnold-yes Barrett-yes
 Crawford-yes Erskin-yes Philpott

Motion passed.

- 6) **2022 Budget Resolution:** A Resolution Accepting and Adopting a Budget for the City of Gentry for the Year Commencing January 1, 2022, and Ending December 31, 2022, and Appropriating Money for each and every item of Expenditure therein Provided for, and for Other Purposes, was presented for review and consideration:

Motion: Williams- to pass the resolution as presented

Second: Philpott

Roll Call: Williams-yes Arnold-yes Barrett-yes
 Crawford-yes Erskin-yes Philpott-yes

Motion passed.

NEW BUSINESS:

- 1) **Rustic Flats Subdivision Final Plat Approval Ordinance:** An Ordinance Accepting the Final Plat of Rustic Flats Subdivision, Gentry, Arkansas; and for Other Purposes, was presented for review and consideration:

Motion: Williams- to suspend the rules and read by heading only

Second: Philpott

Roll Call: Williams-yes Arnold-yes Barrett-yes
 Crawford-yes Erskin-yes Philpott-yes

Motion passed. City Attorney Joel Kurtz read by heading only

Motion: Crawford- to pass on three readings with a single vote

Second: Williams

Roll Call: Williams-yes Arnold-yes Barrett-yes
 Crawford-yes Erskin-yes Philpott-yes

Motion passed.

- 2) **Solid Waste Franchise Agreement Extension Resolution:** A Resolution Approving and Authorizing the Execution of a Contract for Solid Waste Collection Services; was presented for review and consideration:

Motion: Crawford- to accept the resolution as presented

Second: Williams

Roll Call: Williams-yes Arnold-yes Barrett-yes
 Crawford-yes Erskin-yes Philpott-yes

Motion passed.

- 3) **Round Prairie Subdivision Street Light Approval(s) Resolution:** A Resolution Authorizing the City of Gentry, Arkansas to Enter into Agreements for Additional Street Lights within the City, was presented for review and consideration:

Motion: Williams- to accept the resolution as presented

Second: Arnold

Roll Call: Williams-yes Arnold-yes Barrett-yes
 Crawford-yes Erskin-yes Philpott-yes

Motion passed.

- 4) **Planning Commission Preliminary Plat Fee Ordinance:** An Ordinance Amending the Gentry Municipal Code to Revise the fee for Preliminary Plats; and for Other Purposes, was presented for review and consideration:

Motion: Barrett- to suspend the rules and read by heading only

Second: Crawford

Roll Call: Williams-yes Arnold-yes Barrett-yes
 Crawford-yes Erskin-yes Philpott-yes

Motion passed. City Attorney Joel Kurtz read by heading only

Motion: Arnold- to pass on three readings with a single vote

Second: Barrett

Roll Call: Williams-yes Arnold-yes Barrett-yes
 Crawford-yes Erskin-yes Philpott-yes

Motion passed.

- 5) **Planning Commission Special Meeting Fee Ordinance:** An Ordinance Revising Planning Commission Special Meeting Fee; and for Other Purposes, was presented for review and consideration:

Motion: Crawford- to suspend the rules and read by heading only

Second: Williams

Roll Call: Williams-yes Arnold-yes Barrett-yes
 Crawford-yes Erskin-yes Philpott-yes

Motion passed. City Attorney Joel Kurtz read by heading only

Motion: Crawford- to pass on three readings with a single vote

Second: Williams

Roll Call: Williams-yes Arnold-yes Barrett-yes
 Crawford-yes Erskin-yes Philpott-yes

Motion passed.

- 6) **Procedure for Zoning Annexed Lands Amendment Ordinance:** An Ordinance Amending the Gentry Municipal Code to Revise the Procedures for Zoning Annexed Lands; and for Other Purposes, was presented for review and consideration: City Attorney Joel Kurtz provided an explanation for the Ordinance.

Motion: Barrett- to suspend the rules and read by heading only

Second: Williams

Roll Call: Williams-yes Arnold-yes Barrett-yes
 Crawford-yes Erskin-yes Philpott-yes

Motion passed.

Motion: Williams- to pass on three readings with a single vote

Second: Philpott

Roll Call: Williams-yes Arnold-yes Barrett-yes
 Crawford-yes Erskin-yes Philpott-yes

Motion passed.

- 7) **Elected Official & Planning Commission Salary Ordinance w/Emergency:** An Ordinance Setting the Salaries of the Elected Officials and Planning Commission Members of the City of Gentry, Arkansas; Declaring an Emergency; and for Other Purposes, was presented for review and consideration:

Motion: Barrett- to suspend the rules and read by heading only

Second: Arnold

Roll Call: Williams-yes Arnold-yes Barrett-yes
 Crawford-yes Erskin-yes Philpott-yes

Motion passed. City Attorney Joel Kurtz read by heading only

Motion: Arnold- to pass on three readings with a single vote

Second: Barrett

Roll Call: Williams-yes Arnold-yes Barrett-yes
 Crawford-yes Erskin-yes Philpott-yes

Motion passed.

Motion: Williams- to pass on emergency clause

Second: Crawford

Roll Call: Williams-yes Arnold-yes Barrett-yes
 Crawford-yes Erskin-yes Philpott-yes

Motion passed.

8) **Mayoral Pay Structure Ordinance:** An Ordinance Setting the Pay Structure for the Mayor of the City of Gentry, Arkansas; and for Other Purposes, was presented for review and consideration:

Motion: Williams- to suspend the rules and read by heading only

Second: Barrett

Roll Call: Williams- yes Arnold-yes Barrett- yes
 Crawford- yes Erskin-yes Philpott-yes

Motion passed. City Attorney Joel Kurtz read by heading only

Motion: Williams- to pass on three readings with a single vote

Second: Arnold

Roll Call: Williams- yes Arnold-yes Barrett- yes
 Crawford- yes Erskin-yes Philpott-yes

Motion passed.

9) **Ward 2 Position 2 Vacancy:** Mayor Johnston reiterated that Kristi Reams had resigned her position as council member and, David Page had expressed interest in filling said position.

Motion: Arnold- to replace council member Kristi Reams' by filling the vacancy with David Page

Second: Barrett

Roll Call: Williams- yes Arnold-yes Barrett- yes
 Crawford- yes Erskin-yes Philpott-yes

Motion passed.

ANNOUNCEMENTS AND COMMENTS

***Planning Commission Meeting, December 16, 2021 @ 7:00p.m.:**

***City Sales and Use & County Tax numbers for 2019-2021 were listed**

There being no other new business Mayor Johnston entertained a motion to adjourn.

Motion: Williams

Second: Arnold

All in favor. None opposed.

Motion passed. Meeting adjourned.

**CITY CLERK:
JENNY TROUT**

**MAYOR: KEVIN JOHNSTON
CITY OF GENTRY**

RESOLUTION NO. _____

CITY OF GENTRY, ARKANSAS

**RESOLUTION AUTHORIZING DEMOLITION AND CLEAN-UP OF
PROPERTY SITUATED AT 117 N. SMITH AVE, GENTRY, ARKANSAS**

WHEREAS, in May 2021, the City of Gentry found to be a nuisance and condemned, by Resolution 21-650, that certain real property owned by Cletus A. Dalla Rosa and situated at 117 N. Smith Avenue, Gentry, Arkansas;

WHEREAS, the City of Gentry has given Mr. Dalla Rosa ample time to remove or abate said nuisance; and

WHEREAS, said nuisance remains unabated;

NOW, THEREFORE, BE IT RESOLVED by the City Council for the City of Gentry:

Section 1. The Mayor is hereby authorized and directed to enter into a contract with _____ to demolish the structures located at 117 N. Smith Avenue, Gentry, Arkansas (more particularly described as Lots 1 and 2, Block 1, Hastings Addition to the Town of Gentry, Benton County, Arkansas) and to clean up the property for a contract price not to exceed \$ _____.

Section 2. The funds for said contract are hereby allocated as follows:
_____.

PASSED, APPROVED AND ADOPTED THIS 3rd day of January, 2022.

Kevin Johnston, Mayor

ATTEST:

Tonya Carney, Director of Finance

ORDINANCE NO. _____

**AN ORDINANCE ACCEPTING THE ANNEXATION OF CERTAIN
LANDS TO THE CITY OF GENTRY; ASSIGNING SAID LANDS TO A
WARD; DESIGNATING THE ZONING OF SAID LANDS; AND FOR
OTHER PURPOSES**

WHEREAS, Simmons Foods, Inc., Danton Paul Newsom and Angela Newsom, and Robert Spickelmier and Connie Spickelmier filed a petition and an amended petition pursuant to A.C.A. § 14-40-609 in the County Court of Benton County, Arkansas (County Case CC 2021-06) seeking the annexation of certain lands into the City of Gentry, Arkansas;

WHEREAS, the Honorable Barry Moehring, Benton County Judge, did review and approve the Amended Petition for Annexation;

WHEREAS, it is the desire of the City Council for the City of Gentry that said territory be annexed into the City limits;

NOW, THEREFORE, BE IT ORDAINED by the City Council for the City of Gentry:

SECTION 1. That having given due consideration to the Amended Order Authorizing Annexation, attached hereto as Exhibit "A"; and the legal description of the territory to be annexed, attached hereto as Exhibit "B", the City Council of the City of Gentry, Arkansas does hereby accept the described territory, as evidenced by the adoption of this Ordinance.

SECTION 2. That the following schedule of services shall be extended to the area by and through the City of Gentry within the statutorily required three-year period after the date the annexation becomes final, as follows:

- a) Police Protection
- b) Fire Protection
- c) Sanitation
- d) Street Maintenance

SECTION 3. Said lands are hereby assigned to Ward 1.

SECTION 4. The zoning district of said lands is hereby designated as A-1 Agricultural zoning.

SECTION 5. The city clerk shall certify and send one (1) copy of the plat of the annexed territory and one (1) copy of this ordinance to the Benton County Clerk.

PASSED AND APPROVED this 3rd day of January, 2022.

Kevin D. Johnston, Mayor

ATTEST: _____
Tonya Carney, Director of Finance

BENTON COUNTY

STATE OF ARKANSAS

BETSY HARRELL

COUNTY CLERK & VOTER REGISTRAR

215 EAST CENTRAL, SUITE 217
BENTONVILLE, AR 72712-5373
479-271-1013
Fax: 479-271-1019

December 9, 2021

PROBATE COURT CLERK

COURTHOUSE, 102 N.E. "A" STREET
BENTONVILLE, AR 72712-5350
479-271-5727
FAX: 479-271-1712

Honorable Kevin Johnston
City of Gentry
101 W Main St
Gentry, AR 72734

Re: In the Matter of Annexing to the City of Gentry, Arkansas Certain
Territory Contiguous To Said City of Gentry, Arkansas

Dear Mayor Johnston:

The County has received and processed a proposed annexation pursuant to ACA § 14-40-609 related to annexations by 100% of the property owners. I am transmitting to you a copy of the documents relating to the proposed annexation for consideration by the Gentry City Council.

If your council and you approve the annexation, please ask your clerk or recorder to return to me one (1) certified copy of the plat of the annexed property and one (1) certified copy of the ordinance or resolution approving the annexation so that I can send those on to the Secretary of State as required by the statute.

Please feel free to contact me if you have questions.

Sincerely,

Betsy Harrell
By T. Underwood

BETSY HARRELL, County Clerk

enc

ROGERS OFFICE
2111 W. WALNUT
(479) 636-3727
FAX (479) 636-4922

ROGERS ARCHIVES
2111 W. WALNUT
(479) 636-1037
FAX (479) 636-1053

SILOAM SPRINGS OFFICE
707 S. LINCOLN
479-271-1013
FAX (479) 524-8534

2021 DEC -8 AM 11: 02

BETSY HARRELL
CO & PROBATE CLERK
BENTON COUNTY, AR

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

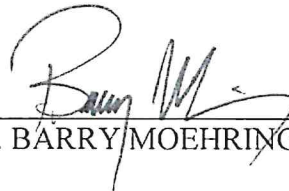
COUNTY COURT CASE NO. CC 2021-06

AMENDED ORDER AUTHORIZING ANNEXATION PURSUANT TO ACA § 14-40-609

I, Barry Moehring, County Judge of Benton County, having reviewed the attached petition for annexation and verification of petition, hereby find that the petition:

- 1) is in writing;
- 2) 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;
- 3) contains an accurate description of the relevant property or properties;
- 4) 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;
- 5) contains 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 – additionally a copy of the letter from the State of Arkansas GIS office approving the legal description for the annexation was provided; and
- 6) includes 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.

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



HON. BARRY MOEHRING, County Judge

12.7.21

Date

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

FILED

2021 DEC -7 PM 3:15

CC 2021-06

Amended

VERIFICATION OF PETITION FOR ANNEXATION PURSUANT TO ACA § 14-40-609

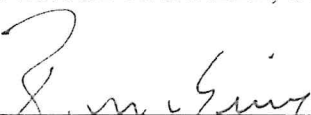
We, Betsy Harrell, County Clerk of Benton County, and Roderick Grieve, County Assessor of Benton County, attest as follows:

Our offices have received the attached petition seeking annexation. The petition has been reviewed and we hereby verify 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 the 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 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.



HON. BETSY HARRELL, County Clerk



HON. RODERICK GRIEVE, County Assessor



FILED

2021 DEC -7 PM 3:15

Date: December 3, 2021
Subject: Proposed Annexation Checklist
CC 2021-06 (Amended) Gentry, AR

(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 the 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 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.

NA [Additionally, we note that the legal description in (B) does not include in its description certain dedicated public roads and rights of way abutting or traversing the property to be annexed, the legal descriptions for which are included on the attached Exhibit "A"]

Please contact me if you have any questions.

Michael D. Million
Manager – GIS-Mapping Dept.
Benton County Assessor's Office
Phone: 479-271-1037, ext. 7004
Email: michael.million@bentoncountyar.gov

FILED

2021 NOV 24 PM 1:01

AMENDED PETITION FOR ANNEXATION

Date: *11.10.21*

IN THE MATTER OF ANNEXING TO THE CITY OF GENTRY, ARKANSAS CERTAIN TERRITORY CONTIGUOUS TO THE CITY OF GENTRY, ARKANSAS.

Come now the undersigned petitioners and state as follows:

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

See Legal Description Attached

We further state that this petition is signed before a notary by one hundred percent (100%) of the real estate owners owning one hundred percent (100%) of the acreage in said area and that the area to be annexed does not contain property whose owners do not wish to have their property annexed.

Accompanying this petition is a title opinion verifying that the petitioners are all owners of record of the relevant properties attached hereto as Exhibits A1, A2, A3, and A4.

That said property described herein is contiguous to and adjoining the present City of Gentry limits, and no enclaves will be created through this annexation, as indicated by the surveyor's letter attached hereto as Exhibit B.

That the following schedule of services shall be extended to the area by the City of Gentry within three (3) years after the date the annexation becomes final:

- Fire Protection
- Police Protection
- Sanitation
- Street Maintenance

OWNERS:

SIMMONS FOODS, INC

BY: 

NAME: David Jackson

TITLE: President

DATE: *11/11/2021*

FILED

2021 NOV 24 PM 1:01

LEGAL DESCRIPTION

TRACT 1 SURVEY DESCRIPTION (Simmons Foods, Inc.)

LOTS 114, 115, 116, 117 AND 120, OZARK ORCHARD COMPANY'S SUBDIVISION AS SHOWN ON PLAT BOOK "B", PAGE 15, LYING IN THE SW1/4, NW1/4, SECTION 36, SE1/4, NE1/4, AND SW1/4, NE1/4, SECTION 35, TOWNSHIP 19 NORTH, RANGE 33 WEST, FIFTH PRINCIPAL MERIDIAN, BENTON COUNTY ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A FOUND STONE AT THE SOUTHEAST CORNER OF SAID SW1/4, NW1/4, SECTION 36; THENCE N87°14'11"W 1317.00 FEET TO A FOUND STONE AT THE SOUTHEAST CORNER OF SECTION 35; THENCE ALONG THE SOUTH LINE OF SAID SECTION 35, N87°21'15"W CROSSING A SET 5/8-INCH REBAR WITH CAP PLS 1759 ON THE EASTERLY RIGHT OF WAY OF HIGHWAY 59 PER ARDOT JOB 9172 AT A DISTANCE OF 2019.43 FEET AND CONTINUING FOR A TOTAL DISTANCE OF 2277.08 FEET TO THE CENTERLINE OF SAID HIGHWAY 59;

THENCE ALONG SAID CENTERLINE THE FOLLOWING (2) TWO COURSES:

1.) N48°49'23"E 1424.14 FEET;

2.) 445.84 FEET ALONG A CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF 04°27'30",

A RADIUS OF 5729.58 FEET, A LONG CHORD THAT BEARS N46°35'38"E, 445.73 FEET TO THE NORTH LINE OF SAID SE1/4, NE1/4, SECTION 35;

THENCE DEPARTING SAID CENTERLINE AND CONTINUING ALONG THE NORTH LINE OF SAID SE1/4, NE1/4, SECTION 35 AND ALONG THE NORTH LINE OF SW1/4, NW1/4, SECTION 36, S87°32'03"E, CROSSING A SET REBAR WITH CAP PLS 1759 AT A DISTANCE OF 80.28 FEET, AND CONTINUING FOR A TOTAL DISTANCE OF 2258.51 FEET TO A FOUND 5/8-INCH REBAR WITH CAP PLS 1759 AT THE NORTHEAST CORNER OF SAID SW1/4, NW1/4, SECTION 36; THENCE S02°42'03"W 1316.82 FEET TO THE POINT OF BEGINNING, CONTAINING 3,820,886 SQUARE FEET OR 87.72 ACRES, MORE OR LESS, SUBJECT TO RIGHT OF WAY OF PETERSON ROAD ALONG THE NORTH BOUNDARY, SUBJECT TO RIGHT OF WAY OF HIGHWAY 59 ALONG THE WESTERLY BOUNDARY AND SUBJECT TO ANY EASEMENTS, COVENANTS OR RESTRICTIONS OF RECORD OR FACT.

AND

TRACT 2A SURVEY DESCRIPTION (NEWSOME)

A 200 FEET WIDE TRACT OF LAND BEING PART OF LOT 121 OZARK ORCHARD COMPANY'S SUBDIVISION AS SHOWN ON PLAT BOOK "B", PAGE 15, LYING IN THE SW1/4, SECTION 35, TOWNSHIP 19 NORTH, RANGE 33 WEST, FIFTH PRINCIPAL MERIDIAN, BENTON COUNTY ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 35, THENCE ALONG THE WEST LINE OF SAID SECTION 35, N02°41'54"E 2635.35 FEET TO THE NORTHWEST CORNER OF SAID SW1/4; THENCE DEPARTING SAID WEST LINE, S87°21'15"E 2638.86 FEET TO THE SOUTHWEST

FILED

CORNER OF SAID LOT 121 AND THE POINT OF BEGINNING;
THENCE ALONG THE WEST LINE OF SAID LOT 121, N02°43'47"E 129.48 FEET;
THENCE DEPARTING SAID WEST LINE AND CONTINUING PARALLEL
WITH THE WESTERLY RIGHT OF WAY OF KANSAS CITY SOUTHERN RAILROAD,
N48°49'23"E 1699.29 FEET TO THE NORTH LINE OF SAID LOT 121;
THENCE ALONG SAID NORTH LINE, S87°11'11"E 17.29 FEET; THENCE DEPARTING
SAID NORTH LINE, S02°03'05"W 258.01 FEET TO THE WESTERLY
RIGHT OF WAY OF KANSAS CITY SOUTHERN RAILROAD; THENCE ALONG SAID
RIGHT OF WAY, S48°49'23"W 1513.62 FEET TO THE SOUTH LINE OF
SAID LOT 121; THENCE ALONG SAID SOUTH LINE, N87°21'15"W 154.11 FEET TO THE
POINT OF BEGINNING, CONTAINING 333,499 SQUARE FEET OR
7.66 ACRES, MORE OR LESS.

AND

TRACT 3 SURVEY DESCRIPTION (SPICKELMIER)

ALL OF TRACT 1 AS SHOWN AT PLAT RECORDED AS DOCUMENT NUMBER
L2020067616, BEING ALSO DESCRIBED AS LOTS 83 AND 87, OZARK ORCHARD
COMPANY'S SUBDIVISION AS SHOWN ON PLAT BOOK "B", PAGE 15, LYING IN THE
NE1/4, SW1/4, SECTION 35, TOWNSHIP 19 NORTH, RANGE 33 WEST, FIFTH
PRINCIPAL MERIDIAN, BENTON COUNTY ARKANSAS, BEING MORE
PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 35, THENCE
ALONG THE WEST LINE OF SAID SECTION 35, N02°41'54"E 2635.35 FEET TO THE
NORTHWEST CORNER OF SAID SW1/4; THENCE DEPARTING SAID WEST LINE AND
CONTINUING ALONG THE NORTH LINE OF SAID SW1/4, S87°21'15"E 1319.61 FEET TO
THE POINT OF BEGINNING;

THENCE CONTINUING ALONG SAID NORTH LINE, THENCE S87°21'15"E 1319.24
FEET TO THE NORTHEAST CORNER OF SAID TRACT 1; THENCE S02°43'18"W 148.09
FEET TO THE WESTERLY RIGHT OF WAY OF KANSAS CITY SOUTHERN RAILROAD;
THENCE ALONG SAID RIGHT OF WAY, S48°49'23"W 742.41 FEET; THENCE
DEPARTING SAID RIGHT OF WAY, N87°20'26"W 784.19 FEET TO THE SOUTH WEST
CORNER OF SAID TRACT 1; THENCE N02°42'50"E 661.98 FEET TO THE POINT OF
BEGINNING, CONTAINING 16.90 ACRES, MORE OR LESS.

AND

FILED

2021 NOV 24 PM 1:01

TRACT 4A SURVEY DESCRIPTION (SPICKELMIER)

A 200 FEET WIDE TRACT OF LAND, BEING PART OF LOTS 90, 94 AND 95, OZARK ORCHARD COMPANY'S SUBDIVISION AS SHOWN ON PLAT BOOK "B", PAGE 15, LYING IN THE N1/2, SW1/4, SECTION 35, TOWNSHIP 19 NORTH, RANGE 33 WEST, FIFTH PRINCIPAL MERIDIAN, BENTON COUNTY ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 35; THENCE ALONG THE WEST LINE OF SAID SECTION 35, N02°41'54"E 1316.63 FEET TO THE SOUTHWEST CORNER OF SAID N1/2, SW1/4; THENCE ALONG THE SOUTH LINE OF SAID N1/2, SW1/4, 87°20'26"E 1130.42 FEET TO THE POINT OF BEGINNING;

THENCE PARALLEL WITH THE WESTERLY RIGHT OF WAY OF KANSAS CITY SOUTHERN RAILROAD, N48°49'23"E 948.69 FEET TO THE NORTH LINE OF SAID LOT 90; THENCE ALONG SAID NORTH LINE, S87°20'26"E 288.77 FEET TO THE WESTERLY RIGHT OF WAY OF KANSAS CITY SOUTHERN RAILROAD THENCE ALONG SAID RIGHT OF WAY, S48°49'23"W 948.69 FEET TO AFORESAID SOUTH LINE OF N1/2, SW1/4; THENCE ALONG SAID SOUTH LINE, N87°20'26"W 288.77 FEET TO THE POINT OF BEGINNING, CONTAINING 369,574 SQUARE FEET OR 4.36 ACRES.

FEB 24 11 01 AM

AMENDED PETITION FOR ANNEXATION

Date: February 22, 2021

2021-06

IN THE MATTER OF ANNEXING TO THE CITY OF GENTRY, ARKANSAS CERTAIN TERRITORY CONTIGUOUS TO THE CITY OF GENTRY, ARKANSAS.

Come now the undersigned petitioners and state as follows:

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

See Legal Description Attached

We further state that this petition is signed before a notary by one hundred percent (100%) of the real estate owners owning one hundred percent (100%) of the acreage in said area and that the area to be annexed does not contain property whose owners do not wish to have their property annexed.

Accompanying this petition is a title opinion verifying that the petitioners are all owners of record of the relevant properties attached hereto as Exhibits A1, A2, A3, and A4.

That said property described herein is contiguous to and adjoining the present City of Gentry limits, and no enclaves will be created through this annexation, as indicated by the surveyor's letter attached hereto as Exhibit B.

That the following schedule of services shall be extended to the area by the City of Gentry within three (3) years after the date the annexation becomes final:

- Public Water
- Public Sewer

OWNERS:

SIMMONS FOODS, INC.

BY: 

NAME: David Jackson

TITLE: ~~President~~ COO

DATE: 12/15/2020

ACKNOWLEDGMENT

2020 FEB 24 10 54 AM

STATE OF ARKANSAS)
) S.S.
COUNTY OF BENTON)

On this 11 day of January, 2020, before me, the undersigned, personally appeared David Jackson, known to me, or satisfactorily proven, to be the person whose name is subscribed to the within instrument and acknowledged that he executed the same in his official capacity as President of Simmons Foods, Inc. for the purposes therein contained.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

Rena Ann Sasnett

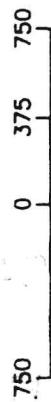
Notary Public

My Commission Expires:



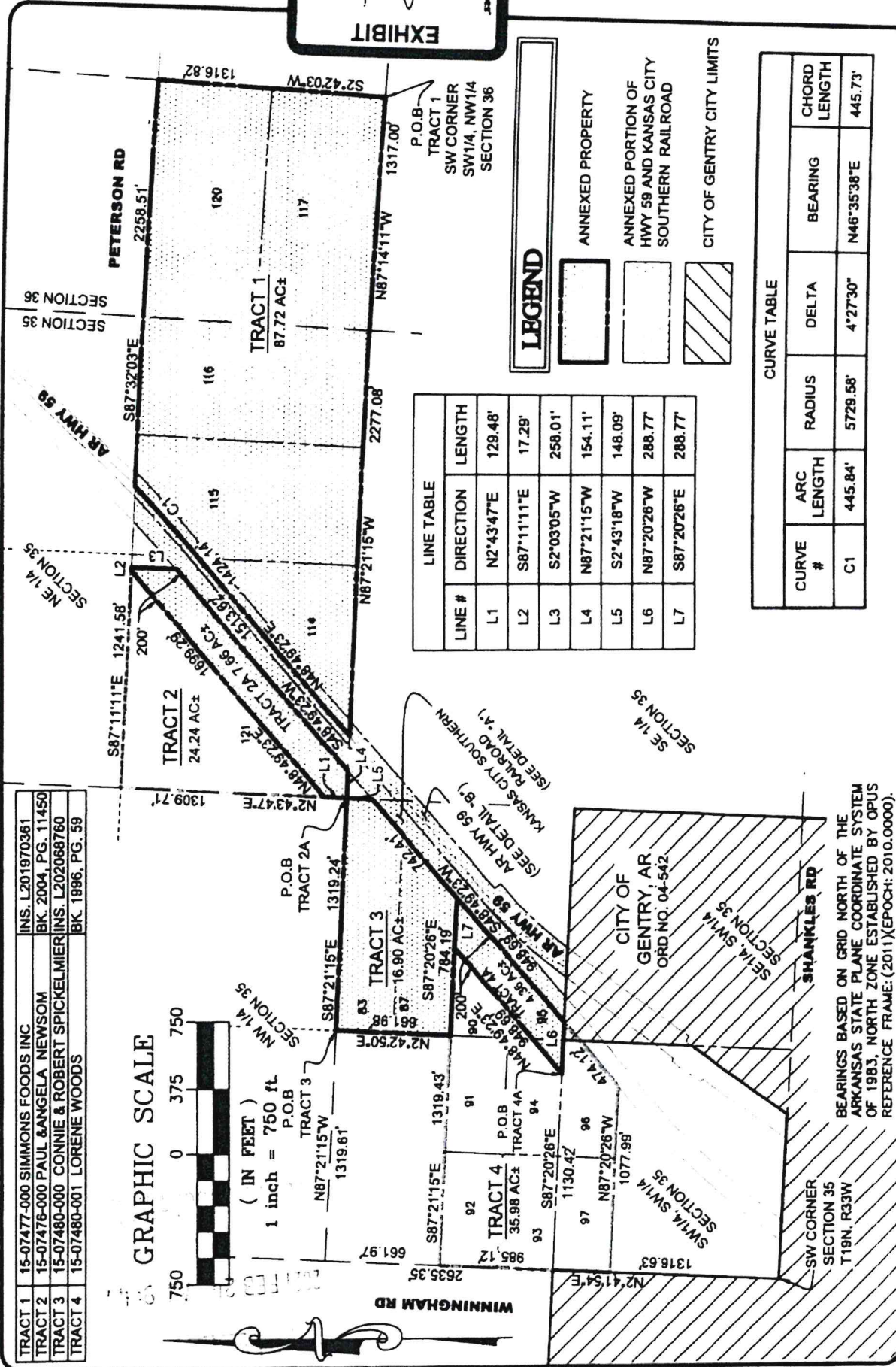
TRACT 1	15-07477-000 SIMMONS FOODS INC	INS. L201970361
TRACT 2	15-07476-000 PAUL & ANGELA NEWSOM	BK. 2004, PG. 11450
TRACT 3	15-07480-000 CONNIE & ROBERT SPICKELMIER	INS. L202068760
TRACT 4	15-07480-001 LORENE WOODS	BK. 1996, PG. 59

GRAPHIC SCALE



(IN FEET)
1 inch = 750 ft

EXHIBIT



LINE TABLE

LINE #	DIRECTION	LENGTH
L1	N2°43'47"E	129.48'
L2	S87°11'11"E	17.29'
L3	S2°03'05"W	258.01'
L4	N87°21'15"W	154.11'
L5	S2°43'18"W	148.09'
L6	N87°20'26"W	288.77'
L7	S87°20'26"E	288.77'

LEGEND

- ANNEXED PROPERTY
- ANNEXED PORTION OF HWY 59 AND KANSAS CITY SOUTHERN RAILROAD
- CITY OF GENTRY CITY LIMITS

CURVE TABLE

CURVE #	ARC LENGTH	RADIUS	DELTA	BEARING	CHORD LENGTH
C1	445.84'	5729.58'	4°27'30"	N46°35'38"E	445.73'

BEARINGS BASED ON GRID NORTH OF THE ARKANSAS STATE PLANE COORDINATE SYSTEM OF 1983, NORTH ZONE ESTABLISHED BY OPUS REFERENCE FRAME: (2011)EPOCH: 2010.0000).

DRAWING NUMBER: NWA-100-0128



ANDERSON ENGINEERING
EMPLOYEE OWNED

ENGINEERS, SURVEYORS, LABORATORS, DRAFTERS - GE
6311 W. MALLACE PKWY., ROSSAR, AR 72708 • PHONE: (479) 288-0181

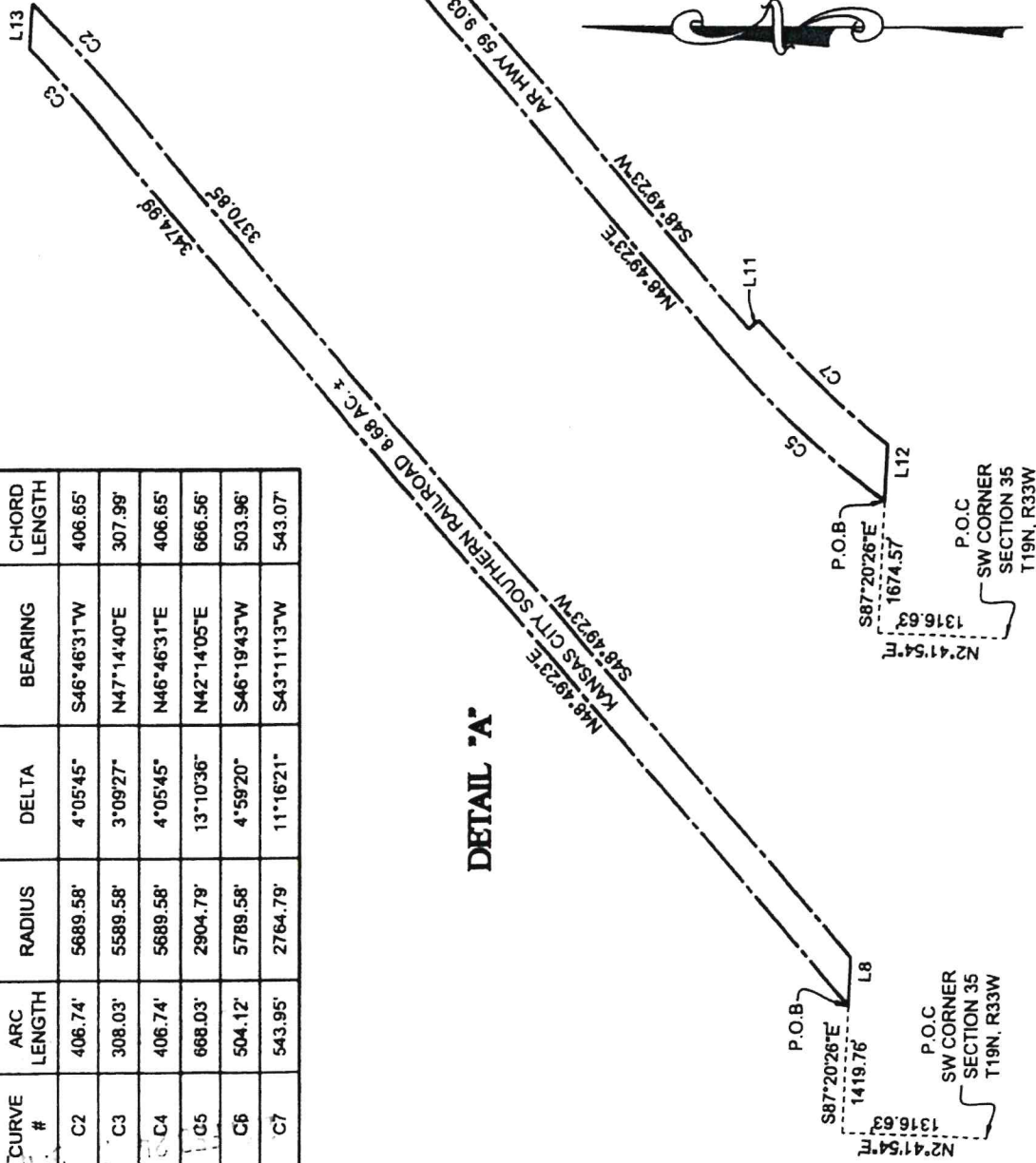
ANNEXATION EXHIBIT

SECTION 35 AND 36, TOWNSHIP 19N, RANGE 33W
BENTON COUNTY, ARKANSAS

DRAWN BY:	FIELD BY:
NKN	NKN
DATE:	FIELD BK:
12/08/2020	NKN
JOB NO:	SHEET NUMBER:
20R020039	1 OF 4

CURVE TABLE

CURVE #	ARC LENGTH	RADIUS	DELTA	BEARING	CHORD LENGTH
C2	406.74'	5689.58'	4°05'45"	S46°46'31"W	406.65'
C3	308.03'	5589.58'	3°09'27"	N47°14'40"E	307.99'
C4	406.74'	5689.58'	4°05'45"	N46°46'31"E	406.65'
C5	668.03'	2904.79'	13°10'36"	N42°14'05"E	666.56'
C6	504.12'	5789.58'	4°59'20"	S46°19'43"W	503.96'
C7	543.95'	2764.79'	11°16'21"	S43°11'13"W	543.07'



EXHIBIT

DETAIL 'A'

LINE TABLE

LINE #	DIRECTION	LENGTH
L8	N87°20'26"W	144.38'
L10	S87°32'03"E	134.17'
L11	S41°10'37"E	40.00'
L12	N87°20'26"W	168.73'
L13	S87°32'03"E	136.13'

GRAPHIC SCALE



DRAWING NUMBER: NWA-100-0128

AE ANDERSON ENGINEERING
EMPLOYEE OWNED

ENGINEERS • SURVEYORS • LABORATORIES • DRAFTING • GIS
5311 W. MALLACE PKWY. • HOUSTON, TX 77056 • PHONE: (713) 288-8181

ANNEXATION EXHIBIT

SECTION 35 AND 36, TOWNSHIP 19N, RANGE 33W
BENTON COUNTY, ARKANSAS

DRAWN BY: NKN
DATE: 12/08/2020
JOB NO: 20R020039

FIELD BY: NKN
FIELD BK: NKN
SHEET NUMBER: 2 OF 4

TRACT 1 SURVEY DESCRIPTION

LOTS 114, 115, 116, 117 AND 120, OZARK ORCHARD COMPANY'S SUBDIVISION AS SHOWN ON PLAT BOOK 'B', PAGE 15, LYING IN THE SW1/4, NW1/4, SECTION 36, SE1/4, NE1/4, AND SW1/4, NE1/4, SECTION 35, TOWNSHIP 19 NORTH, RANGE 33 WEST, FIFTH PRINCIPAL MERIDIAN, BENTON COUNTY ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A FOUND STONE AT THE SOUTHEAST CORNER OF SAID SW1/4, NW1/4, SECTION 36; THENCE N87°14'11"W 1317.00 FEET TO A FOUND STONE AT THE SOUTHEAST CORNER OF SECTION 35; THENCE ALONG THE SOUTH LINE OF SAID SECTION 35, N87°21'15"W CROSSING A SET 58-INCH REBAR WITH CAP PLS 1759 ON THE EASTERLY RIGHT OF WAY OF HIGHWAY 59 PER ARDOT JOB 9172 AT A DISTANCE OF 2019.43 FEET AND CONTINUING FOR A TOTAL DISTANCE OF 2277.08 FEET TO THE CENTERLINE OF SAID HIGHWAY 59;

THENCE, ALONG SAID CENTERLINE, THE FOLLOWING (2) TWO COURSES:

- 1.) N48°49'23"E 1424.14 FEET;
- 2.) 445.94 FEET ALONG A CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF 04°27'30", A RADIUS OF 5729.58 FEET, A LONG CHORD THAT BEARS N46°35'38"E, 445.73 FEET TO THE NORTH LINE OF SAID SE1/4, NE1/4, SECTION 35;

THENCE DEPARTING SAID CENTERLINE AND CONTINUING ALONG THE NORTH LINE OF SAID SE1/4, NE1/4, SECTION 35 AND ALONG THE NORTH LINE OF SW1/4, NW1/4, SECTION 36, S87°32'03"E, CROSSING A SET REBAR WITH CAP PLS 1759 AT A DISTANCE OF 90.28 FEET, AND CONTINUING FOR A TOTAL DISTANCE OF 2258.51 FEET TO A FOUND 5/8-INCH REBAR WITH CAP PLS 1759 AT THE NORTHEAST CORNER OF SAID SW1/4, NW1/4, SECTION 36; THENCE S02°42'03"W 1316.82 FEET TO THE POINT OF BEGINNING, CONTAINING 3,820,886 SQUARE FEET OR 87.72 ACRES, MORE OR LESS, SUBJECT TO RIGHT OF WAY OF PETERSON ROAD ALONG THE NORTH BOUNDARY, SUBJECT TO RIGHT OF WAY OF HIGHWAY 59 ALONG THE WESTERLY BOUNDARY AND SUBJECT TO ANY EASEMENTS, COVENANTS OR RESTRICTIONS OF RECORD OR FACT.

TRACT 2A SURVEY DESCRIPTION

A 200 FEET WIDE TRACT OF LAND BEING PART OF LOT 121, OZARK ORCHARD COMPANY'S SUBDIVISION AS SHOWN ON PLAT BOOK 'B', PAGE 15, LYING IN THE SW1/4, SECTION 35, TOWNSHIP 19 NORTH, RANGE 33 WEST, FIFTH PRINCIPAL MERIDIAN, BENTON COUNTY ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 35, THENCE ALONG THE WEST LINE OF SAID SECTION 35, N02°41'54"E 2635.35 FEET TO THE NORTHWEST CORNER OF SAID SW1/4; THENCE DEPARTING SAID WEST LINE, S87°21'15"E 2638.86 FEET TO THE SOUTHWEST CORNER OF SAID LOT 121 AND THE POINT OF BEGINNING;

THENCE ALONG THE WEST LINE OF SAID LOT 121, N02°43'47"E 129.48 FEET; THENCE DEPARTING SAID WEST LINE AND CONTINUING PARALLEL WITH THE WESTERLY RIGHT OF WAY OF KANSAS CITY SOUTHERN RAILROAD, N48°49'23"E 1699.29 FEET TO THE NORTH LINE OF SAID LOT 121; THENCE ALONG SAID NORTH LINE, S87°11'11"E 17.29 FEET; THENCE DEPARTING SAID NORTH LINE, S02°03'05"W 258.01 FEET TO THE WESTERLY RIGHT OF WAY OF KANSAS CITY SOUTHERN RAILROAD; THENCE ALONG SAID RIGHT OF WAY, S48°49'23"W 1513.62 FEET TO THE SOUTH LINE OF SAID LOT 121; THENCE ALONG SAID SOUTH LINE, N87°21'15"W 154.11 FEET TO THE POINT OF BEGINNING, CONTAINING 333,499 SQUARE FEET OR 7.66 ACRES, MORE OR LESS.

TRACT 3 SURVEY DESCRIPTION

ALL OF TRACT 1 AS SHOWN AT PLAT RECORDED AS DOCUMENT NUMBER L2020067616, BEING ALSO DESCRIBED AS LOTS 83 AND 87, OZARK ORCHARD COMPANY'S SUBDIVISION AS SHOWN ON PLAT BOOK 'B', PAGE 15, LYING IN THE NE1/4, SW1/4, SECTION 35, TOWNSHIP 19 NORTH, RANGE 33 WEST, FIFTH PRINCIPAL MERIDIAN, BENTON COUNTY ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 35, THENCE ALONG THE WEST LINE OF SAID SECTION 35, N02°41'54"E 2635.35 FEET TO THE NORTHWEST CORNER OF SAID SW1/4; THENCE DEPARTING SAID WEST LINE AND CONTINUING ALONG THE NORTH LINE OF SAID SW1/4, S87°21'15"E 1319.61 FEET TO THE POINT OF BEGINNING;

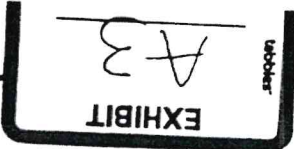
THENCE CONTINUING ALONG SAID NORTH LINE, THENCE S87°21'15"E 1319.24 FEET TO THE NORTHEAST CORNER OF SAID TRACT 1; THENCE S02°43'18"W 148.09 FEET TO THE WESTERLY RIGHT OF WAY OF KANSAS CITY SOUTHERN RAILROAD; THENCE ALONG SAID RIGHT OF WAY, S48°49'23"W 742.41 FEET; THENCE DEPARTING SAID RIGHT OF WAY, N87°20'26"W 784.19 FEET TO THE SOUTH WEST CORNER OF SAID TRACT 1; THENCE N02°42'50"E 661.98 FEET TO THE POINT OF BEGINNING, CONTAINING 16.90 ACRES, MORE OR LESS.

TRACT 4A SURVEY DESCRIPTION

A 200 FEET WIDE TRACT OF LAND, BEING PART OF LOTS 90, 94 AND 95, OZARK ORCHARD COMPANY'S SUBDIVISION AS SHOWN ON PLAT BOOK 'B', PAGE 15, LYING IN THE N1/2, SW1/4, SECTION 35, TOWNSHIP 19 NORTH, RANGE 33 WEST, FIFTH PRINCIPAL MERIDIAN, BENTON COUNTY ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 35, THENCE ALONG THE WEST LINE OF SAID SECTION 35, N02°41'54"E 1316.63 FEET TO THE SOUTHWEST CORNER OF SAID N1/2, SW1/4; THENCE ALONG THE SOUTH LINE OF SAID N1/2, SW1/4, 87°20'26"E 1130.42 FEET TO THE POINT OF BEGINNING;

THENCE PARALLEL WITH THE WESTERLY RIGHT OF WAY OF KANSAS CITY SOUTHERN RAILROAD, N48°49'23"E 948.69 FEET TO THE NORTH LINE OF SAID LOT 90; THENCE ALONG SAID NORTH LINE, S87°20'26"E 288.77 FEET TO THE WESTERLY RIGHT OF WAY OF KANSAS CITY SOUTHERN RAILROAD; THENCE ALONG SAID RIGHT OF WAY, S48°49'23"W 948.69 FEET TO AFORESAID SOUTH LINE OF N1/2, SW1/4; THENCE ALONG SAID SOUTH LINE, N87°20'26"W 288.77 FEET TO THE POINT OF BEGINNING, CONTAINING 369,574 SQUARE FEET OR 4.36 ACRES.



DRAWING NUMBER: NWA-100-0128

AP ANDERSON ENGINEERING
EMPLOYEE OWNED

DESIGNERS • SURVEYORS • LABORATORIES • DRILLING • GIS
3411 W. WILSON STREET • BOSSBORO, AR 72708 • PHONE: (870) 288-8181

ANNEXATION EXHIBIT

SECTION 35 AND 36, TOWNSHIP 19N, RANGE 33W
BENTON COUNTY, ARKANSAS

DRAWN BY: NKN	FIELD BY: NKN
DATE: 12/08/2020	FIELD BK: NKN
JOB NO: 20R020039	SHEET NUMBER: 3 OF 4

PORTION OF KANSAS CITY SOUTHERN RAILROAD SURVEY DESCRIPTION
 PART OF THE NE1/4, SW1/4, NW1/4, SE1/4 AND SW1/4, NE1/4, SECTION 35,
 TOWNSHIP 19 NORTH, RANGE 33 WEST, FIFTH PRINCIPAL MERIDIAN,
 BENTON COUNTY ARKANSAS, BEING MORE PARTICULARLY DESCRIBED
 AS FOLLOWS:

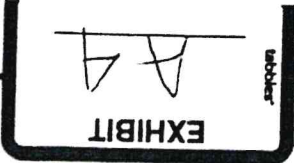
COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 35,
 THENCE ALONG THE WEST LINE OF SAID SECTION 35, N02°41'54"E 1316.63
 FEET; THENCE DEPARTING SAID WEST LINE, S87°20'26"E 1419.76 FEET TO
 POINT OF BEGINNING;

THENCE N48°49'23"E 3474.98 FEET; THENCE 308.03 FEET ALONG A CURVE
 TO THE LEFT HAVING A CENTRAL ANGLE OF 03°09'27", A RADIUS OF
 5589.58 FEET, A LONG CHORD THAT BEARS N47°14'40"E, 307.99 FEET;
 THENCE S87°32'03"E 136.13 FEET; THENCE 406.74 FEET ALONG A CURVE
 TO THE RIGHT HAVING A CENTRAL ANGLE OF 04°05'45", A RADIUS OF
 5689.58 FEET, A LONG CHORD THAT BEARS S46°46'31"W, 406.65 FEET;
 THENCE S48°49'23"W 3370.85 FEET; THENCE N87°20'26"W 144.38 FEET; TO
 THE POINT OF BEGINNING, CONTAINING 378,042 SQUARE FEET OR 8.68
 ACRES, MORE OR LESS.

PORTION OF HWY 59 SURVEY DESCRIPTION

PART OF THE NE1/4, SW1/4, NW1/4, SE1/4 AND SW1/4, NE1/4, SECTION 35,
 TOWNSHIP 19 NORTH, RANGE 33 WEST, FIFTH PRINCIPAL MERIDIAN, BENTON
 COUNTY ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
 COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 35, THENCE
 ALONG THE WEST LINE OF SAID SECTION 35, N02°41'54"E 1316.63 FEET;
 THENCE DEPARTING SAID WEST LINE, S87°20'26"E 1674.57 FEET TO POINT OF
 BEGINNING;

THENCE 668.03 FEET ALONG A CURVE TO THE RIGHT HAVING A CENTRAL ANGLE
 OF 13°10'36", A RADIUS OF 2904.79 FEET, A LONG CHORD THAT BEARS
 N42°14'05"E, 666.56 FEET; THENCE N48°49'23"E 2629.04 FEET; THENCE 406.74
 FEET ALONG A CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF 04°05'45", A
 RADIUS OF 5689.58 FEET, A LONG CHORD THAT BEARS N46°46'31"E, 406.65 FEET;
 THENCE S87°32'03"E 134.17 FEET; THENCE 504.12 FEET ALONG A CURVE TO THE
 RIGHT HAVING A CENTRAL ANGLE OF 04°59'20", A RADIUS OF 5789.58 FEET, A
 LONG CHORD THAT BEARS S46°19'43"W, 503.96 FEET; THENCE S48°49'23"W
 2629.04 FEET; THENCE S41°10'37"E 40.00 FEET; THENCE 543.96 FEET ALONG A
 CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF 11°16'21", A RADIUS OF
 2764.79 FEET, A LONG CHORD THAT BEARS S43°11'13"W, 543.07 FEET; THENCE
 N87°20'26"W 168.73 FEET; TO THE POINT OF BEGINNING, CONTAINING 393,321
 SQUARE FEET OR 9.03 ACRES, MORE OR LESS.



DRAWING NUMBER: NWA-100-0128

AE ANDERSON ENGINEERING
 EMPLOYEE OWNED
 ENGINEERS • SURVEYORS • LABORATORS • DRAUGHTING • GIS
 5311 W VILLAGE PARK • MOORE, AR 72708 • PHONE (479) 268-8181

ANNEXATION EXHIBIT
 SECTION 35 AND 36, TOWNSHIP 19N, RANGE 33W
 BENTON COUNTY, ARKANSAS

DRAWN BY: NKN	FIELD BY: NKN
DATE: 12/08/2020	FIELD BK: NKN
JOB NO: 20R020039	SHEET NUMBER: 4 OF 4

2021 FEB 24 7 51:40

The undersigned, being a registered surveyor of the State of Arkansas certifies to:

Honorable Kevin Johnston, Mayor of the City of Gentry

as follows:

The property proposed for annexation, as shown on Anderson Engineering Inc. Drawing No. NWA-100-0128, dated December 8, 2020 is contiguous to and adjoining the present City Limits of Gentry, AR, as established by Ordinance No. 04-542. The undersigned also certifies that no enclaves will be created through the annexation.



Nikolay K. Nedkov
AR PLS 1759
01/21/2021



FEB 24 11 09 AM

BRONSON ABSTRACT COMPANY, INC.
3810 N. FRONT STREET, SUITE #5
FAYETTEVILLE AR 72703
(479) 442-2700
Facsimile (479) 442-8475

December 10, 2020

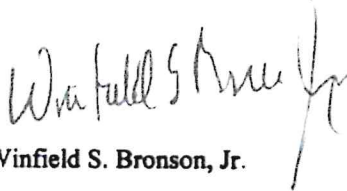
City of Gentry

Re: Ownership Certification

To Whom it may concern,

Our firm has examined the land records for Benton County tax parcel #15-07480-000 and of this date the record owners of the property identified on Exhibit "A" are: Connie Spickelmier and Robert Spickelmier, wife and husband .

Sincerely,



Winfield S. Bronson, Jr.

PARCEL: 15-07480-000
OWNER: CONNIE & ROBERT SPICKELMIER

RECORDED 24 11 9:10

TRACT 3 SURVEY DESCRIPTION

ALL OF TRACT 1 AS SHOWN AT PLAT RECORDED AS DOCUMENT NUMBER L2020067616, BEING ALSO DESCRIBED AS LOTS 83 AND 87, OZARK ORCHARD COMPANY'S SUBDIVISION AS SHOWN ON PLAT BOOK "B", PAGE 15, LYING IN THE NE1/4, SW1/4, SECTION 35, TOWNSHIP 19 NORTH, RANGE 33 WEST, FIFTH PRINCIPAL MERIDIAN, BENTON COUNTY ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 35, THENCE ALONG THE WEST LINE OF SAID SECTION 35, N02°41'54"E 2635.35 FEET TO THE NORTHWEST CORNER OF SAID SW1/4; THENCE DEPARTING SAID WEST LINE AND CONTINUING ALONG THE NORTH LINE OF SAID SW1/4, S87°21'15"E 1319.61 FEET TO THE POINT OF BEGINNING;

THENCE CONTINUING ALONG SAID NORTH LINE, THENCE S87°21'15"E 1319.24 FEET TO THE NORTHEAST CORNER OF SAID TRACT 1; THENCE S02°43'18"W 148.09 FEET TO THE WESTERLY RIGHT OF WAY OF KANSAS CITY SOUTHERN RAILROAD; THENCE ALONG SAID RIGHT OF WAY, S48°49'23"W 742.41 FEET; THENCE DEPARTING SAID RIGHT OF WAY, N87°20'26"W 784.19 FEET TO THE SOUTH WEST CORNER OF SAID TRACT 1; THENCE N02°42'50"E 661.98 FEET TO THE POINT OF BEGINNING, CONTAINING 16.90 ACRES, MORE OR LESS.

BRONSON ABSTRACT COMPANY, INC.

3810 N. FRONT STREET, SUITE #5

FAYETTEVILLE, AR 72703

479-442-2700

FACSIMILE 479-442-8479

RECEIVED
FEB 24 10 01 AM
2020

May 12, 2020

City of Gentry Arkansas

Re: ownership certificate

To Whom It May Concern,

Our firm has examined the land records for Benton County tax parcel #15-07476-000 and of this date the record owner of the property identified on Exhibit "A" is: Dante Paul Newsom and Angela Sue Newsom, husband and wife.

Sincerely,

Winfield S. Bronson, Jr.

Winfield S. Bronson, Jr.

President

2017 FEB 24 11:51 AM

EXHIBIT A LEGAL DESCRIPTION

A 200 FEET WIDE TRACT OF LAND BEING PART OF LOT 121 OZARK ORCHARD COMPANY'S SUBDIVISION AS SHOWN ON PLAT BOOK "B", PAGE 15, LYING IN THE SW1/4, SECTION 35, TOWNSHIP 19 NORTH, RANGE 33 WEST, FIFTH PRINCIPAL MERIDIAN, BENTON COUNTY ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 35, THENCE ALONG THE WEST LINE OF SAID SECTION 35, N02°41'54"E 2635.35 FEET TO THE NORTHWEST CORNER OF SAID SW1/4; THENCE DEPARTING SAID WEST LINE, S87°21'15"E 2638.86 FEET TO THE SOUTHWEST CORNER OF SAID LOT 121 AND THE POINT OF BEGINNING;
THENCE ALONG THE WEST LINE OF SAID LOT 121, N02°43'47"E 129.48 FEET; THENCE DEPARTING SAID WEST LINE AND CONTINUING PARALLEL WITH THE WESTERLY RIGHT OF WAY OF KANSAS CITY SOUTHERN RAILROAD , N48°49'23"E 1699.29 FEET TO THE NORTH LINE OF SAID LOT 121;
THENCE ALONG SAID NORTH LINE, S87°11'11"E 17.29 FEET; THENCE DEPARTING SAID NORTH LINE, S02°03'05"W 258.01 FEET TO THE WESTERLY RIGHT OF WAY OF KANSAS CITY SOUTHERN RAILROAD; THENCE ALONG SAID RIGHT OF WAY, S48°49'23"W 1513.62 FEET TO THE SOUTH LINE OF SAID LOT 121; THENCE ALONG SAID SOUTH LINE, N87°21'15"W 154.11 FEET TO THE POINT OF BEGINNING, CONTAINING 333,499 SQUARE FEET OR 7.86 ACRES, MORE OR LESS

BRONSON ABSTRACT COMPANY, INC., FEB 24 11 0-10
3810 N. FRONT STREET, SUITE #5
FAYETTEVILLE, AR 72703
479-442-2700
FACSIMILE 479-442-8479

May 12, 2020

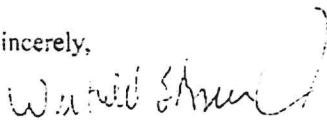
City of Gentry Arkansas

Re: ownership certificate

To Whom It May Concern,

Our firm has examined the land records for Benton County tax parcel #15-07480-⁰⁰¹~~000~~ and of this date the record owner of the property identified on Exhibit "A" is: Lorene Paralee Woods.

Sincerely,



Winfield S. Bronson, Jr.
President

TRACT 4A SURVEY DESCRIPTION

2017 FEB 24 3:09:46

A 200 FEET WIDE TRACT OF LAND, BEING PART OF LOTS 90, 94 AND 95, OZARK ORCHARD COMPANY'S SUBDIVISION AS SHOWN ON PLAT BOOK "B", PAGE 15, LYING IN THE N1/2, SW1/4, SECTION 35, TOWNSHIP 19 NORTH, RANGE 33 WEST, FIFTH PRINCIPAL MERIDIAN, BENTON COUNTY ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 35; THENCE ALONG THE WEST LINE OF SAID SECTION 35, N02°41'54"E 1316.63 FEET TO THE SOUTHWEST CORNER OF SAID N1/2, SW1/4; THENCE ALONG THE SOUTH LINE OF SAID N1/2, SW1/4, 87°20'26"E 1130.42 FEET TO THE POINT OF BEGINNING;

THENCE PARALLEL WITH THE WESTERLY RIGHT OF WAY OF KANSAS CITY SOUTHERN RAILROAD, N48°49'23"E 948.69 FEET TO THE NORTH LINE OF SAID LOT 90; THENCE ALONG SAID NORTH LINE, S87°20'26"E 288.77 FEET TO THE WESTERLY RIGHT OF WAY OF KANSAS CITY SOUTHERN RAILROAD THENCE ALONG SAID RIGHT OF WAY, S48°49'23"W 948.69 FEET TO AFORESAID SOUTH LINE OF N1/2, SW1/4; THENCE ALONG SAID SOUTH LINE, N87°20'26"W 288.77 FEET TO THE POINT OF BEGINNING, CONTAINING 369,574 SQUARE FEET OR 4.36 ACRES,

FEB 24 9:10

BRONSON ABSTRACT COMPANY, INC.

3810 N. FRONT STREET, SUITE #5

FAYETTEVILLE, AR 72703

479-442-2700

FACSIMILE 479-442-8479

May 12, 2020

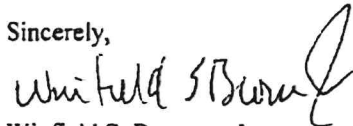
City of Gentry Arkansas

Re: ownership certificate

To Whom It May Concern,

Our firm has examined the land records for Benton County tax parcel #15-07477-000 and of this date the record owner of the property identified on Exhibit "A" is: Simmons Foods, Inc.

Sincerely,



Winfield S. Bronson, Jr.

President

2013 FEB 26 10:09:45

EXHIBIT A LEGAL DESCRIPTION

LOTS 114, 115, 116, 117 AND 120, OZARK ORCHARD COMPANY'S SUBDIVISION AS SHOWN ON PLAT BOOK "B", PAGE 15, LYING IN THE SW1/4, NW1/4, SECTION 36, SE1/4, NE1/4, AND SW1/4, NE1/4, SECTION 35, TOWNSHIP 19 NORTH, RANGE 33 WEST, FIFTH PRINCIPAL MERIDIAN, BENTON COUNTY ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
BEGINNING AT A FOUND STONE AT THE SOUTHEAST CORNER OF SAID SW1/4, NW1/4, SECTION 36; THENCE N87°14'11"W 1317.00 FEET TO A FOUND STONE AT THE SOUTHEAST CORNER OF SECTION 35; THENCE ALONG THE SOUTH LINE OF SAID SECTION 35, N87°21'15"W CROSSING A SET 5/8-INCH REBAR WITH CAP PLS 1759 ON THE EASTERLY RIGHT OF WAY OF HIGHWAY 59 PER ARDOT JOB 9172 AT A DISTANCE OF 2019.43 FEET AND CONTINUING FOR A TOTAL DISTANCE OF 2277.08 FEET TO THE CENTERLINE OF SAID HIGHWAY 59;
THENCE ALONG SAID CENTERLINE THE FOLLOWING (2) TWO COURSES:
1.) N48°49'23"E 1424.14 FEET;
2.) 445.84 FEET ALONG A CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF 04°27'30", A RADIUS OF 5729.58 FEET, A LONG CHORD THAT BEARS N46°35'38"E, 445.73 FEET TO THE NORTH LINE OF SAID SE1/4, NE1/4, SECTION 35;
THENCE DEPARTING SAID CENTERLINE AND CONTINUING ALONG THE NORTH LINE OF SAID SE1/4, NE1/4, SECTION 35 AND ALONG THE NORTH LINE OF SW1/4, NW1/4, SECTION 36, S87°32'03"E, CROSSING A SET REBAR WITH CAP PLS 1759 AT A DISTANCE OF 80.28 FEET, AND CONTINUING FOR A TOTAL DISTANCE OF 2258.51 FEET TO A FOUND 5/8-INCH REBAR WITH CAP PLS 1759 AT THE NORTHEAST CORNER OF SAID SW1/4, NW1/4, SECTION 36; THENCE S02°42'03"W 1316.82 FEET TO THE POINT OF BEGINNING, CONTAINING 3,820,886 SQUARE FEET OR 87.72 ACRES, MORE OR LESS. SUBJECT TO RIGHT OF WAY OF PETERSON ROAD ALONG THE NORTH BOUNDARY, SUBJECT TO RIGHT OF WAY OF HIGHWAY 59 ALONG THE WESTERLY BOUNDARY AND SUBJECT TO ANY EASEMENTS, COVENANTS OR RESTRICTIONS OF RECORD OR FACT.

RESOLUTION NO. _____

CITY OF GENTRY, ARKANSAS

**A RESOLUTION AMENDING RESOLUTION NO. 20-639
APPROPRIATING MONEY AND EXPENDITURES FOR
THE YEAR COMMENCING JANUARY 1, 2021, AND
ENDING ON DECEMBER 31, 2021; AND FOR OTHER
PURPOSES.**

WHEREAS, it has come to the attention of the City of Gentry that the City is in need of modifying the City's 2021 Budget by amendment of the 2021 Budget Resolution;

WHEREAS, this Amendment of Resolution No. 20-639 is made to insure that the City is in compliance with the terms of its Budget and applicable law with respect to its 2021 Budget;

NOW, therefore, be it Resolved by the City Council of the City of Gentry, Arkansas:

Section 1: The City of Gentry's 2021 Budget is hereby amended by attaching hereto as Exhibit "A" the amendments to the City of Gentry's 2021 Budget, reflecting those Amendments and changes duly noted by placement of an asterisk beside each amended budget amount.

Passed and approved this ____ day of January, 2022.

Kevin D. Johnston, Mayor

Attest:

Tonya Carney, Director of Finance

Exhibit A

Fund	Dept	Account Number	Line Item	Actual Expense	Budgeted Expense	Variance
* General	Activity Center	501.036.001	Grant Purchases	\$26,107.76	\$25,000.00	\$1,107.76
* General	Admin	760.027.010	Capital Improvements	\$75,801.25	\$0.00	\$75,801.25
* General	Admin	501.015.011	COVID Credit Program	\$2,200.00	\$0.00	\$2,200.00
* General	Admin	501.045.001	Insurance- Workers Comp	\$2,494.00	\$1,000.00	\$1,494.00
* General	Building Inspection	564.000.001	Lot Clean-up	\$8,900.00	\$0.00	\$8,900.00
* General	Court	501.020.001	Court Cost	\$45,501.89	\$41,000.00	\$4,501.89
* General	Fire	501.008.001	Association Dues	\$672.50	\$500.00	\$172.50
* General	Fire	501.026.001	Equipment	\$8,320.69	\$8,000.00	\$320.69
* General	Fire	501.035.001	Fuel Expense	\$9,680.13	\$9,000.00	\$680.13
* General	Fire	501.045.001	Insurance- Workers Comp	\$8,009.00	\$7,000.00	\$1,009.00
* General	Fire	501.045.002	Insurance- Building	\$7,506.15	\$7,000.00	\$506.15
* General	Fire	501.048.001	Insurance-Vehicle	\$14,202.55	\$13,000.00	\$1,202.55
* General	Park	501.036.011	Grant-McGaugh House	\$15,800.06	\$0.00	\$15,800.06
* General	Park	501.053.002	Operating & Maintenance	\$9,700.95	\$8,000.00	\$1,700.95
* General	Park	501.180.001	Park Master Plan	\$500,000.00	\$0.00	\$500,000.00
* General	Police	501.035.001	Fuel Expense	\$32,764.07	\$30,000.00	\$2,764.07
* General	Police	501.045.001	Insurance-Workers Comp	\$10,029.00	\$9,000.00	\$1,029.00
* General	Police	501.086.001	Supplies	\$19,434.26	\$18,750.00	\$684.26
* General	Admin	501.024.001	Election Expense	\$8,365.63	\$7,500.00	\$865.63
* General	Police	501.048.001	Insurance-Vehicle	\$6,514.08	\$6,000.00	\$514.08
* General	Police	501.096.001	Vehicle Maintenance	\$26,352.45	\$25,000.00	\$1,352.45
* Hwy Improv		501.053.002	Operating & Maintenance	\$5,799.00	\$0.00	\$5,799.00
* Library		501.047.001	Insurance- Building	\$7,021.14	\$5,000.00	\$2,021.14
* Library ARPA		222.222.221	ARPA	\$8,085.32	\$8,085.00	\$8,085.00
* Sewer		5150	Insurance- Building	\$1,581.70	\$1,500.00	\$81.70
* Sewer		6005	Insurance- Workers Comp	\$2,125.00	\$1,500.00	\$625.00
* Sewer		5270	Sludge Haul	\$16,011.08	\$10,000.00	\$6,011.08
* Street		501.045.001	Insurance- Workers Comp	\$7,957.00	\$6,500.00	\$1,457.00
* Street		501.053.002	Operating & Maintenance	\$128,330.76	\$100,000.00	\$28,330.76
* Street		501.072.001	Professional Fees	\$8,785.00	\$6,000.00	\$2,785.00
* Water		5003	Contract Labor	\$13,000.00	\$11,000.00	\$2,000.00
* Water		5150	Insurance- Building	\$15,920.96	\$6,500.00	\$9,420.96
* Water		5137	Wtr. Tower Bond Payment	\$344,811.82	\$235,500.00	\$109,311.82

RESOLUTION NO. _____

**RESOLUTION APPOINTING DANNY FEEMSTER AND PAUL CHURCH
TO GENTRY PLANNING COMMISSION.**

WHEREAS, the City of Gentry has previously established a Planning Commission and its various members have previously been appointed by the City Council;

WHEREAS, Planning Commission vacancies have occurred with the expiration of the terms of Danny Feemster and Paul Church on December 31st, 2021, and it is desirable to make the necessary appointment to fill those positions.

NOW THEREFORE BE IT RESOLVED by the City Council for the City of Gentry:

Section 1. That Danny Feemster is hereby appointed to the Gentry Planning Commission, to a term commencing January 1, 2022 and expiring on December 31, 2027; and

Section 2. That Paul Church is hereby appointed to the Gentry Planning Commission, to a term commencing January 1, 2022 and expiring on December 31, 2027; and

PASSED, APPROVED AND ADOPTED THIS 3rd day of January, 2022.

Kevin Johnston, Mayor

ATTEST:

Tonya Carney, Director of Finance

RESOLUTION NO. _____

CITY OF GENTRY, ARKANSAS

A RESOLUTION AUTHORIZING THE MAYOR AND DIRECTOR OF FINANCE TO EXECUTE AN AGREEMENT WITH THE MAIN STREET GENTRY ASSOCIATION; WAIVING COMPETITIVE BIDDING; AND FOR OTHER PURPOSES.

WHEREAS, the City of Gentry is in need of special services relating to economic development and community relations; and

WHEREAS, The Main Street Gentry Association possesses the expertise and personnel to provide such special services; and

WHEREAS, it is neither feasible nor practical to procure such services through the use of competitive bidding.

NOW THEREFORE, BE IT RESOLVED BY THE GENTRY CITY COUNCIL:

Section 1. The City Council hereby authorizes the Mayor and Director of Finance to execute a contract with The Main Street Gentry Association ("Main Street Gentry"), by which Main Street Gentry will provide certain services on behalf of the City as set forth in such contract, for a cost of \$40,000.00.

Section 2. The City Council of the City of Gentry, Arkansas finds that exceptional circumstances exist, including a close connection with and knowledge of the City, such that the competitive bidding procedure outlined by Ark. Code Ann. § 14-58-303 is deemed not feasible or practical. Accordingly, the City Council finds that it is in the best interests of the citizens and residents of the City of Gentry, Arkansas to forego competitive bidding procedures in connection with this services contract.

PASSED and APPROVED in regular session this 3rd day of January, 2022.

Kevin Johnston, Mayor

Attest:

Tonya Carney, Director of Finance

AGREEMENT

THE MAIN STREET GENTRY ASSOCIATION & City of Gentry, Arkansas

WHEREAS, the City of Gentry, Arkansas (CITY), and The Main Street Gentry Association (MSG) are desirous of fostering community growth and prosperity within the City of Gentry; and,

WHEREAS, the City and MSG are desirous of entering into a partnership agreement for the purpose of accomplishing the above stated goal; and,

WHEREAS, the aforementioned parties are desirous that a partnership be formed by and between themselves as a demonstration of their common interest for economic development; and,

WHEREAS, the aforementioned parties are desirous that a partnership agreement be executed as a positive step in building local public-private sector joint-community effort for the growth and prosperity of the CITY.

NOW, THEREFORE, BE IT AGREED by and between the aforementioned parties that:

1. MSG shall coordinate the CITY'S economic development marketing efforts and public-private sector funding alternatives through MSG, and that MSG further agrees it shall serve as the economic development marketing arm of the CITY.
2. Further, MSG agrees that it shall be assigned the following responsibilities:
 - a. MSG shall coordinate, administer and have overall management of economic development marketing activities and the coordination and administration of the functions above described for the CITY, and more specifically;
 - b. MSG shall be directly responsible for implementation of the following functions:
 - i. Maintenance of a public-private economic development partnership between MSG and the CITY with the end result of advancing the improvement, in the broadest sense, of the quality and the quantity of life in the CITY.

- ii. Implementation of a campaign designed to attract a diverse segment of manufacturing, retail, and service industry to the CITY.
 - iii. Design and execution of an economic development retention and expansion program to encourage local manufacturing, retail, and service industry to remain and expand in the CITY.
 - iv. Operation of an on-going communications and promotions program for economic development activities in the CITY.
 - v. Search for and completion and submission of appropriate Grant applications on behalf of the City from time to time.
 - vi. Such other responsibilities as may be delegated or assigned by the MSG Board of Directors (all of which is the "Agreement").
3. It is further agreed by and between the parties that in the role of serving as the economic development marketing arm for the CITY, MSG shall be responsible for:
 - a. Representing the CITY as the initial contact for manufacturing, retail, and service industry prospects.
 - b. Bringing economic development financial proposals to the CITY for consideration.
 - c. Maintaining economic development files that pertain to manufacturing, retail, and service industry.
4. It is further agreed by and between the parties that the MSG shall provide various other services related to economic development of the City and improvement of the City's relationship with the citizens of the City and the surrounding area. MSG's services shall accordingly include development, sponsorship and organization of community events in coordination with the City, such as Freedom Fest.
5. MSG shall keep City advised of its work by making a monthly written and/or verbal report to the City - which will generally be made at the monthly council meeting.
6. It is further agreed by and between the parties that because of the time involved in the detailed planning by all parties to this agreement for the implementation of this partnership agreement, said agreement shall be in full force and effect for a period of one (1) year beginning January 1, 2022.

7. For the services to be provided by MSG under the terms of this Agreement CITY shall pay to MSG the sum of Forty Thousand Dollars (\$40,000) payable in two bi-annual installments in 2022, the first payment to be made on execution of this Agreement.

Agreed this _____ day of January, 2022.

Approved: _____
Mayor

Attest: _____
Director of Finance

Adopted by MSG this _____ day of January, 2022.

Approved: _____
Chairman of the Board

Gentry City Council Regular Meeting Schedule

February 2022 – January 2023

2/7/22

3/7/22

4/4/22

5/2/22

6/6/22

7/11/22

8/1/22

9/12/22

10/3/22

11/7/22

12/5/22

1/2/23



2022

<i>Committee</i>	<i>Members</i>
PERSONNEL	ERSKIN (CHAIR), ARNOLD, PAGE
STREET & ALLEY	WILLIAMS (CHAIR), BARRETT, CRAWFORD
WATER & WASTEWATER	ARNOLD (CHAIR), THORBURN, WILLIAMS
PARKS & CEMETERY	THORBURN (CHAIR), BARRETT, PAGE
FINANCE	CRAWFORD (CHAIR), ERSKIN, PHILPOTT
FIRE	BARRETT (CHAIR), THORBURN, WILLIAMS
POLICE	PHILPOTT (CHAIR), CRAWFORD, ERSKIN
SAFETY	CRIPPS, DONOHEW, STEWART, SMITHSON
LIBRARY & COMMUNITY CENTER	PAGE (CHAIR), ARNOLD, PHILPOTT
ECONOMIC DEVELOPMENT	BARRETT, CARNEY, CRAWFORD, PARKS, PHILPOTT