

**CITY OF GENTRY
PLANNING & ZONING COMMISSION
REGULAR MEETING**

THURSDAY, OCTOBER 21, 2021

PUBLIC HEARING

NOTICE OF ZONING OF LANDS PROPOSED for ANNEXATION

PUBLIC HEARING

Special Use Permit: Logan Vang, Parcel# 10-00514-000; 634 N. Gentry Blvd.

PLANNING COMMISSION

- Roll Call
- Review of Minutes- September 16, 2021, regular meeting

*Notice of Zoning of Lands Proposed for Annexation- Jones

*Special Use Permit: Logan Vang, Parcel# 10-00514-000; 634 N. Gentry Blvd.

*Applecrest Place Air B&B occupational privilege license: Deborah Stripling

*Findings re: Main Street Village Subdivision Preliminary Plat & Drainage Report

****Discussion:** To consider having 2 P&Z meetings per month, beginning after the 1st of the new year.

**CITY OF GENTRY
PLANNING & ZONING COMMISSION**

THURSDAY, SEPTEMBER 16, 2021

The Planning and Zoning Commission of the City of Gentry, Arkansas met on September 16, 2021 at 7:00 p.m. for a regular meeting at the Gentry Court Chambers. Chairman Mike Parks called the meeting to order and announced the public hearing:

Roll Call: Paul Church- Present
Jim Kooistra- Present
Wanda Meyer- Present
Mike Parks- Present
Tammy Runyan- Present
Danny Feemster- Present
Jay Williams- Absent

PUBLIC HEARING

Schuber Mitchell Homes: Variance- Parcel# (lot 5 in Grand Estates Phase 2): 313 Oak Ave.

After questions and answers regarding the request for a setback in order to move a garage, to effectively optimize the water flow/drainage for this lot, this portion of the public hearing was closed.

PUBLIC HEARING

NOTICE OF ZONING OF ANNEXED LANDS

After discussion for possible recommendation to the City Council regarding the current zone status of R-2, this portion of the public hearing was closed.

PUBLIC HEARING

Amendment to Zoning Ordinance (RE: R-N)

This matter was brought to the commission to discuss changing the wording regarding the new R-N zone, by revising the definition. After City Attorney Joel Kurtz presented his suggestions, and discussion was had, this portion of the public hearing was closed. Chairman Mike Parks announced the beginning of the regular session of the planning and zoning commission, requesting roll call.

PLANNING COMMISSION:

ROLL CALL: Church- Present
Kooistra- Present
Meyer- Present
Parks- Present
Runyan- Present
Feemster- Present

MEMBERS ABSENT: Williams

Others in attendance: City Attorney Joel Kurtz, City Clerk Jenny Trout, Janie Parks, Delton Williams, Larry Curran, Jr. & Misty, Patrick Foyt, and others.

Review of the Minutes of the August 19, 2021 Regular Meeting:

Motion: Church- to approve the minutes as written
Second: Runyan
Roll Call: Church-yes Feemster-yes Kooistra-yes
 Parks-yes Meyer-yes Runyan-yes
Motion Passed.

1). Schuber Mitchell Homes: Variance- Parcel# (lot 5 in Grand Estates Phase 2): 313 Oak Ave.:

After discussion with the engineering representative for Schuber Mitchell Homes:

Motion: Church- to grant the Variance regarding the setback for the garage, contingent on the engineering and, ALL possible measures are taken to resolve this issue for any future builds
Second: Kooistra
Roll Call: Church-yes Feemster-yes Kooistra- yes
 Parks-yes Meyer-no Runyan-yes
Motion passed.

2). Notice of Zoning of Annexed Lands: (Sunset Ridge): After consideration:

Motion: Church- to recommend to City Council this area be zoned as R-2
Second: Runyan
Roll Call: Church-yes Feemster-yes Kooistra-yes
 Parks-yes Meyer-yes Runyan-yes
Motion passed.

3). Amendment of Zoning Ordinance (RE: R-N): After consideration:

Motion: Meyer- to accept the proposed amendment and, recommend to City Council for acceptance
Second: Kooistra
Roll Call: Church-yes Feemster-yes Kooistra-yes
 Meyer-yes Runyan-yes Parks-yes
Motion passed.

With no further business, Chairman Mike Parks entertained a motion to adjourn.

Motion: Church

Second: Meyer

All in favor, none opposed.

Motion passed. Meeting adjourned.

Jenny Trout: Planning Commission Secretary/City Clerk

Mike Parks, Planning Committee Chairman

AFFIDAVIT OF PUBLICATION

I, Brittany Smith, solemnly swear that I am the Accounting Legal Clerk for the Northwest Arkansas Newspapers, LLC, and I do solemnly swear that the attached advertisement:

City of Gentry
Public Hearing

was published in the following weekly paper(s):

- Bella Vista Weekly Vista
- Pea Ridge Times
- Siloam Springs Herald Leader
- Siloam Sunday (Section of Arkansas Democrat Gazette)
- Westside Eagle Observer

Of general and bona fide circulation in Benton County, Arkansas

Date(s) of Publication: September 29, 2021

Publication Charges: \$196.92

Brittany Smith
Brittany Smith

Subscribed and sworn to before me
This 29 day of Sept, 2021.

Cathy Wiles
Notary Public
My Commission Expires: 2/20/24

****NOTE****

Please do not pay from Affidavit.
Invoice will be sent.

Cathy Wiles
Benton COUNTY
NOTARY PUBLIC - ARKANSAS
My Commission Expires 02-20-2024
Commission No. 12397118

Notice of Public Hearing
Regarding Zoning of Lands
Proposed for Annexation into the
City of Gentry

The Gentry Planning Commission will hold a public hearing on October 21, 2021, at 7:00 p.m. in the Gentry Council Chambers, located at 104 E. Main St., Gentry, Arkansas. The purpose of the hearing is to allow public comment on the appropriate zoning of certain lands being considered for annexation into the City of Gentry. The lands being considered are described as follows:

Tract 1:
PART OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER AND PART OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 12, TOWNSHIP 18 NORTH, RANGE 33 WEST BENTON COUNTY, ARKANSAS. BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NE CORNER OF THE SE 1/4 OF THE NW 1/4 OF SAID SECTION 12; THENCE S 87°34'30" E 47.98'; THENCE S 54°45'05" W 72.66'; THENCE S 59°29'30" W 158.13'; THENCE S 57°49'21" W 380.34'; THENCE N 04°32'47" W 341.82'; THENCE S 87°09'34" E 503.67' TO THE POINT OF BEGINNING AND CONTAINING 2.07 ACRES. PROPERTY IS SUBJECT TO THE RIGHT OF WAY OF THE COUNTY ROAD AND TO ANY EASEMENT OF RECORD.

Tract 2: Benton County Address: 18887 Dawn Hill East Rd., Gentry, AR 72734
PART OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER AND PART OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 12, TOWNSHIP 18 NORTH, RANGE 33 WEST, BENTON COUNTY, ARKANSAS. BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT S 87°10'56" E 392.39' FROM THE SE CORNER OF THE SE 1/4 OF THE NW 1/4 OF SAID SECTION 12; THENCE N 87°10'56" W 728.36'; THENCE N 04°32'47" W 989.18'; THENCE N 57°49'21" E 380.34'; THENCE N 59°29'30" E 158.13'; THENCE N 64°48'05" E 72.66'; THENCE S 87°34'30" E 176.54'; THENCE S 04°32'47" E 1332.35' TO THE POINT OF BEGINNING AND

CONTAINING 20.000 ACRES. PROPERTY IS SUBJECT TO THE RIGHT OF THE COUNTY ROAD AND TO THE RIGHT OF WAY OF ARKANSAS STATE HIGHWAY 12 AND TO ANY EASEMENT OF RECORD.

Tract 3: Benton County Tax Parcel: 18-13592-000
PART OF THE SOUTH HALF (S 1/2) OF THE NORTHEAST QUARTER (NE 1/4) OF THE NORTHWEST QUARTER (NW 1/4) OF SECTION 12, TOWNSHIP 18 NORTH, RANGE 33 WEST, BENTON COUNTY, ARKANSAS, DESCRIBED AS BEGINNING AT THE SE CORNER OF SAID SOUTH HALF (S 1/2) OF THE NORTHEAST QUARTER (NE 1/4) OF THE NORTHWEST QUARTER (NW 1/4); THENCE SOUTH 89°12'40" WEST 1327.99 FEET; THENCE NORTH 00°34'18" WEST 661.67 FEET; THENCE NORTH 89°17'35" EAST 1182.64 FEET; THENCE SOUTH 10°20'37" EAST 97.89 FEET; THENCE SOUTH 15°44'06" EAST 74.67 FEET; THENCE SOUTH 17°40'40" EAST 166.75 FEET; THENCE SOUTH 19°31'38" EAST 79.48 FEET; THENCE SOUTH 24°44'04" EAST 57.95 FEET; THENCE SOUTH 33°11'31" EAST 18.96 FEET; THENCE SOUTH 00°41'21" EAST 187.48 FEET TO THE POINT OF BEGINNING. PROPERTY IS SUBJECT TO THE RIGHT OF WAY OF HIGHWAY 12 ON THE EAST SIDE.

After taking public comments, the Planning Commission will make a recommendation to the Gentry City Council as to the most appropriate zoning for the said lands in the event of annexation.

If you are unable to attend the meeting, you may provide comments by phone (479-736-2555, ex. 103) or in writing to the City of Gentry, 101 W. Main Street, Gentry, AR 72734.
75469845 Sept. 29, 2021

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

October 13, 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, 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



Arkansas Secretary of State

John Thurston Arkansas Secretary of State, 500 Woodlane Ave, Little Rock, AR 72201-1094

Municipal Boundary Change Checklist

Act 655 of 2017 and A.C.A. §14-40-103

County: _____ City/Town: _____

City Ordinance/Resolution No: _____ Date approved: _____

County Court Case No: _____ Date Order Filed: _____

Type: Annexation by Petition of all Landowners A.C.A. 14-40-609

Date Change Effective: _____ Set by: Municipal Ordinance Emergency Clause Court Default
(Required by Act 655 of 2017)

For Circuit Court Challenge: Date Order Filed: _____ Upheld Overturned Other *(attach explanation)*

Please indicate which ward(s) the territory will be assigned to: _____
(See A.C.A § 14-40-203)

Initiating party:

All Landowners Majority Landowners Municipal Governing Body State Other _____

Supporting Documentation attached *(check all that apply)*:

- File marked copy of City Ordinance/Resolution *(required)*
- File marked copy of County Court Order or certified annexation election results *(required except for A.C.A. §14-40-501)*
- Copy of Arkansas GIS approved printed map and certification letter *(required)*
- Proof of Publication for all Legal Notices *(include Hearing, Election, and City Ordinance/Resolution notices)*
- File marked copy of Petition Part *(if applicable)*
- File marked copy of Complaint and final Circuit Court Order *(Court Challenge only)*

Municipal Contact:

Name: _____ Title: _____

Street Address: _____

City: _____ St: _____ Zip code: _____

Complete one form per ordinance/resolution, attach it as a cover page to the supporting document set and submit to the County Clerk's Office within 45 days of the Effective Date as required by Act 655 of 2017

County Official:

Signature: _____ Title: _____

Date: _____

Pursuant to Act 655 of 2017, County Officials must submit a file-marked copy of municipal boundary change documents within 30 days of receipt to: Arkansas Secretary of State, Attn: Municipal Boundary Filing, 500 Woodlane Ave Suite 256, Little Rock, AR 72201-1094

Office of the Arkansas Secretary of State use only

Received by: _____

FILED

2021 OCT 13 AM 9:03

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

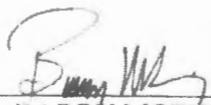
COUNTY COURT CASE NO. CC 2021-28

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

10.12.2021

Date

2021 4265

FILED

IN THE COUNTY COURT OF BENTON COUNTY 2021 OCT -4 PM 2:04
STATE OF ARKANSAS

BETSY HARRELL
CO. CLERK
BENTON COUNTY, AR

IN THE MATTER OF:
ANNEXATION OF CERTAIN LANDS
CONTIGUOUS TO THE CITY OF
GENTRY, BENTON
COUNTY, ARKANSAS

Case No. 2021-28

SPRINGTOWN PROPERTIES, LLC,
ROGER L. STRICKER and BELINDA
K. STRICKER

PETITIONERS

PETITION FOR ANNEXATION OF CONTIGUOUS PROPERTY

COMES NOW the Petitioners, Springtown Properties, LLC, Roger L. Stricker and Belinda K. Stricker ("Petitioners"), by and through their undersigned counsel, and states the following to-wit:

1. Petitioners are the fee simple owners of certain tracts of real property situated in Benton County, Arkansas, the same being more particularly described as follows and collectively referred to hereinafter as the "Property":

Springtown Properties, LLC Property:

PART OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER AND PART OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 12, TOWNSHIP 18 NORTH, RANGE 33 WEST, BENTON COUNTY, ARKANSAS. BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT S 87°10'56" E 392.39' FROM THE SE CORNER OF THE SE ¼ OF THE NW ¼ OF SAID SECTION 12; THENCE N 87°10'56" W 728.36'; THENCE N 04°32'49" W 1330.97'; THENCE S 87°09'47" E 503.68'; THENCE S 87°34'30" E 224.53'; THENCE S 04°32'47" E 1332.35' TO THE POINT OF BEGINNING AND CONTAINING 22.07 ACRES. PROPERTY IS SUBJECT TO THE RIGHT OF WAY OF THE COUNTY ROAD AND TO THE RIGHT OF WAY OF ARKANSAS STATE HIGHWAY 12 AND TO ANY EASEMENT OF RECORD.

FILED

Roger L. Stricker and Belinda K. Stricker Property:

Part of the South Half (S 1/2) of the Northeast Quarter (NE 1/4) of the Northwest Quarter (NW 1/4) of Section 12, Township 18 North, Range 33 West, Benton County, Arkansas, described as beginning at the SE corner of said South Half (S 1/2) of the Northeast Quarter (NE 1/4) of the Northwest Quarter (NW 1/4); Thence South 89°12'40" west 1327.99 feet; thence North 00°34'18" West 661.67 feet; thence North 89°17'35" East 1182.64 feet; thence South 10°20'37" East 97.89 feet; thence South 15°44'06" East 74.67 feet; thence South 17°40'40" East 166.75 feet; thence South 19°31'38" East 79.48 feet; thence South 24°44'04" East 57.95 feet; thence South 33°11'31" East 18.96 feet; thence South 00°41'21" East 187.48 feet to the point of beginning. Property is subject to the right of way of Highway 12 on the East side.

2021 OCT -4 PM 2: 04
KIMBERLY NARRELL
GOVERNOR
STATE CLERK
BENTON COUNTY, AR

2. Petitioners' ownership of the Property is reflected in the opinion of Josh Hite of City Title & Closing, LLC, attached hereto as Exhibit "A".
3. As set forth in the letter from Jim Caldwell, PLS, attached hereto as Exhibit "B", the Property is contiguous to the incorporated limits of Gentry, Arkansas, and no enclave will be created as a result of the requested annexation.
4. Attached hereto as Exhibit "C" is a schedule of services that will be extended to the Property within three (3) years after the date upon which the annexation becomes final.
5. Attached hereto as Exhibit "D" is a vicinity map depicting the location of the Property.
6. Petitioners have complied with the requirements of A.C.A. § 14-40-101 to coordinate with the Arkansas Geographic Information Systems Office as confirmed by the letter attached hereto as Exhibit "E".
7. Petitioners request that the Benton County Assessor and the Benton County Clerk complete the verifications required by law; that upon the completion of the verifications this Petition be presented to the Benton County Judge for issuance of an Order, and that the Benton County Judge forward this Petition and the Judge's Order to the City of Gentry.

FILED

2021 OCT -4 PM 2: 04

WHEREFORE, Petitioner respectfully requests that the Property be annexed into the City of Gentry, and for all other relief to which she may be entitled.

Respectfully submitted,

KUTAK ROCK LLP

By: _____

Kyle T. Unser, AR 2007133
5111 W JB Hunt Drive, Suite 300
Rogers, Arkansas 72758
Telephone: (479) 250-9700
Facsimile: (479) 316-4069
kyle.unser@kutakrock.com

Attorneys for Petitioners

DELSY HARBELL
CO. CLERK
DEPT. OF REVENUE
HOT SPRING, AR

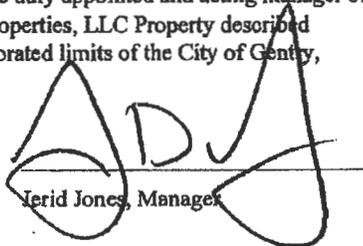
FILED

2021 OCT -4 PM 2:04

BEVERLY MARRELL
CO & DISTRICT CLERK
GENTRY COUNTY, AR

Attestation

I hereby certify and attest that I, Jerid Jones am the duly appointed and acting manager of Springtown Properties, LLC, owner of the Springtown Properties, LLC Property described above, and that I desire to annex the same into the incorporated limits of the City of Gentry, Arkansas.



Jerid Jones, Manager

Subscribed and sworn to before me, a Notary Public, on this, the 01 day of OCTOBER, 2021.



Notary Public

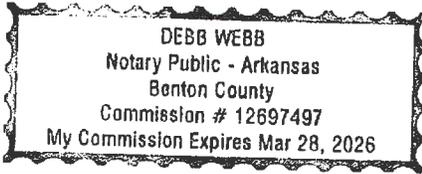
My Commission Expires:

03-28-2026

FILED

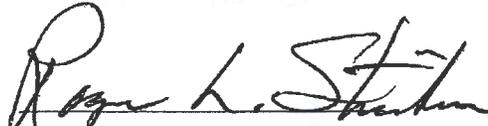
2021 OCT -4 PM 2: 04

BELSY HARRELL
CO & PROBATE CLERK
BENTON COUNTY, AR



Attestation

I hereby certify and attest that I, Roger L. Stricker, am the co-owner of the Roger L. Stricker and Bonita K. Stricker Property described above, and that I desire to annex the same into the incorporated limits of the City of Gentry, Arkansas.

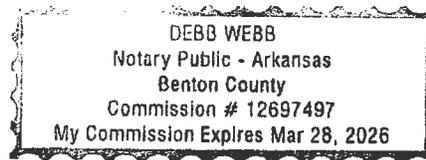

Roger L. Stricker

Subscribed and sworn to before me, a Notary Public, on this, the 01 day of OCTOBER, 2021.

DEBB WEBB
Notary Public

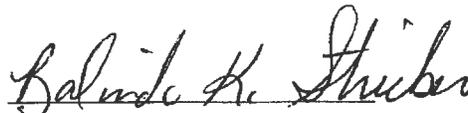
My Commission Expires:

03-28-2026



Attestation

I hereby certify and attest that I, Bonita K. Stricker, am the co-owner of the Roger L. Stricker and Bonita K. Stricker Property described above, and that I desire to annex the same into the incorporated limits of the City of Gentry, Arkansas.


Bonita K. Stricker

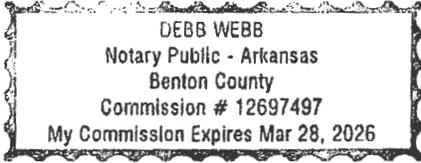
Subscribed and sworn to before me, a Notary Public, on this, the 01 day of OCTOBER 2021.

DEBB WEBB

Notary Public

My Commission Expires:

03-28-2026



FILED

2021 OCT -4 PM 2:04

HELEN HARRELL
CO. CLERK
BENTON COUNTY, AR



FILED

2021 OCT -4 PM 2:04

BETSY HARRELL
CO. & ASSOCIATE CLERK
BENTON COUNTY, AR

Date: September 28, 2021

Springtown Properties, LLC c/o Jerid Jones, Manager
1069 W. Twin Springs Ct.
Siloam Springs, AR 72761

Re: Annexation of Property owned by Springtown Properties, LLC, Roger L. Stricker and Bonita K. Stricker; Title Certification

Dear Mr. Jones:

With respect to the proposed annexation of the property described below as the "Springtown Property"¹ and Benton County Parcel No. 18-13592-000 (the "Stricker Property") into the incorporated city limits of Gentry, Arkansas, we have reviewed the vesting deeds and tract survey performed by James Surveying filed for record on June 17, 2021, as L202145683 establishing the following legal descriptions:

The Springtown Property (established by survey and vesting deed):

PART OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER AND PART OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 12, TOWNSHIP 18 NORTH, RANGE 33 WEST, BENTON COUNTY, ARKANSAS. BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT S 87°10'56" E 392.39' FROM THE SE CORNER OF THE SE ¼ OF THE NW ¼ OF SAID SECTION 12; THENCE N 87°10'56" W 728.36'; THENCE N 04°32'49" W 1330.97'; THENCE S 87°09'47" E 503.68'; THENCE S 87°34'30" E 224.53'; THENCE S 04°32'47" E 1332.35' TO THE POINT OF BEGINNING AND CONTAINING 22.07 ACRES. PROPERTY IS SUBJECT TO THE RIGHT OF WAY OF THE COUNTY ROAD AND TO THE RIGHT OF WAY OF ARKANSAS STATE HIGHWAY 12 AND TO ANY EASEMENT OF RECORD.

The Stricker Property (review of vesting deed only):

Part of the South Half (S 1/2) of the Northeast Quarter (NE 1/4) of the Northwest Quarter (NW 1/4) of Section 12, Township 18 North, Range 33 West, Benton

¹ The Springtown Property is the result of a tract split carving off the northwest portion of Benton County Parcel No. 18-13587-000, and no new parcel number has been assigned as of the date of the drafting of this letter.

EXHIBIT
A

FILED

2021 OCT -4 PM 2: 04

County, Arkansas, described as beginning at the SE corner of said South Half (S 1/2) of the Northeast Quarter (NE 1/4) of the Northwest Quarter (NW 1/4); Thence South 89°12'40" west 1327.99 feet; thence North 00°34'18" West 661.67 feet; thence North 89°17'35" East 1182.64 feet; thence South 10°20'37" East 97.89 feet; thence South 15°44'06" East 74.67 feet; thence South 17°40'40" East 166.75 feet; thence South 19°31'38" East 79.48 feet; thence South 24°44'04" East 57.95 feet; thence South 33°11'31" East 18.96 feet; thence South 00°41'21" East 187.48 feet to the point of beginning. Property is subject to the right of way of Highway 12 on the East side.

City Title & Closing LLC confirms that Springtown Properties, LLC is the sole fee simple owner of the Springtown Property and that Roger L. Stricker and Bonita K. Stricker are the sole fee simple owners of the Stricker Property, the same being the subject of the Petition for Annexation to which this letter is attached.

Please do not hesitate to contact me if anything further is needed.

Sincerely,



City Title & Closing LLC
By: Joshua B. Hite

FILED

2021 OCT -4 PM 2:04

BOB BYNARRELL
CO. & DEPUTY CLERK
BENTON COUNTY, AR

James Caldwell Surveyor
609 South Oak Hill Street
Siloam Springs, Arkansas 72761
479-238-4069

Date: September 20, 2021

Mr. Ward Jones, Ward Jones Realty
112 West Tulsa Street
Siloam Springs, AR 72762

Re: Annexation of Property owned by Springtown Properties, LLC, Roger L. Stricker and Bonita K. Stricker, Continuity Certification

Dear Mr. Jones:

With respect to the proposed annexation the property described below as the "Springtown Property"¹ and Benton County Parcel No. 18-13592-000 (the "Stricker Property") into the incorporated city limits of Gentry, Arkansas, I confirm that the properties described below are, when taken together, contiguous to the incorporated limits of Gentry, Arkansas, and that the annexation of the same will not create an enclave:

The Springtown Property:

PART OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER AND PART OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 12, TOWNSHIP 18 NORTH, RANGE 33 WEST, BENTON COUNTY, ARKANSAS. BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT S 87°10'56" E 392.39' FROM THE SE CORNER OF THE SE ¼ OF THE NW ¼ OF SAID SECTION 12; THENCE N 87°10'56" W 728.36'; THENCE N 04°32'49" W 1330.97' TO THE SOUTH LINE OF THE NE/4 OF THE NW/4 OF SAID SECTION 12; THENCE FOLLOWING SAID SOUTH LINE S 87°09'47" E 503.68' TO THE SE CORNER OF THE NE/4 OF THE NW/4 OF SAID SECTION 12; THENCE S 87°34'30" E 224.53'; THENCE S 04°32'47" E 1332.35' TO THE POINT OF BEGINNING AND CONTAINING 22.07 ACRES. PROPERTY IS SUBJECT TO THE RIGHT OF WAY OF THE COUNTY ROAD AND TO THE RIGHT OF WAY OF ARKANSAS STATE HIGHWAY 12 AND TO ANY EASEMENT OF RECORD.

¹ The Springtown Property is the result of a tract split carving off the northwest portion of Benton County Parcel No. 18-13587-000, and no new parcel number has been assigned as of the date of the drafting of this letter.

**EXHIBIT
B**

FILED

2021 OCT -4 PM 2:04

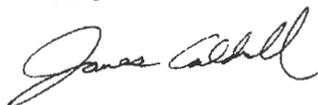
The Stricker Property:

Part of the South Half (S 1/2) of the Northeast Quarter (NE 1/4) of the Northwest Quarter (NW 1/4) of Section 12, Township 18 North, Range 33 West, Benton County, Arkansas, described as beginning at the SE corner of said South Half (S 1/2) of the Northeast Quarter (NE 1/4) of the Northwest Quarter (NW 1/4); Thence along the South line of the said South Half (S/2) of the Northeast Quarter (NE 1/4) of the Northwest Quarter (NW 1/4) South 89°12'40" west 1327.99 feet to the East line of the Northwest Quarter (NW 1/4) of the Northwest Quarter (NW 1/4) of said Section 12; thence along said East line North 00°34'18" West 661.67 feet; thence leaving said East line North 89°17'35" East 1182.64 feet; thence South 10°20'37" East 97.89 feet; thence South 15°44'06" East 74.67 feet; thence South 17°40'40" East 166.75 feet; thence South 19°31'38" East 79.48 feet; thence South 24°44'04" East 57.95 feet; thence South 33°11'31" East 18.96 feet; thence South 00°41'21" East 187.48 feet to the point of beginning. Property is subject to the right of way of Highway 12 on the East side.

HARRELL
CLERK
BENTON COUNTY, AR

Thank you for your time and attention to this matter, and please do not hesitate to contact me if you have any questions.

Sincerely,



James Caldwell, PS#1310 Arkansas

FILED

Exhibit C – Schedule of Services to be Extended

2021 OCT -4 PM 2:05

Within three (3) years of the date the annexation becomes final, the City of Gentry will extend the following services to the property identified in this Petition. This list is not intended to be exhaustive, and additional services may be extended in the event the city so-elects:

DELOREAN DARRRELL
COUNTY CLERK
REYNOLDS COUNTY, AR

- 1) Police protection; and
- 2) Fire protection.

**EXHIBIT
C**

FILED

2021 OCT -4 PM 2: 05

DELODY HARRELL
CO. CLERK
PULASKI COUNTY, AR

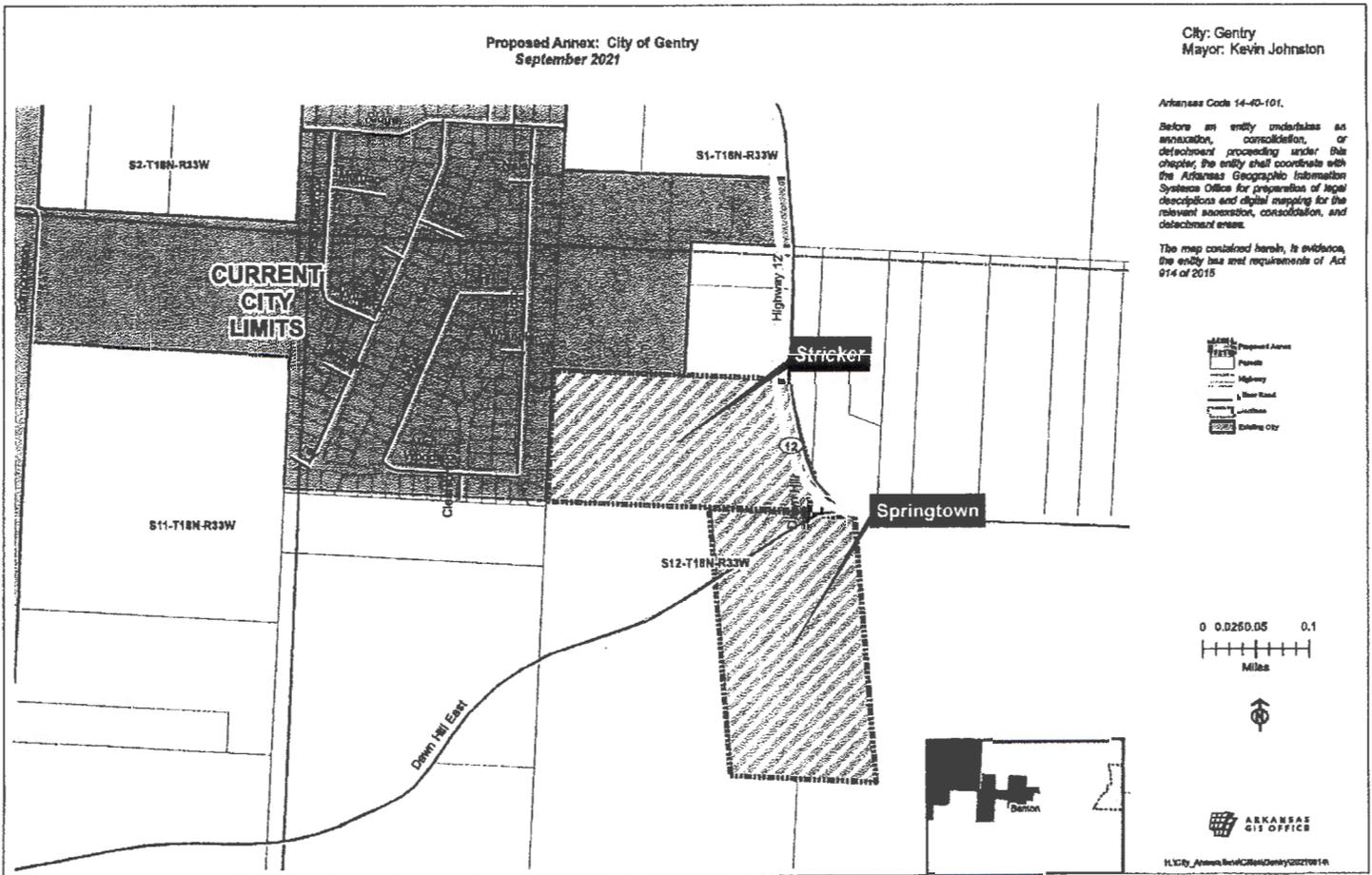


EXHIBIT
D



Department of Transformation and Shared Services

Governor Asa Hutchinson
2021 Secretary Amy Facher
Director Shelby Johnson

FILED
2021 SEP 14 AM 2:05
BETTY HARRELL
CO. & PROBATE CLERK
BENTON COUNTY, AR

September 14, 2021

Mr. Kyle Unser
Kutak Rock LLP
5111 W. J.B. Hunt Drive, Ste 300
Rogers, AR 72758

RE: City of Gentry Annexation Coordination Requirement

Mr. Unser,

Thank you for coordinating with our office as you seek to annex property into the City of Gentry, AR located in Section 12, Township 18 North, Range 33 West. This letter represents confirmation that you have coordinated with our office (Arkansas GIS Office) as specified in § 14-40-101 (Act 914 of 2015) of the 90th General Assembly.

Our office will wait completion of any additional steps necessary for the proposed boundary change, which normally comes from the Arkansas Secretary of State Elections Division after any appropriate filing by your County Clerk.

Sincerely,

Jennifer Wheeler, Sr. GIS Analyst

Attachments:
GIS Office Map of Proposed Annexation
Legal Description
Secretary of State Municipal Change Checklist

H:\City_Annexations\Cities\Gentry\20210914\Doc\20210914_Gentry_Annexation_Coordination_Letter.docx

EXHIBIT
E

FILED

2021 OCT -4 PM 2:05

DEBBY HARRELL
GOVERNMENT CLERK
BERNARD COUNTY, AR

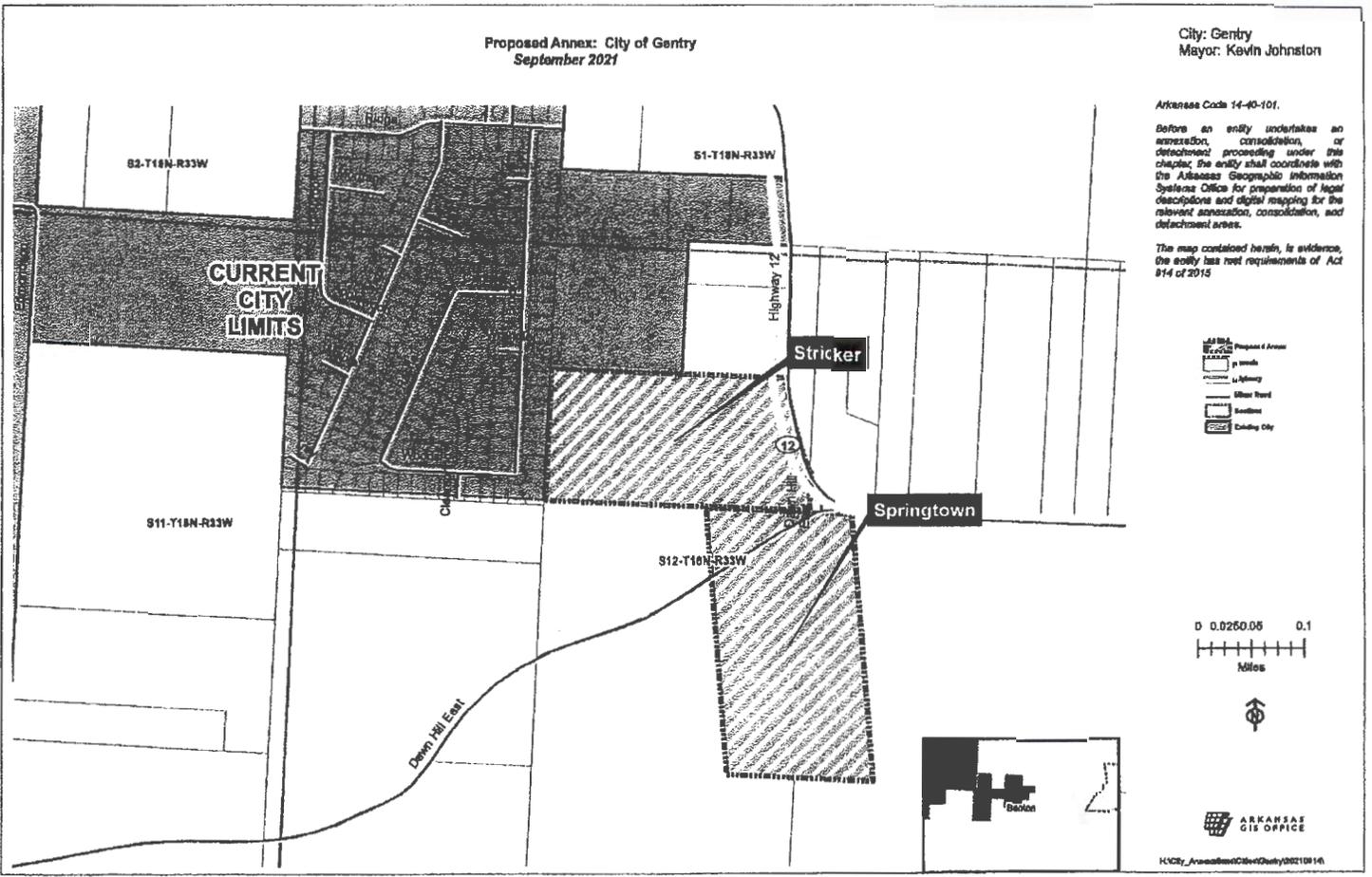
Proposed Annex: City of Gentry
September 2021

City: Gentry
Mayor: Kevin Johnston

Arkansas Code 14-40-101.

Before an entity undertakes an annexation, consolidation, or detachment proceeding under this chapter, the entity shall coordinate with the Arkansas Geographic Information Systems Office for preparation of legal descriptions and digital mapping for the relevant annexation, consolidation, and detachment areas.

The map contained herein, in evidence, the entity has met requirements of Act 914 of 2015



FILED

2021 OCT -4 PM 2:05

The Springtown Property:

PART OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER AND PART OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 12, TOWNSHIP 18 NORTH, RANGE 33 WEST, BENTON COUNTY, ARKANSAS. BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

DEBRA HARRIS
CLERK
BENTON COUNTY, AR

BEGINNING AT A POINT S 87°10'56" E 392.39' FROM THE SE CORNER OF THE SE ¼ OF THE NW ¼ OF SAID SECTION 12; THENCE N 87°10'56" W 728.36'; THENCE N 04°32'49" W 1330.97'; THENCE S 87°09'47" E 503.68'; THENCE S 87°34'30" E 224.53'; THENCE S 04°32'47" E 1332.35' TO THE POINT OF BEGINNING AND CONTAINING 22.07 ACRES. PROPERTY IS SUBJECT TO THE RIGHT OF WAY OF THE COUNTY ROAD AND TO THE RIGHT OF WAY OF ARKANSAS STATE HIGHWAY 12 AND TO ANY EASEMENT OF RECORD.

The Stricker Property:

Part of the South Half (S 1/2) of the Northeast Quarter (NE 1/4) of the Northwest Quarter (NW 1/4) of Section 12, Township 18 North, Range 33 West, Benton County, Arkansas, described as beginning at the SE corner of said South Half (S 1/2) of the Northeast Quarter (NE 1/4) of the Northwest Quarter (NW 1/4); Thence South 89°12'40" west 1327.99 feet; thence North 00°34'18" West 661.67 feet; thence North 89°17'35" East 1182.64 feet; thence South 10°20'37" East 97.89 feet; thence South 15°44'06" East 74.67 feet; thence South 17°40'40" East 166.75 feet; thence South 19°31'38" East 79.48 feet; thence South 24°44'04" East 57.95 feet; thence South 33°11'31" East 18.96 feet; thence South 00°41'21" East 187.48 feet to the point of beginning. Property is subject to the right of way of Highway 12 on the East side.

FILED

2021 OCT -4 PM 2: 05

Municipal Annexation, Detachment, and Incorporation Reference

BETSY BARRELL
CO. CLERK
SEMI-COUNTY, AR

- Annexation of Territories Contiguous to County Seat A.C.A §14-40-201
- Annexation of Territories in another Judicial District (multiple county seats) A.C.A. §14-40-202
 - Annexation of City Park or Airport (automatic) A.C.A §14-40-204
- Annexation of building on boundary of two municipalities (written notice) A.C.A. §14-40-207
 - Annexation by Election (contiguous land) A.C.A. §14-40-302
 - Annexation of land in adjoining County A.C.A §14-40-401
- Annexation of surrounded unincorporated area (island/doughnut holes) by ordinance A.C.A. §14-40-501
 - Annexation by Petition of majority of Landowners A.C.A. §14-40-602
 - Annexation by Petition of all Landowners A.C.A §14-40-609
- Consolidation of two municipalities by Election A.C.A §14-40-1201
- Annexation with Detachment from another municipality at landowner request A.C.A §14-40-2001
- Annexation with Detachment from adjoining city at city request A.C.A §14-40-2101
 - Detachment of Land annexed by petition under §14-40-601 A.C.A §14-40-608
 - Detachment of municipal lands back to County by election A.C.A. §14-40-1801
 - Detachment of unsuitable land by municipal resolution A.C.A §14-40-1901
 - Incorporation by direct petition of landowners A.C.A §14-38-101
 - Incorporation by petition for special election A.C.A §14-38-115
- Surrender of Charter (Disincorporation) by second class city A.C.A §14-39-101

AFFIDAVIT OF PUBLICATION

I, Brittany Smith, solemnly swear that I am the Accounting Legal Clerk
for the Northwest Arkansas Newspapers, LLC, and I do solemnly swear that
the attached advertisement:

City of Gentry
Public Hearing

was published in the following weekly paper(s):

- Bella Vista Weekly Vista
- Pea Ridge Times
- Siloam Springs Herald Leader
- Siloam Sunday (Section of Arkansas Democrat Gazette)
- Westside Eagle Observer

Of general and bona fide circulation in Benton County, Arkansas

Date(s) of Publication: October 6, 2021

Publication Charges: \$36.72

Brittany Smith
Brittany Smith

Subscribed and sworn to before me
This 6 day of Oct, 2021.

Cathy Wiles
Notary Public
My Commission Expires: 2/20/24

Cathy Wiles
Benton COUNTY
NOTARY PUBLIC - ARKANSAS
My Commission Expires 02-20-2024
Commission No. 12397118

****NOTE****
Please do not pay from Affidavit.
Invoice will be sent.

Public Notice
You are hereby notified that a public hearing will be held before the Gentry Planning & Zoning Appeals Board on October 21, 2021, at 7:00 p.m. at the Gentry Council Chambers, located at 112 E Main Street, Gentry, AR 72734. This hearing is to review a special use permit requested by Logan Vang, parcel #10-00514-000, located at 634 N Gentry Blvd.
For those unable to attend the meeting, you may phone 479-736-2555 ex. 103 with comments. Written comments may be submitted to the City of Gentry, 101 W. Main Street, Gentry, AR 72734.
October 21, 2021
75471268 Oct 6, 2021

CITY OF GENTRY
101 W. MAIN ST., GENTRY, AR 72734
Residential Building Permit Application
Phone: 479-736-2555 Inspection Phone: 479-212-0632

Site Address: 634 N Gentry Blvd

Lot: _____ Block: _____ #of Units: _____ # of Stories: _____

Single Family: Duplex: Multi-Family:

Additions: Garage: Barn: (Attached) Carport: Patio Cover: Sunroom: Storage: Other: _____

Alterations: Renovations: Repairs: Remodels: Other: _____

Accessory Structure: Storm Shelter: Carport: Deck: Fence: Gazebo: Green House: Other: _____

Property Owner Information

Property Owner Name: <u>Logan Vang</u>	<u>Bao Vu</u>
Address: _____	_____
Phone: <u>479-233-9747</u>	<u>612-963-5136</u>
Email: _____	<u>DVU12330@gmail.com</u>

Contractors Information

Contractors Name: <u>Derksen Portable Buildings</u>	_____
Mailing Address: _____	_____
Physical Address: _____	_____
Office Phone: <u>270-804-7950</u>	Cell Phone: _____
Email: _____	_____
Contact Person: _____	Contact Phone: _____

Structure Information

New: Heated SQ Feet: _____	Garage: _____	Total SQ Feet: <u>478</u>
Other: _____	Approximate Construction Cost: _____	_____
Existing: Heated SQ Feet: _____	Garage: _____	Total SQ Feet: _____
Other: _____	Approximate Construction Cost: _____	_____

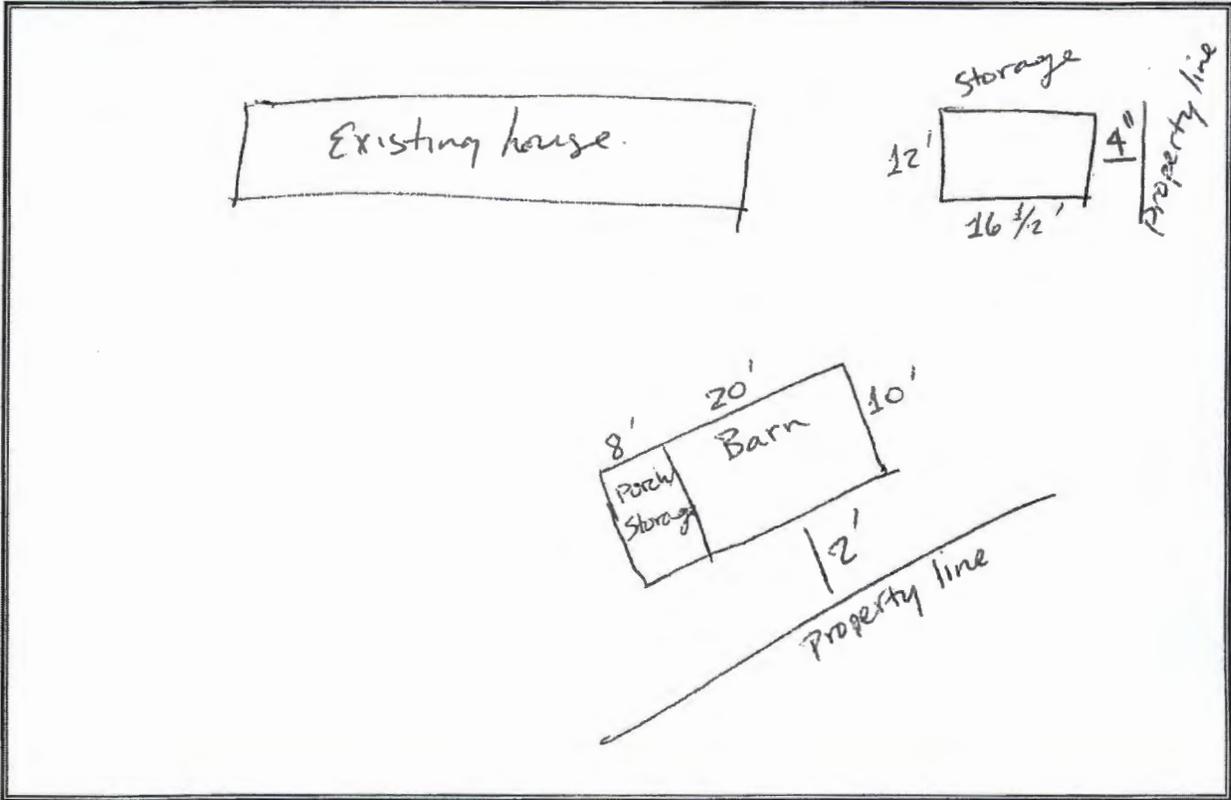
Subcontractor's List

Plumber: _____	License: _____	Phone: _____
Electrician: _____	License: _____	Phone: _____
Heating & Air-conditioning: _____	License: _____	Phone: _____

For Office Use Only

Setbacks: _____	Approval Date: _____	Zoning: _____	Subdivision: _____
Flood Plain: <input type="checkbox"/> YES <input type="checkbox"/> NO	_____	_____	_____
Building Inspector: _____	Date: _____	_____	_____
Mayor: _____	Date: _____	_____	_____
Permit: _____	Receipt: _____	Total: \$ _____	Date Denied: _____ Date Issued: _____

Use this box as a replica of your building lot, show location, size and number of feet from the property lines on new construction.



Additional Notes: _____

I (We), hereby certify that no part of this work has been started, and I (we), assume full responsibility for compliance with all City building, plumbing, electric, mechanical and sanitary requirements. It is understood and agreed by this applicant that any error, misstatement, or misrepresentation of material fact, or expression of material fact, either with or without intention on the part of this applicant, such as might, or would operate to cause a refusal of this application, or any material alteration or change in the accompanying plans, specifications, or structure made subsequent to the issuance of a Permit in accordance with this application without the approval of the Building Inspector, shall constitute sufficient ground for revocation of such Permit.

Date of Application: 9/21/21 Date Construction is to Begin: _____

Signature of Applicant:  contractor: owner:



APPLICATION FOR PRIVILEGE LICENSE

CURRENT INFORMATION:

BUSINESS NAME: Applecreech Place
OWNER'S NAME: Deborah Stripling
BUSINESS LOCATION: 12758 S. Hwy 59
MAILING ADDRESS: P.O. Box 924
TAX ID NUMBER: EIN 85-1357052
85-1357052

PLEASE NOTE CHANGES: _____

\$25
Amount Due

Ric.deb14@gmail.com
Owner(s) Business Email

479-899-1192
Owner(s) Telephone Number

Website

Deborah Stripling
Owner or Authorized Signature

Deborah Stripling
Owner or Authorized Name- Printed

Number of Employees Full-Time

AIRB&B
Type of Business

Number of Employees Part-Time

Date Business Started

No longer in business, please remove from mailing list.

Home Occupation, additional forms attached.

Application and payments may be mailed to:

City of Gentry
Attn: Occupational License
101 W. Main Street
Gentry, AR 72734

CITY OFFICE USE ONLY

IF IN RESIDENTIAL ZONE – HOME OCCUPATION PERMIT APPROVED: _____

RECEIPT # _____

OCCUPATION LICENSE # 2021 - _____

CASH _____ CHECK # _____

APPROVED BY: _____

DATE: _____

take one of three actions: approve the SP request as recommended by the Planning Commission; approve the SP request with amendment(s); or deny the SP request.

4. Procedures for amending a Specific Plan parcel or tract.

Changes to a parcel or tract rezoned pursuant to a Specific Plan should occur within the framework of the Specific Plan. If, at any time, any individual, organization, business, and/or City department find it necessary or desirable to amend the approved Specific Plan, a plan modification may be requested. Such request shall be made in writing to the Planning Commission, which will determine whether the requested modification meets the criteria of a minor modification or major modification. All modifications must be consistent with the intent of this ordinance.

- a. **Minor Modifications.** Minor modifications may be granted on vote of the Planning Commission and do not require notice, hearing or Council approval. For a requested modification to be classified as minor, the modification must alter one or more provisions of the Specific Plan and must not: expand the types of land uses specifically allowed in the approved Specific Plan; change the character, function, or number of streets approved in the Specific Plan; create any foreseeable significant increase in traffic volume or result in any foreseeable negative impacts on traffic flow; or create any significant change to the nature or character of the approved Specific Plan.
- b. **Major Modifications.** Major modifications may be tentatively approved by the Planning Commission, with the further requirement of Council approval by Ordinance. A modification that would result in any of the following will be deemed major: expansion of the types of land uses specifically allowed in the approved Specific Plan; change in the character, function, or number of streets approved in the Specific Plan; foreseeable significant increase in traffic volume or foreseeable negative impacts on traffic flow; or any significant change to the nature or character of the approved Specific Plan. Additionally, the Planning Commission may elect to follow the method for major modification approval for any modification of any lesser magnitude, particularly if such modification is deemed to be in the public interest.
- c. Prior to the Planning Commission's review of the SP district modification request, sufficient notice of a public hearing for rezoning shall be furnished in accordance with state law and per the public hearing procedure outlined in the City of Gentry City Code for a change in zoning. After reviewing the major modification request, the Planning Commission may grant the request, which will then be presented to the City Council for final approval. If the Planning Commission denies the major modification request, the applicant may appeal the decision to the City Council by submitting a notice of appeal to the Gentry Director of Finance no more than thirty (30) days from the date of the Planning Commission's decision. The appeal shall be placed on the agenda of the next scheduled meeting of the City Council. The City Council's decision on the appeal issue is final. Minor and major modifications shall be considered unique and shall not set precedent for other SP districts or developments.
- d. **Changes to the Specific Plan Document.** The text and any affected maps, diagrams, and/or images contained within the Specific Plan document shall be amended to reflect any

Jenny Trout

From: Joel Kurtz
Sent: Tuesday, October 19, 2021 9:06 PM
To: Jenny Trout
Subject: FW: Request from Gentry Planning Commission

From: Ron Homeyer <Ronce@centurytel.net>
Sent: Tuesday, October 19, 2021 3:09 PM
To: Joel Kurtz <joel@williamslawfirm.net>
Cc: 'Mike Parks' <mike.parks@MEEKlumber.com>; 'Mark Smithson' <mark.smithson@cityofgentry.com>
Subject: RE: Request from Gentry Planning Commission

I have looked over the Main Street Village Subdivision preliminary plat and drainage report. The storm sewer system design of the onsite improvements looks good for this project. The project engineer's recommendation to not provide a detention basin is something I can support based upon the information provided in the drainage report. When a property lies at the middle or lower end of a large drainage basin like this one, often the construction of a detention basin will either offer no reduction in the peak flow event or increase the peak flow rate in all storm events. This project lies at the point where the peak storm water runoff is not changed one way or the other by the construction of a detention basin.

Let me know if you have any questions or need any additional information. Have a great day.

Ron Homeyer
President, Civil Engineering, Inc.
701 S Mt Olive St, PO Box 12
Siloam Springs, AR 72761-0012
(479) 524-9956
ron@civilengineeringss.com
www.civilengineeringinc.com

From: Joel Kurtz <joel@williamslawfirm.net>
Sent: Tuesday, September 28, 2021 3:17 PM
To: ronce@centurytel.net
Cc: Mike Parks <mike.parks@MEEKlumber.com>; Mark Smithson <mark.smithson@cityofgentry.com>
Subject: Request from Gentry Planning Commission

Ron,

The Gentry Planning Commission was wondering if you would be willing to look over the attached drainage report and share your thoughts on it with them, either in an informal report addressed to Mike Parks, Planning Commission Chair, or in person at the October planning commission meeting (or both). The Commission is concerned about the possibility of worsening the existing drainage situation at the corner of E. Main and Robin Rd, and not being drainage experts, they wanted additional explanation and information from an knowledgeable, independent source.

We're not asking you to independently verify the conclusions of the drafting engineers or do the report over again. The Commission just would like your thoughts on the proposed plan. Does it generally make sense? Are there any concerns or questions that you see that should be addressed? That sort of thing.

If you would be willing to take a look, I know the Commission would appreciate it. You can forward your invoice to Tonya Carney at City Hall.

Let me know if you have any additional questions.

Thanks,

Joel Kurtz | City Attorney | City of Gentry | 100 West Main Street, Gentry, AR 72734 | Office: 479.736.8800 | Fax: 479.736.3170 | joel@williamslawfirm.net