



# ANNEXATION GUIDELINES & PROCEDURES

## City of Conway, Arkansas - Planning & Development

1201 Oak Street • Conway, AR • 72032 • 501-450-6105 • [planning@cityofconway.org](mailto:planning@cityofconway.org)

***Established through state statute A.C.A § 14-38-101—108 and 14-38-114—116 and City of Conway Ordinance #O-99-95.***

All areas to be annexed must be contiguous to and adjoin lands which are included within the City of Conway, Arkansas.

### **Procedure [1] - Voluntary Annexation (including non-voluntary owners)**

A.C.A. § 14-40-601 (a) *“When a majority of the real estate owners of any part of a county contiguous to and joining any city or incorporated town desires to be annexed to the city or town, they may apply by attested petition in writing to the county court of the county in which the city or town is situated...”*

A.C.A. § 14-40-601 (b) *“The “majority of real estate owners” referred to in this section means a majority of the total number of real estate owners in the area affected if the majority of the total numbers of owners own more than one-half (1/2) of the acreage affected.”*

1. The applicant shall file an attested petition with the County Court.
2. Upon filing, the Clerk shall set a public hearing date for the petition which shall not be less than thirty (30) days after the filing of the petition.
3. Following the filing of the petition, the applicant must place a notice of public hearing in the Log Cabin Democrat appearing one (1) time per week for three (3) consecutive weeks.
4. Once approved at the hearing, the County Court issues an order granting the petition and releasing the property to be considered for annexation by the City.

**OR**

### **Procedure [2] - 100% Petition Annexation**

A.C.A. § 14-40-609 (b)(1) *“Individuals who own property in a county that is contiguous to a city or town may petition the governing body of the city or town to annex the property that is contiguous to the city or town.”*

1. The applicant must submit a petition, in writing, to the County and it shall include:
  - a. A notarized statement by the property owner(s) confirming the desire to be annexed;
  - b. An accurate legal description of the subject property;
  - c. A letter/title opinion from a certified abstractor/title company verifying the petitioners are all owners of record of the subject property;
  - d. A letter/verification from a certified surveyor or engineering verifying that the subject property is contiguous with the City of Conway boundary and that no enclaves/islands will be created if the subject property is accepted;
  - e. A schedule of services of the City of Conway which will be extended to the area within three (3) years after the date the annexation becomes final.
2. The complete petition shall be filed with County Assessor and the County Clerk.
  - a. Within fifteen (15) days of filing, the Faulkner County Assessor and Faulkner County Clerk shall verify that the petition meets the requirements and submit the petition to the County Judge for review;
  - b. Within fifteen (15) days of receipt, the County Judge shall review the petition and if all requirements are met, issue an order and forward the petition and order to the City of Conway.

**For the convenience of the applicant, the City has followed the custom of allowing the applicant to submit the request for annexation to the City prior to completing the process with the County.**

1. At the time the applicant submits the petition to the County, he may also submit the application requesting annexation to the Planning & Development department no less than seventeen (17) days prior to the next regularly scheduled Planning Commission meeting (refer to attached schedule of meeting dates and submission deadlines).
2. The following items must be submitted:
  - A. A copy of the application requesting annexation
  - B. A non-refundable filing fee of \$325.00
  - C. A copy of the plat of the proposed annexation
    - 1) No property will be annexed before all current configurations of parcels within the area have been identified. Upon annexation, only those parcels that are in compliance with the Subdivision Ordinance of the City of Conway shall be eligible for the issuance of building permits
    - 2) In order to ascertain the configuration of existing parcels of property, all applications for annexation will include a map of the area, drawn to scale showing the parcels and their ownership. The map will include:
      - a. All subdivisions that have been approved by the Conway Planning Commission
      - b. All subdivisions that were properly filed prior to the creation of the Planning Commission
      - c. Any subdivisions that were created before the area was under the jurisdiction of the Conway Planning Commission
  - D. For parcels that are not part of a legal subdivision, copies of deeds dated prior to July 1, 1986 showing the parcel in its current configuration must be submitted. If no deeds are available, parcels must be created through a legal subdivision or it must be established through deeds that the parcel was created at a time when it was not within the territorial jurisdiction of the City of Conway or those parcels will not be eligible for the issuance of building permits
  - E. The legal description of the property proposed for annexation
3. The Planning Commission reviews the request for annexation and, if approved, makes a recommendation to the City Council that the property be accepted for annexation.
4. The City Council, if appropriate, adopts the ordinance annexing the property. If the order, by the County Court, granting the petition, is not available by the time the request for annexation is heard by the City Council, the City Council will, if appropriate, pass a resolution indicating the intent of the City to accept and annex the property when it is released by the County.
5. The ordinance accepting and annexing the property must be published one (1) time in the *Log Cabin Democrat*. The applicant will be billed by the City Clerk for the cost of the publication.
6. **STREETS** - No property will be annexed to the City of Conway before it has been established in the annexing ordinance which portions of which streets within the property will be accepted as public streets for maintenance and which streets will be recognized as public streets for the sole purpose of allowing the issuance of building permits. No section of a street will be accepted for public maintenance unless the appropriate right-of-way, based on the Master Street Plan, has been dedicated by the abutting property owners.

All annexed areas will be assigned an address that is in accordance with the City of Conway addressing system. 2-digit County addresses will be changed to 4-digit City addresses.

*Note: This is not an exhaustive guideline regarding annexations. Appropriate state statutes, county and city ordinances, and resolutions will provide additional information.*

## **Checklist of Items for Annexation Application**

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- Application for Annexation** - filed with the Planning & Development Department no later than seventeen (17) days prior to the public hearing.
- Filing fee of \$325** - paid at the Planning & Development department no later than seventeen (17) days prior to the public hearing. Make checks payable to City of Conway.
- Plat of property annexation** - filed with the Planning & Development Department no later than seventeen (17) days prior to the public hearing.
- Legal description of the property to be annexed** - filed with the Planning & Development Department no later than seventeen (17) days prior to the public hearing.
- Identification of parcels** - filed with the Planning & Development Department no later than seventeen (17) days prior to the public hearing. Refer to 'Procedure' items 5.3 and 5.4.
- Copy of the Order [from the County Court] granting the petition** - Must be filed with the Planning and Development by eight (8) days prior to the date of City Council Meeting at which the ordinance will be considered.

# APPLICATION REQUESTING ANNEXATION

## Conway Planning Commission • City of Conway, Arkansas

\_\_\_\_\_ hereby petitions the City of Conway, Arkansas for annexation  
name of applicant  
of the following lands into the City of Conway.

[enter legal description]

and requests the property to be zoned \_\_\_\_\_ upon annexation.  
desired zoning classification

### All petitioners must sign

Name \_\_\_\_\_

Address \_\_\_\_\_

City, State, Zip \_\_\_\_\_

Signature \_\_\_\_\_

**Sample Petition for Annexation to be submitted, typewritten, to the County Court of Faulkner County, Arkansas with all required supporting documents outlined in Procedure [1] or Procedure [2] as applicable.**

(Printed name of Petitioner) \_\_\_\_\_

No. \_\_\_\_\_

**PETITION OF ANNEXATION**

\_\_\_\_\_ for its petition for annexation of certain lands into the City  
printed name of petitioner

of Conway, Arkansas, states:

1. Petitioner is the owner of all following described lands in Faulkner County, Arkansas:  
**[enter legal description for all property to be annexed]**
2. Said lands are contiguous to and adjoin lands which are included within the city limits of the City of Conway, Arkansas; said lands are adaptable for residential purposes; an accurate map of said lands is attached to this petition; the limits of the territory to be annexed have been accurately described herein; all other requirements of the law for the annexation of said lands into the City of Conway, Arkansas, have been met; and said lands should be annexed unto the City of Conway, Arkansas, and become part thereof.

WHEREFORE, Petitioner prays that this Court enter its order abandoning unto the City of Conway, Arkansas, for annexation, the aforesaid lands.

**All petitioners must sign**

Petitioner \_\_\_\_\_

Address \_\_\_\_\_

City, State, Zip \_\_\_\_\_

Signature: \_\_\_\_\_

State of Arkansas, County of \_\_\_\_\_

Subscribed and sworn to before me on this- \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_ by

\_\_\_\_\_ (petitioner).

Signature of Notary Public \_\_\_\_\_

My commission expires: \_\_\_\_\_

[Seal of Office]

***For additional petitioners, as needed***

Petitioner #2 \_\_\_\_\_

Address \_\_\_\_\_

City, State, Zip \_\_\_\_\_

Signature: \_\_\_\_\_

State of Arkansas, County of \_\_\_\_\_

Subscribed and sworn to before me on this- \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_ by

\_\_\_\_\_ (petitioner #2).

Signature of Notary Public \_\_\_\_\_

My commission expires: \_\_\_\_\_

[Seal of Office]

Petitioner #3 \_\_\_\_\_

Address \_\_\_\_\_

City, State, Zip \_\_\_\_\_

Signature: \_\_\_\_\_

State of Arkansas, County of \_\_\_\_\_

Subscribed and sworn to before me on this- \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_ by

\_\_\_\_\_ (petitioner #3).

Signature of Notary Public \_\_\_\_\_

My commission expires: \_\_\_\_\_

[Seal of Office]

**NOTICE OF PUBLIC HEARING (required by Faulkner County for Procedure [1] - Voluntary Annexation)**

The following information is to be included in the newspaper publications.

All owners of real property within the following described territory in Faulkner County, Arkansas are hereby notified that a petition has been filed with the County Judge of Faulkner County, Arkansas purporting to be signed by

\_\_\_\_\_. As owner(s) of real estate within said territory, which petition  
printed name of petitioner

states that the territory is contiguous to the City of Conway and prays that the territory to be annexed to the City of Conway:

**[insert property legal description]**

All owners of real property within said territory are advised that a hearing will be held on said petition by the County Judge, 801 Locust Street, at the hour of \_\_\_\_\_ on \_\_\_\_\_, and that at said meeting, said  
time date  
County Judge will determine whether those signing the same constitute a majority of the real estate owners within said territory and, at said meeting, all owners of real property within said territory who desire will be heard upon the questions.

Margaret Darter  
Faulkner County Clerk

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**This notice must appear in the legal notices section of the Log Cabin Democrat  
One (1) time per week for three (3) consecutive weeks prior to the County public hearing.**

**The deadline for legal notices is 12:00pm, 2 days prior to publication.**

The deadline for Sunday and Monday publications is noon Friday.

Legal notices must be submitted in a copy/paste format (Microsoft Word doc., RTF file, etc.)

**by email only to [legals@thecabin.net](mailto:legals@thecabin.net).**

For further information regarding publication requirements please contact the *Log Cabin Democrat* at 501-327-6621.



**2019  
CONWAY PLANNING COMMISSION  
SCHEDULED MEETING DATES**

<b><u>MONTH</u></b>	<b><u>MEETING DATE</u></b>	<b><u>SUBMISSION DEADLINE</u></b>
January	<i>Wednesday, January 23<sup>1</sup></i>	Friday, January 4
February	<i>Tuesday, February 19<sup>2</sup></i>	Friday, February 1
March	Monday, March 18	Friday, March 1
April	Monday, April 15	Friday, March 29
May	Monday, May 20	<i>Thursday, May 23<sup>3</sup></i>
June	Monday, June 17	Friday, May 31
July	Monday, July 15	Friday, June 28
August	Monday, August 19	Friday, August 2
September	Monday, September 16	Friday, August 30
October	Monday, October 21	Friday, October 4
November	Monday, November 18	Friday, November 1
December	Monday, December 16	<i>Tuesday, November 26<sup>4</sup></i>

Conway Planning Commission meetings begin at 7:00 pm in the Russell L. "Jack" Roberts District Court Building located at 810 Parkway Avenue, Conway, Arkansas.

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<sup>1</sup> Meeting moved due to Martin Luther King, Jr. Day observance

<sup>2</sup> Meeting moved due to Presidents' Day Observance

<sup>3</sup> Deadline moved as City Hall will be closed Friday, May 3

<sup>4</sup> Deadline moved due to Thanksgiving holiday





City of Conway – Office of the Mayor  
 2019 City Council Meeting  
 &  
 Deadline Dates

All requests for placement on the Conway City Council Agenda, **along with all written backup materials, must be in the Mayor's Office no later than 12:00pm** (noon) seven (7) days prior to the meeting.

All documents & information should be submitted electronically, including ordinances, resolutions, letters, etc. to Felicia Rogers @ [felicia.rogers@cityofconway.org](mailto:felicia.rogers@cityofconway.org).

<u>Meeting Date</u>	<u>Deadline</u>	<u>Meeting Date</u>	<u>Deadline</u>
January 8	Noon, January 2*	July 9	Noon, July 2
January 22	Noon, January 15	July 23	Noon, July 16
February 12	Noon, February 5	August 13	Noon, August 6
February 26	Noon, February 19	August 27	Noon, August 20
March 12	Noon, March 5	September 10	Noon, September 3
March 26	Noon, March 19	September 24	Noon, September 17
April 9	Noon, April 2	October 8	Noon, October 1
April 23	Noon, April 16	October 22	Noon, October 15
May 14	Noon, May 7	November 12	Noon, November 5
May 28	Noon, May 21	November 26	Noon, November 19
June 11	Noon, June 4	December 10	Noon, December 3
June 25	Noon, June 18	<b>December 24*</b>	

\*December 24 – Date will be change due to the Christmas holiday.  
 \*Deadline is extended due to holiday

City Council Committee meetings start at 5:30pm / City Council Meetings start at 6:30pm  
 District Court, 810 Parkway Street, Conway, AR 72032  
 All meeting dates are subject to change

If you have any questions, please contact Felicia Rogers @ [felicia.rogers@cityofconway.org](mailto:felicia.rogers@cityofconway.org) or by phone @ 450-6110  
[www.cityofconway.org](http://www.cityofconway.org)