

CITY OF CONWAY, ARKANSAS

ANNEXATION PROCEDURES

Established through state statutes and Conway City Ordinance No. 0-99-95.

This handout is available as a Word and PDF document at the Conway Planning & Development Department's website: www.conwayplanning.org

The City of Conway has typically annexed land through the petition process. This process, through state statute, requires submission of a petition signed by more than half of the property owners and by owners of more than half the land area. This area must be adjoining the city.

1. The petition must be submitted to the County Court.
2. The Court sets a hearing date.
3. The petitioner(s) must place a notice of public hearing classified advertisement in the Log Cabin Democrat once a week for 3 consecutive weeks.
4. The Court holds the hearing, and if appropriate, releases the area to the city.
5. The petition is brought to the City. The following items must be submitted:
 - A) A copy of the petition requesting annexation
 - B) A copy of the plat of the proposed annexation.
 - i) No property will be annexed before all current configurations of parcels of property 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.
 - ii) 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
 - C) 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.
 - D) A copy of the legal description of the proposed annexation.
 - E) A copy of the order of the County Court releasing the proposed annexation.
6. If the Planning Commission has not reviewed the proposed annexation, they review it at this point. In order to be placed on the Planning Commission agenda, the request must be submitted not less than 17 days prior to the meeting and the filing fee paid. (See enclosed list for meeting and submission dates) The filing fee for any request for annexation to the City of Conway shall be three hundred twenty-five dollars (\$325.00), no part of which shall be refundable.
7. The City Council, if appropriate, adopts the ordinance annexing the area.
8. The final ordinance must be published in the Log Cabin Democrat. The City Clerk will bill the petitioner for the publication fee.
9. **STREETS** – No property will be annexed to the City of Conway before it has been established in the annexing ordinance which portions of which existing streets within that 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.

For the convenience of the petitioners, the City has followed the custom of allowing the petitioners to bring the proposed annexation to City Council prior to filing it with the County.

1. The Planning Commission reviews the proposed annexation and makes a recommendation to the City Council. To be placed on the agenda, the procedures in numbers 5 A), B), C), and 6 above must be followed and a copy of the resolution.
2. If appropriate, the City Council passes a resolution agreeing to annex the area if the County releases it. The petitioner is responsible for submitting any other supporting documents (such as plats or descriptions) as requested by the Planning Commission and / or City Council.

All items brought before the City Planning Commission must be submitted no later than **17 days prior to the meeting**. (See attached copy of the Planning Commission scheduled meetings.) A meeting is held each month at 7:00 p.m. in the District Court Building at 810 Parkway.

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

It should be noted that this is not an exhaustive guideline regarding annexations. Appropriate state statutes and county and city ordinances and resolutions will provide additional information.

Checklist of Items for an Annexation Request

- ❑ **Petition for Annexation** – Filed with the Planning & Development Department no later than 17 days prior to the public hearing.
- ❑ **Filing Fee of \$325** – Paid at the Planning & Development Department no later than 17 days prior to the public hearing.
- ❑ **Plat of the Proposed Annexation** – Filed with the Planning & Development Department no later than 17 days prior to the public hearing.
- ❑ **Legal Description of the Proposed Annexation Area** – Filed with the Planning & Development Department no later than 17 days prior to the public hearing.
- ❑ **Identification** of parcels through subdivision and or deeds.
- ❑ **A copy of the order of the County Court releasing the proposed annexation** – May be filed with the Conway Mayor's Office after the County has actually released the property.
- ❑ **Planning Commission bylaws require a representative be present at the Planning Commission meeting for each request. If no representative is present, the request will be held in committee.**

Notice of Public Hearing - Required by Faulkner County

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 **(name(s))** _____

As owner(s) of real estate within said territory, which petition states that the territory is contiguous to the City of Conway and prays that the territory be annexed to the City of Conway:

(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 at the hour of **(time)** _____ on the **(date)** _____, and that at said meeting, said 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.

Melinda Reynolds
Faulkner County Clerk

This notice is to be run in the legal notice section of the Log Cabin Democrat for once a week for 3 consecutive weeks.

Deadline for Legal Notices

The deadline for the legal notices is 2 pm two business days before publication. Legals that are longer than two typewritten pages of 8 1/2" x 14" double-spaced material will require an extra day for preparation. Legals may be e-mailed to legals@thecabin.net or faxed to 501-327-6787 or dropped off at the office at 1058 Front Street. Questions concerning the Log Cabin Democrat's procedures should be directed to:

Legals
Log Cabin Democrat
1058 Front Street
PO Box 969
Conway, AR 72032
501-327-2727

(Sample Petition for **Annexation to the City of Conway**.
Final copy should be typewritten or equivalent.)

Petition For Annexation

(name of petitioner(s)) _____ hereby petitions the City of Conway, Arkansas
for annexation of the following lands into the City of Conway:

(Enter legal description here.)

And requests the property to be zoned **(Enter desired zoning)** _____ upon
annexation

(signature) _____
(name)

<p>Note: All petitioners must sign</p>

(name) _____
(address) _____
(City, State, Zip) _____

BY: _____
(name)

(Sample Petition for **Annexation to be submitted to the County Court of Faulkner County, Arkansas**. Final copy should be typewritten or equivalent.)

(name) _____

NO. 01 - _____

Petition For Annexation

(name) _____ for its petition for the annexation of certain lands unto the City of Conway, Arkansas, states:

1. Petitioner is the owner of the following described lands in Faulkner County, Arkansas:

(Enter Legal Description)

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 a part thereof.

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

Note: All petitioners must sign

(name) _____

(address) _____

(City, State, Zip) _____

BY: _____

(name)

2012

CONWAY PLANNING COMMISSION SCHEDULED MEETING DATES

MONTH	MEETING DATE	SUBMISSIONS DUE
January	<u>Tuesday</u> , January 17	Friday, December 30
February	<u>Tuesday</u> , February 21	Friday, February 3
March	Monday, March 12	Friday, February 24
April	Monday, April 16	Friday, March 30
May	Monday, May 21	Friday, May 4
June	Monday, June 18	Friday, June 1
July	Monday, July 16	Friday, June 29
August	Monday, August 20	Friday, August 3
September	Monday, September 17	Friday, August 31
October	Monday, October 15	Friday, September 28
November	Monday, November 19	Friday, November 2
December	Monday, December 17	Friday, November 30

Planning Commission meetings begin at 7:00 p.m. in the Russell L. “Jack” Roberts District Court Building located at 810 Parkway, Conway, Arkansas. The agenda with supporting information for each meeting is posted at www.conwayplanning.org.