

FILED FOR RECORD

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WASHINGTON CO AR
K. HARNESS

ORDINANCE NO. 106

AN ORDINANCE ACCEPTING A NEW SUBDIVISION TO
THE CITY OF TONTITOWN, ARKANSAS.

WHEREAS, Vincent Paul Pianalto, Veronica Keith, Lela Marie Romine, James E. Romine, and Abe J. Pianalto presented to the Planning Commission a plat of certain lands located in the City of Tontitown, Arkansas to be known as Tontitown Business Park Subdivision, more particularly described as follows, to-wit:

Part of the SW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 6, T17N, R30W and part of the SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 1, T17N, R31W of the Fifth Principal Meridian in Washington County, Arkansas being more particularly described as follows, to-wit: Beginning at the Southeast Corner of said SE $\frac{1}{4}$, NE $\frac{1}{4}$ of Section 1, thence N 89 degrees 53'22"W 304.77 feet, thence North 313.96 feet, thence S 89 degrees 55' 34" W 354.99 feet, thence N 0 degrees 21 E 620.34 feet, thence N 89 degrees 51 49" E 655.84 feet, thence N 89 degrees 53 43" East 1091.34 feet, thence South 0 degrees 24 56" E 621.64 feet, thence S 89 degrees 55' 34"W 758.10 feet, thence S 25 degrees 32' 46" E 364.53 thence N 88 degrees 26' 04" W 495.00 feet to the POINT OF BEGINNING; Containing 30.24 Acres more or less subject to Right of Way and easements of record.

WHEREAS, the Planning Commission of the City of Tontitown, Arkansas approved the plat for recording on March 19, 1990 and approved the dedication of the streets, alleys and utilities shown on the plat; and

WHEREAS, it is believed that an Ordinance was presented to the City Council of the City of Tontitown to accept the subdivision, but said Ordinance was lost, or mislaid and has not been recorded and it is in order for the City Council of the City of Tontitown to accept said subdivision retroactive to March 20, 1990;

NOW, THEREFORE be it ordained by the City Council of the City of Tontitown, Arkansas:

SECTION 1: That said Tontitown Business Park Subdivision to the City of Tontitown, Arkansas, as shown on the plat approved by the Tontitown Planning Commission, be and the same is hereby accepted by the City of Tontitown, Arkansas and the city hereby accepts for the use and benefit of the public the dedication of the streets, alleys and utility easements shown on the plat retroactive to March 20, 1990; provided, however, that acceptance of the streets for city maintenance is contingent upon repair of said streets to the satisfaction of the City Building Inspector of the City of Tontitown, Arkansas. When a document entitled "Acceptance of Streets for Maintenance" is recorded of record in the real estate records of Washington County,

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Arkansas said streets shall be conclusively presumed to be accepted for maintenance by the City of Tontitown, Arkansas.

SECTION II: That a copy of this Ordinance, duly certified by the City Clerk, shall be filed in the office of the Recorder of Washington County, Arkansas and recorded in the deed records of said county.

SECTION III: It is hereby declared that an emergency exists and this Ordinance, being necessary for the preservation of the health, safety and welfare of the citizens of Tontitown, Arkansas shall become effective immediately upon its passage and approval retroactive to March 20, 1990.

PASSED AND APPROVED this 6th. day of June, 1995.

Freddie Taldo
Freddie Taldo, Mayor

ATTEST:

James Franco
City Clerk

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