

FILED FOR RECORD
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ORDINANCE NO. 113

WASHINGTON CO AR
K. HARNESS

**AN ORDINANCE ENTITLED "AN ORDINANCE AMENDING
ORDINANCE NO. 92, THE SAME BEING THE ZONING ORDINANCE
OF THE CITY OF TONTITOWN, ARKANSAS, AND THE PLAT
PERTAINING THERETO, AND FOR OTHER PURPOSES."**

WHEREAS, the Tontitown Planning Commission of the City of Tontitown, Arkansas, Washington County, gave the notice required by law and set a hearing date of August 22, 1995, *for hearing the matter of redistricting the hereinafter described tract of real estate:*

A part of the E1/2 of the SE1/4 of the NW1/4 of Section 3, in Township 17 North, of Range 31 West, Washington County, Arkansas, Being more particularly described as follows: Beginning at a point which is North 01 Degrees 57 Minutes 24 Seconds East, a distance of 83.62 feet from the Southwest Corner of said 20 Acre Tract; Thence North 01 Degrees 57 Minutes 24 Seconds East, a distance of 172.38 feet; Thence North 89 Degrees 46 Minutes 00 Seconds East, a distance of 168.91 feet; Thence South 01 Degrees 57 Minutes 24 Seconds West, a distance of 171.67 feet; Thence South 89 Degrees 31 Minutes 30 Seconds West, a distance of 168.93 feet to the Point of Beginning, Containing 29035.23 square feet or 0.67 acres, more or less. Subject to all easements, right of ways or restrictions of record, if any.

AND WHEREAS, after notice as required by law, the Tontitown Planning Commission of the City of Tontitown, Arkansas, held a public hearing and after hearing arguments for and against such rezoning, the Tontitown Planning Commission feeling that the area described herein should be redistricted and changed, from Agricultural to Commercial in that the purposes of the Zoning Ordinance would more properly be carried out by such redistricting, and that unless granted, citizens of Tontitown will suffer irreparable harm and damage, and will be substantially deprived of the use of their property.

AND WHEREAS, it is believed that an Ordinance was presented to the City Council of the City of Tontitown to accept said rezoning, but the 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 rezoning retroactive to September 5, 1995.

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THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL of the City of Tontitown, Arkansas:

SECTION 1: Ordinance No.92, the Amendments thereto, and the Zoning Plat pertaining thereto of the City of Tontitown, Arkansas, are hereby amended by rezoning the hereinafter described tract from Agricultural to Commercial as follows:

A part of the E1/2 of the SE1/4 of the NW1/4 of Section 3, in Township 17 North, of Range 31 West, Washington County, Arkansas, Being more particularly described as follows: Beginning at a point which is North 01 Degrees 57 Minutes 24 Seconds East, a distance of 83.62 feet from the Southwest Corner of said 20 Acre Tract; Thence North 01 Degrees 57 Minutes 24 Seconds East, a distance of 172.38 feet; Thence North 89 Degrees 46 Minutes 00 Seconds East, a distance of 168.91 feet; Thence South 01 Degrees 57 Minutes 24 Seconds West, a distance of 171.67 feet; Thence South 89 Degrees 31 Minutes 30 Seconds West, a distance of 168.93 feet to the Point of Beginning, Containing 29035.23 square feet or 0.67 acres, more or less. Subject to all easements, right of ways or restrictions of record, if any.

SECTION 2: EMERGENCY CLAUSE: The City council determines 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 be in effect from and after its approval, passage, publication and the recording of a certified copy thereof with the Recorder of Washington County, Arkansas.

PASSED AND APPROVED this 3rd day of September, 1996.

Freddie B. Jolly
MAYOR

ATTEST:
Thomas P. Preece
CITY CLERK.

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