

ORDINANCE NO. 119

**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."**

FILED FOR RECORD
97 JUL 25 AM 10 33
WASHINGTON CO AR
K. HANNES

WHEREAS, the Tontitown Planning Commission of the City of Tontitown, Washington County, Arkansas, gave the notice required by law and set a hearing date of June 17, 1997, for hearing the matter of redistricting the hereinafter described tract of real estate:

Tract A

A part of the SW1/4 of the NE1/4 of Section 2, Township 17 North, Range 31 West, being more particularly described as follows:

Beginning at a point that is SO4 degrees 37'16"W 1917.8 feet from the Northwest corner of the NW1/4 of the NE1/4 of said Section 2 and running thence S87 degrees 04'50"E 591.0 feet; thence SO3 degrees 11'20"W 329.98 feet; thence N87 degrees 04'06"W 87.46 feet; thence SO2 degrees 55'54"W 20.0 feet; thence N87 degrees 04'06"W 126.37 feet; thence NO2 degrees 55'54"E 20.0 feet; thence N87 degrees 04'06"W 385.44 feet; thence N04 degrees 37'16"E 330.0 feet to the point of beginning, containing 4.54 acres, more or less, Washington County, Arkansas.

Subject to any easements and/or rights-of-way of record.

and,

Tract B

A part of the SW1/4 of the NE1/4 of Section 2, Township 17 North, Range 31 West, being more particularly described as follows:

Beginning at a point that is SO4 degrees 37'16"W 1917.8 feet and S87 degrees 04'50"E 591.0 feet from the Northwest corner of the NW1/4 of the NE1/4 of said Section 2 and running thence S87 degrees 04'50"E 728.34 feet; thence SO4 degrees 37'16"W 43.94 feet; thence N86 degrees 59'56"W 77.09 feet; thence SO3 degrees 11'20"W 286.31 feet; thence N87degrees 04'06"W 650.15 feet; thence NO3 degrees 11'20"E 329.98 feet to the point of beginning, containing 5.00 acres, more or less, Washington County, Arkansas.

Subject to any easements and/or rights-of-way of record.

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AND WHEREAS, after giving notice as required by law, the Tontitown Planning Commission of the City of Tontitown, Arkansas, held a hearing; and after hearing arguments for and against such rezoning; and the Tontitown Planning Commission feeling that the area described herein should be redistricted and changed from Agricultural (A-1) to Commercial (C) in that the purpose of the Zoning Ordinance would be more properly 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.

NOW 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:

Tract A

A part of the SW1/4 of the NE1/4 of Section 2, Township 17 North, Range 31 West, being more particularly described as follows:

Beginning at a point that is SO4 degrees 37'16"W 1917.8 feet from the Northwest corner of the NW1/4 of the NE1/4 of said Section 2 and running thence S87 degrees 04'50"E 591.0 feet; thence SO3 degrees 11'20"W 329.98 feet; thence N87 degrees 04'06"W 87.46 feet; thence SO2 degrees 55'54"W 20.0 feet; thence N87 degrees 04'06"W 126.37 feet; thence NO2 degrees 55'54"E 20.0 feet; thence N87 degrees 04'06"W 385.44 feet; thence N04 degrees 37'16"E 330.0 feet to the point of beginning, containing 4.54 acres, more or less, Washington County, Arkansas.

Subject to any easements and/or rights-of-way of record.

and,

Tract B

A part of the SW1/4 of the NE1/4 of Section 2, Township 17 North, Range 31 West, being more particularly described as follows:

Beginning at a point that is SO4 degrees 37'16"W 1917.8 feet and S87 degrees 04'50"E 591.0 feet from the Northwest corner of the NW1/4 of the NE1/4 of said Section 2 and running thence S87 degrees 04'50"E 728.34 feet; thence SO4 degrees 37'16"W 43.94 feet; thence N86 degrees 59'56"W 77.09 feet; thence SO3 degrees 11'20"W 286.31 feet; thence N87degrees 04'06"W 650.15 feet; thence NO3 degrees 11'20"E 329.98 feet to the point of beginning, containing 5.00 acres, more or less, Washington County, Arkansas.

Subject to any easements and/or rights-of-way of record.

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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 BY the City Council of Tontitown, Arkansas on the



1 day of July, 1997.

Freddie P. Zaldo.
MAYOR

ATTEST

Frances Franco
CITY CLERK

97049207