

ORDINANCE NO. 136

FILED FOR RECORD

'99 DEC 15 AM 9 36

WASHINGTON CO AR

**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, FOR REZONING PETITION NO. 111699A,
THE PETITIONERS BEING JAMES AND DELORES DOTSON; AND FOR
OTHER PURPOSES."**

WHEREAS, the Tontitown Planning Commission of the City of Tontitown, Washington County, Arkansas, gave notice as required by law and set a hearing date of November 16, 1999, for hearing the matter of redistricting the hereinafter described tracts of real estate:

The rezoning to C-Commercial, RO-Residential Office, R-Residential from A-1, Agricultural, of property described as approximately 25 acres at the Southeast corner of the intersection of Highway 412 and South Mantegani Road, and continuing 825 feet east, beginning 330 feet from the center of Highway 412 and running its entire length with the south boundary at Morsani ave.

THE LEGAL DESCRIPTIONS OF THE DESIGNATED AREAS OF REZONING ARE ATTACHED HERETO AS "EXHIBIT A".

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), Residential Office (R-O), and Residential (R) 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.

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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 (A-1) to Commercial (C), Residential Office (R-O), and Residential (R) as follows:

The rezoning to C-Commercial, RO-Residential Office, R-Residential from A-1, Agricultural, of property described as approximately 25 acres at the Southeast corner of the intersection of Highway 412 and South Mantegani Road, and continuing 825 feet east, beginning 330 feet from the center of Highway 412 and running its entire length with the south boundary at Morsani ave.

THE LEGAL DESCRIPTIONS OF THE DESIGNATED AREAS OF REZONING ARE ATTACHED HERETO AS "EXHIBIT A".

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

7th Day of December, 1999.

Daniel R. Watson
MAYOR



Wendell Franco
RECORDER/TREASURER

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ORDINANCE NO. 136, EXHIBIT "A".

LEGAL DESCRIPTION: TRACT "A"

A part of the Northwest Quarter (NW $\frac{1}{4}$) of the Southeast Quarter (SE $\frac{1}{4}$) of Section Two (2), Township Seventeen (17) North, Range Thirty One (31) West, being more particularly described as follows, To-Wit: Beginning at the Northwest corner of said 40 acre tract, and running thence N89°31'E 429.0 feet, thence South 330.0 feet, thence N89°31'E 396.0 feet, thence South 990.0 feet, thence S89°31'W 825.0 feet, thence N1320.0 feet to the point of beginning. Containing 22.0 acres, more or less. Subject to that portion in U.S. Highway #412 on the North side and County Road right-of-way on the West and South sides of herein described tract.

LEGAL DESCRIPTION: TRACT "B"

A part of the Northwest Quarter (NW $\frac{1}{4}$) of the Southeast Quarter (SE $\frac{1}{4}$) of Section Two (2), Township Seventeen (17) North, Range Thirty One (31) West, being more particularly described as follows, To-Wit: Beginning at a point which is N89°31'E 429.0 feet from the Northwest corner of said 40 acre tract, and running thence N89°31'E 396.0 feet, thence South 330.0 feet, thence S89°31'W 396.0 feet, thence North 330.0 feet to the point of beginning. Containing 3 acres, more or less. Subject to that portion in U.S. Highway #412 right-of-way on the North side of herein described tract.

REZONING REQUEST ON 25A TRACT

C-1 ZONING

From NW corner of 25A Tract S 330' to P.O.B. thence E 825', thence S 330', thence W 605', thence N 198', thence W 220', thence N 132' to P.O.B. containing 5.25 A more or less.

R-0 ZONING

From NW corner of 25 A Tract S 462' to P.O.B. thence E 220', thence S 198', thence E 605', thence S 396', thence W 605', thence N 396', thence W 220', thence N 198' to P.O.B. containing 6.25 A more or less.

R-1 ZONING

From NW corner of 25A Tract S 660', thence E 220', thence S 396', thence E 605', thence S 264', thence W 825', thence N 660' to P.O.B. containing 7A more or less.

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