

ORDINANCE NO. 177

**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 THE CITY CODE OF ORDINANCES;
FOR REZONING THE LAND DESCRIBED IN PETITION 042004A, THE
PETITIONERS BEING ARDEMAGNI RENTALS; 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 April 20, 2004 for hearing the matter of redistricting the hereinafter described tract of real estate:

The rezoning from R-1 Residential to C - Commercial, of areas of land contained within the property described as follows:

Legal Description attached to this Ordinance as Ordinance No. 177, Exhibit A, Page 1 of the City of Tontitown Arkansas.

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 (R-1)-Residential to (C) - Commercial 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 and; The City Code of Ordinances are hereby amended by rezoning the hereinafter described tract of real estate from (R)-Residential to (C) - Commercial:



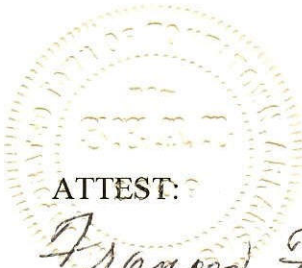
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Recorded: 05/27/2004 at 03:08:16 PM
Fee Amt: \$14.00 Page 1 of 3
Washington County, AR
Bette Stamps Circuit Clerk

File **2004-00020727**

Legal Description attached to this Ordinance as Ordinance No. 177, Exhibit A, of the City of Tontitown Arkansas.

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; and 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; shall be in full force and effect from and after its approval, passage, and the recording of a certified copy thereof with the Recorder of Washington County, Arkansas.

PASSED AND APPROVED on this 4th Day of May, 2004.



Daniel R. Watson
MAYOR

ATTEST:

Frances Franco
RECORDER/TREASURER

ORDINANCE # 177
EXHIBIT "A"
MAY 4, 2004

Part of the Northwest Quarter (NW 1/4) of the Southeast Quarter (SE 1/4) in Section Six (6) in Township Seventeen (17) North, Range Thirty (30) West, described as beginning at a point which is 924 feet West of the Northeast corner of said 40 acre tract; thence South 200 feet; thence East 343 feet; thence South 865 feet to the center of the Fayetteville and Bentonville Public Road; thence in a Northwesterly direction along and with the center of said road to the North line of said 40 acre tract; thence East to the point of beginning, containing 8.42 acres, more or less. Subject to building restrictions, protective covenants, and easements of record.

PASSED AND APPROVED on this 4th Day of May, 2004.

Daniel R. Watson
MAYOR

ATTEST:

Frances Franco
RECORDER/TREASURER