

ORDINANCE NO. 178

**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 042004B, THE
PETITIONERS BEING BARRINGTON RIDGE LLC ; 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 A-1 Agricultural to R-1 Residential, of areas of land contained within the property described as follows:

Legal Description attached to this Ordinance as Ordinance No. 178, 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 (A-1)-Agricultural to (R-1) - Residential 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 (A-1)-Agricultural to (R-1) - Residential:



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Fee Amt: \$14.00 Page 1 of 3
Washington County, AR
Bette Stamps Circuit Clerk

File **2004-00020728**

Legal Description attached to this Ordinance as Ordinance No. 178, 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.


MAYOR

ATTEST:


RECORDER/TREASURER



ORDINANCE # 178
EXHIBIT "A"
MAY 4, 2004

A part of the Southeast Quarter (SE-1/4) of the Southwest Quarter (SW-1/4) and a part of the Southwest Quarter (SW-1/4) of the Southeast Quarter (SE-1/4) of Section Thirty-six (36), Township Eighteen (18) North, Range Thirty-one (31) West, being more particularly described as follows: Beginning at a point in the center of an existing ditch, which is 930.2 feet East of the Southwest corner of said Southeast Quarter (SE-1/4) of the Southwest Quarter (SW-1/4), running thence East 786.6 feet; thence North 0 degrees 05' East 363.0 feet to an iron pin; thence South 89 degrees 58' East 119.8 feet to an iron pin; thence North 0 degrees 02' East 177.6 feet; thence South 89 degrees 58' East 110.6 feet to an iron pin; thence North 119.9 feet to an iron pin, said iron pin being on the North line of the South Half (S-1/2) of the Southwest Quarter (SW-1/4) of the Southeast Quarter (SE-1/4) of said Section Thirty-six (36); and running thence along said North line West 562.3 feet to the said center of an existing ditch; thence along said centerline the following, South 45 degrees 19' West 224.9 feet, South 35 degrees 10' West 360.5 feet, South 22 degrees 55' West 225.3 feet to the Point of Beginning, containing 10.25 acres, more or less. Subject to the County Road right-of-way along the South side. And also,

A part of the West Half (W-1/2) of the Southeast Quarter (SE-1/4), and a part of the Northeast Quarter (NE-1/4) of the Southeast Quarter (SE-1/4) of the Southwest Quarter (SW-1/4) of Section Thirty-six (36), Township Eighteen (18) North, Range Thirty-one (31) West, being more particularly described as follows, to-wit: Beginning at a point in the centerline of an existing County road, said point being South 0 degrees 01'11" West 944.10 feet, thence South 4 degrees 42'07" West 109.47 feet, thence South 9 degrees 43'02" West 41.29 feet from the Northeast corner of the Northwest Quarter (NW-1/4) of the Southeast Quarter (SE-1/4) of Section 36, and running thence South 87 degrees 27'09" West 1295.30 feet, thence South 0 degrees 37'44" East 169.38 feet, thence North 89 degrees 55'01" West 561.10 feet, thence South 89 degrees 47'15" West 103.28 feet, thence South 1 degree 08'31" East 657.95 feet, thence North 89 degrees 59'15" East 634.31 feet, thence North 89 degrees 57'58" East 996.05 feet to the centerline of said County road, thence along said centerline the following bearings and distances: North 20 degrees 32'54" East 760.46 feet; thence North 18 degrees 35'01" East 76.07 feet; thence North 13 degrees 46'45" East 71.43 feet; thence North 9 degrees 43'02" East 28.99 feet to the point of beginning, containing 32.23 acres, more or less. Subject to easements, rights-of-way, and protective covenants of record, if any.

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


MAYOR

ATTEST:


RECORDER/TREASURER

