

ORDINANCE NO. 183

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 051204, THE PETITIONER BEING DEVELOPMENT PARTNERS, LLC."

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 June 15, 2004 for hearing the matter of redistricting the hereinafter described tract of real estate:

The rezoning of the entire parcel to R-1 Residential, of areas of all land contained within the property now zoned A-Agricultural and R-O Residential Office further described as follows:

Legal Description attached to this Ordinance as Ordinance No. 183, Exhibit A, 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-Agricultural and R-O Residential Office 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:

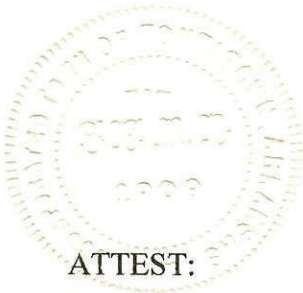
Section 1: Ordinance No. 92, the Amendments thereto, and the Zoning Plat pertaining thereto of the City of Tontitown, Arkansas and; the City Code of Ordinances are hereby amended by rezoning the hereinafter described tract of real estate from A-Agricultural and R-O Residential Office to R-1 Residential:

Legal Description attached to this Ordinance as Ordinance No. 183, 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 and passage.

PASSED AND APPROVED on this 6th day of July, 2004.



ATTEST:

David R. Wapn
MAYOR

Frances Frances
RECORDER/TREASURER

Exhibit A**Legal Description for Petition 051204, Development Partners**

A part of the SE $\frac{1}{4}$ and a part of the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ all in Section 1, T17N, R30W in Washington County, Arkansas and being more particularly described as follows:

Beginning at the NE corner of the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ thence S01°59' 02" W 1289.97 feet, thence N88° 42' 55" W 2689.20 feet, thence N88° 41' 58" W 75.58 feet, thence along a curve to the right 644.39 feet, said curve having a radius of 2915.16 feet and a chord bearing of N22° 38' 13" E 643.08 feet, thence N31° 18' 52" E 521.77 feet, thence along a curve to the left 364.03 feet, said curve having a radius of 680.00 feet and a chord bearing of N15° 58' 41" E 359.70 feet, thence N00° 38' 31" E 126.09 feet, thence S88° 24' 36" E 885.96 feet, thence N01° 10' 16" E 325.00 feet, thence S88° 34' 10" E feet, thence N01° 21' 23" E 39.94 feet, thence S88° 29' 14" E 1167.40 feet, thence S01° 59' 22" W 590.06 feet to the Point of Beginning; containing 96.35 acres, more or less, subject to easements and Right of Way of record.