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Washington County, AR
Bette Stamps Circuit Clerk
File **2004-00027854**

ORDINANCE NO. 184

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 050504, THE PETITIONER BEING DARYL HICKMAN; 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 June 15, 2004 for hearing the matter of redistricting the hereinafter described tract of real estate:

The rezoning from A-Agricultural to C-Commercial, of areas of land contained with the property described as follows:

Legal Description attached to this Ordinance as Ordinance No. 184, 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 changes from A-Agricultural 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 THEREOFRE, 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 C-Commercial:

Legal Description attached to this Ordinance as Ordinance No. 184, 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.



Daniel R. Wator
MAYOR

ATTEST:

Frances Fresno
RECORDER/TREASURER

Exhibit A**Legal Description for Petition 050504, Daryl Hickman**

Part of the Southwest Quarter (SW ¼) of the Northeast Quarter (NE ¼) of Section 1, Township 17 North, Range 31 West, and part of the Southwest Quarter (SW ¼) of the Northwest Quarter (NW ¼) of Section 6, Township 17 North, Range 31 West, and being more particularly described as follows, to-wit: Beginning at a point which is N00° 00' 29" W 935.98 feet from the Southeast corner of said Southeast Quarter (SE ¼) of the Northeast Quarter (NE ¼) of said Section 1 and running thence N89° 53' 43" E along the North side of the Tontitown Business Park Subdivision, 1091.34 feet to the Northeast corner of said Subdivision, thence N00° 24' 56" W 288.00 feet, thence S89° 53' 00" W 1743.33 feet, thence S00° 21' 00" W 288.00 feet to the Northwest corner of said Subdivision, thence N89° 51' 49" E along said North line of said Subdivision, 655.84 feet to the Point of Beginning, and containing 11.53 acres, more or less. Subject to easements and rights-of-way of record, if any.