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Washington County, AR
Bette Stamps Circuit Clerk
File **2004-00053133**

ORDINANCE NO. 188

**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 092104-A, THE
PETITIONERS BEING L B GRANATA INC. 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 September 21, 2004 for hearing the matter of redistricting the hereinafter described tract of real estate:

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

Legal Description attached to this Ordinance as Ordinance No. 188, 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 (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 (A-1) Agricultural to (C) - Commercial:

Legal Description attached to this Ordinance as Ordinance No. 188,
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, 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 on this 5th Day of October, 2004.


MAYOR

ATTEST:


RECORDER/TREASURER

ORDINANCE # 188
EXHIBIT "A"
OCTOBER 12, 2004
PETITION # 092104-A

LEGAL DESCRIPTION:

Part of the Southeast Quarter (SE $\frac{1}{4}$) of the Northwest Quarter (NW $\frac{1}{4}$) of the Northwest Quarter (NW $\frac{1}{4}$) all in Section Six (6), Township Seventeen (17) North, Range Thirty (30) West, Washington County, Arkansas, being more particularly described as follows, To-Wit: Beginning at a point which is 1323.31 feet West and N00°06'13"W 1008.87 feet from the Southeast corner of said Southeast Quarter (SE $\frac{1}{4}$), Northwest Quarter (NW $\frac{1}{4}$), and running thence S89°44'19"E 704.62 feet to the West right-of-way of Arkansas State Highway 112, thence N34°29'54"W along said right-of-way 350.55 feet, thence N89°44'19"W 506.59 feet, thence S00°06'13"E 288.0 feet to the point of beginning. Containing 4.0 acres, more or less.