

ORDINANCE NO. 190

**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, THE  
PETITIONERS BEING RONNIE BOWEN, DBA TRI-LAND INVESTMENTS,  
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 September 21, 2004 for hearing the matter of redistricting the hereinafter described tract of real estate:

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

Legal Description attached to this Ordinance as Ordinance No. 190, 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 and (R-O)- Residential Office 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 and (R-O) Residential Office to (C) - Commercial:

Legal Description attached to this Ordinance as Ordinance No. 190,  
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 12th Day of October, 2004.



ATTEST:

Frances Franco  
RECORDER/TREASURER

Daniel R. Watson  
MAYOR

ORDINANCE # 190  
EXHIBIT "A"  
OCTOBER 12, 2004  
PETITION # 092104

A PART OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 2, TOWNSHIP 17 NORTH, RANGE 31 WEST, WASHINGTON COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT: BEGINNING AT A POINT WHICH IS N00°09'50"E 264.00' FROM THE SOUTHWEST CORNER OF SAID FORTY ACRE TRACT AND RUNNING THENCE N 89°37'52" E 825.00', THENCE N 00°09'50" E 396.00', THENCE S 89°37'52" W 605.00', THENCE N 00°09'50" E 198.00', THENCE N 89°37'52" W 219.99', THENCE S 00°09'50" W 596.83', TO THE POINT OF BEGINNING, CONTAINING 8.51 ACRES MORE OR LESS. SUBJECT TO THAT PORTION IN COUNTY ROAD RIGHT-OF-WAY ON THE WEST SIDE OF HEREIN DESCRIBED TRACT AND EASEMENTS OF RECORD, IF ANY.