

ORDINANCE NO. 2005-1-195

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 102704, THE
PETITIONER BEING SUE COLVIN.

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 December 21, 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 further described as follows:

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

Legal Description attached to this Ordinance as Ordinance No. _____, 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 January, 2005.


MAYOR

ATTEST:

RECORDER/TREASURER

PARCEL NUMBER: 830-37771-000

A PART OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 12, TOWNSHIP 17 NORTH, RANGE 31 WEST, WASHINGTON COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
COMMENCING AT THE NORTHWEST CORNER OF SAID NORTHEAST QUARTER OF THE NORTHWEST QUARTER, THENCE S88°45'21"E A DISTANCE OF 1151.29 FEET, THENCE S19°57'24"W A DISTANCE OF 346.55 FEET, THENCE N87°16'34"W A DISTANCE OF 545.95 FEET, THENCE S04°05'39"W A DISTANCE OF 176.38 FEET, THENCE S87°14'53"E A DISTANCE OF 495.73 FEET, THENCE S19°57'24"W A DISTANCE OF 757.83 FEET, THENCE N90°00'00"W A DISTANCE OF 775.69 FEET, THENCE N02°53'38"E A DISTANCE OF 1239.09 FEET TO THE POINT OF BEGINNING, CONTAINING 25.05 ACRES MORE OR LESS.
THE ABOVE DESCRIBED 25.05 ACRE TRACT BEING SUBJECT TO ANY EASEMENTS AND/OR RIGHT-OF-WAY WHETHER OR NOT OF RECORD