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Washington County, AR  
Bette Stamps Circuit Clerk

File **2005-00010411**

ORDINANCE NO. 2005-1-197

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 112804~~, THE  
PETITIONER BEING JEAN E. TOTMIER. Totemeier

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.

ORDINANCE # \_\_\_\_\_ January 4, 2005. Page 2.

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



Carl A & Jean E. Totemeier Revocable Trust-Owner

Parcel #'s 001-17286-000 & 001-17285-000 (attached)

LEGAL DESCRIPTION

A part of the Northeast Quarter of the Southwest Quarter and a part of the Northwest Quarter of the Southwest Quarter of Section 24 in Township 17 North of Range 31 West of the 5<sup>th</sup> P.M., and being more particularly described as follows: To-Wit: Beginning at a point which is 370.83 feet South and 709.40 feet West of the Northwest Corner of the Northeast Quarter of the Southwest Quarter of Said Section 24, and running thence S 34° 46' W 97.80 feet, thence S 31° 42' W 303.88 feet, thence S 77° 16' E 893.61 feet, thence S 55° 36' E 171.20 feet, thence S 25° 38' E 166.57 feet, thence N 22° 59' E 458.0 feet, thence N 21° 58' E 389.19 feet, thence West 1193.98 feet to the point of beginning.

Containing 13.78 acres, more or less. Subject to that portion contained in a road on the West and South sides of herein described Tracts. Subject to all roadways, easements, setback lines and bill of assurances of record, if any.

Also, a part of the Northeast Quarter of the Southwest Quarter and a part of the Northwest Quarter of the Southwest Quarter of Section 24 in Township 17 North of Range 31 West of the Fifth Principal Meridian and being more particularly described as follows: To-Wit: Beginning at the Northwest Corner of the Northeast Quarter of the Southwest Quarter of said Section 24, and running thence West 472.68 feet, thence South 27 degrees 30 minutes West 134.42 feet, thence South 34 degrees 46 minutes West 306.28 feet, thence East 1193.98 feet, thence North 21 degrees 58 minutes East 82.10 feet, thence North 26 degrees 24 minutes East 328.57 feet, thence West 661.50 feet to the point of beginning. Containing 10 acres more or less.

ORDINANCE # EXHIBIT A. \_\_\_\_\_ January 4, 2005.