

ORDINANCE NO. 2007-11-301

AN ORDINANCE ENTITLED "AN ORDINANCE AMENDING NO. 2006-08-265, THE SAME BEING THE OFFICAL ZONING MAP OF THE CITY OF TONTITOWN, ARKANSAS, AND THE PLAT PERTAINING THERETO, AND THE CITY CODE OF ORDINANCES; FOR REZONING THE LAND DESCRIBED IN APPLICATION NO. _____, THE PETIONER BEING CARY SCHUMANN; DECLARING AN EMERGENCY, 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 26th, 2007 for hearing the matter of redistricting the hereafter described tract of real estate:

The rezoning from A-1 to R-2, of areas of land contained within the property described as follows:

Legal Description attached to this Ordinance as Ordinance No. 301, 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 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 to R-2 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. 2006-08-265 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 to R-2:

Legal Description attached to this Ordinance as Ordinance No. 301, Exhibit A, of the City of Tontitown.

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, and the recording of a certified copy thereof with the Recorder of Washington County, Arkansas.

PASSED AND APPROVED ON THIS 6th DAY OF November 2007.


MAYOR

ATTEST

RECORDER/TREASURER

EXHIBIT A

Carey Schumann - Owner
Parcel No. 830-38341-000

A part of the West Half (W 1/2) of the Southwest Quarter (SW ¼) of the Northwest Quarter (NW 1/4) of Section Fourteen (14), Township Seventeen (17) North, Range Thirty-one (31) West of the Fifth Principal Meridian, Washington County, Arkansas, and being more particularly described as follows:

BEGINNING at the Northwest corner of the West Half (W 1/2) of the Southwest Quarter (SW ¼) of the Northwest Quarter (NW 1/4) of said Section Fourteen (14); thence South 87°19'48" East a distance of 659.17 feet to a found iron pin at the Northeast corner of the West Half (W 1/2) of the Southwest Quarter (SW ¼) of the Northwest Quarter (NW 1/4) of said Section Fourteen (14); thence South 02°50'38" West a distance of 379.92 feet to a found iron pin; thence North 87°20'47" West a distance of 420.02 feet to a found iron pin; thence South 89°08'38" West a distance of 240.02 feet; thence North 02°53'53" East a distance of 394.81 feet to the POINT OF BEGINNING, containing 5.79 acres, more or less. Subject to the right-of-way of Pinalto Road and any easements that are recorded or unrecorded.

ORDINANCE # _____ **EXHIBIT A**

ROLL CALL

SHALL THE ORDINANCE PASS:

	Yea	Nay
Alderman Sunny Hinshaw	<u>✓</u>	___ (Ward 1, Position 1)
Alderman Henry Piazza	<u>✓</u>	___ (Ward 1, Position 2)
Alderman Arthur Penzo	<u>✓</u>	___ (Ward 2, Position 1)
Alderman David Sbanotto	<u>✓</u>	___ (Ward 2, Position 2)
Alderman Becky Alston	<u>✓</u>	___ (Ward 3, Position 1)
Alderman Scott McNair	<u>✓</u>	___ (Ward 3, Position 2)
Mayor Joseph Edgmon	___	___
TOTALS:	<u>6</u>	<u>0</u>

ROLL CALL

SHALL THE ORDINANCE BECOME EFFECTIVE IMMEDIATELY:

	Yea	Nay
Alderman Sunny Hinshaw	<u>✓</u>	___ (Ward 1, Position 1)
Alderman Henry Piazza	<u>✓</u>	___ (Ward 1, Position 2)
Alderman Arthur Penzo	<u>✓</u>	___ (Ward 2, Position 1)
Alderman David Sbanotto	<u>✓</u>	___ (Ward 2, Position 2)
Alderman Becky Alston	<u>✓</u>	___ (Ward 3, Position 1)
Alderman Scott McNair	<u>✓</u>	___ (Ward 3, Position 2)
Mayor Joseph Edgmon	___	___
TOTALS:	<u>6</u>	<u>0</u>