

ORDINANCE 2008-12-326

AN ORDINANCE REZONING CERTAIN PROPERTY ALONG HIGHWAY 112, FROM Zoning of R-3, Residential, TO C-2, Commercial.

WHEREAS, after due notice as required by law, the Tontitown Planning Commission has heard all those who wish to be heard regarding a property owner rezoning application for certain property along Highway 112, from R-3, Residential to C-2, Commercial; and

WHEREAS, the planning commission has recommended City Council approval of the application as submitted; and

WHEREAS, it is the desire of the City Council that said property be rezoned to C-2, as recommended by the planning commission.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TONTITOWN, ARKANSAS:

SECTION 1. That the following described property be, and the same is hereby rezoned from its current classification of R-3, Residential to C-2, Commercial, to wit:

A part of the Northeast Quarter (NE1/4) of the Northwest Quarter (NW1/4) of Section Six (6), Township Seventeen (17) North, Range Thirty (30) West, being more particularly described as follows to-wit:

Beginning at a point which is South $0^{\circ}27'05''$ West - 370.10 feet from the Northeast corner of said forty acre tract and running thence South $0^{\circ}27'05''$ West along the East line of said forty acre tract - 190.05 feet; thence North $88^{\circ}14'26''$ West - 712.31 feet; thence South $1^{\circ}42'57''$ West - 79.96 feet; thence North $88^{\circ}17'03''$ West - 563.44 feet to the centerline of Arkansas Highway 112, thence along said centerline the following two (2) courses and distances, (1) along a curve to the right with a radius of 622.92 feet, a central angle of $22^{\circ}01'44''$, and an arc length of 239.50 feet, (2) thence North $0^{\circ}30'57''$ East - 37.80 feet; thence leaving said centerline South $88^{\circ}14'26''$ East - 806.66 feet; thence South $88^{\circ}14'26''$ East - 275.38 feet to a point of curve to the left having a radius of 30.00 feet and a central angle of $52^{\circ}19'48''$; thence northeasterly along the arc a distance of 27.40 feet to a point of reverse curve to the right having a radius of 60.00 feet and a central angle of $117^{\circ}42'21''$; thence easterly along the arc, a distance of 123.26 feet; thence South $88^{\circ}14'26''$ East - 114.89 feet to the POINT OF BEGINNING, containing 6.88 acres, more or less.

SECTION 2. That the Zoning Official shall cause the Official Zoning Map of the City of Tontitown to be amended to reflect this change within thirty (30) days of the date of this ordinance.

SECTION 3. EMERGENCY CLAUSE. The City Council hereby declares an emergency to exist in that the interests and well-being of the citizens is best-served by the immediate implementation of this ordinance, and that unless this ordinance is effective immediately upon its passage and approval, the interests and well-being of the citizens will not be adequately served. Thus, the City Council finds that an Emergency exists and, in order to preserve the public interest and well-being, this Ordinance shall become effective immediately upon its passage and approval.

PASSED AND APPROVED THIS 2nd DAY OF December, 2008.

Debra A. Conter
Recorder-Treasurer

Joseph E. Egan
Mayor