

ORDINANCE 2012-11-400

AN ORDINANCE REZONING CERTAIN PROPERTY NORTH OF W. HENRI DE TONTI BOULEVARD, IN THE 2300 BLOCK, FROM 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 north of W. Henri De Tonti Blvd., in the 2300 block, from R-3 TO C-2; and

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

WHEREASE, 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 all property currently zoned R-3 Residential contained in the following described tracts be, and the same is hereby rezoned to C-2, Commercial, to wit:

SURVEY DESCRIPTION:

TRACT 1B

A PART OF THE W1/2 OF THE SE1/4 OF THE NW1/4 OF SECTION 3, TOWNSHIP 17 NORTH, RANGE 31 WEST, CITY OF TONTITOWN, WASHINGTON COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF THE SE1/4 OF THE NW1/4 OF SAID 40 ACRE TRACT THENCE S86°56'10"E 325.65 FEET, S03°59'29"E 998.15 FEET TO A FOUND IRON PIN AND THE TRUE POINT OF BEGINNING; THENCE S86°56'01"E 156.82 FEET TO A FOUND IRON PIN; THENCE N03°59'29"E 27.96 FEET TO A 5/8" REBAR; THENCE S84°23'29"E 48.47 FEET TO A 5/8" REBAR LOCATED IN THE CENTER OF A GRAVEL DRIVE; THENCE SOUTHERLY ALONG SAID DRIVE S16°03'59"E 24.69 FEET AND S06°03'00"E 227.85 FEET TO A 5/8" REBAR LOCATED ON THE NORTH RIGHT-OF-WAY OF ARKANSAS STATE HIGHWAY NO. 412; THENCE N84°27'56"W 253.91 FEET ALONG SAID RIGHT-OF-WAY TO A FOUND RIGHT-OF-WAY MARKER; THENCE LEAVING SAID RIGHT-OF-WAY AND RUNNING N03°59'29"E 211.60 FEET TO THE POINT OF BEGINNING, CONTAINING 1.20 ACRES, MORE OR LESS.

SUBJECT TO A 10 FOOT WIDE ACCESS EASEMENT ALONG THE EAST LINE, AND ANY OTHER EASEMENT AND/OR RIGHTS-OF-WAY OF RECORD.

AND

TRACT 2B

A PART OF THE W1/2 OF THE SE1/4 OF THE NW1/4 OF SECTION 3, TOWNSHIP 17 NORTH, RANGE 31 WEST, CITY OF TONTITOWN, WASHINGTON COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF THE SE1/4 OF THE NW1/4 OF SAID 40 ACRE TRACT THENCE S86°56'10"E 325.65 FEET, THENCE S03°59'29"E 648.15 FEET, THENCE S86°56'01"E 156.82 FEET TO A FOUND IRON PIN AND THE TRUE POINT OF

BEGINNING; THENCE S86°56'01"E 169.29 FEET TO A FOUND IRON PIN; THENCE S03°57'01"W 575.66 FEET TO A FOUND IRON REBAR LOCATED ON THE NORTH RIGHT-OF-WAY OF ARKANSAS STATE HIGHWAY NO. 412; THENCE N84°27'56"W 72.66 FEET ALONG SAID RIGHT-OF-WAY TO A 5/8" REBAR LOCATED IN THE CENTERLINE OF A GRAVEL ROAD; THENCE LEAVING SAID RIGHT OF WAY AND RUNNING ALONG SAID GRAVEL ROAD N06°03'00"W 227.85 FEET AND N16°03'59"W 24.69 FEET TO A 5/8" REBAR; THENCE LEAVING SAID GRAVEL ROAD AND RUNNING N84°23'29"W 48.47 FEET TO A 5/8" REBAR; THENCE N03°59'29"E 322.04 FEET TO THE POINT OF BEGINNING, CONTAINING 1.80 ACRES, MORE OR LESS.

SUBJECT TO A 20 WIDE ACCESS EASEMENT, FOR INGRESS AND EGRESS, DESCRIBED AS 20 FEET OF EQUAL AND UNIFORM WIDTH EITHER SAID OF A CENTERLINE THAT BEGINS AT A POINT THAT IS S86°56'10"E 325.65 FEET, S03°59'29"E 648.15 FEET, S86°56'01"E 156.82 FEET AND S03°59'29"E 240.07 FEET FROM THE NORTHWEST CORNER OF THE SE1/4 OF THE NW1/4 OF SAID SECTION 3, AND RUNS SOUTHERLY ALONG THE CENTERLINE OF A GRAVEL DRIVE THE FOLLOWING: S33°47'48"E 56.81 FEET, S16°03'59"E 65.62 FEET, THENCE SUBJECT TO THE EAST HALF OF SAID EASEMENT ONLY AND COUNTING S16°03'59"E 24.69 FEET, AND S06°03'00"E 227.85 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINK OF ARKANSAS STATE HIGHWAY NO 412., A 10 FOOT WIDE OZARKS ELECTRIC SERVICE LINE EASEMENT DESCRIBED AS A 5' EITHER SIDE OF THE EXISTING OVERHEAD ELECTRIC SERVICE LINE, AND ANY OTHER EASEMENTS AND/OR RIGHTS-OF-WAY OF RECORD.

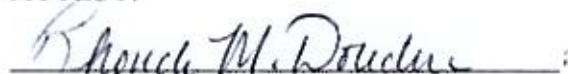
SECTION 2: That the Building Department shall cause the Official Zoning Map of the City of Tontitown to be amended to reflect this change within thirty (30) days of the date of this ordinance.

PASSED AND APPROVED THIS 07 DAY OF NOVEMBER, 2012.



Tommy Granata, Mayor

ATTEST:



Recorder/Treasurer