

ORDINANCE NO. 2016-02- 572

CITY OF TONTITOWN, WASHINGTON COUNTY, ARKANSAS

AN ORDINANCE REZONING THE PROPERTY LOCATED AT 2005 LIBERTY AVENUE, TONTITOWN, ARKANSAS FROM A1 AGRICULTURAL TO R-3 MEDIUM DENSITY RESIDENTIAL

WHEREAS, a rezoning application was submitted and filed with the City of Tontitown on or around the 29TH day of December 2015, by Leonard F and Martha E Pianto, asking the City of Tontitown to rezone certain property located at 2005 Liberty Avenue, Tontitown, Arkansas described therein and herein from A1 Agricultural to R-3 Medium Density Residential; and

WHEREAS, after due notice as required by law, the city of Tontitown, Arkansas, Planning Board has heard all those who wish to be heard regarding the rezoning application; and

WHEREAS, the City Council of the city of Tontitown, Arkansas, has determined that said rezoning complies with the adopted plans of the city of Tontitown, and that they are designed to protect the health, safety, or welfare of the citizens; and

WHEREAS, it is the desire of the City Council that the application be approved as submitted and said property be rezoned to R-3 Medium Density Residential.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the city of Tontitown, Arkansas:

Section 1: The City of Tontitown hereby changes the zone classification from A1 Agricultural to R-3 Medium Density Residential for certain real property located at 2005 Liberty Avenue, Tontitown, Arkansas, more particularly described as:

SURVEY DESCRIPTION - TRACT 'A' PROPOSED SPLIT

A PART OF THE NORTH HALF (N1/2) OF THE FRACTIONAL NORTHEAST QUARTER (FRL.NE1/4) OF SECTION THREE (3), TOWNSHIP SEVENTEEN (17) NORTH, RANGE THIRTY-ONE (31) WEST OF THE FIFTH PRINCIPAL MERIDIAN. WASHINGTON COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF SAID FRACTIONAL NORTHEAST QUARTER (FRL.NE1/4); THENCE N87'30'39"W 1542.96 FEET ALONG THE NORTH LINE OF SAID FRACTIONAL NORTHEAST QUARTER (FRL.NE 1/4) TO AN EXISTING COTTON SPINDLE IN LIBERTY AVENUE FOR THE TRUE POINT OF BEGINNING; THENCE THENCE S03'45'04"W 208.71 FEET TO A SET 1/2" IRON REBAR; THENCE N87'30'39"W 208.71 FEET TO A SET 1/2" IRON REBAR; THENCE NO3'45'04"E 208.71 FEET TO A POINT ON THE NORTH LINE OF SAID FRACTIONAL NORTHEAST QUARTER (FRL.NE 1/4) AND FROM WHICH A 1/2" REFERENCE IRON BEARS S03'45'04"W 30.00 FEET; THENCE S87'30'39"E

208.71 FEET TO THE POINT OF BEGINNING, CONTAINING 1.00 ACRES, MORE OR LESS. THE ABOVE DESCRIBED 1.00 ACRE TRACT BEING SUBJECT TO THE RIGHT-OF-WAY OF LIBERTY AVENUE ALONG THE ENTIRE NORTH BOUNDARY AND ANY OTHER EASEMENTS AND/OR RIGHTS-OF-WAY WHETHER OR NOT OF RECORD. THE ABOVE DESCRIBED 1.00 ACRE TRACT HAVING RIGHTS OF AND BEING SUBJECT TO A FIFTY (50) FOOT WIDE EASEMENT FOR INGRESS, EGRESS AND UTILITIES, SAID EASEMENT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: A PART OF THE NORTH HALF (N1/2) OF THE FRACTIONAL NORTHEAST QUARTER (FRLNE1/4) OF SECTION THREE (3), TOWNSHIP SEVENTEEN (17) NORTH, RANGE THIRTY-ONE (31) WEST OF THE FIFTH PRINCIPAL MERIDIAN, WASHINGTON COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS. COMMENCING AT THE NORTHEAST CORNER OF SAID FRACTIONAL NORTHEAST QUARTER (FRL.NE1/4); THENCE N87°30'39"W 1542.96 FEET ALONG THE NORTH LINE OF SAID FRACTIONAL NORTHEAST QUARTER (FRL.NE 1/4) TO AN EXISTING COTTON SPINDLE IN LIBERTY AVENUE FOR THE TRUE POINT OF BEGINNING; THENCE S87°30'39"E 25.01 FEET; THENCE S03°45'04"W 719.93 FEET; THENCE N87°39'46"W 25.01 FEET; THENCE N03°45'04"W 25.01 FEET; THENCE N87°39'46"W 25.01 FEET; THENCE S03°45'04"E 745.07 FEET TO A POINT ON THE NORTH LINE OF SAID FRACTIONAL NORTHEAST QUARTER (FRL.NE 1/4); THENCE S87°30'39"E 25.01 FEET TO THE POINT OF BEGINNING.

Section 2: That the official Zoning Map of the city of Tontitown, Arkansas, shall be amended to reflect this change within thirty (30) days of the date of this ordinance. Any ordinance or parts thereof in conflict with this ordinance is hereby repealed and declared invalid.

Section 3: That the Recorder-Treasurer shall cause this document, and any other documents needed to accomplish the intent of this ordinance, to be properly filed as required by law.

PASSED AND APPROVED this 2nd day February, 2016.

APPROVED:



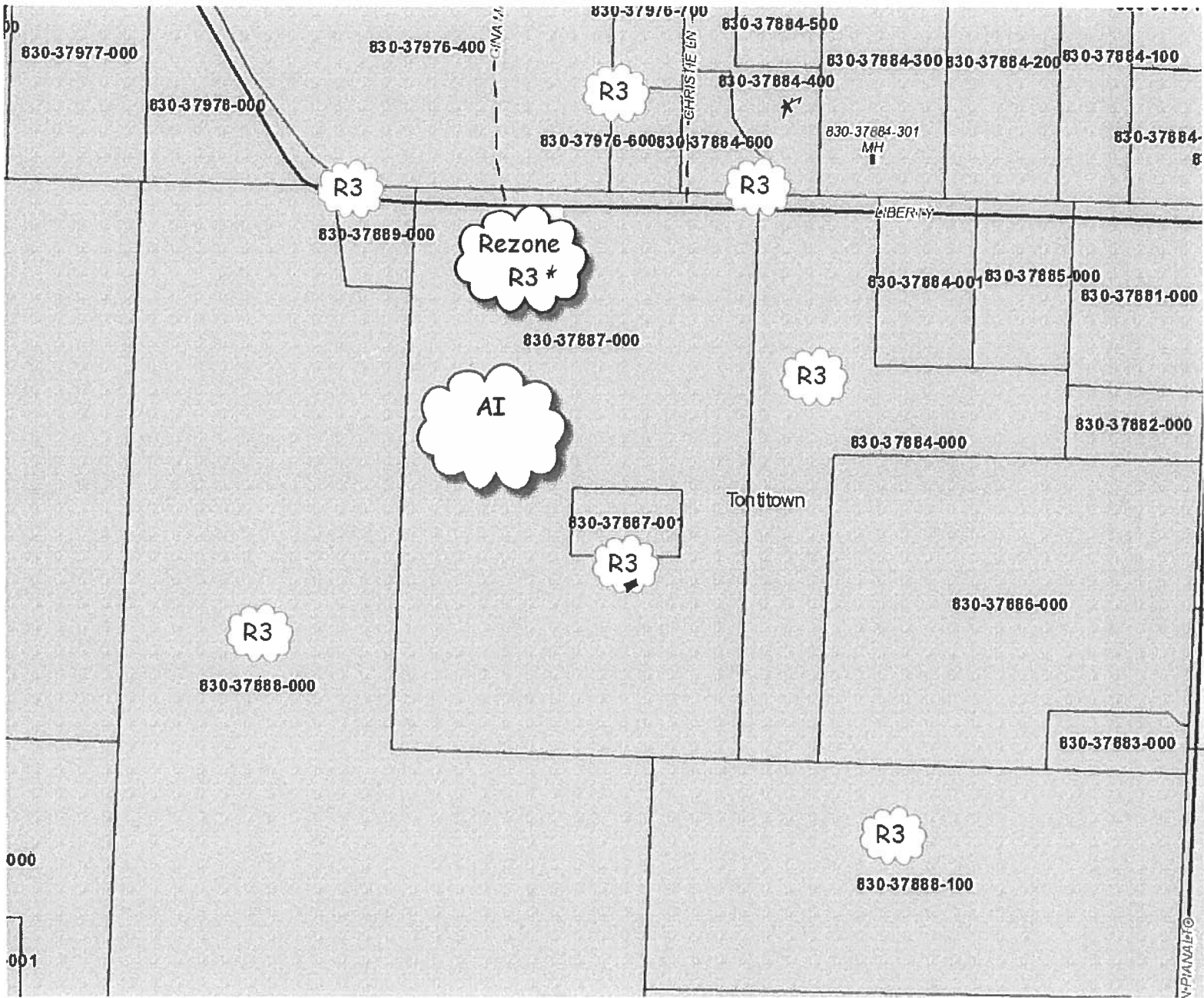
PAUL COLVIN, JR., Mayor

ATTEST:



(SEAL)

_____, Recorder-Treasurer



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