

ORDINANCE NO. 2017-08-644

**CITY OF TONTITOWN, WASHINGTON COUNTY, ARKANSAS**

**AN ORDINANCE REZONING APPROXIMATELY 33.48 ACRES OF REAL PROPERTY LOCATED ON N. ARDEMAGNI ROAD FROM AGRICULTURE (A-1) TO SINGLE FAMILY RESIDENTIAL (R-3).**

**WHEREAS**, an Application for Rezoning was filed with the City of Tontitown on the 7<sup>th</sup> day of July, 2017 by William E. Green asking the City of Tontitown to rezone approximately 33.48 acres of real property located on N. Ardemagni Road, City of Tontitown, Arkansas described therein and herein from Agriculture (A-1) to Single Family Residential (R-3); and

**WHEREAS**, after due notice as required by law, the Tontitown Planning Board has, at the time and place mentioned in the notice, heard all persons desiring to be heard on the question and has ascertained that the rezoning requested should be approved and has recommended approval to the Tontitown City Council; and

**WHEREAS**, the Tontitown City Council has determined that public interest and welfare will not be adversely affected by the requested rezoning.

**NOW THEREFORE, BE IT ENACTED AND ORDAINED**, by the City Council of the City of Tontitown, as follows:

**Section 1.** The City of Tontitown hereby changes the zone classification from Agriculture (A-1) to Single Family Residential (R-3) for certain real property located on N. Ardemagni Road, more particularly described as:

[See Exhibit "A" attached hereto]

**Section 2.** This ordinance shall have full force and effect from after its passage. Any ordinance or parts thereof in conflict with this ordinance is hereby repealed and declared invalid.


**Section 3.** The official zoning map of the City of Tontitown, Arkansas is hereby amended to reflect the zoning change provided in Section 1 hereof.

PASSED AND APPROVED this 8th day of Aug, 2017.

APPROVED:

  
\_\_\_\_\_  
Paul Colvin, Jr., Mayor

ATTEST:

  
\_\_\_\_\_  
Rhonda Ardemagni, City Recorder-Treasurer  
(SEAL)

## EXHIBIT "A"

### Tract G:

A part of the SE<sup>1</sup>/<sub>4</sub> of the SE<sup>1</sup>/<sub>4</sub> of Section 26, T-18-N, R-31 -W, Washington County, Arkansas, being more particularly described as follows: Commencing at the SE corner of the SEV<sub>4</sub> of the SBA; thence N 03° 04' 25" E, along the east line of said SEV<sub>4</sub>, 574.01 feet to the Point of Beginning of the herein described tract; thence N 87° 15' 44" W, 359.31 feet; thence S 03° 04' 22" W, 173.36 feet; thence N 87° 15' 44" W, 962.83 feet to a point on the west line of the SEV<sub>4</sub> of the SEV<sub>4</sub>; thence N 03° 18' 18" E, along said west line 423.37 feet; thence S 87° 15' 44" E 1320.43 feet to a point on the east line of said SEV<sub>4</sub>; thence S 03° 04' 25" W, 250.00 feet to the Point of Beginning, containing 11.41 acres, more or less. Subject to the Right-of-Way of Ardemagni Road along the eastern boundary.

### Tract E:

A tract of land in the Southeast Quarter of the Southeast Quarter of Section 26, Township 18 North, Range 31 West, Tontitown, Washington County, Arkansas being described as follows; Beginning at the Southeast corner of the Southeast Quarter of said Southeast Quarter; thence North 87 degrees 18 minutes 30 seconds West along the south line of said Southeast Quarter a distance of 1323.77 feet to the Southwest corner of the Southeast Quarter of said Southeast Quarter; thence North 03 degrees 18 minutes 18 seconds East along the west line of the Southeast Quarter of said Southeast Quarter a distance of 200.86 feet; thence South 87 degrees 17 minutes 07 seconds East a distance of 1322.95 feet to a point on the east line of said Southeast Quarter; thence South 03 degrees 04 minutes 25 seconds West along said east line a distance of 200.32 feet to the Point of Beginning. Less that part taken and used for roadway. Contains: 265,446.95 square feet or 6.09 acres more or less.

### Tract F:

A tract of land in the Southeast Quarter of the Southeast Quarter of Section 26, Township 18 North, Range 31 West, Tontitown, Washington County, Arkansas being described as follows; Commencing at the Southeast corner of the Southeast Quarter of said Southeast Quarter; thence North 03 degrees 04 minutes 25 seconds East along the east line of said Southeast Quarter a distance of 200.32 feet to the Point of Beginning of the herein described tract; thence North 87 degrees 17 minutes 07 seconds West a distance of 1322.95 feet to a point on the west line of the Southeast Quarter of said Southeast Quarter; thence North 03 degrees 18 minutes 18 seconds East along said west line a distance of 200.86 feet; thence South 87 degrees 15 minutes 44 seconds East a distance of 1322.14 feet to a point on the east line of said Southeast Quarter; thence South 03 degrees 04 minutes 25 seconds West along said east line a distance of 200.32 feet to the Point of Beginning. Less that part taken and used for roadway. Contains: 265,446.95 square feet or 6.09 acres more or less.

### Tract B:

A tract of land in the SW <sup>1</sup>/<sub>4</sub> of the SW <sup>1</sup>/<sub>4</sub> of Section 25, T-18-N, R-31 -W, Washington County, Arkansas, being described as follows: Commencing at the SW corner of said SW <sup>1</sup>/<sub>4</sub>; thence N 03° 04' 25" E, along the West line of said SW <sup>1</sup>/<sub>4</sub>, 442.73 feet to the Point of Beginning of the herein described tract; thence N 03° 04' 25" E, 127.09 feet; thence N 82° 47' 08" E, 509.64 feet; thence S 10° 53' 29" E, 85.27 feet; thence S 78° 32' 13" W, 539.29 feet to the Point of Beginning, containing 1.26 acres, more or less. Subject to the Right-of-Way of Ardemagni Road along the Western boundary.

Parcel # 830-37971-000

Description Tract 'D-I

A tract of land in the Southwest Quarter of the Southwest Quarter of Section 25, Township 18 North, Range 31 West, Tontitown, Washington County, Arkansas being described as follows; Commencing at the Northwest corner of said Southwest Quarter; thence South 03 degrees 04 minutes 25 seconds West along the north line of said Southwest Quarter a distance of 439.81 feet; thence South 02 degrees 47 minutes 52 seconds West a distance of 202.06 feet to the Point of Beginning of the herein described tract; thence North 86 degrees 13 minutes 42 seconds East a distance of 188.52 feet; thence South 02 degrees 51 minutes 37 seconds East a distance of 524.72 feet; thence South 78 degrees 32 minutes 13 seconds West a distance of 165.47 feet; thence North 10 degrees 53 minutes 29 seconds West a distance of 255.81 feet; thence North 00 degrees 44 minutes 29 seconds West a distance of 293.38 feet to the Point of Beginning. Less that part taken and used for roadway.

Contains: 101,077.83 square feet or 2.32 acres more or less.

Description Tract 'C-2"

A tract of land in the Southwest Quarter of the Southwest Quarter of Section 25, Township 18 North, Range 31 West, Tontitown, Washington County, Arkansas being described as follows; Commencing at the Southwest corner of said Southwest Quarter; thence North 03 degrees 04 minutes 25 seconds East along the west line of said Southwest Quarter a distance of 569.83 feet to the Point of Beginning of the herein described tract; thence North 03 degrees 04 minutes 25 seconds East continuing along said west line a distance of 127.09 feet; thence North 87 degrees 31 minutes 46 seconds East a distance of 483.13 feet; thence South 10 degrees 53 minutes 29 seconds East a distance of 85.27 feet; thence South 82 degrees 47 minutes 08 seconds West a distance of 509.64 feet to the Point of Beginning. Less that part taken and used for roadway.

Contains: 52,240.95 square feet or .20 acres more or less.

Description Tract "C-1

A tract of land in the Southwest Quarter of the Southwest Quarter of Section 25, Township 18 North, Range 31 West, Tontitown, Washington County, Arkansas being described as follows; Commencing at the Southwest corner of said Southwest Quarter; thence North 03 degrees 04 minutes 25 seconds East along the west line of said Southwest Quarter a distance of 696.92 feet to the Point of Beginning of the herein described tract; thence North 03 degrees 04 minutes 25 seconds East continuing along said west line a distance of 127.09 feet; thence South 87 degrees 13 minutes 00 seconds East a distance of 460.30 feet; thence South 10 degrees 53 minutes 29 seconds East a distance of 85.27 feet; thence South 87 degrees 31 minutes 46 seconds West a distance of 483.13 feet to the Point of Beginning. Less that part taken and used for roadway.

Contains: 49,625.66 square feet or 1.14 acres more or less.

Description Tract "D-3"

A tract of land in the Southwest Quarter of the Southwest Quarter of Section 25, Township 1 8 North, Range 31 West, Tontitown, Washington County, Arkansas being described as follows; Commencing at the Northwest corner of said Southwest Quarter; thence South 03 degrees 04 minutes 25 seconds West along the north line of said Southwest Quarter a distance of 814.38 feet; thence South 02 degrees 47 minutes 52 seconds West a distance of 158.92 feet to the Point of Beginning of the herein described tract; thence North 86 degrees 13 minutes 42 seconds East a distance of 188.52 feet; thence South 03 degrees 02 minutes 53 seconds West a distance of 483.79 feet; thence South 78 degrees 32 minutes 13 seconds West a distance of 1 65.47 feet; thence North 00 degrees 01 minutes 34 seconds West a distance of 503.59 feet to the Point of Beginning. Less that part taken and used for roadway.

Contains: 86,1 1 3.41 square feet or 1 .98 acres more or less.

Description Tract "D-2"

A tract of land in the Southwest Quarter of the Southwest Quarter of Section 25, Township 1 8 North, Range 31 West, Tontitown, Washington County, Arkansas being described as follows; Commencing at the Northwest corner of said Southwest Quarter; thence South 03 degrees 04 minutes 25 seconds West along the north line of said Southwest Quarter a distance of 627.09 feet; thence South 02 degrees 47 minutes 52 seconds West a distance of 180.49 feet to the Point of Beginning of the herein described tract; thence North 86 degrees 13 minutes 42 seconds East a distance of 188.53 feet; thence South 00 degrees 01 minutes 34 seconds East a distance of 503.59 feet; thence South 78 degrees 32 minutes 13 seconds West a distance of 165.47 feet; thence North 02 degrees 51 minutes 37 seconds West a distance of 524.73 feet to the Point of Beginning. Less that part taken and used for roadway.

Contains: 90,292.30 square feet or 2.07 acres more or less.

