

ORDINANCE NO. 2017-10-\_\_\_\_\_

CITY OF TONTITOWN, WASHINGTON COUNTY, ARKANSAS

**AN ORDINANCE REZONING APPROXIMATELY 9.21 ACRES OF REAL PROPERTY LOCATED AT 1436 KISSINGER AVENUE FROM AGRICULTURE (A-1) TO SINGLE FAMILY RESIDENTIAL (R-1)**

**WHEREAS**, an Application for Rezoning was filed with the City of Tontitown on the 14<sup>th</sup> day of August, 2017 by Lisa McAllister asking the City of Tontitown to rezone approximately 9.21 acres of real property located at 1436 Kissinger Avenue, City of Tontitown, Arkansas described therein and herein from Agriculture (A-1) to Single Family Residential (R-1); 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-1) for certain real property located on 1436 Kissinger Avenue, 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 Any ordinance or parts thereof in conflict with this ordinance is hereby repealed and declared invalid.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 \_\_\_\_\_ day of October, 2017.

APPROVED:

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

ATTEST:

\_\_\_\_\_  
Rhonda Ardemagni, City Recorder-Treasurer

**EXHIBIT "A"**

The legal description of the property is as follows:

A PART OF THE SOUTHWEST QUARTER (SW 1/4) OF THE SOUTHEAST QUARTER (SE 1/4) OF SECTION 7, TOWNSHIP 17 NORTH, RANGE 30 WEST, WASHINGTON COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHEAST CORNER OF SAID 40 ACRE TRACT, SAID POINT BEING AN EXISTING IRON IN COUNTY ROAD 883; THENCE S 89° 25' 25" W, ALONG THE SOUTH LINE OF SAID 40 ACRE TRACT 603.42 FEET TO A SET IRON FROM WHICH A REFERENCE IRON BEARS N 00° 49' 56" W, 25.00 FEET; THENCE LEAVING SAID ROAD N 00° 49' 56" W, 662.91 FEET TO A SET IRON; THENCE N 89° 25' 25" E 607.48 FEET TO A SET IRON ON THE EAST LINE OF SAID 40 ACRE TRACT; THENCE S 00° 28' 23" E, 662.90 FEET TO THE POINT OF BEGINNING, CONTAINING 9.21 ACRES MORE OR LESS.

AND ALSO, AN EASEMENT FOR A WATER LINE, BEING 15 FEET OF EQUAL AND UNIFORM WIDTH AND BEING 7.5 FEET EACH SIDE OF THE FOLLOWING DESCRIBED EASEMENT CENTERLINE: BEGINNING AT A POINT ON THE NORTH LINE OF THE ABOVE DESCRIBED 9.21 ACRE TRACT, SAID POINT BEING N 89° 0' 25" E, 7.5 FEET FROM THE NORTHWEST CORNER OF THE ABOVE DESCRIBED 9.21 ACRE TRACT; THENCE N 00° 21' 10" W, 655.78 FEET TO A POINT ON THE NORTH LINE OF SAID 40 ACRE TRACT SAID POINT BEING N 89° 0' 38' 23" E, 57.5 FEET FROM THE SOUTHWEST CORNER OF LAZY "U" RANCH ESTATES; THENCE CONTINUING ALONG SAID CENTERLINE, THE FOLLOWING BEARINGS AND DISTANCES: N 35° 0' 51' 51" E, 444.92 FEET; N 11° 0' 28' 33" E, 115.47 FEET; N 09° 0' 59' 05" E, 141.04 FEET; N 31° 0' 40' 22" E, 140.99 FEET; N 16° 0' 29' 10" E, 73.00 FEET, MORE OR LESS, TO AN EXISTING WATER ALONG THE NORTHERLY BOUNDARY OF LOT 5, LAZY "U" RANCH ESTATES, WASHINGTON COUNTY, ARKANSAS.



Guide

1995

Imagery Date: 2/15/2017 Lat 36.155190° Lon -94.215748° elev 0 ft eye alt

Google

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Kissinger Ave

A 70 R 1



