

**ORDINANCE NO. 2018 – 04 - \_\_\_\_\_**

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

**AN ORDINANCE REZONING THE PROPERTY LOCATED WEST OF 609 LAURA LANE- A PART OF PARCEL # 830-37611-002, IN THE CITY OF TONTITOWN ARKANSAS FROM R-3 RESIDENTIAL, AND C-1, LIGHT COMMERCIAL TO I INDUSTRIAL**

**WHEREAS**, a rezoning application was submitted and filed with the City of Tontitown on or around the 6<sup>th</sup> day of February, 2018, by Mathias Shopping Centers, Inc., asking the City of Tontitown to rezone certain property located west of 609 Laura Lane, a part of Parcel # 830-37611-002 described therein and herein from R-3 Residential and C-1 Light Commercial to I Industrial; 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 voted to recommend the approval of the rezoning application to the City Council; 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-E Residential Estates.

**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 R-3 Residential and C-1 Light Commercial to I Industrial for certain real property located west of 609 Laura Lane, a part of Parcel # 830-37611-002, located inside the City Limits of the City of Tontitown Arkansas, more particularly described as:

Legal Description for a part of parcel #830-37611-002

A part of the Fractional Southwest Quarter (SW ¼) of Section Six (6), Township Seventeen North (T-17-N), Range Thirty West (R-30-W) of the Fifth Principal Meridian, Washington County, Arkansas, being more particularly described as follows:

Commencing at the Northeast Corner of the Fractional SW ¼ of Section 6; thence N 87°33' 40" W a distance of 1069.10 feet to a point; thence S 02° 33' 50" W a distance of 1012.20 feet to a point; thence N 87° 26' 10" W a distance of 1069.51 feet to a point; thence S 03° 09' 55" W a distance of 934.93 feet to the Point of Beginning; thence S 03° 09' 55" W a distance of 687.30' to a point on the South line of the said Fractional SW ¼; thence along said South line of the Fractional SW ¼ N 87° 32' 56" W a distance of 300.01 feet to the SW Corner of Said Fractional SW ¼ being a found railroad spike; thence along the West line of said Fractional SW ¼ N 03° 07' 26" E a distance of 687.82' to a point; thence S 87° 26' 50" E a distance of 300.49 feet to the Point of Beginning. The described property containing 4.74 acres (206,460 sq. ft.), more or less, and subject to all easements of record.

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 3<sup>rd</sup> day April, 2018

APPROVED:

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PAUL COLVIN, JR., Mayor

ATTEST:

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Recorder-Treasurer