

ORDINANCE NO. 2023-07-1061

CITY OF TONTITOWN, WASHINGTON COUNTY, ARKANSAS

AN ORDINANCE TO REZONE APPROXIMATELY 10.53 ACRES LOCATED AT 516 W. HENRI DE TONTI BLVD FROM SINGLE FAMILY RESIDENTIAL (R-3) TO GENERAL COMMERCIAL (C-2) IN THE CITY OF TONTITOWN, ARKANSAS.

WHEREAS, a Public Hearing was held before the Planning Commission for the City of Tontitown, Arkansas to hear public input to the question of an application to rezone lands located at 516 W. Henri De Tonti Blvd in Tontitown, Arkansas from Single Family Residential (R-3) to General Commercial (C-2); and,

WHEREAS, after due notice as required by law, the Tontitown Planning Commission 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 the public interest and welfare is best served by approving the requested rezoning.

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 Single Family Residential (R-3) to General Commercial (C-2) for certain real property located at 516 W. Henri De Tonti Blvd, more particularly described in the attached Exhibit "A".

Section 2. Any ordinances or parts of ordinances in conflict with this ordinance are hereby repealed to the extent of the conflict.

Section 3. In the event any one or more of the provisions contained in this Ordinance shall for any reason be held by a Court of Law to be invalid, illegal or unenforceable in any respect, such invalidity, illegality or unenforceability shall not have an effect on the remaining provisions of this Ordinance, and this Ordinance shall be construed as if such invalid, illegal or unenforceable provision or provisions had never been contained herein.

Section 4. 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 18 day of July 2023.



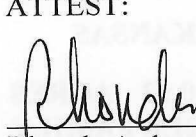
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Recorded: 07/26/2023 at 04:02:53 PM
Fee Amt: \$25.00 Page 1 of 3
Washington County, AR
Kyle Sylvester Circuit Clerk

File **2023-00019280**

APPROVED:


Angela Russell, Mayor

ATTEST:


Rhonda Ardemagni, City Clerk-Treasurer
(SEAL)



WHEREAS, a Public Hearing was held before the Planning Commission, Tonitown, Arkansas to hear public input to the question of an application to rezone a portion of the Tonitown, Arkansas from Single Family Residential (R-1) to General Commercial (C-2) and

WHEREAS, after due notice as required by law, the Tonitown Planning Commission has held public hearings in the matter, heard all parties desiring to be heard, the public has been given an opportunity to be heard, and the Commission has recommended that the rezoning requested should be approved and the rezoning be sent to the Tonitown City Council; and

WHEREAS, the Tonitown City Council has determined that the public interest and welfare is best served by approving the requested rezoning.

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

Section 1. The City of Tonitown hereby changes the zone classification from Single Family Residential (R-1) to General Commercial (C-2) for certain real property located at 216 W. Main Street, Tonitown, Arkansas, as more particularly described in the attached Exhibit "A."

Section 2. Any ordinance or parts of ordinances in conflict with this ordinance are hereby repealed to the extent of the conflict.

Section 3. In the event any one or more of the provisions contained in this Ordinance shall for any reason be held by a Court of Law to be invalid, illegal or unenforceable in any respect, such invalidity, illegality or unenforceability shall not have an effect on the remaining provisions of this Ordinance, and this Ordinance shall be construed as if such invalid, illegal or unenforceable provisions or provisions had never been contained herein.

Section 4. The official zoning map of the City of Tonitown, Arkansas is hereby amended to reflect the zoning change provided in Section 1 herein.

PASSED and APPROVED this 18 day of July 2021.

APPROVED:


Angela Russell, Mayor

LEGAL DESCRIPTION

Part of the Southwest Quarter of the Northwest Quarter of Section 1, Township 17 North, Range 31 West of the Fifth Principal Meridian, Washington County, Arkansas, and being more particularly described as COMMENCING at a found 5/8" rebar pin for the Northwest corner of said Southwest Quarter of the Northwest Quarter; thence S87°20'58"E a distance of 570.90 feet to the POINT OF BEGINNING; thence S87°20'58"E a distance of 231.00 feet; thence S03°10'00"W a distance of 207.90 feet to a set 1/2" rebar pin; thence S87°20'43"E a distance of 207.90 feet to a set 1/2" rebar pin; thence S52°34'19"E a distance of 7.52 feet to a found 1/2" rebar pin at a fence corner; thence along fence S03°41'03"W a distance of 78.82 feet; thence S02°53'05"W a distance of 240.31 feet; thence S03°17'09"W a distance of 155.13 feet; thence S02°31'58"W a distance of 232.26 feet; thence S03°28'29"W a distance of 227.29 feet; thence S01°27'17"W a distance of 128.52 feet to the North Right of Way of U.S. Highway No. 412; thence leaving said fence and along said North Right of Way N87°45'19"W a distance of 11.80 feet to a found 1/2" rebar pin; thence N87°45'19"W a distance of 194.33 feet; thence N25°01'41"W a distance of 22.28 feet; thence N88°35'25"W a distance of 69.87 feet; thence S46°23'01"W a distance of 28.20 feet; thence S84°49'24"W a distance of 75.22 feet; thence N86°28'29"W a distance of 63.44 feet; thence leaving said Right of Way N05°09'38"E a distance of 124.13 feet to a fence; thence along said fence N02°28'37"E a distance of 152.57 feet; thence N02°51'56"E a distance of 388.65 feet; thence leaving said fence N00°49'24"W a distance of 105.45 feet to a found 1/2" rebar pin; thence N03°10'43"E a distance of 516.87 feet to the POINT OF BEGINNING, containing 11.89 acres, more or less. Subject to any easements recorded or unrecorded.

