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Washington County, AR
Kyle Sylvester Circuit Clerk
File **2023-00025267**

ORDINANCE NO. 2023-09-1077

ONTITOWN, WASHINGTON COUNTY, ARKANSAS

AN ORDINANCE TO REZONE APPROXIMATELY 4.338 ACRES OF REAL PROPERTY LOCATED AT 1064 NORTH BARRINGTON ROAD FROM A MIX OF AGRICULTURE (A-1) AND SINGLE FAMILY RESIDENTIAL (R-3) TO RESIDENTIAL ESTATES, 2-ACRE MINIMUM LOT SIZE (R-E) 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 approximately 4.338 acres of real property located at 1064 North Barrington Road in Tontitown, Arkansas from a mix of Agriculture (A-1) and Single Family Residential (R-3) to Residential Estates, 2-Acre Minimum Lot Size (R-E); 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 from a mix of Agriculture (A-1) and Single Family Residential (R-3) to Residential Estates, 2-Acre Minimum Lot Size (R-E) for approximately 4.338 acres of real property located at 1064 North Barrington Road, 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 Any ordinances or parts of ordinances in conflict with this ordinance are hereby repealed to the extent of the conflict.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 19 day of September 2023.

APPROVED:

Angela Russell
Angela Russell, Mayor

ATTEST:

Rhonda Ardemagni
Rhonda Ardemagni, City Clerk-Treasurer
(SEAL)



LEGAL DESCRIPTION

TRACT 3:

PART OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER AND A PART OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 36, TOWNSHIP-18-NORTH, RANGE-31-WEST, WASHINGTON COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A FOUND RAILROAD SPIKE MARKING THE NORTHWEST CORNER OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 36, THENCE S02°48'23"W 329.16'; THENCE S87°06'48"E 44.98' TO A SET 5/8" REBAR BEING THE TRUE POINT OF BEGINNING; THENCE N02°52'07"E 269.39' TO A SET 5/8" REBAR; THENCE S87°00'31"E 150.52' TO A SET 5/8" REBAR; THENCE N03°06'50"E 144.40' TO A SET 5/8" REBAR; THENCE S87°00'31"E 483.30' TO AN EXISTING DRAINAGE DITCH; THENCE S07°02'22"W 6.54'; THENCE S47°23'13"W 48.80'; THENCE S66°21'16"W 48.76'; THENCE S50°50'48"W 42.74'; THENCE S31°07'09"W 26.82'; THENCE S06°55'29"W 28.89'; THENCE S13°09'22"W 149.97'; THENCE S15°48'07"W 94.34'; THENCE S34°05'31"W 33.83'; THENCE N87°06'48"W 444.20' TO THE POINT OF BEGINNING, CONTAINING 4.338 ACRES MORE OR LESS AND SUBJECT TO ALL EASEMENTS AND RIGHTS-OF-WAY OF RECORD

