



Doc ID: 021317750003 Type: REL
Kind: ORDINANCE
Recorded: 10/26/2023 at 08:16:27 AM
Fee Amt: \$25.00 Page 1 of 3
Washington County, AR
Kyle Sylvester Circuit Clerk

File **2023-00027924**

ORDINANCE NO. 2023-10-1081

CITY OF TONTITOWN, WASHINGTON COUNTY, ARKANSAS

AN ORDINANCE TO REZONE APPROXIMATELY 1.373 ACRES OF REAL PROPERTY LOCATED AT 1583 ARBOR ACRES AVENUE (TRACT 1) FROM AGRICULTURE (AG) TO SINGLE FAMILY RESIDENTIAL (R-1) AND APPROXIMATELY 1.375 ACRES OF REAL PROPOERTY LOCATED AT 1583 ARBOR ACRES (TRACT 2) AVENUE FROM AGRICULTURE (AG) TO LIGHT INDUSTRIAL (LI) 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 1.373 acres of real property located at 1583 Arbor Acres Avenue from Agriculture (AG) to Single Family Residential (R-1) and approximately 1.375 acres of real property located at 1583 Arbor Acres Avenue from Agriculture (AG) to Light Industrial (LI) in the City of Tontitown, Arkansas; and

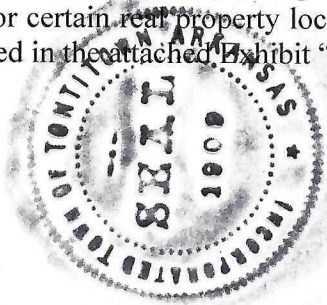
WHEREAS, after due notice as required by law, the Tontitown Planning Commission has, at the time and place mentioned in the notice, heard all persons desiring to be heard on the question; and

WHEREAS, the Planning Commission has determined that and has ascertained that the rezoning requested should not be recommended for approval to the Tontitown City Council and the appellant/owner of the property has appealed this rezoning to the City Council as permitted by the Tontitown Municipal Code; and

WHEREAS, the Tontitown City Council has determined that the public interest and welfare is best served by affirming the appeal and 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 Agriculture (AG) to Single Family Residential (R-1) for certain real property located at Tract 1 of 1583 Arbor Acres Avenue, more particularly described in the attached Exhibit "A".



Section 2. The City of Tontitown hereby changes the zone from Agriculture (AG) to Light Industrial (LI) for certain real property located at Tract 2 of 1583 Arbor Acres Avenue, and more particularly described in the attached Exhibit "A".


Section 3. Any ordinances or parts of ordinances in conflict with this ordinance are hereby repealed to the extent of the conflict.

Section 4. 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.

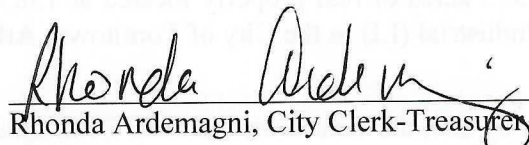
Section 5. The official zoning map of the City of Tontitown, Arkansas is hereby amended to reflect the zoning change provided in Section 1 and Section 2 hereof.

PASSED and APPROVED this 17 day of October 2023.

APPROVED:


Angela Russell, Mayor

ATTEST:


Rhonda Ardemagni, City Clerk-Treasurer
(SEAL)





23-4549 Survey Descriptions

RECORD DESCRIPTION

WARRANTY DEED 2022-00005119:

A PART OF THE SOUTHWEST QUARTER (SW 1/4) OF THE SOUTHWEST QUARTER (SW 1/4) OF SECTION FOURTEEN (14), TOWNSHIP SEVENTEEN (17) NORTH, RANGE THIRTY-ONE (31) WEST, DESCRIBED AS BEGINNING AT THE NORTHWEST CORNER OF SAID 40 ACRE TRACT, AND RUNNING THENCE EAST 200 FEET, THENCE SOUTH 600 FEET, THENCE WEST 200 FEET, THENCE NORTH 600 FEET TO THE POINT OF BEGINNING. CONTAINING 3 ACRES, MORE OR LESS.

SURVEY DESCRIPTION

TRACT 1:

A PART OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 14, TOWNSHIP 17 NORTH, RANGE 31 WEST, WASHINGTON COUNTY, ARKANSAS, BEING DESCRIBED AS FOLLOWS: BEGINNING AT A SET RAILROAD SPIKE AT THE NORTHWEST CORNER OF SAID FORTY ACRE TRACT; THENCE, ALONG THE NORTH LINE OF SAID FORTY ACRE TRACT, SOUTH 87°23'38" EAST 199.28 FEET; THENCE, LEAVING SAID NORTH LINE, SOUTH 02°56'54" WEST 300.00 FEET TO A FOUND 1/2" REBAR CAPPED "PS 1348"; THENCE, NORTH 87°23'36" WEST 199.51 FEET TO A SET 5/8" REBAR CAPPED "AR 1659"; THENCE, NORTH 02°59'31" EAST 300.00 FEET TO THE POINT OF BEGINNING. CONTAINING 1.373 ACRES, MORE OR LESS. SUBJECT TO EASEMENTS AND RIGHT-OF-WAYS OF RECORD.

TRACT 2:

A PART OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 14, TOWNSHIP 17 NORTH, RANGE 31 WEST, WASHINGTON COUNTY, ARKANSAS, BEING DESCRIBED AS FOLLOWS: COMMENCING AT A SET RAILROAD SPIKE AT THE NORTHWEST CORNER OF SAID FORTY ACRE TRACT; THENCE, ALONG THE WEST LINE OF SAID FORTY ACRE TRACT SOUTH 02°59'31" WEST 300.00 FEET TO A SET 5/8" REBAR CAPPED "AR 1659" BEING THE TRUE POINT OF BEGINNING; THENCE, LEAVING SAID WEST LINE SOUTH 87°23'36" EAST 199.51 FEET TO A FOUND 1/2" REBAR CAPPED "PS 1348"; THENCE, SOUTH 02°56'54" WEST 300.00 FEET TO A FOUND 1/2" REBAR; THENCE, NORTH 87°23'35" WEST 199.74 FEET TO THE WEST LINE OF SAID FORTY ACRE TRACT; THENCE, ALONG SAID WEST LINE NORTH 02°59'31" EAST 300.00 FEET TO THE POINT OF BEGINNING. CONTAINING 1.375 ACRES, MORE OR LESS. SUBJECT TO EASEMENTS AND RIGHT-OF-WAYS OF RECORD.



BLEW



STATED BY THE DEEDGRANTOR

RECORD OF DEEDS

PLAT 100-100-100-100

A PART OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 34, TOWNSHIP 34N, RANGE 12E, MERIDIAN 10E, BEING THE SOUTHWEST QUARTER OF SAID SECTION 34, AND BEING ALSO BEGINNING AT THE NORTHWEST CORNER OF SAID ACRES TRACT, AND RUNNING THENCE EAST 200 FEET, THENCE SOUTH 200 FEET, THENCE NORTH 200 FEET TO THE POINT OF BEGINNING, CONTAINING 3 ACRES, MORE OR LESS.

SUBJECT DESCRIPTION

TRACT 1

A PART OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 34, TOWNSHIP 34N, RANGE 12E, MERIDIAN 10E, BEING THE SOUTHWEST QUARTER OF SAID SECTION 34, AND BEING ALSO BEGINNING AT A SET RAILROAD CORNER AT THE NORTHWEST CORNER OF SAID FORTY ACRES TRACT, THENCE ALONG THE RAILROAD TO THE NORTHWEST CORNER OF SAID FORTY ACRES TRACT, THENCE NORTH 200 FEET, THENCE EAST 200 FEET, THENCE SOUTH 200 FEET TO A POINT OF BEGINNING, CONTAINING 3 ACRES, MORE OR LESS, SUBJECT TO EASEMENTS AND RIGHTS OF WAY OF

RECORD

TRACT 2

A PART OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 34, TOWNSHIP 34N, RANGE 12E, MERIDIAN 10E, BEING THE SOUTHWEST QUARTER OF SAID SECTION 34, AND BEING ALSO BEGINNING AT A SET RAILROAD CORNER AT THE NORTHWEST CORNER OF SAID FORTY ACRES TRACT, THENCE ALONG THE RAILROAD TO THE NORTHWEST CORNER OF SAID FORTY ACRES TRACT, THENCE NORTH 200 FEET, THENCE EAST 200 FEET, THENCE SOUTH 200 FEET TO A POINT OF BEGINNING, CONTAINING 3 ACRES, MORE OR LESS, SUBJECT TO EASEMENTS AND RIGHTS OF WAY OF

RECORD



Washington County, AR
I certify this instrument was filed on
10/26/2023 08:16:27 AM
and recorded in Real Estate
File Number 2023-00027924
Kyle Sylvester - Circuit Clerk

by 