

ORDINANCE NO. 08-20-2009

AN ORDINANCE TO AMEND THE ZONING DISTRICT CLASSIFICATION AND BOUNDARIES REGARDING PROPERTY IDENTIFIED IN REZONING PETITION OF GERALD BOWMAN APPROVED BY ELKINS PLANNING COMMISSION ON JULY 20, 2009.

WHEREAS, the Planning Commission on July 20, 2009, passed the Rezoning Petition of Gerald Bowman and recommended to the City Council passage of an ordinance to rezone the described property from C-1 to C-2.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ELKINS, ARKANSAS:

SECTION 1: That the zone classification of the following described property be changed from C-1 to C-2:

A PART OF THE SOUTHEAST QUARTER OF SECTION 26, TOWNSHIP 16 NORTH, RANGE 29 WEST, WASHINGTON COUNTY, ARKANSAS, MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT: BEGINNING AT A FOUND 1/2" REBAR WHICH IS 1036.90' SOUTH AND 753.96' EAST OF THE NORTHWEST CORNER OF SAID SOUTHEAST QUARTER AND RUNNING THENCE EAST 134.06 TO A FOUND 1/2' REBAR WITH CAP, THENCE S00°00'10"E 660.70', THENCE N89°55'09"W 134.06' TO A FOUND 1/2" REBAR, THENCE N00°00'10"W 660.51' TO THE POINT OF BEGINNING. CONTAINING 2.03 ACRES, MORE OR LESS. HAVING RIGHTS TO A 30' WIDE INGRESS EGRESS ACCESS EASEMENT THE CENTERLINE OF WHICH BEING DESCRIBED AS A PART OF THE SOUTHEAST QUARTER OF SECTION 26, TOWNSHIP 16 NORTH, RANGE 29 WEST, WASHINGTON COUNTY, ARKANSAS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT: COMMENCING AT THE NORTHWEST CORNER OF SAID SOUTHEAST QUARTER AND RUNNING THENCE SOUTH 1036.90', THENCE EAST 888.02' TO A FOUND REBAR WITH CAP, THENCE S00°00'10"E 233.25' TO THE TRUE POINT OF BEGINNING OF SAID EASEMENT, THENCE ALONG SAID EASEMENT CENTERLINE THE FOLLOWING: S89°46'19"E 292.75', N48°58'46"E 223.55' TO THE SOUTH RIGHT-OF-WAY OF ARKANSAS STATE HIGHWAY #16 AND THE POINT OF TERMINATION OF SAID EASEMENT. SUBJECT TO ALL OTHER EASEMENTS AND RIGHTS-OF-WAY OF RECORD.

SECTION 2: That the official Zoning District's map of the City of Elkins, Arkansas is hereby amended to reflect the zoning change in Section 1 above.

PASSED AND APPROVED this 20th day of August, 2009.

APPROVED:


JACK LADYMAN, Mayor

ATTEST:


SUNNY LEDFORD, Recorder/Treasurer