

ORDINANCE NO. 1867

An Ordinance Rezoning a Part of NE ¼, NW ¼, Section 16, Township 20 North, Range 26 West, Described on a Plat Dated November 2, 1982, and Filed December 2, 1983, in the Western District of Carroll County in Plat Cabinet A, Slide 105-L, in the City of Eureka Springs, Arkansas, From A, Agriculture to C-2, Contemporary Commercial

WHEREAS, a Petition was duly filed with the Planning Commission and Board of Zoning Adjustment of Eureka Springs, Arkansas, requesting a rezoning from A, Agricultural, to C2, Contemporary Commercial, of any part of the following described real property not zoned C2, Contemporary Commercial and located in Eureka Springs, Arkansas to-wit:

A part of the NE ¼, NW ¼, Section 16, T-20-N, R-26-W, Carroll County, Arkansas, being part of that tract shown at deed record 69, page 118, and described as follows: beginning at the SE corner of said NE ¼, NW ¼, Section 16; thence S 87° 01' 31" W 702.31 feet (S 87° 30' W 704.90 feet, record); thence N 00° 38' 00" W 737.05 feet; thence S 48° 21' 04" E 317.73 feet; thence N 60° 46' 13" E 238.03 feet; thence N 28° 05' 42" E 97.08 feet to the southerly right-of-way of U.S. Highway 62; thence S 71° 24' 02" E (S 68° 07' E, record) 25.96 feet along said right-of-way; thence S 70° 24' 19" E 4.45 feet (S 66° 19' E 4.30 feet, records) along said right-of-way; thence S 04° 05' 27" E 199.54 feet (S 03° 00' E 200.00 feet, record); thence N 85° 30' 58" E 149.69 feet (N 87° 00' E 147.80 feet, records); thence S 03° 03' 24" E 494.89 feet (00° 38 records) to the point of beginning, containing 9.23 acres more or less.

WHEREAS, the Eureka Springs Board of Zoning Adjustment approved the rezoning request on 22th day of February, 2001, rezoning from A, Agriculture use to C2, Contemporary Commercial use and

WHEREAS, the City Council of Eureka Springs, Arkansas, finds it is in the best interest of the City of Eureka Springs, Arkansas, to rezone said land from A, Agriculture use, to C2, Contemporary Commercial use, in the City of Eureka Springs, Arkansas; NOW, THEREFORE

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EUREKA SPRINGS, ARKANSAS:

1. That real property described in survey filed for record in Survey Cabinet A, Slide 105L, WD, Carroll County, Arkansas, located in the City of Eureka Springs,

Carroll County, Arkansas, should be and hereby is accepted by the City of Eureka Springs, Arkansas, as being rezoned from A, Agriculture use to C2, Contemporary Commercial use.

2. That all ordinances or resolutions, and parts thereof in conflict herewith are hereby repealed to the extent of such conflict.
3. That each of the provisions of this ordinance are severable and the decision of any court having jurisdiction as to the validity of any provision shall not affect the remaining provisions.
4. That this ordinance shall go into and be of full effect thirty (30) days after its passage.

PASSED AND ORDAINED BY THE CITY COUNCIL OF THE CITY OF EUREKA SPRINGS, ARKANSAS, THIS _____ DAY OF _____, 2001

APPROVED:

BEAU ZAR SATORI, Mayor

ATTEST:

MARY ANN LEE, City Clerk