

ORDINANCE NO. 1004

AN ORDINANCE AMENDING ORDINANCE NO. 915 AND THE ZONING MAP OF EUREKA SPRINGS, ARKANSAS, ADOPTED JANUARY 15, 1970, TO REZONE CERTAIN PROPERTY FROM A-Agricultural District to C-1 Secondary Commercial District

WHEREAS, a hearing was held before the Planning Commission of the City of Eureka Springs, Arkansas, on a Petition by Mr. & Mrs. Floyd Frantom, husband and wife, requesting that said Planning Commission recommend to the City Council of the City of Eureka Springs, Arkansas, that the City Council enact an ordinance amending Zoning Ordinance No. 915 and the zoning map made a part thereof by rezoning the following described property presently zoned A-Agricultural to C-1 Secondary Commercial District, to wit:

A part of the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 16, Township 20 North, Range 26 West, and a part of the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$, Section 9, Township 20 North, Range 26 West, all containing 38 acres, more or less, and located on Highway 62 West, more particularly described as follows:

A part of the Northwest Quarter (NW $\frac{1}{4}$) of the Northwest Quarter (NW $\frac{1}{4}$) of Section 16, Township 20 North, Range 26 West, described as follows: Commence at the point where U.S. Highway 62 intersects the East line of said forty; thence Westerly along the south side of said highway 340 feet to center of a hollow impinging on said highway for a place of beginning; thence in a southeasterly direction along center of said hollow to where same intersects the south line of said forty; thence West along south line to southwest corner thereof; thence East along north line to where U.S. Highway 62 intersects same; thence south following the west and south side of said Highway to point of beginning.

Also, a part of the Southwest Quarter (SW $\frac{1}{4}$) of the Southwest Quarter (SW $\frac{1}{4}$) Section 9, Township 20 North, Range 26 West, described as follows: Begin at the Southwest corner thereof; thence North 28 rods (462 feet) to a hollow; thence South 50° 30 feet East 8 rods and 15 links up hollow; thence South 45° East 9 rods and 8 links up hollow; thence South 70° 30 feet East 11 rods and 17 links up hollow; thence South 89° East 7 rods and 15 links up hollow; thence North 54° 30 feet East to U.S. Highway 62; thence in Southerly direction following the West side said Highway to point where same intersects the South line of said forty; thence West along said line to point of beginning, this tract contains 7 $\frac{1}{2}$ acres, more or less.

Both tracts contain a total of 38 acres, more or less, all in the Western District of Carroll County, Arkansas.

WHEREAS, following said hearing, the Planning Commission of the City of Eureka Springs certified to the City Council of the City of Eureka Springs,

its recommendation that an Ordinance be adopted rezoning the above described property as requested.

AND, WHEREAS, that notice of a public hearing setting forth the time, date, place and purposes of said hearing and the location of said property was published in the Eureka Springs Times Echo, a newspaper of general circulation in the City more than fifteen days prior to the said public hearing before the City Council of the City of Eureka Springs, Arkansas,

AND, WHEREAS, the City Council of the City of Eureka Springs held the public hearing as advertised,

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EUREKA SPRINGS, ARKANSAS: Section 1. That the above described property which is presently zoned A-Agricultural District, be and the same hereby is, rezoned to C-1 Secondary Commercial District.

Section 2. That a copy of this Ordinance, duly certified by the City Recorder shall be recorded in the Deed Records of the Ex-Officio Recorder for the Western District of Carroll County, Arkansas.

Section 3. That all ordinances or parts of ordinances in conflict herewith are hereby repealed and this ordinance shall be in full force and effect from and after its passage, approval and publication.

PASSED AND ORDAINED this 4th day of Sapt., 1976.

APPROVED:

Tracie Walsh
William A. Hill Tracie Walsh
Mayor Pres Pro Tempore
City of Eureka Springs, Arkansas

ATTEST:
June Moncravie
June Moncravie, City Clerk
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