

ORDINANCE NO. 1039

AN ORDINANCE REZONING A PART OF THE SOUTHWEST QUARTER (SW 1/4) OF SECTION 22 AND A PART OF THE NORTHWEST QUARTER OF SECTION 27, TOWNSHIP 20 NORTH, RANGE 26 WEST, IN THE CITY OF EUREKA SPRINGS, ARKANSAS, FROM I-INDUSTRIAL TO R-RESIDENTIAL AND C-1 COMMERCIAL.

WHEREAS, a Petition was duly filed with the City Council of Eureka Springs, Arkansas, requesting a reclassification of zoning, from I-Industrial to R-Residential, of the following described property located in Eureka Springs, Arkansas, to-wit:

A part of the Southwest Quarter (SW 1/4), Section 22 and a part of the Northwest Quarter (NW 1/4), Section 27, Township 20 North, Range 26 West, Carroll County, Arkansas, more particularly described as follows:

Commencing at the Southwest corner of the SW 1/4 of said Section 22; thence N 88° 49' 50" E 165.82 feet to the point of beginning; thence N 88° 49' 50" E 487.82 feet; thence N 25° 57' 45" W 186.57 feet; thence N 09° 46' 08" E 86.29 feet; thence S 50° 30' 38" E 269.31 feet; thence N 24° 27' 18" E 314.47 feet; thence N 82° 16' 50" W 194.88 feet; thence N 21° 31' 34" E 358.62 feet; thence South 59° 06' East 69 feet; thence S 73° 35' 50" E 99.56 feet; thence S 79° 32' 50" E 198.78 feet; thence S 82° 15' 50" E 150.00 feet; thence S 83° 05' 50" E 163.71 feet; thence N 64° 21' 10" E 56.00 feet; thence N 89° 52' 10" E 199.71 feet; thence N 89° 42' 50" E 123.75 feet; thence N 72° 54' 07" E 214.85 feet; thence S 41° 33' 00" E 96.44 feet; thence S 20° 58' 00" E 608.12 feet; thence S 47° 38' 00" E 354.35 feet; thence S 00° 54' 00" E 977.55 feet; thence S 87° 31' 01" W 414.81 feet; thence N 76° 05' 11" W 358.52 feet; thence N 52° 41' 04" W 296.93 feet; thence S 02° 48' 31" W 84.33 feet; thence S 89° 18' 00" W 589.68 feet; thence N 75° 51' 47" W 206.58 feet; thence N 58° 16' 45" W 149.34 feet; thence N 70° 22' 37" W 199.80 feet; thence N 37° 17' 38" W 243.29 feet; thence N 41° 46' 21" W 296.91 feet; thence N 00° 32' 00" E 339.68 feet; thence N 36° 18' 35" W 78.72 feet to the point of beginning.

WHEREAS, said Petition also requests a reclassification of zoning, from I-Industrial to C-1 Commercial, of the following described property located in Eureka Springs, Arkansas.

A part of the SW 1/4, Section 22, Township 20 North, Range 26 West, Carroll County, Arkansas, more particularly described as follows:

Beginning at the Southwest corner of the SW 1/4 of said Section 22; thence N 02° 13' 00" W 316.28 feet to the South side of Highway 23; thence following said Highway, N 70° 08' 34" E 227.79 feet; thence N 45° 55' 20" E 300.08 feet; thence N 14° 45' 41" E 300.18 feet; thence N 10° 52' 20" E 200.12 feet; thence N 23° 00' 51" E 379.91 feet; thence leaving said highway, S 84° 31' 00" E 605.41 feet; thence S 00° 17' 00" W 22.20 feet; thence S 83° 58' 00" E 251.83 feet; thence S 41° 33' 00" E 859.81 feet; thence S 72° 54' 07" W 214.85 feet; thence S 89° 42' 50" W 123.75 feet; thence S 89° 52' 10" W 199.71 feet; thence S 64° 21' 10" W 56.00 feet; thence N 83° 05' 50" W 163.71 feet; thence N 82° 15' 50" W 150.00 feet; thence N 79° 32' 50" W 198.78 feet; thence N 73° 35' 50" W 99.56 feet; thence N 59° 06' W 69.00 feet; thence S 21° 31' 34" W 358.62 feet; thence S 82° 16' 50" E 194.88 feet; thence S 24° 27' 18" W 314.47 feet; thence N 50° 30' 38" W 269.31 feet; thence S 09° 46' 08" W 86.29 feet; thence S 25° 57' 45" E 186.57 feet; thence N 88° 49' 50" E 653.64 feet to the point of beginning.

WHEREAS, a hearing was held before the Planning Commission of the City of Eureka Springs, Arkansas, on May 18, 1978, and said Planning Commission recommended approval of the rezoning of the above-described lands.

WHEREAS, notice that a public hearing would be conducted by the City Council of Eureka Springs, Arkansas, was duly published, and at the time set forth therein all persons present were afforded an opportunity to be heard on the question and no objection was voiced thereto, and it was ascertained that it would be in the best interests of the City of Eureka Springs for the aforesaid lands to be developed according to the uses established in the C-1 Commercial and R-Residential portions of the zoning code.

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

SECTION 1: The City of Eureka Springs, Arkansas, hereby amends the land use plan of its Zoning Ordinance by withdrawing the former classification of I-Industrial and substituting therefor the land use classifications of C-1 Commercial and R-Residential, respectively, for the heretofore described lands.

SECTION 2. 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. This Ordinance shall be in full force and effect from and after its passage, approval and publication.

PASSED AND ORDAINED this 8th day of July, 1978.

APPROVED: Charles F. Robertson

ATTEST:

June D. Moncreau