

ORDINANCE NO. 2023-06

AN ORDINANCE AMENDING ORDINANCE NO. 98-08 WITH REFERENCE TO ZONING WITHIN THE CITY OF GASSVILLE, ARKANSAS RELATIVE TO CHANGING AN AREA ZONED RESIDENTIAL (R-1) TO COMMERCIAL (C-2).

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GASSVILLE, ARKANSAS:

THAT A PROPER PETITION WAS FILED BY BLEW & ASSOCIATES, VAN TASSEL PROCTOR, & BARTLETT ARCHITECTURE AS AGENT/AUTHORIZED REPRESENTATIVE FOR (LACEFIELD RESIDUARY TRUST). REQUESTING A CHANGE IN ZONING; THAT SAID PETITION WAS SUBMITTED TO THE GASSVILLE PLANNING AND ZONING COMMISSION OF THE CITY OF GASSVILLE, ARKANSAS; THAT NOTICE OF SAID PETITION AND PUBLIC HEARING WAS PUBLISHED IN A NEWSPAPER (THE BAXTER BULLETIN) HAVING LOCAL CIRCULATION AS REQUIRED BY ORDINANCE NO. 98-08; THAT A PUBLIC HEARING WAS HELD (JULY 10, 2023); THAT ALL REMONSTRANCE'S WERE HEARD, AFTER WHICH THE GASSVILLE PLANNING AND ZONING COMMISSION RECOMMENDED THAT ALL PROPERTY HEREIN BE REZONED.

THE FOLLOWING DESCRIBED REAL ESTATE LOCATED IN THE CITY OF GASSVILLE, ARKANSAS (BAXTER COUNTY) LOCATED AT 519 E. MAIN ST CONTAINING 1.386 ACRES M/L IS HEREBY CHANGED IN ZONING FROM RESIDENTIAL (R-1) TO COMMERCIAL (C-2).

SEE PROPERTY DESCRIPTION ATTACHED: "EXHIBIT A"

EMERGENCY CLAUSE:

AN EMERGENCY IS THEREFORE DECLARED TO EXIST AND THIS ORDINANCE BEING NECESSARY FOR THE PUBLIC SAFETY, PROPERTY AND WELFARE SHALL BE IN FULL FORCE AND EFFECT FROM AND AFTER ITS PASSAGE.

ADOPTED THIS 18TH **DAY OF** July **2023.**

APPROVED:



JEFF BRAIM, MAYOR

ATTEST:


JEFF LEWIS, RECORDER/TREASURER

“EXHIBIT A”

LEGAL DESCRIPTION OF LAND TO BE REZONED:

A PART OF THE SOUTHWEST QUARTER (SW1/4) OF THE SOUTHEAST QUARTER(SE1/4) OF SECTION 28, TOWNSHIP 19 NORTH, RANGE 14 WEST, BAXTER COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A FOUND 3” ALUMINUM STATE MONUMENT MARKING THE SOUTHEAST CORNER OF SAID SECTION 28; THENCE ALONG THE SOUTH LINE THEREOF N 88°52’03” W, 936.30 FEET; THENCE DEPARTING FROM SAID SOUTH LINE N 86°02’33” W, 366.20 FEET; THENCE N 88°30’39” W, 237.13 FEET; THENCE N 88°58’23” W, 284.46 FEET TO A FOUND 1/2” IRON PIN, THENCE N 01°19’10” E, 147.54 FEET TO A FOUND 1/2” IRON PIN; THENCE N 89°59’46” W, 202.47 FEET TO A FOUND 1/2” IRON PIN IN CONCRETE; THENCE N 01°21’59” E, 312.52 FEET TO A FOUND NAIL WITH WASHER LOCATED ON THE SOUTHERLY RIGHT-OF-WAY LINE OF ARKANSAS STATE HIGHWAY NO. 412 AS DETERMINED BY ARKANSAS STATE HIGHWAY DEPARTMENT JOB NO. R90092; THENCE CONTINUING ALONG SAID RIGHT-OF-WAY LINE N 63°11’32” E, 99.45 FEET; THENCE N 66°03’32” E, 149.41 FEET TO A SET 5/8” REBAR WITH CAP “AR 1659” LOCATED ON SAID RIGHT-OF-WAY LINE FOR THE POINT OF BEGINNING; THENCE CONTINUING ON SAID RIGHT-OF-WAY LINE N 66°03’32” E, 50.31 FEET TO A SET 5/8” REBAR WITH CAP “AR 1659”; THENCE N 60°21’13” E, 100.50 FEET TO A SET 5/8” REBAR WITH CAP “AR 1659”; THENCE N 66°03’51” E, 126.89 FEET TO A SET 5/8” REBAR WITH CAP “AR 1659”; THENCE DEPARTING FROM SAID RIGHT-OF-WAY LINE S 03°17’04” E, 295.05 FEET TO A SET 5/8” REBAR WITH CAP “AR 1659”; THENCE S 72°41’37” W 163.29 FEET TO A SET 5/8” REBAR WITH CAP “AR 1659”; THENCE N 39°48’18” W, 80.45 FEET TO A SET 5/8” REBAR WITH CAP “AR 1659”; THENCE N 20°12’54” W, 170.21 FEET TO THE POINT OF BEGINNING, AND CONTAINING 1.386 ACRES (60,373 SQ. FT.), MORE OR LESS