

ORDINANCE NO. 2006-02

**AN ORDINANCE REZONING A TRACT OF LAND
LOCATED ON HIGHWAY 65 SOUTH IN THE CITY
OF CLINTON, ARKANSAS, FROM RESIDENTIAL TO
HIGHWAY COMMERCIAL AND FOR OTHER PURPOSES.**

WHEREAS, The Owner of a certain tract of land located on Highway 65 S in the City of Clinton, Arkansas, desires to rezone said property from R-1 Residential to HC Highway Commercial; and

WHEREAS, said tract and is to be used as commercial property and the owner has sought rezoning of the tract to Highway Commercial and has filed the proper applications with the City; and

WHEREAS, the Planning Commission has now conducted a public hearing on the rezoning request as required by ordinance; and

WHEREAS, as a result of the hearing the Planning Commission recommends that said tract be rezoned as Highway Commercial to accurately reflect its intended use and the intent of the land use plan.

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

Section 1:

The following tract of land located in the City of Clinton, Arkansas, is hereby rezoned to Highway Commercial to wit:

PART OF THE NW ¼ NE ¼ SECTION 2, T-10-N, R-14-W AND PART OF SW ¼ SE ¼ SECTION 35, T-11-N, R-14-W, CITY OF CLINTON, VAN BUREN COUNTY, ARKANSAS, MORE PARTICULARLY DESCRIBED BY TRUE MERIDIAN BEARINGS AS: STARTING AT A STONE MONUMENT AT THE SW CORNER SW ¼ SE ¼ SECTION 35, T-11-N, R-14-W, SAID STONE AS SHOWN AND REFERENCED ON SURVEY "E" 541: THENCE S 89° 07' 16" E, ALONG THE SOUTH LINE OF SAID SW ¼ SE ¼, A DISTANCE OF 40.92 FEET TO A STONE MONUMENT AT THE NW CORNER NW ¼ NE ¼ SECTION 2, T-10-N, R-14-W, SAID STONE AS SHOWN AND REFERENCED ON SURVEY "E" 349: THENCE CONTINUING ALONG SAID SOUTH LINE OF SW ¼ SE ¼

SECTION 35, S 88° 40' 52" E A DISTANCE OF 534.45 FEET TO THE POINT OF BEGINNING OF THE LANDS HEREIN DESCRIBED, BEING ON THE EAST LINE OF LOT 8 SEDGEFIELD SUBDIVISION AS RECORDED IN PLAT BOOK 2 AT PAGE 60: THENCE N 12°53' 17" W, ALONG SAID EAST LINE OF LOT 8, A DISTANCE OF 12.99 FEET TO THE NE CORNER OF SAID LOT; THENCE N 82° 27' 58" E A DISTANCE OF 277.09 FEET TO A POINT ON WESTERLY RIGHT OF WAY LINE OF U.S. HIGHWAY 65, SAID POINT BEING S 15° 24' 03" E A DISTANCE OF 24.47 FEET FROM A CONCRETE RIGHT OF WAY MARKER WHICH IS 60 FEET LEFT (WEST) OF CENTERLINE STATION 290+00 FEET, ASHC JOB NUMBER 8566: THENCE S 15° 24' 05" E, ALONG SAID RIGHT OF WAY LINE, A DISTANCE OF 57.67 FEET TO A POINT ON THE NORTH LINE OF NW ¼ NE ¼ SECTION 2, T-10-N, R-14-W, SAID POINT BEING S 88° 40' 52" E A DISTANCE OF 287.19 FEET FROM AFORESAID BEGINNING POINT; THENCE CONTINUING S 15° 24' 05" E ALONG SAID RIGHT OF WAY LINE, A DISTANCE OF 153.00 FEET TO THE NE CORNER OF LOT 1, SAID SEDGEFIELD SUBDIVISION: THENCE LEAVING SAID HIGHWAY AND RUN S 82°20' 17" W, ALONG THE NORTH LINE OF SAID LOT 1, A DISTANCE OF 286.31 FEET TO THE NW CORNER OF SAID LOT 1: THENCE N 12° 59' 17" W, ALONG AFORESAID EAST LINE OF LOT 8, A DISTANCE OF 197.25 FEET NTO THE POINT OF BEGINNING, BEING 9,722 SQUARE FEET OR 0.22 ACRES IN SW ¼ SE ¼ SECTION35; 49,163 SQUARE FEET OR 1.13 ACRES IN NW ¼ NE ¼ SECTION 2, AND CONTAINING IN THE AGGREGATE OF 58,885 SQUARE FEET OR 1.35 ACRES ACORDING TO THE CHARLES NEAL SURVEY.

Section 2:

The Planning Commission shall amend the official zoning map to reflect this change in zoning.

PASSED: September 14, 2006

ATTEST:

Merl Eoff
Merl Eoff, Recorder/Treasurer/Clerk, CMC

Chip Ellis
Chip Ellis, Mayor

APPROVED AS TO LEGAL FORM:

Brad A. Cazort
Brad A. Cazort, City Attorney