

ORDINANCE NO. 2021-09

AN ORDINANCE AMENDING THE "ZONING MAP" ATTACHED THERETO, AND  
FOR OTHER PURPOSES

WHEREAS, the Zoning Map of the City of Heber Springs, classified as Commercial Zone C-2, the following described real property (the "**Real Property**"), to wit:

Legal Description (Tract 1):

Being a part of the W1/2 of the SE1/4, of Section 18, T-10-N, R-9-W, of Cleburne County, Arkansas more particularly described as follows: Commencing at a found nail in a fence corner lying at the SE Corner of said W1/2 of the SE1/4; thence along the East line of said W1/2 of the SE1/4, N01°36'21"E, 939.42 feet to a found iron pin (APLS#1269), being the Point of Beginning of said Tract 1; thence continuing along said East line, N01°36'21"E, 1107.32 feet to a found 1/2" rebar at the South Right-of-Way of Arkansas State Highway #110; thence leaving said East line and along said South Right-of-Way, S84°09'09"W, 131.99 feet to a calculated point; thence continuing along said South Right-of-Way, S83°31'08"W, 187.65 feet to a calculated point at the intersection of said South Right-of-Way and the East Right-of-Way of Southridge Parkway; thence leaving said South Right-of-Way and along said East Right-of-Way with a curve to the left having a radius of 25.00 feet, an arc length of 35.98 feet and a chord bearing and distance of S42°12'01"W, 32.96 feet to a calculated point; thence continuing along said East Right-of-Way the following three courses: S01°36'48"W, 492.41 feet to a calculated point; thence along a curve to the right with a radius of 124.72 feet, an arc length of 97.95 feet, and a chord bearing and distance of S24°06'25"W, 95.45 feet to a calculated point; thence S46°36'30"W, 62.97 feet to a calculated point at the intersection of said East Right-of-Way and the North Right-of-Way of Santa Fe Trail; thence leaving said East Right-of-Way and along said North Right-of-Way the following five courses: S43°24'20"E, 293.49 feet to a calculated point; thence along a curve to the right with a radius of 125.00 feet, an arc length of 96.94 feet, and a chord bearing and distance of S21°11'23"E, 94.52 feet to a calculated point; thence S01°36'06"W, 8.12 feet to a calculated point; thence along a curve to the left with a radius of 121.50 feet, an arc length of 49.68 feet, and a chord bearing and distance of S14°38'38"E, 49.34 feet to a calculated point; thence along a reverse curve to the right with a radius of 50.00 feet, and arc length of 29.87 feet, and a chord bearing and distance of S20°14'08"E, 29.43 feet to a calculated point; thence leaving said North Right-of-Way, S74°50'58"E, 154.55 feet to the Point of Beginning, containing 7.54 acres, more or less.

Legal Description (Tract 2):

Being a part of the W1/2 of the SE1/4, of Section 18, T-10-N, R-9-W, of Cleburne County, Arkansas more particularly described as follows: Commencing at a found nail in a fence corner lying at the SE Corner of said W1/2 of the SE1/4; thence along the East line of said W1/2 of the SE1/4, N01°36'21"E, 939.42 feet to a found iron pin (APLS#1269); thence leaving said East line, N74°50'58"W, 205.72 feet to a calculated point on the centerline of Santa Fe Trail;

thence N89°01'46"W, 47.59 feet to a calculated point, being the Point of Beginning; thence continuing N89°01'46"W, 31.61 feet to a calculated point; thence N43°23'32"W, 358.02 feet to a calculated point lying on the East Right-of-Way of Southridge Parkway; thence along said East Right-of-Way, N46°35'41"E, 110.02 feet to a calculated point at the intersection of said East Right-of-Way and the South Right-of-Way of Santa Fe Trail; thence leaving said East Right-of-Way and along said South Right-of-Way the following four courses: S43°24'20"E, 293.52 feet to a calculated point; thence along a curve to the right with a radius of 75.00 feet, an arc length of 57.94 feet, and a chord bearing and distance of S21°16'24"E, 56.51 feet to a calculated point; thence S01°36'06"W, 7.84 to a calculated point; thence along a curve to the right with a radius of 98.50 feet, an arc length of 48.58 feet, and a chord bearing and distance of S17°21'44"W, 48.09 feet to a calculated point; thence along a reverse curve to the left with a radius of 50.00 feet, an arc length of 19.56 feet, and chord bearing and distance of S30°57'59"W, 19.56 feet to the Point of Beginning, containing 0.91 acres, more or less.

WHEREAS, a Petition has been filed with the City of Heber Springs Planning and Zoning Commission for a rezoning of the Real Property from Commercial Zone C-2 to Rural Resort Zone-R. R;

WHEREAS, the Planning and Zoning Commission of the City of Heber Springs, Arkansas, having conducted a public hearing after the giving of notice as required by law, and having approved said petition and recommended to the City Council the rezoning of said land and City Council having reviewed the same has determined that it would be in the best interest of the City of Heber Springs, and its inhabitants, if said property be rezoned as requested;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HEBER SPRINGS, ARKANSAS, as follows:

SECTION 1. That the Zoning Map of the City of Heber Springs, Arkansas, be and it hereby is amended to show that the Real Property is reclassified from Commercial Zone C-2 to Rural Resort Zone-R. R. hereinabove set out.

SECTION 2. All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

PASSED this 21 day of <sup>October</sup>~~August~~, 2021.

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Kasey Griffin, Acting Mayor

ATTEST:

Nancy Hurley  
City Clerk