

ORDINANCE NO. 2018- 03A

AN ORDINANCE AMENDING ORDINANCE NO 2017-06A WITH RESPECT TO THE ZONING CLASSIFICATION OF A SPECIFIC LAND AREA WITHIN THE CITY OF CHEROKEE VILLAGE, ARKANSAS; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES.

WHEREAS, the Planning Commission for the City of Cherokee Village, Arkansas, has, pursuant to Section 6 of the Cherokee Village Zoning Code, conducted a public hearing upon the requested amendment of the Zoning Map heretofore adopted by the City Council for the City of Cherokee Village, Arkansas with respect to the hereinafter described lands; and

WHEREAS, the Planning Commission for the City of Cherokee Village, Arkansas, has, upon conclusion of the said public hearing, made a finding of fact that the amendment of the Zoning with respect to the hereinafter described lands is consistent with the purposes of the Zoning Code and the Plans adopted by the said Planning Commission; and

WHEREAS, upon the aforesaid finding of fact, the Planning Commission has recommended to the City Council that the Zoning Map be amended with respect to the said lands; and

WHEREAS, the City Council has reviewed the requested zoning change.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL FOR THE CITY OF CHEROKEE VILLAGE, ARKANSAS:

SECTION 1. The Zoning Map for the City of Cherokee Village, Arkansas be and it is hereby amended for purposes of changing the Zoning Classification from CP-1 to CP-2 as to the following described 6.3 acre parcel of land lying in the W ½ of the NW ¼ of Section 32, Township 19 North, Range 5 West of the 5th P.M., also including that portion of the land West of the center line of the abandoned portion of the AR Hwy 175 that joins this property on the East, Sharp County, Cherokee Village, Arkansas, as described in more detail in Exhibit A attached herewith:

SECTION 2: SEVERABILITY. If any part of this ordinance shall be held to be invalid, such part shall be deemed severable and the invalidity thereof shall not affect the remaining parts of the ordinance.

EMERGENCY CLAUSE: The regulation and preservation of property uses and values in accordance with a comprehensive plan and the continued utilization of lands within the City of Cherokee Village in accordance therewith being necessary for the preservation of the public peace, health, safety and welfare, an emergency is hereby declared, and this Ordinance shall be in full force and effect from and after its passage.

PASSED AND APPROVED BY THE CHEROKEE VILLAGE CITY COUNCIL on

the 20th day of September, 2018.

APPROVED: Russell Stokes, Jr.
Russell Stokes, Jr., Mayor

ATTEST: Deborah Weichinger
Deborah Weichinger, City Clerk



Exhibit A
(Legal Description)

Tract 3

South Entrance Island

A parcel of land lying in the W 1/2 of the NW 1/4 of Section 32, Township 19 North, Range 5 West of the 5th P.M., Sharp County, Arkansas, being more particularly described as follows: Beginning at a point 1,079.02 feet South and 502.11 feet East of the Northwest corner of said Section 32, thence southwestwardly along the arc of a curve to the left 213.78 feet, said curve having a radius of feet and a delta angle of 38 degrees 49 minutes 51 seconds; thence South 64 degrees 45 minutes 53 seconds East 252.40 feet; thence southeastwardly along the arc of a curve to the right 170.00 feet, said curve having a radius of 143.20 feet and a delta angle of 68 degrees 01 minutes 11 seconds; thence South 87 degrees 20 minutes 37 seconds West 874.64 feet; thence northeastwardly along the arc of a curve to the right 266.63 feet, said curve having a radius of 236.70 feet and a delta angle of 64 degrees 32 minutes 30 seconds; thence North 57 degrees 10 minutes 00 seconds East 193.45 feet; thence northeastwardly along the arc of a curve to the left 115.31 feet, said curve having a radius of 226.90 feet and a delta angle of 29 degrees 07 minutes 03 seconds to the point of beginning and subject to the right of way of US Hwy 167/412 and AR Hwy 175.

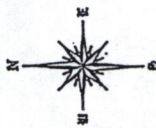
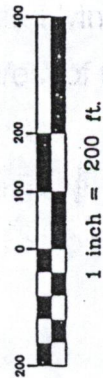
Also including that portion of the land West of the center line of the abandoned portion of AR Hwy 175 that joins this property on the East.

LAND SURVEYOR'S CERTIFICATION
 I HEREBY CERTIFY THAT THE HEREON PLATTED AND DESCRIBED SURVEY WAS COMPLETED UNDER MY SUPERVISION ON THE 26TH DAY OF JANUARY, 2017, AND WAS EXECUTED IN ACCORDANCE WITH THE CURRENT ARKANSAS MINIMUM STANDARDS FOR PROPERTY SURVEYS.

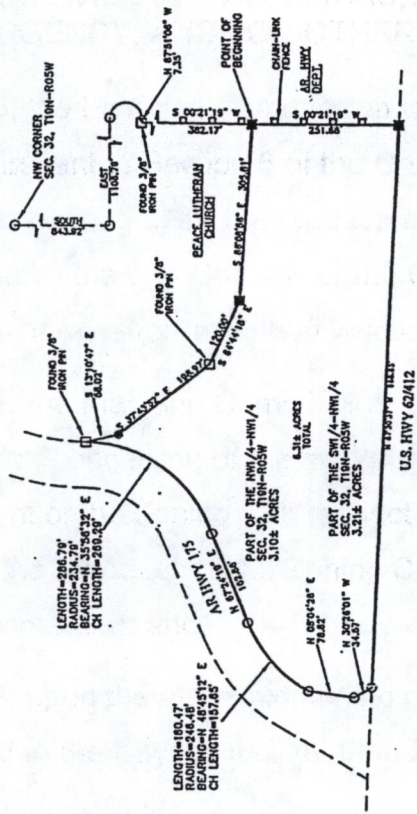
Jan S. Stutz



DESCRIPTION
 A part of the West Half of the Northwest Quarter (W/2-NW1/4) of Section 32, Township 19 North, Range 05 West (T19N-R05W) of the Fifth Principal Meridian (5TH P.M.), Sharp County, Arkansas.
 More particularly described as follows: Commencing at the Northwest corner of Section 32, T19N-R05W, thence South 84°3.92' feet, thence East 1108.79 feet, thence North 87 degrees 51 minutes 06 seconds West 7.35 feet, thence South 00 degrees 21 minutes 19 seconds West 382.17 feet to the Point of Beginning; thence continuing South 00 degrees 21 minutes 19 seconds West 251.68 feet to the North right of way of U.S. Highway 62/412, thence along said right of way North 87 degrees 20 minutes 37 seconds West 968.65 feet to the east right of way of Arkansas Highway 175, thence along said right of way North 30 degrees 26 minutes 01 second West 34.57 feet, thence North 08 degrees 04 minutes 28 seconds East 78.82 feet, thence 160.47 feet along a curve to the right having a radius of 246.48 feet and a chord of North 48 degrees 45 minutes 12 seconds East 157.65 feet, thence North 67 degrees 24 minutes 19 seconds East 162.88 feet, thence 286.79 feet along a curve to the left having a radius of 234.79 feet and a chord of North 35 degrees 56 minutes 32 seconds East 269.29 feet, thence leaving said highway South 13 degrees 10 minutes 47 seconds East 58.02 feet, thence South 64 degrees 43 minutes 52 seconds East 196.97 feet, thence South 86 degrees 44 minutes 18 seconds East 120.00 feet, thence South 86 degrees 08 minutes 56 seconds East 305.81 feet back to the Point of Beginning. Containing 6.31 acres, more or less.



BEARINGS BASED ON RECORD SURVEY OF SOUTH ENTRANCE DATED JUNE 22, 1992.



REFERENCES
 DEED BOOK 2014, PAGE 11837
 DEED BOOK 284, PAGE 611
 PLAT CABINET C, PAGE 2033C
 STATE SURVEYOR'S DOC. #201609291405

FILED
 STATE SURVEYOR'S OFFICE
 DOC. #201702022804

SURVEY PLAT	
LOCATION	A SURVEY FOR DESCRIPTION OF PART OF THE WEST HALF OF THE NW1/4 OF SECTION 32, T19N-R05W OF THE 5TH P.M., SHARP COUNTY, ARKANSAS.
SURVEY FOR	KING-RHODES JANUARY 26, 2017 JOB NO. 16092071B
SURVEY BY	LINDLEY SURVEYING, LLC 2423-B HWY 62/412 HIGHLAND, AR 72542 (870) 856-4141
LEGEND	<input type="checkbox"/> FOUND MONUMENT <input type="checkbox"/> SET 1/2" DIA. REBAR <input type="checkbox"/> SET 3/8" DIA. REBAR <input type="checkbox"/> COMPUTED POINT

500-19N-05W-0-32-400-67-1497