

ORDINANCE NO. 149

**AN ORDINANCE AMENDING ORDINANCE NO. 145
REZONING CERTAIN LANDS, CONSISTING OF 1.132
ACRES, MORE OR LESS, FROM RURAL RESIDENTIAL
DISTRICT (R-R) TO GENERAL COMMERCIAL DISTRICT
(B-2) AND THEREBY AMENDING THE ZONING MAP OF
THE CITY OF GOSHEN**

WHEREAS, after proper notice and the requisite public hearing, the City Council of the City of Goshen, Washington County, Arkansas adopted Ordinance No. 145 on December 18, 2017, to rezone 1.132 acres from Rural Residential (R-R) to General Commercial District (B-2); and

WHEREAS, there was a scrivener's error in the legal description incorporated in Ordinance 145; and

WHEREAS, there was also an error in Ordinance 145 regarding the zoning district to which the property was being changed; part of the ordinance referenced General Commercial District (B-2) and part of the ordinance referenced Neighborhood Commercial District (B-1); and

WHEREAS, the City Council intended by its vote on Ordinance 145 to rezone 1.132 acres from Rural Residential (R-R) to General Commercial District (B-2) ; and

WHEREAS, the correct legal description of the property rezoned by vote of the City Council is the following:

A PART OF THE SOUTH HALF OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER, SECTION 32, TOWNSHIP 17 NORTH, RANGE 28 WEST, WASHINGTON COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT:

COMMENCING FROM THE SOUTHEAST CORNER OF THE NORTHWEST QUARTER AND RUNNING THENCE NORTH 88°17'56" WEST 813.65 FEET, THENCE NORTH 01°41'58" EAST 587.65 FEET TO A FOUND 1/2" REBAR BEING ON THE NORTH RIGHT-OF-WAY LINE OF

ARKANSAS HIGHWAY 45 (ALSO KNOWN AS W. BOWEN BLVD), THENCE ALONG SAID NORTH RIGHT-OF-WAY LINE SOUTH 54°59'23" WEST 232.38 FEET TO A POINT, THENCE CONTINUING ALONG SAID RIGHT-OF-WAY SOUTH 54°59'23" WEST 138.80 FEET TO A FOUND CAPPED REBAR (PLS 1298), THENCE LEAVING SAID NORTH RIGHT-OF-WAY LINE NORTH 32°12'33" WEST 229.78 FEET TO A FOUND CAPPED REBAR (PLS 1298), THENCE SOUTH 61°24'53" WEST 197.22 FEET TO A FOUND 1/2" REBAR WITH CAP, SAID POINT BEING THE POINT OF BEGINNING, THENCE NORTH 36°11'43" WEST, 167.30 FEET TO A POINT, THENCE NORTH 60°26'20" EAST, 327.90 FEET TO A POINT, THENCE SOUTH 35°00'37" EAST 136.92 FEET TO A POINT, THENCE SOUTH 55°07'33" WEST 322.66 FEET BACK TO THE POINT OF BEGINNING. SAID TRACT CONTAINING 49,310 SQUARE FEET OR 1.132 ACRES MORE OR LESS.

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

SECTION 1: That Ordinance No. 35, the Amendments thereto, the Zoning Map adopted thereby pertaining thereto of the City of Goshen, Arkansas, and Ordinance No. 145, should be and the same is hereby amended to rezone the above described property from Rural Residential (R-R) to General Commercial District (B-2).

SECTION 2: That all ordinances and parts of ordinances in conflict herewith are hereby repealed.

PASSED AND APPROVED this 13th day of March, 2018.



Max Poye, Mayor

ATTEST:



Sharon Baggett, City Recorder

APPROVED AS TO FORM:



Charles L. Harwell, City Attorney

ROLL CALL VOTE ADOPTING THE ORDINANCE

Names Of Those Voting YEA

Andy Bethell
Brian Buell
Cathy Oliver
Lanny Samuels
Dick Seddon

Names Of Those Voting NAY

Absent

Paula Anderson