

**CITY OF LAKEVIEW
BAXTER COUNTY ARKANSAS
ORDINANCE 21-02**

AN ORDINANCE TO CHANGE THE ZONING OF CERTAIN LANDS WITHIN THE CITY OF LAKEVIEW, BAXTER COUNTY, ARKANSAS.

WHEREAS, a petition was presented to the City of Lakeview to rezone certain properties identified as 5351 St. Hwy. 178 containing 43 acres m/l from R-1 Residential to A-1 Agricultural; and

WHEREAS, the Planning & Zoning Commission held a public hearing to receive public input as to the pros and cons of granting said request; and

WHEREAS, upon further investigation it was recognized that the 500 foot portion of the tract, immediately adjacent to St. Hwy. 178 was reserved for C-2 Commercial; and

WHEREAS, petitioner has modified his original request such that the portion of land identified for C-2 Commercial be included in the original request and added to the request for A-1 Agricultural; and

WHEREAS, the Planning & Zoning Commission has recommended that the request as amended be granted.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Lakeview, Baxter County, Arkansas that the property identified above as per the plat and legal description attached hereto and made part hereof, be rezoned from R-1 Residential and C-2 Commercial to A-1 Agricultural.

SEVERABILITY – The invalidity or unconstitutionality of the provisions of this Ordinance shall not affect any other section hereof, but shall remain in full force and effect.

PASSED, ADOPTED AND APPROVED this 16th day of November, 2021 by the Lakeview City Council comprised of Bonnie Galvan, Lindley Reubin, Carl Hill, Janet Castillo, Bill Svehla and Brenda Newell on motion by Cncl. Svehla, 2nd by Cncl. Newell with a roll vote of 6 Yeas and 0 Nays.

Attest:


Kim Wallace, Recorder/Treasurer


Dennis A. Behling, Mayor

DESCRIPTIONS:

~~WARRANTY DEED DESCRIPTION~~

TOWNSHIP 25 NORTH, RANGE 15 WEST, BAXTER COUNTY, ARKANSAS MORE PARTICULARLY DESCRIBED AS FOLLOWS: THAT PART OF THE SE 1/4 OF SECTION 25, TOWNSHIP 25 NORTH, RANGE 15 WEST, BAXTER COUNTY, ARKANSAS MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF SMD SE 1/4, RUN NORTH 00 DEGREES 50 MINUTES EAST 437.8 FEET TO POINT OF BEGINNING; THENCE CONTINUE NORTH 00° 50 MINUTES EAST 547.0 FEET; THENCE SOUTH 88 DEGREES 15 MINUTES EAST 623.3 FEET; THENCE NORTH 1 DEGREE 39 MINUTES EAST 1013.3 FEET; THENCE SOUTH 88 DEGREES 15 MINUTES EAST 904.8 FEET; THENCE SOUTH 1 DEGREE 39 MINUTES EAST 89.8 FEET TO THE NORTHWEST RIGHT OF WAY LINE OF STATE HIGHWAY 178; THENCE ALONG THE NORTHWEST LINE OF HIGHWAY 178 THE FOLLOWING BEARING AND DISTANCE: SOUTH 53 DEGREES 53 MINUTES WEST 39.5 FEET; SOUTH 41 DEGREES 08 MINUTES WEST 409.7 FEET; SOUTH 31 DEGREES 46 MINUTES WEST 484.0 FEET; THENCE NORTH 80 DEGREES 20 MINUTES WEST 208.8 FEET; THENCE SOUTH 31 DEGREES 23 MINUTES WEST 307.7 FEET; THENCE NORTH 87 DEGREES 11 MINUTES WEST 820.3 FEET TO THE POINT OF BEGINNING.

ALSO SURVEY DESCRIPTION FROM RS-11-2013)

PART OF THE SW 1/4 OF THE SE 1/4 OF SECTION 25, TOWNSHIP 20 NORTH, RANGE 15 WEST, BAXTER COUNTY, ARKANSAS DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHWEST CORNER OF SW 1/4 SE 1/4; THENCE SOUTH 87 DEGREES 57 MINUTES EAST FOR A DISTANCE OF 768.89 FEET ALONG THE SOUTH LINE OF SAID SW 1/4 SE 1/4 TO A 3/8" REBAR ON THE WESTERN R/W LINE OF ARKANSAS STATE HWY. 178; THENCE NORTHEASTERLY ALONG SAID R/W LINE THE FOLLOWING COURSE: ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 2012.45 FEET AND AN ARC LENGTH OF 289.45 FEET, BEING SUSTAINED BY A CHORD OF NORTH 38 DEGREES 93 MINUTES 1/4 SECONDS EAST FOR A DISTANCE OF 289.21 FEET; THENCE NORTH 33 DEGREES 28 MINUTES 00 SECONDS EAST FOR A DISTANCE OF 135.20 FEET TO A 3/8" R/W MARKER; THENCE LEAVING R/W RUN THENCE NORTH 60 DEGREES 46 MINUTES 44 SECONDS WEST FOR A DISTANCE OF 205.77 FEET TO A 1/2" POST; THENCE SOUTH 27 DEGREES 28 MINUTES 58 SECONDS WEST FOR A DISTANCE OF 30.81 FEET TO A 1/2" PIPE; THENCE NORTH 88 DEGREES 55 MINUTES 46 SECONDS WEST FOR A DISTANCE OF 828.79 FEET TO A 1/2" PIPE ON THE WEST LINE OF SAID SW 1/4 SE 1/4; THENCE SOUTH 01 DEGREE 01 MINUTES 08 SECONDS WEST FOR A DISTANCE OF 437.03 FEET TO THE POINT OF BEGINNING.

LESS AND EXCEPT (SURVEY DESCRIPTIONS FROM L201702483)

TRACT E: PART OF THE E 1/2 SE 1/4 SECTION 25, TOWNSHIP 20 NORTH, RANGE 15 WEST, BAXTER COUNTY, ARKANSAS DESCRIBED AS FOLLOWS: BEGINNING AT THE SW CORNER OF LOT 94 OF GLEN COVE SUBDIVISION FIRST ADDITION, SAID POINT BEING THE NW CORNER OF LOT 3 OF GLEN COVE THIRD ADDITION AND THE POINT OF BEGINNING; THENCE ALONG THE WEST LINE OF LOTS 93, 2 AND 1 OF SAID THIRD ADDITION THE FOLLOWING COURSE: THENCE SOUTH 04 DEGREES 11 MINUTES 39 SECONDS WEST FOR A DISTANCE OF 135.27 FEET; THENCE SOUTH 01 DEGREE 01 MINUTE 08 SECONDS WEST FOR A DISTANCE OF 19.82 FEET; THENCE SOUTH 02 DEGREES 01 MINUTE 20 SECONDS WEST FOR A DISTANCE OF 42.30 FEET TO A 3/8" R/W MARKER; THENCE LEAVING LOT LINE RUN THENCE NORTH 88 DEGREES 04 MINUTES 29 SECONDS WEST FOR A DISTANCE OF 100.00 FEET; THENCE NORTH 02 DEGREES 56 MINUTES 14 SECONDS EAST FOR A DISTANCE OF 212.02 FEET; THENCE SOUTH 88 DEGREES 13 MINUTES 13 SECONDS EAST FOR A DISTANCE OF 100.00 FEET TO THE POINT OF BEGINNING.

TRACT A: PART OF THE NW 1/4 SE 1/4 OF SECTION 25, TOWNSHIP 20 NORTH, RANGE 15 WEST, BAXTER COUNTY, ARKANSAS DESCRIBED AS FOLLOWS: BEGINNING AT THE SW CORNER OF LOTS 21, 22 AND 23 TO THE SE CORNER OF LOT 29; THENCE LEAVING LOT LINE RUN THENCE SOUTH 01 DEGREE 01 MINUTE 20 SECONDS WEST FOR A DISTANCE OF 308.88 FEET; THENCE NORTH 87 DEGREES 59 MINUTES 45 SECONDS WEST FOR A DISTANCE OF 307.34 FEET; THENCE NORTH 01 DEGREE 01 MINUTE 20 SECONDS WEST FOR A DISTANCE OF 100.00 FEET TO THE POINT OF BEGINNING.

TRACT B: PART OF THE N 1/2 SE 1/4 SECTION 25, TOWNSHIP 20 NORTH, RANGE 15 WEST, BAXTER COUNTY, ARKANSAS DESCRIBED AS FOLLOWS: BEGINNING AT THE SW CORNER OF LOT 30 OF GLEN COVE SUBDIVISION, FIRST ADDITION; THENCE SOUTH 87 DEGREES 55 MINUTES 43 SECONDS EAST FOR A DISTANCE OF 99.72 FEET TO THE SE CORNER OF LOT 30; THENCE SOUTH 87 DEGREES 55 MINUTES 43 SECONDS EAST FOR A DISTANCE OF 388.77 FEET ALONG ONE SOUTH LINE OF LOT 31 TO THE SE CORNER OF LOT 31; THENCE NORTH 89 DEGREES 09 MINUTES 38 SECONDS WEST FOR A DISTANCE OF 100.00 FEET TO A POINT OF BEGINNING; THENCE LEAVING LOT LINE RUN THENCE SOUTH 02 DEGREES 05 MINUTES 38 SECONDS WEST FOR A DISTANCE OF 100.85 FEET; THENCE NORTH 87 DEGREES 57 MINUTES 58 SECONDS WEST FOR A DISTANCE OF 224.47 FEET; THENCE NORTH 01 DEGREE 01 MINUTE 43 SECONDS EAST FOR A DISTANCE OF 100.00 FEET TO THE POINT OF BEGINNING.

TRACT C: PART OF THE N 1/2 SE 1/4 SECTION 25, TOWNSHIP 20 NORTH, RANGE 15 WEST, BAXTER COUNTY, ARKANSAS DESCRIBED AS FOLLOWS: BEGINNING AT THE NW CORNER OF LOT 82 OF GLEN COVE SUBDIVISION FIRST ADDITION AS SHOWN BY THE RECORDED PLAT; THENCE SOUTH 02 DEGREES 00 MINUTES 38 SECONDS WEST FOR A DISTANCE OF 149.69 FEET TO THE SW CORNER OF LOT 82; THENCE LEAVING LOT LINE RUN THENCE SOUTH 89 DEGREES 08 MINUTES 08 SECONDS WEST FOR A DISTANCE OF 100.00 FEET; THENCE NORTH 02 DEGREES 09 MINUTES 38 SECONDS EAST FOR A DISTANCE OF 48.84 FEET; THENCE NORTH 02 DEGREES 09 MINUTES 38 SECONDS EAST FOR A DISTANCE OF 100.85 FEET TO A POINT OF BEGINNING ON THE SOUTH LINE OF LOT 32; THENCE ALONG THE SOUTH LINE OF LOTS 32 AND 33 THE FOLLOWING COURSE: THENCE NORTH 89 DEGREES 09 MINUTES 38 SECONDS WEST FOR A DISTANCE OF 75.44 FEET; THENCE SOUTH 89 DEGREES 06 MINUTES 53 SECONDS EAST FOR A DISTANCE OF 26.46 FEET TO THE NW CORNER OF LOT 82 AND THE POINT OF BEGINNING.