

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE TO RECLASSIFY CERTAIN PROPERTY LOCATED AT 8108 COUNTS MASSIE ROAD IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS, FROM THE PRESENT C-4 TO R-4 CLASSIFICATION BY AMENDING ORDINANCE NO. 7697; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES.**

WHEREAS, application was duly made by Bob Holloway, 200 Casey Drive, Maumelle, AR 72113, seeking a rezone of the herein described land to allow apartments, which application was duly considered and approved (8 affirmative votes; 1 absent) by the North Little Rock Planning Commission at a regular meeting thereof held on December 9, 2008.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF NORTH LITTLE ROCK, ARKANSAS:

SECTION 1: That Ordinance No. 7697 of the City of North Little Rock, Arkansas, is hereby amended by changing the classification of certain land from C-4 to R-4 zone for property located at 8108 Counts Massie Road in North Little Rock, Arkansas, as shown on the attached map and more particularly described as follows:

The legal description of the request is: Lands lying in the South Half of the Southwest Quarter of the Northeast Quarter of Section 3, Township 2 North, Range 13 West, North Little Rock, Pulaski County, Arkansas more particularly described as follows: Commencing at a found axle at the Southeast Corner of said Section 3; thence along the East Line of said Section 3 North 01 degrees 57 minutes 33 seconds East 2605.27 feet; thence leaving said East Line along the South Line of the said Southwest Quarter of the Northeast Quarter of said Section 3 North 87 degrees 46 minutes 23 seconds West 2217.37 feet to the point of beginning; thence continuing along said South Line North 87 degrees 46 minutes 23 seconds West 421.84 feet to a found iron pin on the East Right-of-Way of Counts Massie Road; thence along said Right-of-Way North 03 degrees 19 minutes 47 seconds East 60.01 feet; thence leaving said Right-of-Way South 87 degrees 46 minutes 23 seconds East 300.06 feet; thence North 03 degrees 19 minutes 47 seconds East 600.34 feet; thence South 87 degrees 56 minutes 11 seconds East 1029.95 feet; thence South 02 degrees 03 minutes 49 seconds West 450.04 feet; thence North 87 degrees 22 minutes 06 seconds West 283.82 feet; thence along a 11.2733 degree curve to the left 254.47 feet having a chord bearing and distance of South 78 degrees 03 minutes 05 seconds West 251.74 feet; thence South 63 degrees 28 minutes 16 seconds West for 143.04 feet; thence along a 28.3852 degree curve to the right 100.38 feet having a chord bearing and distance of South 77 degrees 50 minutes 56 seconds West 99.33

feet; thence North 87 degrees 46 minutes 23 seconds West 172.67 feet; thence South 02 degrees 13 minutes 37 seconds West 60.00 feet to the point of beginning containing 12.947 acres more or less. (See Exhibit A attached hereto.)

SECTION 2: That all ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of the conflict.

SECTION 3: That the provisions of this Ordinance are hereby declared to be severable and if any section, phrase or provision shall be declared or held invalid, such invalidity shall not affect the remainder of the sections, phrases or provisions.

SECTION 4: It is hereby found and determined that the reclassification of the above-described land as provided for herein is immediately necessary in order to insure the proper and orderly growth of this land and of the City of North Little Rock, Arkansas, and being necessary for the immediate preservation of the public health, safety and welfare; THEREFORE, an emergency is hereby declared to exist, and this Ordinance shall be in full force and effect from and after its passage and approval.

PASSED:

APPROVED:

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Mayor Patrick H. Hays

SPONSOR:

ATTEST:

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Alderman Cary Gaines

Diane Whitbey, City Clerk

APPROVED AS TO FORM:

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C. Jason Carter, City Attorney

PREPARED BY THE OFFICE OF THE CITY ATTORNEY/b