

ORDINANCE NO. _____

AN ORDINANCE RECLASSIFYING CERTAIN PROPERTY LOCATED AT 5401 HIGHWAY 165 IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS FROM CONSERVATION TO R-1 CLASSIFICATION BY AMENDING ORDINANCE NO. 7697 OF THE CITY OF NORTH LITTLE ROCK, ARKANSAS; ADOPTING AN AMENDED LAND USE PLAN FOR THE SUBJECT PROPERTY; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES.

WHEREAS, application was duly made by Ms. Mildred Turnbow, 7508 Yuma Court, North Little Rock, AR 72116, seeking a reclassification of the herein described land, which application was duly considered and approved (7 affirmative votes; 2 absent) by the North Little Rock Planning Commission at a regularly scheduled meeting thereof held on March 10, 2009; and

WHEREAS, the City adopted the North Little Rock Land Use Plan with amended land use maps in December 2002 (Ordinance No. 7507); and

WHEREAS, a revised Land Use Plan for the property herein described and being located at 5401 Highway 165 in North Little Rock, Arkansas, from its present Conservation zoning to the proposed R-1 classification, was approved (7 affirmative votes; 2 absent) by the North Little Rock Planning Commission at a regularly scheduled meeting thereof held on March 10, 2009.

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 Conservation to R-1 classification on property located at 5401 Highway 165 in North Little Rock, Pulaski County, Arkansas, and more particularly described as follows:

Part of the Spanish Grant No. 2431, described as beginning at 5/8" pipe 1,727.82 feet (1757.7' deed) south of the intersection of South ROW of Lynch Drive with the E line of said grant; thence N 74° 39' 37" West 913.53' to a 5/8" pipe; thence N 15° 45' East 115.63' to a 5/8" pipe; thence N 76° 25' 24" West 360.34' to a 5/8" pipe on the West line of the East ½ of the East ½ of said Spanish Grant No. 2431' thence S 15° 45' West along said West line for 492.36' to a 5/8" pipe; thence S 73° 42' East for 300.0' to a 5/8" pipe; thence S 15° 45' West for 100.0' to a 5/8" pipe; thence N 73° 42' West for 300.0' to a 5/8" pipe on said West line for 526.0' to a 3/4" pipe on the North ROW of the St. Louis Southwestern Railway; thence S 68° 02' 39' East along said ROW line

1279.94' (1273.7' deed) to a 4" x 4" concrete monument; thence N 15° 48' 05" East for 1161.29' to the POB. (See Exhibit "A" attached hereto.)

SECTION 2: That the Land Use Plan for the subject property described in Section 1 above is hereby amended as reflected on the map attached hereto as Exhibit "B" and incorporated by reference.

SECTION 3: That all ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of the conflict.

SECTION 4: That the provisions of this Ordinance are hereby declared to be severable, and if any section, phrase or provisions shall be declared or held invalid, such invalidity shall not affect the remainder of the sections, phrases or provisions.

SECTION 5: It is hereby found and determined that the reclassification and amended land use plan 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:

SPONSOR:

Alderman Maurice Taylor

APPROVED:

Mayor Patrick H. Hays

ATTEST:

Diane Whitbey, City Clerk

APPROVED AS TO FORM:

C. Jason Carter, City Attorney

PREPARED BY THE OFFICE OF THE CITY ATTORNEY/b