

ORDINANCE NO. 2013-34

AN ORDINANCE AMENDING ORDINANCE NO 683 WITH RESPECT TO THE ZONING CLASSIFICATION OF A SPECIFIC LAND AREA WITHIN THE CITY OF SEARCY, ARKANSAS; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES.

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

WHEREAS, the Planning Commission for the City of Searcy, 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 SEARCY, ARKANSAS:

SECTION 1. The Zoning Map for the City of Searcy, Arkansas be and it is hereby amended for purposes of changing the Zoning Classification from C-4 (Commercial) to PD (Planned Development) as to the following described real property known as Krisha Commercial Addition being situated in Searcy, White County, Arkansas, as described in Exhibit A attached herewith and as amended by the presentation to the Searcy City Council on November 12, 2013, to require parallel parking along the Gary Patel Drive side of the proposed building which will require a curb between the parking area and Gary Patel Drive along with a loading area to be agreed upon by the city engineer as depicted in the attached

plat and that Gary Patel Drive be dedicated for public use by the Easements, Covenants and Restrictions of the Planned Unit Development.

SECTION 2. 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 Searcy 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 ADOPTED THIS 12th DAY OF November, 2013.

**/s/ David Morris
David Morris, Mayor**

ATTEST:

**/s/ Jerry Morris
Jerry Morris, City Clerk**

EXHIBIT A (Legal Description)

Further described as follows:

A description being a combination of Deeds, 436-753, 466-184, 2000-4898 and 2003-1720 and being more particularly described as follows: A part of Spanish Survey #2312 and commencing at the intersection of the South right of way line of U.S. Highway No. 67C and the Easterly line of said Spanish Survey #2312; thence S89°27'58" W along said South right of way line a distance of 179.20 feet; thence S 00°32'02" E a distance of 10.00 feet; thence S 89°27'58" W a distance of 211.77 feet to the Point of Beginning described in Deed 2000, Page 4898 for the POINT OF BEGINNING; thence S 00°01'34" E along the East line of said Deed 2000, Page 4898 a distance of 203.30 feet to the Southeast Corner of said Deed 2000, Page 4898; thence N 89°52'40" E a distance of 100.07 feet to a found pipe; thence S 00°03'25" E a distance of 414.54 feet to a calculated point on the Easterly line of Spanish Survey #2312; thence S 25°02'36" W along said Easterly line of Spanish Survey #2312 a distance of 546.82 feet to a found ½" rebar for the Southerly Corner of said Spanish Survey #2312; thence N 62°48'03" W a distance of 515.97 feet to a found pipe; thence N 00°01'04" W a distance of 333.16 feet to a found ½" rebar; thence N 89°57'34" E a distance of 289.97 feet to a found ½" rebar for the Southwest Corner of Deed 436, Page 753; thence N 00°00'23" W along the West line of said Deed 436, Page 753 a distance of 339.88 feet to a found ½" rebar for the Southwest Corner of Deed 2003, Page 1720; thence N 00°00'26" W along said West line of said Deed 2003, Page 1720 a distance of 201.16 feet to a found cotton spindle on the South right of way line of U.S. Highway No. 67C for the Northwest Corner of Deed 2003, Page 1720; thence N 89°27'58" E along said South right of way line a distance of 300.03 feet to the Point of Beginning, containing 10.98 Acres, more or less. Subject to all easements for roads or other purposes.

