



Legislation Text

File #: ORD-08:045, Version: 3

AN ORDINANCE ACCEPTING THE ANNEXATION OF CERTAIN TERRITORY TO THE CITY OF JONESBORO, ARKANSAS, AND MAKING SAME A PART OF THE CITY OF JONESBORO, ARKANSAS, AMENDING THE ZONING ORDINANCE OF JONESBORO, ARKANSAS, AND ASSIGNING SAME TO WARDS

WHEREAS, a Petition was filed with the County Clerk of Craighead County, Arkansas, by the sole owner of the hereinafter described territory, praying that said territory be annexed to, and made a part of the City of Jonesboro, Arkansas; and

WHEREAS, on March 27, 2008, the County Court of Craighead County, Arkansas, found that the Petition was signed by a majority of the real estate owners in said territory; that said territory was depicted on an accurate map of said territory, filed with and made a part of the said Petition, showing the Property to be contiguous and adjoining the present corporate limits of the City of Jonesboro, Arkansas; that proper notice had been given for the time and in the manner prescribed by law, and in all things pertaining thereto had been done in a manner prescribed by law, and that said lands and territories should be annexed to and made a part of the City of Jonesboro, Arkansas, subject to the acceptance of same by the City Council of said City at the proper time, as provided by law; and

WHEREAS, the time fixed by law for appealing from said order of annexation made by the County Court has expired and no appeal has been taken from said order; and

WHEREAS, the Jonesboro Metropolitan Area Planning Commission has recommended that said lands be zoned RS-5, subject to certain preexisting non-conforming uses, upon annexation approved by the City of Jonesboro, Arkansas; and

WHEREAS, the Petitioner has agreed to a zoning classification of RS-1; and

WHEREAS, it appears to the City Council that all applicable laws of the State of Arkansas and of the City of Jonesboro have been complied with in presenting this ordinance to the City Council.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Jonesboro, Arkansas, that:

SECTION I: The following described lands and territory contiguous and adjoining the City of Jonesboro, Arkansas, is hereby accepted as part of and annexed to and made a part of the City of Jonesboro, Arkansas:

ALL OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 10, TOWNSHIP 13 NORTH, RANGE 3 EAST; AND THAT PART OF THE NORTHWEST QUARTER OF SECTION 10, TOWNSHIP 13 NORTH, RANGE 3 EAST; LYING WEST OF SHELTON CREEK. LESS AND EXCEPT THE FOLLOWING TRACTS OF LAND, BEING DESCRIBED AS RECORDED IN THE CRAIGHEAD COUNTY COURTHOUSE AS FOLLOWS: DEED BOOK 147, PAGE 128, DEED BOOK 161, PAGES 316-317; DEED BOOK 634, PAGES 810-811; DEED BOOK 634, PAGES 808-809; DEED BOOK 615, PAGES 785-786.

THE SUBJECT PROPERTY BEING MORE PARTICULARLY DESCRIBED AS:

THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER; AND A PART OF THE NORTHWEST QUARTER OF SECTION 10, TOWNSHIP 13 NORTH, RANGE 3 EAST; CRAIGHEAD

COUNTY, ARKANSAS; BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SECTION 10, TOWNSHIP 14 NORTH, RANGE 3 EAST, CRAIGHEAD COUNTY, ARKANSAS; THENCE SOUTH 00°13'27" EAST, ALONG THE SECTION LINE, 656.92 FEET, TO THE POINT OF BEGINNING PROPER; THENCE SOUTH 87°58'27" EAST, 1237.31 FEET; THENCE NORTH 00°18'41" EAST, 384.67 FEET, TO THE CITY LIMIT LINE FOR JONESBORO, ARKANSAS; THENCE SOUTH 89°15'47" EAST, ALONG SAID CITY LIMIT LINE, 653.95 FEET, TO THE CENTERLINE OF SHELTON CREEK; THENCE WITH THE MEANDERING OF SAID CENTERLINE OF SHELTON CREEK THE FOLLOWING BEARINGS AND DISTANCES; SOUTH 47°34'57" EAST, 43.23 FEET; SOUTH 55°07'11" EAST, 106.65 FEET; SOUTH 31°29'15" EAST, 58.85 FEET; SOUTH 15°18'13" EAST, 180.90 FEET; SOUTH 18°28'26" EAST, 182.38 FEET; SOUTH 16°53'22" EAST, 179.03 FEET; SOUTH 32°49'54" EAST, 128.02 FEET; SOUTH 25°57'46" EAST, 251.57 FEET; SOUTH 32°50'43" EAST, 197.48 FEET; SOUTH 25°23'49" EAST, 248.52 FEET; SOUTH 25°23'49" EAST, DEPARTING THE CENTERLINE OF SHELTON CREEK, 176.10 FEET, TO THE EAST LINE OF THE NORTHWEST QUARTER OF SAID SECTION 10; THENCE SOUTH 00°44'45" WEST, ALONG SAID EAST LINE OF THE NORTHWEST QUARTER, 788.85 FEET, TO THE CENTER OF SAID SECTION 10; THENCE NORTH 89°50'20" WEST, ALONG THE SOUTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 10, 1325.47 FEET, TO THE EAST LINE OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 10; THENCE SOUTH 00°20'13" WEST, ALONG SAID EAST LINE OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER, 1323.43 FEET, TO THE SOUTH LINE OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER; THENCE NORTH 89°51'09" WEST, ALONG SAID SOUTH LINE OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER, 1316.03 FEET, TO THE WEST LINE OF SECTION 10; THENCE NORTH 00°04'18" WEST, ALONG THE SECTION LINE, 1323.75 FEET, TO THE QUARTER CORNER OF SECTIONS 9 AND 10; THENCE NORTH 00°13'27" WEST, ALONG THE SECTION LINE, 1991.19 FEET, TO THE POINT OF BEGINNING PROPER, CONTAINING 159.13 ACRES, MORE OR LESS; BEING SUBJECT TO A PUBLIC ROAD OFF AND ACROSS THE SOUTH SIDE THEREOF; BEING SUBJECT TO ALL RIGHTS-OF-WAY AND EASEMENTS OF RECORD.

SECTION II: That the above described territory shall be annexed to and made a part of ward four (4) of the City of Jonesboro, Arkansas, and the same shall henceforth be a part of said ward as fully as existing parts of said ward.

SECTION III: The Zoning Ordinance of the City of Jonesboro, Arkansas, codified as Title 14 of the Jonesboro Municipal Code, should be, and it hereby is amended so that the Property is zoned as the "RS-1" residential use classification, but recognizing the following preexisting, Non-conforming Uses (as defined in Title 14 of the Jonesboro Municipal Code):

A. Airstrip used in connection with a certain crop-dusting (agri-chemical application) business located upon adjoining property within the City of Jonesboro, Arkansas, and currently zoned I-1; and

B. Agriculture, crops.

SECTION IV: Chapter 14.12 of the Jonesboro Municipal Code shall apply to the Non-conforming Uses described above, except that the said Nonconforming Uses described in Section I.A. above shall expire, and shall be prohibited upon the Property, upon the earliest of: a) ten (10) years from the date of the passage of this Ordinance; or b) the issuance of a building permit for the purpose of construction of residential housing on any portion of the Property.

SECTION V: All ordinances and parts of ordinances in conflict herewith are hereby repealed.

SECTION VI: The City Clerk is hereby directed to amend the official zoning district boundary map of the City of Jonesboro, Arkansas, insofar as it relates to the lands described hereinabove so that the zoning

classification of said lands shall be in accordance with the provisions of this Ordinance.

PASSED AND APPROVED this 19th day of August, 2008.