



## Legislation Details (With Text)

**File #:** RES-11:034    **Version:** 1    **Name:** Greenspace agreement from Harps  
**Type:** Resolution    **Status:** Passed  
**File created:** 3/16/2011    **In control:** Public Works Council Committee  
**On agenda:**    **Final action:** 5/3/2011  
**Title:** A RESOLUTION TO ACCEPT A RESTRICTIVE AGREEMENT FOR A GREENSPACE SITE FOR HARPS FOOD STORES INC., A COMMERCIAL PLANNED DISTRICT DEVELOPMENT  
**Sponsors:** Planning  
**Indexes:**  
**Code sections:**  
**Attachments:** 1. Agreement

Date	Ver.	Action By	Action	Result
5/3/2011	1	City Council	Passed	Pass
4/19/2011	1	City Council	Tabled	Pass
4/5/2011	1	Public Works Council Committee	Recommended to Council	Pass

### A RESOLUTION TO ACCEPT A RESTRICTIVE AGREEMENT FOR A GREENSPACE SITE FOR HARPS FOOD STORES INC., A COMMERCIAL PLANNED DISTRICT DEVELOPMENT

WHEREAS, the Developer, as part of the overall development plan for the Property and by stipulation in City Ordinance 10:091, an ordinance amending the Code of Ordinances of Jonesboro, Arkansas, Chapter 117 allowing for a PD-C District for a Neighborhood Grocery Store, has agreed to restrict a certain portion of the Property as greenspace (the "Greenspace Site"), as depicted on Exhibit A attached hereto and more particularly described on Exhibit B attached hereto and incorporated herein; and

WHEREAS, HARP'S FOOD STORES, INC., an Arkansas corporation, has submitted an Agreement to create a mechanism for the restriction of the Greenspace Site a retail grocery store on that approximate 6.32 acre tract of land located at 2005 Harrisburg Road in Jonesboro, Craighead County, Arkansas, and

WHEREAS, the City Surveyor , City Planner and City Attorney have reviewed the attached Maintenance Agreement and find it to be in compliance with the Code of Ordinances for the City of Jonesboro.

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF JONESBORO, ARKANSAS THAT:

SECTION 1. That the City of Jonesboro accepts a Restrictive Agreement for a Greenspace Site with Nix Development Corporation, an Arkansas corporation and authorizes the filing of a record plat for the development.

SECTION 2: The Mayor and the City Clerk are hereby authorized by the City Council for the City of Jonesboro to execute all documents necessary to effectuate this agreement.

PASSED AND ADOPTED this 3<sup>rd</sup> day of May, 2011.