

Ordinance No. 16-770

ORDINANCE APPROVING A SPECIAL PERMIT REQUEST FOR THE CITY OF CLARKSVILLE, ARKANSAS.

WHEREAS, the City of Clarksville has heretofore adopted a Zoning Ordinance and Official Zoning Map to guide and influence the allocation and arrangement of land uses, the development of land, and the future building within the corporate limits of the City of Clarksville; and

WHEREAS, a petition was filed in accordance with the provisions of said ordinance requesting a Special Permit in an R-2 zone for certain lands within the corporate limits of the City of Clarksville; and

WHEREAS, a public hearing was held on said petition on September 22, 2016. The Planning Commission approved the Special Permit Request on September 22, 2016, and recommended its approval by the Clarksville City Council.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CLARKSVILLE, ARKANSAS:

SECTION 1: A Special Permit in an R-2 Zone for a School Use for the University of the Ozarks on the following described lands:

TRACT 1 DESCRIPTION: APPROXIMATELY 5.54 ACRES OF THE SE $\frac{1}{4}$  NW $\frac{1}{4}$  AND APPROXIMATELY 0.03 ACRE OF THE SW $\frac{1}{4}$  NE $\frac{1}{4}$ , ALL IN SECTION 32, T-10-N, R-23-W, IN THE CITY OF CLARKSVILLE, IN JOHNSON COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS AND AS SHOWN ON THIS SURVEY PLAT (SURVEYED BY CORNERSTONE LAND SURVEYING ON 8-29-2016, FOR UNIVERSITY OF THE OZARKS, JOB# 16-259):

COMMENCING AT A FOUND CHISELED "X" FOR THE SE CORNER OF SAID SE $\frac{1}{4}$  NW $\frac{1}{4}$ , THENCE ALONG THE EAST LINE THEREOF N 01°41'13" E 35.09 FEET TO A POINT ON THE NORTH RIGHT OF WAY LINE OF BUCHANAN STREET, THENCE ALONG SAID RIGHT OF WAY LINE N 87°58'52" W 6.44 FEET TO THE TRUE POINT OF BEGINNING, WHICH FALLS ON THE NORTH RIGHT OF WAY LINE OF BUCHANAN AND THE WEST RIGHT OF WAY LINE OF CENTRAL AVENUE, THENCE CONTINUING ALONG SAID NORTH RIGHT OF WAY LINE N 87°58'52" W 331.84 FEET TO A POINT ON THE EAST RIGHT OF WAY LINE OF COLLEGE AVENUE, THENCE ALONG SAID EAST RIGHT OF WAY LINE N 01°58'51" E 722.57 FEET TO THE SW CORNER OF A TRACT (AS FILED IN DEED BOOK 2007-28, PAGE 286 OF THE COUNTY RECORDS), THENCE S 87°18'46" E 341.06 FEET TO THE SE CORNER OF SAID TRACT, WHICH FALLS ON SAID WEST RIGHT OF WAY LINE OF CENTRAL AVENUE, THENCE ALONG SAID RIGHT OF WAY S 02°42'50" W 718.64 FEET TO THE POINT OF BEGINNING, CONTAINING 5.57 ACRES MORE OR LESS, SUBJECT TO ANY EASEMENTS OR RIGHTS OF WAY OF RECORD.

TRACT 2 DESCRIPTION: ALL OF BLOCK 2 AND 3, LOTS 4, 5, 6, 7, 8, 9, 10 AND PART OF LOTS 3, 11 AND 12, OF BLOCK 1 AND LOTS 2, 3, 6, AND 7 AND PART OF LOTS 1, 4 AND 5 OF BLOCK 4 OF COLLEGE HEIGHTS ADDITION TO THE CITY OF CLARKSVILLE, IN JOHNSON COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS

AND AS SHOWN ON THIS SURVEY PLAT (SURVEYED BY CORNERSTONE LAND SURVEYING ON 8-29-2016, FOR UNIVERSITY OF THE OZARKS, JOB# 16-259):

BEGINNING AT THE SW CORNER OF SAID LOT 7, OF BLOCK 3, THENCE ALONG THE WEST LINE THEREOF N 02°42'50" E 815.18 FEET TO THE NW CORNER OF SAID LOT 2, OF BLOCK 2, THENCE ALONG THE NORTH LINE THEREOF S 87°18'51" E 654.22 FEET TO A POINT ON THE EAST LINE OF A TRACT (AS FILED IN DEED BOOK 234, PAGE 116 OF THE COUNTY RECORDS), THENCE ALONG SAID EAST LINE OF SAID TRACT S 02°23'42" W 672.25 FEET, S 04°12'01" W 30.77 FEET AND S 09°24'25" W 3.01 FEET THE NE CORNER OF A TRACT (AS FILED IN DEED BOOK 2007-33, PAGE 351 OF THE COUNTY RECORDS) (A FOUND IRON PIPE BEARS N 88°08'15" W 1.92 FROM THIS POINT), THENCE ALONG THE NORTH LINE OF SAID TRACT AND ITS PROJECTION N 88°08'15" W 172.86 FEET TO A SET IRON ON THE EAST LINE OF SAID LOT 6, BLOCK 4, THENCE S 02°42'59" W 101.15 FEET TO A SET IRON PIN FOR SE CORNER OF SAID LOT 7, BLOCK 4, THENCE N 87°58'16" W 484.00 FEET TO THE POINT OF BEGINNING, CONTAINING 10.07 ACRES MORE OR LESS, SUBJECT TO ANY EASEMENTS OR RIGHTS OF WAY OF RECORD. TOTAL ACREAGE DOES NOT INCLUDE RIGHT OF WAYS OR ALLEYS.

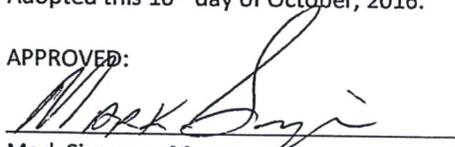
TRACT 3 DESCRIPTION: APPROXIMATELY 2.47 ACRES OF THE NW¼ SE¼ (BEING A PART OF LOTS A,B,C,D & E OF THE OUTLOTS OF THE NW¼ SE¼ SECTION 32, T-10-N, R-23-W) AND APPROXIMATELY 0.002 ACRE OF THE SW¼ NE¼, ALL IN SECTION 32, T-10-N, R-23-W, IN THE CITY OF CLARKSVILLE, IN JOHNSON COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS AND AS SHOWN ON THIS SURVEY PLAT (SURVEYED BY CORNERSTONE LAND SURVEYING ON 8-29-2016, FOR UNIVERSITY OF THE OZARKS, JOB# 16-259):

COMMENCING AT A FOUND CHISELED "X" FOR THE NW CORNER OF SAID NW¼ SE¼, THENCE ALONG THE NORTH LINE THEREOF S 87°07'45" E 135.65 FEET TO A POINT, THENCE S 01°58'31" W 2.92 FEET TO THE TRUE POINT OF BEGINNING, WHICH FALLS ON THE SOUTH RIGHT OF WAY LINE OF BUCHANAN STREET, THENCE ALONG SAID RIGHT OF WAY LINE S 87°58'16" E 303.00 FEET TO A POINT, THENCE S 01°58'31" W 352.90 FEET TO A POINT, THENCE N 88°59'07" W 303.04 FEET TO A POINT, THENCE N 01°58'31" E 358.27 FEET TO THE POINT OF BEGINNING, CONTAINING 2.47 ACRES MORE OR LESS, SUBJECT TO ANY EASEMENTS OR RIGHTS OF WAY OF RECORD. All of said property being located at 415 N. College.

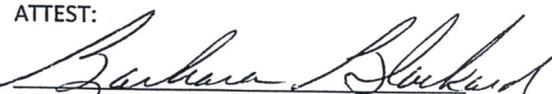
SECTION 2: All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Adopted this 10<sup>th</sup> day of October, 2016.

APPROVED:

  
Mark Simpson, Mayor

ATTEST:

  
Barbara Blackard, Clerk/Treasurer