

ORDINANCE NO. 2009-19

AN ORDINANCE AMENDING THE ZONING REGULATIONS AND ZONING MAPS OF THE CITY OF OZARK; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES.

WHEREAS, the Ozark Planning Commission conducted a public hearing on September 10, 2009, at which the proposed Amendment was discussed with members of the public; and,

WHEREAS, the public hearing was advertised in a paper of general circulation in the City of Ozark at least fifteen (15) days prior to the meeting; and,

WHEREAS, the City Council has heard the report and recommendation of the Ozark Planning Commission as to the Amendment of the Ozark Zoning Regulations and maps; that said property is owned by Juliet Miller.

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

SECTION 1: That the zoning regulations and map of the City of Ozark shall be amended to reflect that the zoning of the following described property located in the Ozark District of Franklin County, Arkansas is modified from R-1 to R-2 to-wit:

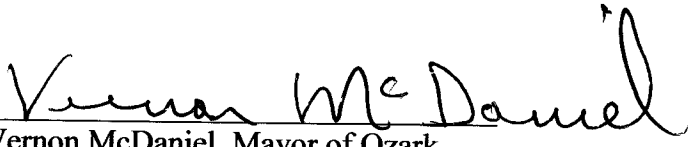
A certain tract of land being a part of Lots 7 and 8 of the Hamm Addition to the City of Ozark, Arkansas, being more particularly described as follows:

Beginning at a iron pipe at the NE corner of Lot 7 of said addition; thence South 87 degrees 57 minutes 49 seconds East 110.87 feet to an iron pipe; thence South 01 degree 21 minutes 02 seconds West 75.00 feet to a ¾ inch iron pipe; thence North 87 degrees 57 minutes 49 seconds West 110.87 feet to an iron pipe on the East R/W of Alston Street; thence North 01 degree 21 minutes 02 seconds East 75 feet to the point of beginning. Containing 0.19 of an acre more or less. Physical address 212 Alston Street.

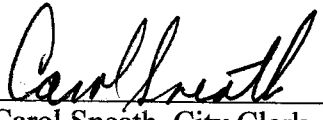
SECTION 2: All Ordinances, parts of Ordinances or Regulations in conflict herewith are hereby repealed.

SECTION 3: That the lack of R-2 zoning at the above-described location has resulted in conditions which are detrimental to the City of Ozark and its citizens. An emergency is therefore declared and this Ordinance being necessary for the preservation of public peace, health and safety shall be in full force and effect from and after its passage.

PASSED this 29th day of September 2009.


Vernon McDaniel, Mayor of Ozark

ATTEST:


Carol Sneath, City Clerk

CITY OF OZARK

REZONING COMMUNITY LIAISON FORM

The Petitioner, Juliet Miller
does hereby petition the Ozark Planning Commission to rezone the following described
property from R1 to R2. If such rezone involves a plat or subdivision,
such rezone shall be accompanied by a plat of the property. Other cases shall have a
survey or map of the location, such as a plat.

LEGAL DESCRIPTION:

The street address of the property is: 212 ALSTON

The proposed new use of the property shall be: Dwelling Duplex or 2 family

VARIANCE OR OTHER USE

If the applicant is apply.
must be accompanied by

Originals

permit, the above information
e or the need for such variance.

The petitioner also signs to
Ordinance.

ved a copy of the Zoning

Juliet Miller
Petitioner

The City Clerk acknowledges the receipt of \$100.00 for the fee for rezone.

#25261

Carol Heath
City Clerk

STATE OF ARKANSAS, COUNTY OF FRANKLIN
OZARK DISTRICT
FILED FOR RECORD THE 17 DAY OF February
2009 AT 9:00 O'CLOCK A.M. AND RECORDED
IN BOOK 100 PAGE 436
WILMA GRAGG - BRUSHWOOD
CIRCUIT CLERK AND RECORDER
BY Carol Coard D.C.

WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS:

THAT I, **RICHARD IVEY, JR.**, hereinafter called **GRANTOR**, for and in consideration of the sum of ONE AND NO/100 (\$1.00), and other good and valuable consideration to me in hand paid by **JULIET MILLER, A MARRIED PERSON** hereinafter called **GRANTEE**, do hereby grant, bargain and sell unto the said Grantee and Grantee's heirs and assigns, the following described land, situate in FRANKLIN County, State of Arkansas, to wit:

A CERTAIN TRACT OF LAND BEING A PART OF LOTS 7 AND 8 OF THE HAMM ADDITION TO THE CITY OF OZARK, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A IRON PIPE AT THE NE CORNER OF LOT 7 OF SAID ADDITION; THENCE: SOUTH 87 DEGREES 57 MINUTES 49 SECONDS EAST 110.87 FEET TO A IRON PIPE; THENCE: SOUTH 01 DEGREE 21 MINUTES 02 SECONDS WEST 75.00 FEET TO A ¼ INCH IRON PIPE; THENCE: NORTH 87 DEGREES 57 MINUTES 49 SECONDS WEST 110.87 FEET TO A IRON PIPE ON THE EAST R/W OF ALSTON STREET; THENCE: NORTH 01 DEGREES 21 MINUTES 02 SECONDS EAST 75.00 FEET TO THE POINT OF BEGINNING. CONTAINING 0.19 OF AN ACRE MORE OR LESS.

"ANY REFERENCE TO ACREAGE IS FOR IDENTIFICATION PURPOSES ONLY"

TO HAVE AND TO HOLD the lands and appurtenances thereunto belonging unto the said Grantee and Grantee's heirs and assigns, forever. And I, the said Grantor, herby covenant that I am lawfully seized of said land and premises, that the same is unencumbered, and that I will forever warrant and defend the title to the said lands against all legal claims whatever.

And I, the respective Grantor, herby release and relinquish unto the said Grantee my respective dower/curtesy and homestead in and to said lands.

ATT. Terrie Rosa

NOTICE OF PUBLIC HEARING

Notice is hereby given that the Ozark Planning Commission will hold a public hearing on a request from R-1 to R-2 zoning in the City of Ozark. Property hereafter described:

A certain tract of land being a part of Lots 7 and 8 of the Hamm Addition to the City of Ozark, Arkansas, being more particularly described as follows:

Beginning at a iron pipe at the NE corner of Lot 7 of said addition; thence South 87 degrees 57 minutes 49 seconds East 110.87 feet to an iron pipe; thence South 01 degree 21 minutes 02 seconds West 75.00 feet to a $\frac{3}{4}$ inch iron pipe; thence North 87 degrees 57 minutes 49 seconds West 110.87 feet to an iron pipe on the East R/W of Alston Street; thence North 01 degree 21 minutes 02 seconds East 75 feet to the point of beginning. Containing 0.19 of an acre more or less. Physical address 212 Alston Street.

Notice is hereby given that the public hearing will be held at 7:00 p.m. on Thursday, the 10th of September 2009, at the City Offices at City Hall in Ozark Arkansas.

Juliet Miller
Petitioner

Virginia Brown
P&Z Chairman