

ORDINANCE NO. 2019-28

**AN ORDINANCE TO PROVIDE FOR THE REZONING OF CERTAIN
LANDS IN PRAIRIE GROVE, ARKANSAS CURRENTLY OWNED BY
DAVID AND CHRISTY HENRY, MODIFICATION OF THE ZONING MAP,
AND AMENDMENT OF THE ZONING ORDINANCE.**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PRAIRIE
GROVE, ARKANSAS, THAT:

Section One: Title. This Ordinance shall be known as the 2019 Henry Rezoning Ordinance.

Section Two: Property Rezoned. From and after the effective date hereof, the following described real estate in the City of Prairie Grove, currently owned by David and Christy Henry, is hereby changed in zoning classification from A-1 (Agricultural) to B-1 (Commercial):

A part of the NW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 33, Township 16 North, Range 31 West, Washington County, Arkansas being more particularly described as follows: from a railroad spike at the NE corner of said SE $\frac{1}{4}$ of Section 33, running thence S89°35'51"W 1685.01 feet; thence S00°24'03"E 335.31 feet; thence S14°15'25"W 99.53 feet to an iron pin for the Point of Beginning; thence S42°52'04"E 274.85 feet to an iron pin; thence S60°31'52"E 182.51 feet to the centerline of U.S. Highway 62; thence along said centerline S27°12'35"W 189.67 feet; thence leaving said Highway 62 N61°27'39"W 376.06 feet to an iron pin; thence N14°15'25"E 289.15 feet to the Point of Beginning, containing 1.994 acres, more or less, and subject to the right-of-way of said highway and any easements of record.

LESS AND EXCEPT: that portion deeded to the Arkansas State Highway Commission by deed, dated October 7, 2004 and filed October 25, 2004 as Land Document No. 2004-00043922 in the records of Washington County, Arkansas.

ALSO LESS AND EXCEPT: that portion deeded to the Arkansas State Highway Commission by deed, dated December 10, 2004 and filed January 5, 2005 as Land Document No. 2005-00000766 in the records of Washington County, Arkansas.

ALSO LESS AND EXCEPT: a part of the NW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 33, Township 16 North, Range 31 West, Washington County, Arkansas, being more particularly described as follows: beginning at a point which is 330 feet North and 768.24 feet East of the SW corner of said 40 acre tract and running thence

North 330.0 feet; thence S63°30'E 473.88 feet to the centerline of U.S. Highway 62; thence S26°30'W along said centerline 252.12 feet; thence N71°20'W 326.30 feet to the Point of Beginning.

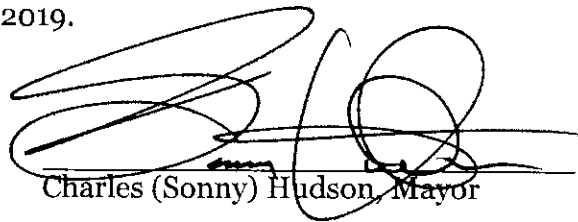
Effective Date. This Ordinance shall become effective from and after 60 days of its posting.

Section Four: Repealing Clause. Ordinances or parts thereof in force at the time this ordinance shall take effect that are in conflict herewith, are hereby repealed.

Section Five: Saving Clause. Nothing herein shall be deemed to affect any rights or obligations existing at the time of the passage of this ordinance.

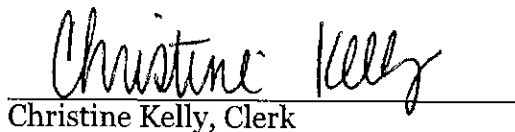
Section Six: Severability Clause. In the event any portion of this ordinance is declared inoperative or invalid as a result of a statute or judicial decision, then only that portion expressly so declared to be inoperative or invalid shall be affected thereby and all other provisions hereof shall remain in full force and effect.

Approved this 15th day of July 2019.



Charles (Sonny) Hudson, Mayor

(Attest)



Christine Kelly, Clerk

ORDINANCE NO. 2019- 23

**AN ORDINANCE TO DETACH PROPERTY FROM FARMINGTON AND
ANNEX INTO PRAIRIE GROVE**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PRAIRIE
GROVE, ARKANSAS, THAT:**

Section One: Title. This Ordinance shall be known as the 2019 Barker
Detachment and Annexation Ordinance.

Section Two: Property to Be Detached and Annexed. The following described
property is currently located in the City of Farmington, Arkansas, contiguous to
the City of Prairie Grove, Arkansas. The current owner of said property has
requested the property to be detached from the City of Farmington and
simultaneously annexed into the City of Prairie Grove pursuant to A.C.A. §14-40-
2101:

A part of the NW 1/4 of the SW 1/4 of Section 34, Township 16 North, Range 31
West in Washington County, Arkansas more particularly described as follows:
beginning at the Southwest corner of said Northwest Quarter of the Southwest
Quarter of Section 34 and running thence N00°47'04"W 998.72 feet; thence
N89°10'20"E 1190.00 feet; thence S00°48'03"E 1006.61 feet; thence
S89°33'08"W 1190.31 feet to the point of beginning, containing 27.39 acres more
or less. Subject to that portion in Clyde Carnes Road on the south side of herein
described tract and subject to that portion in Jim Brooks Road on the East Side of
herein described tract and subject to easements and rights-of-way of record

Section Three: Purpose. The owner of said property requests simultaneous
detachment and annexation into Prairie Grove because he owns adjoining
property to the West already located in the City of Prairie Grove, sewer service to
the subject property is provided by the City of Prairie Grove and the property is
located within the Prairie Grove school district. Placing the governance of all the

property within one municipality provides a more streamlined and efficient means of developing the property.

Section Four: Concurrence by Farmington. Pursuant to subsections (b) and (c) of A.C.A. §14-40-2101, once passed by the City of Prairie Grove, this Ordinance shall be transmitted to the City of Farmington; and following a public hearing the Farmington City Council will vote on whether to concur in the simultaneous detachment and annexation.

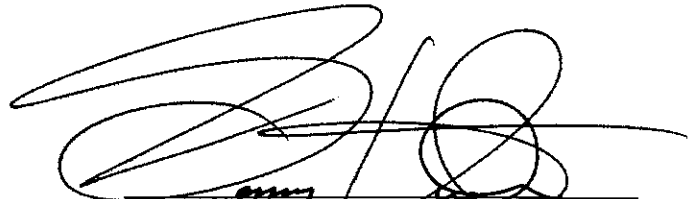
Section Five: Effective Date. This Ordinance shall become effective from and after the concurrence of the City of Farmington City Council.

Section Six: Repealing Clause. Ordinances or parts thereof in force at the time that this ordinance shall take effect that are in conflict herewith, are hereby repealed.

Section Seven: Saving Clause. Nothing herein shall be deemed to affect any rights or obligations existing at the time of the passage of this ordinance.

Section Eight: Severability Clause. In the event any portion of this ordinance is declared inoperative or invalid as a result of a statute or judicial decision, then only that portion expressly so declared to be inoperative or invalid shall be affected thereby and all other provisions hereof shall remain in full force and effect.

Approved this 15th day of July 2019.



Charles (Sonny) Hudson, Mayor

(Attest)

Christine Kelly
Christine Kelly, Clerk

CERTIFICATION OF ORDINANCE

I, Christine Kelly, City Clerk of the City of Prairie Grove, Arkansas, hereby certify that the attached is a true and correct copy of an ordinance, which was duly passed and approved by a two-thirds vote of the total number of members the City Council of the City of Prairie Grove, Arkansas, on the 15 day of July, 2019.

Seal



Christine Kelly
Christine Kelly, City Clerk
City of Prairie Grove, Arkansas

ORDINANCE NO. 2019-24

AN ORDINANCE TO AUTHORIZE DOING BUSINESS WITH COUNCIL MEMBER RICK AULT.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PRAIRIE GROVE, ARKANSAS:

SECTION ONE: Statement of Prior History. Rick Ault was appointed to the City Council June 17, 2019 to fulfill the term previously held by Gina Bailey. Prior to that, the Council passed Resolution 2019-15, accepting the bid by Rick and Kara Ault to purchase the old Waterworks Building.

SECTION TWO: Authorization to Conduct Business with Rick and Kara Ault. The City recognizes that Rick Ault has been appointed to sit on the City Council and that there is a public policy that discourages municipal contracts with public officials. Nevertheless, the Council feels that it would be unfair to prohibit him from conducting business with the City. Therefore, the City Council hereby authorizes the City to continue with the sale of the old Waterworks Building to Rick and Kara Ault, the high bidders for such property. This Ordinance is adopted pursuant to A.C.A. § 14-42-107(b)(1).

SECTION FOUR: Repealing Clause. Ordinances or parts thereof in force at the time that this ordinance shall take effect that are in conflict herewith, are hereby repealed.

SECTION FIVE: Saving Clause. Nothing herein shall be deemed to affect any rights or obligations existing at the time of the passage of this ordinance.


SECTION SIX: Severability Clause. In the event any portion of this ordinance is declared inoperative or invalid as a result of a statute or judicial decision, then only that

portion expressly so declared to be inoperative or invalid shall be affected thereby and all other provisions hereof shall remain in full force and effect.

SECTION SEVEN: Effective Date. This Ordinance shall take effect 60 days following its posting, unless an Emergency Clause is attached hereto.

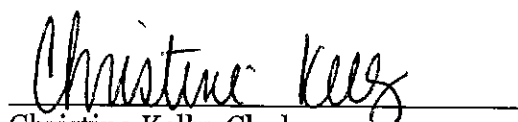
SECTION EIGHT: Emergency Clause. The City Council hereby finds that it has been trying to sell the Waterworks Building for several months, the City solicited bids for the purchase of the property, the Aults submitted the highest, responsible bid for the property, and the Council passed Resolution 2019-15 authorizing sale of the building to the Aults back in May of 2019. There is no reason to delay the sale of the building any longer and for these reasons, the City Council finds that an emergency exists and this Ordinance should take immediate effect.

APPROVED this 15th day of July 2019.



Charles (Sonny) Hudson, Mayor

(Attest)



Christine Kelly, Clerk