

ORDINANCE NO. 2025-6

**AN ORDINANCE AMENDING ORDINANCE NO. 98-018;
CLARIFYING ZONING CLASSIFICATIONS TO THE PROPERTIES
SET FORTH THEREIN; DECLARING AN EMERGENCY
AND FOR OTHER PURPOSES**

WHEREAS, Ordinance 98-018 annexed certain areas into the City of Mountain Home and provided zoning classifications for the annexed properties;

WHEREAS, the legal descriptions for the zoning classifications have created confusion in the proper zoning for particular tracts of real estate; and

WHEREAS, an Ordinance should be passed which clarifies and specifies the zoning of particular tracts referenced in Ordinance No. 98-018.

**NOW, THEREFORE BE IT ORDAINED
BY THE CITY COUNCIL OF THE CITY OF MOUNTAIN HOME, ARKANSAS:**

Section 1. Section 2 of Ordinance No. 98-018 provided, in part, that the following real estate be brought into the City of Mountain Home as C-2 zoning, to wit:


All that part of the SE1/4 NE1/4 North of Highway 62 not presently included in the corporate limits of the City of Mountain Home, Section 17, Township 19 North, Range 13 West.

Section 2. That real estate development, surveys and Planning Commission maps have reflected confusion in the zoning of this area. The following described tracts of land shall be and hereby are zoned C-2, to wit:

See Exhibit "A" attached hereto.

Section 3. That the passage of this Ordinance is needed to clarify existing and future zoning in this area. An emergency is therefore declared to exist, and this Ordinance shall be in effect from and after its passage.

PASSED AND APPROVED THIS 6TH DAY OF MARCH, 2025.


HILLREY ADAMS, MAYOR

ATTEST:



SCOTT LILES, CITY CLERK



EXHIBIT "A"

PART OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER, SECTION 17, TOWNSHIP 19 NORTH, RANGE 13 WEST, BAXTER COUNTY, ARKANSAS, MORE SPECIFICALLY DESCRIBED AS FOLLOWS: FROM THE NW CORNER OF SAID SW1/4 NE1/4, GO N02°24'25"E 73.91 FEET; THEN GO N89°55'46"E 118.77 FEET TO A 3/8" DIAMETER REBAR WITH A PLASTIC I.D. CAP (PLS 254); THEN GO S01°00'17"W 473.34 FEET; THEN GO S00°15'45"W 819.00 FEET TO A 3/8" REBAR WITH A PLASTIC I.D. CAP (PLS 254); THEN GO N67°12'44"E 466.48 FEET TO A POINT ON THE NORTHERLY RIGHT OF WAY LINE U.S. HWY. 62/412; THEN GO ALONG SAID RIGHT OF WAY LINE N77°56'58"E 331.02 FEET TO THE POINT OF BEGINNING OF TRACT BEING DESCRIBED; THEN CONTINUE ALONG SAID RIGHT OF WAY LINE N76°59'23"E 74.74 FEET; THEN CONTINUE ALONG THE NORTHERLY RIGHT OF WAY LINE SAID U.S. 62/412, N71°02'50"E 170.22 FEET TO THE POINT OF CURVATURE OF A 25-FT. RADIUS CURVE; THEN LEAVING THE NORTHERLY RIGHT OF WAY LINE OF U.S. HWY. 62/412, GO ALONG THE ARC OF SAID CURVE TO THE LEFT IN A NORTHEASTERLY DIRECTION THRU A CENTRAL ANGLE OF 115°50'46", A DISTANCE OF 50.55 FEET TO THE POINT OF REVERSE CURVATURE. BEING THE POINT OF CURVATURE OF A 180-FT. RADIUS CURVE; THEN GO ALONG THE ARC OF SAID CURVE TO THE RIGHT, IN A NORTHEASTERLY DIRECTION, THRU A CENTRAL ANGLE OF 26°56'13", A DISTANCE OF 84.63 FEET TO THE POINT OF TANGENCY; THEN GO N17°51'42"W 129.60 FEET TO THE POINT OF CURVATURE OF A 25-FT. RADIUS CURVE; THEN GO ALONG THE ARC OF SAID CURVE TO THE LEFT IN A NORTHWESTERLY DIRECTION THRU A CENTRAL ANGLE OF 89°58'41", A DISTANCE OF 39.27 FEET TO THE POINT OF TANGENCY; THEN GO S72°09'37"W 176.77 FEET TO THE POINT OF CURVATURE OF A 630.00-FT. RADIUS CURVE; THEN GO ALONG THE ARC OF SAID CURVE TO THE RIGHT IN A SOUTHWESTERLY DIRECTION, THRU A CENTRAL ANGLE OF 02°52'09", A DISTANCE OF 31.55 FEET; THEN GO S14°58'16"E 270.59 FEET TO THE POINT OF BEGINNING.

EASEMENT FOR INGRESS AND EGRESS:

PART OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER, SECTION 17, TOWNSHIP 19 NORTH, RANGE 13 WEST, BAXTER COUNTY, ARKANSAS, MORE SPECIFICALLY DESCRIBED AS FOLLOWS: FROM THE NW CORNER OF SAID SW1/4 NE1/4, GO N02 deg.18'09"E 73.98 FEET; THEN GO N89 deg.56'11"E 118.84 FEET TO A 3/8" DIAMETER REBAR WITH A PLASTIC I.D. CAP (PLS 254); THEN GO S01 deg.00'17"W 473.34 FEET; THEN GO S00 deg.15'45"W 819.00 FEET TO A 3/8" REBAR WITH A PLASTIC I.D. CAP (PLS 254); THEN GO N67 deg.12'43"E 466.48 FEET TO A POINT ON THE NORTHERLY RIGHT OF WAY LINE U.S. HWY. 62/412; THEN GO ALONG SAID RIGHT OF WAY LINE N77 deg.56'58"E 331.02 FEET; THEN CONTINUE ALONG SAID RIGHT OF WAY LINE N76 deg.57'22"E 74.60 FEET; THEN CONTINUE ALONG THE NORTHERLY RIGHT OF WAY LINE SAID U.S. 62/412, N71 deg.03'31"E 170.34 FEET TO THE POINT OF CURVATURE OF A 25-FT. RADIUS CURVE TO THE POINT OF BEGINNING OF TRACT BEING DESCRIBED; THEN LEAVING THE NORTHERLY RIGHT OF WAY LINE OF U.S. HWY. 62/412, ALONG THE ARC OF SAID CURVE TO THE LEFT IN A NORTHEASTERLY DIRECTION THRU A CENTRAL ANGLE OF 115 deg.51'02", A DISTANCE OF 55.55 FEET TO THE POINT OF TANGENCY ALSO BEING THE POINT OF CURVATURE OF A 180-FT. RADIUS CURVE; THEN GO ALONG THE ARC OF SAID CURVE TO THE RIGHT, IN A NORTHEASTERLY DIRECTION, THRU A CENTRAL ANGLE OF 26 deg.55'47", A DISTANCE OF 84.60 FEET TO THE POINT OF TANGENCY; THEN GO N 72 deg. 08' 16" E 30.00 FEET TO THE POINT OF CURVATURE OF A 150-FT RADIUS CURVE, THE RADIUS OF WHICH BEARS N 72 deg. 08' 16" E, THEN GO ALONG THE ARC OF SAID CURVE TO THE LEFT, IN A SOUTHEASTERLY DIRECTION, THRU A CENTRAL ANGLE OF 27 deg. 31' 11", A DISTANCE OF 72.05 FEET TO THE POINT OF TANGENCY, THEN GO S 45 deg. 22' 55" E 53.16 FEET TO THE NORTHERLY RIGHT OF WAY OF LINE OF U.S. HWY. 62/412; THEN GO ALONG SAID RIGHT OF WAY LINE S 71 deg. 03' 31" W 73.85 FEET TO THE POINT OF BEGINNING. SAID EASEMENT SUBSEQUENTLY TO BE DEDICATED AS A PUBLIC STREET.

Lot One (1) of that certain lot split of West End Subdivision for Harp's Food Stores, Inc., Mountain Home, Baxter County, Arkansas, recorded on December 12, 2013 as Document No. 1218 in the Records of the Circuit Clerk's Office of Baxter County, Arkansas, being a part of the Southwest Quarter (SW1/4) of the Northeast Quarter (NE1/4) of Section 17, Township 19 North, Range 13 West of the Fifth Principal Meridian, Baxter County, Arkansas, as being more particularly described as follows: Commence at a found 5/8 inch iron pin being the Northwest corner of the SW1/4 of the NE1/4, thence North 00° 44' 00" East a distance of 78.03 feet to a point; thence South 88° 04' 40" East a distance of 120.93 feet to a found iron pin with Cap "PLS 254"; thence South 01° 10' 48" West a distance of 473.39 feet to a found one-half inch iron pin; thence South 00° 09' 03" West a distance of 63.78 feet to a set iron pin with Cap "PLS 1439" and the Point of Beginning; thence South 89° 58' 59" East a distance of 318.34 feet to a set iron pin with Cap "PLS 1439"; thence North 64° 57' 27" East a distance of 165.35 feet to a found iron pin with Cap "PS 1655"; thence South 00° 01' 02" West a distance of 635.82 feet to a found iron pin with Cap "PS 1655" and the northern right of way of U. S. Highway 62 (variable width); thence along said right of way South 78° 01' 50" West a distance of 40.78 feet to a found Arkansas Highway Transportation Department (AHTD) one and one-half inch aluminum disk; thence South 66° 45' 20" West a distance of 398.54 feet to a found AHTD one and one-half inch aluminum disk; thence South 69° 58' 13" West a distance of 67.98 feet to a found iron pin with Cap "PLS 254"; thence leaving said right of way North 00° 09' 03" East a distance of 754.95 feet to the Point of Beginning.

Part of the South Half of the Northeast Quarter of Section 17, Township 19 North, Range 13 West, Baxter County, Arkansas, more specifically described as follows: From the NW corner of the SW1/4 NE1/4 of said Section 17, go $N02^{\circ}24'25''E$ 73.91 feet; Then go $N89^{\circ}55'46''E$ 118.77 feet to a 3/8" diameter rebar with a plastic I.D. cap (PLS 254); Then go $S01^{\circ}00'17''W$ 473.34 feet; Then go $S00^{\circ}15'45''W$ 819.00 feet to a 3/8" rebar with a plastic I.D. cap (PLS 254); Then go $N67^{\circ}12'44''E$ 466.48 feet to a point on the northerly right of way line U.S. Hwy. 62/412; Then go along said right of way line $N77^{\circ}56'58''E$ 40.64 feet to the POINT OF BEGINNING of tract being described; Then continue along said right of way line the following movements: $N77^{\circ}56'58''E$ 290.38 feet; $N76^{\circ}59'23''E$ 74.74 feet; Then continue along the northerly right of way line said U.S. 62/412 and extending onto the northerly right of way line of U.S. Hwy. 62B, go $N71^{\circ}02'50''E$ 318.07 feet to the Point of Curvature of a 966.45-ft. radius curve; Then continue along the northerly right of way line of U.S. Hwy. 62B, along the arc of said curve to the left in a northeasterly direction thru a central angle of $10^{\circ}27'56''$, a distance of 176.53 feet; Then leaving said curve, continuing along said right of way line, go the following movements: $N46^{\circ}18'59''E$ 233.32 feet; $N44^{\circ}53'16''E$ 13.92 feet; Then leaving the northerly right of way line of U.S. Hwy. 62B, go $N43^{\circ}32'47''W$ 329.42 feet to the Point of Curvature of a 120-ft. radius curve, the radius point of which bears $N43^{\circ}32'41''W$; Then go along the arc of said curve to the left, in a northeasterly direction, thru a central angle of $45^{\circ}52'07''$, a distance of 96.07 feet to the Point of Tangency; Then go $N00^{\circ}35'25''E$ 28.23 feet; Then go $N89^{\circ}15'48''W$ 322.33 feet; Then go $S79^{\circ}04'48''W$ 263.79 feet; Then go $S67^{\circ}14'08''W$ 244.94 feet; Then go $S00^{\circ}02'38''W$ 636.10 feet to the Point of Beginning. being subject to easement recorded at Instrument #6035-97.

A part of Lot 2 West End Phase 1, as shown by the recorded plat thereof, Baxter County, Arkansas, described as follows: Starting at the SE corner of Lot 1, this is also on the North R/W of Hwy. 62B of West End Phase 1 Subdivision, thence continue along North R/W 62B, North 71 degrees 02 minutes 50 seconds East 143.72 feet to the point of beginning, thence leaving R/W along East side of West End Way Street with a curve to the right, with a radius of 25.00 feet and arc length 27.73 feet, a chord of North 77 degrees 09 minutes 42 seconds West 26.33 feet, thence leaving curve continue along East side street, North 45 degrees 22 minutes 55 seconds West 52.59 feet, thence along curve to the right a radius of 120.00 feet, arc length 57.64 feet, chord North 31 degrees 37 minutes 19 seconds West 57.08 feet, thence leaving curve, North 17 degrees 51 minutes 44 seconds West 129.55 feet, thence with a curve to the right, radius of 25.00 feet, arc length of 27.73 feet, a chord of North 77 degrees 09 minutes 42 seconds West 26.33 feet; thence along South side Libbe Drive, North 72 degrees 09 minutes 37 seconds East 56.82 feet, thence along curve to the left radius of 330.00 feet, arc length of 98.78 feet, chord North 63 degrees 35 minutes 08 seconds East 98.41 feet, thence leaving street, South 34 degrees 59 minutes 21 seconds East 277.12 feet to the North R/W 62B, thence along Hwy 62 with a curve to the right, a radius of 966.45 feet, arc length of 176.53, chord South 65 degrees 49 minutes 34 seconds West 176.9 feet to the point of beginning.

Being shown on a Survey by Strider Consulting dated August 20, 2019.

CITY OF MOUNTAIN HOME
FILED
DATE 5/15/98
D. H. H. H.
CITY CLERK

ORDINANCE NO. 98-018

AN ORDINANCE ANNEXING PROPERTY CONTIGUOUS THEREWITH TO
THE CITY OF MOUNTAIN HOME, ARKANSAS; ACCEPTING THE ANNEXATION OF
CERTAIN TERRITORY TO THE CITY OF MOUNTAIN HOME, ARKANSAS;
AND TO ANNEX PROPERTY TO THE CITY OF MOUNTAIN HOME, ARKANSAS
AND AFFIXING ZONING CLASSIFICATIONS TO THE
PROPERTIES HEREINAFTER SET OUT

WHEREAS, a petition was filed with the County Clerk of Baxter County, Arkansas, by the real estate owner of the land hereinafter described, praying that said lands be annexed to and made a part of the City of Mountain Home, Arkansas; and

WHEREAS, on the 8th day of May, 1998, the County Court of Baxter County, Arkansas, found that said petition was signed by the fee simple owners of the said properties; that the said territory, showing its relationship to the present city, has been filed and made a part of said annexation petition; that said proper notice has been given for the time and in the manner prescribed by law; that said lands and territory should be annexed to the City of Mountain Home, Arkansas, subject to the acceptance of the 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 same petitioners have petitioned in writing to the City of Mountain Home, Arkansas, praying that said properties be annexed to the Water & Sewer Improvement District No. 3 of the city of Mountain Home, Arkansas, for the purposes hereinafter set out; and

WHEREAS, after due notice as required by law, the City Council of the City of Mountain Home, Arkansas, has heard all persons desiring to be heard and has ascertained that said petition was signed by the owners of the real properties in said territory; and

WHEREAS, a proper petition was filed by the property owners requesting a zoning; that said petition was submitted to the Planning Commission of the City of Mountain Home, Arkansas; that notice of said petition and a public hearing thereon was published in a newspaper having local circulation as required by ordinance; that a public hearing was held; that all remonstrances were heard, after which the Planning Commission recommended that all properties described hereinafter be annexed to the City of Mountain Home, Arkansas.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Mountain Home, Arkansas:

Section 1. That the following described lands in territory contiguous to and adjoining the City of Mountain Home, Arkansas, be and the same are hereby accepted and annexed to the City of Mountain Home, Arkansas.

That the following described property is annexed to the City of Mountain Home, Arkansas, to-wit:

That part of the NE 1/4 SW 1/4 [except that part thereof owned by Norcross Ford, Inc. and Joe Norcross and Jacquetta Norcross, Co-Trustees of the Norcross Family Revocable Trust, UTA dated October 17, 1996], the N 1/2 SE 1/4 and the S 1/2 NE 1/4 South of US Highway 62-412 and US Highway 62-412 Bypass and all that part of the E 3/4 SW 1/4 NE 1/4 and that part of the SE 1/4 NE 1/4 outside the present corporate limits of the City of Mountain Home, Arkansas, North of US Highway 62-412, all in Section 17, Township 19 North, Range 13 West.

Section 2. All property is to be zoned R-1 except the following described lands in Baxter County, Arkansas, to be zoned R-2:

Part of the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 17, Township 19 North, Range 13 West, in Baxter County, Arkansas, more particularly described as follows: Starting at the Northwest corner of said NE $\frac{1}{4}$ SW $\frac{1}{4}$; thence S. 15° 32' W. 58.1 feet to a concrete monument; thence S. 00° 07' W. 493.6 feet to the existing south right-of-way of U.S. Highway 62/412; thence along said right-of-way N. 67° 12' E. 515.81 feet; thence S. 02° 43' W. 10.4 feet to a point on the proposed right-of-way of said highway and the point of beginning; thence along said proposed right-of-way the following courses: N. 68° 12' E. 154.9 feet; N. 69° 28' E. 199.2 feet; N. 75° 01' E. 65.1 feet; thence leaving said proposed right-of-way S. 08° 28' E. 487.0 feet; thence S. 67° 24' W. 531.4 feet; thence N. 02° 43' E. 542.3 feet to the point of beginning, containing 5.32 acres, more or less. Reserving the West 20 feet of the above described tract for a utility easement.

Also, the following described easement: Part of the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 17, Township 19 North, Range 13 West in Baxter County, Arkansas, more particularly described as follows: Starting at the Northwest corner of said NE $\frac{1}{4}$ SW $\frac{1}{4}$; thence S. 15° 32' W. 58.1 feet to a concrete monument; thence S. 00° 07' W. 493.6 feet to the existing South right-of-way of U.S. Highway 62/412; thence along said right-of-way N. 67° 12' E. 515.8 feet; thence S. 02° 43' W. 10.4 feet to a point on the proposed right-of-way of said highway; thence along said proposed right-of-way the following courses: N. 68° 12' E. 154.9 feet; N. 69° 28' E. 199.2 feet; N. 75° 01' E. 65.1 feet to the point of beginning; thence leaving said proposed right-of-way S. 08° 28' E. 250.0 feet; thence N. 81° 32' E. 50.0 feet; thence N. 08° 28' W. 255.7 feet; thence S. 75° 01' W. 50.3 feet to the point of beginning, containing 0.29 acre, more or less.


and except the following in Baxter County, Arkansas, to be zoned C-2:

All that part of the SE $\frac{1}{4}$ NE $\frac{1}{4}$ north of Highway 62 not presently included in the corporate limits of the City of Mountain Home, Section 17, Township 19 North, Range 13 West.

Section 3. Extensions to the existing sanitary sewer and waters systems as may now exist may be built to serve the property within the bounds of the above described territory in such manner and with such materials as may be in the best interest of the City.

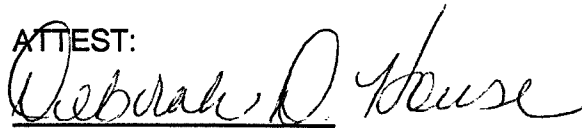
PASSED AND APPROVED this 16th day of July, 1998.

APPROVED:



MAYOR

ATTEST:



CITY CLERK