



Office of the City Clerk-Treasurer
301 W. Chestnut
Rogers, Arkansas 72756
479-621-1117 · (Fax) 479-936-5401
www.rogersar.gov

COMMITTEE SCHEDULE

TO: MAYOR
CITY COUNCIL
DEPARTMENT HEADS
PRESS

FROM: PEGGY DAVID, CITY CLERK-TREASURER

DATE: April 18, 2019

The following committee meetings will be held on **Tuesday, April 23, 2019** prior to the City Council Meeting:

5:00 p.m. – COMMUNITY ENVIRONMENT & WELFARE COMMITTEE: (Carmichael, Townzen and Hayes) **Committee Room #2**

- To Discuss: (a) An Ordinance Rezone from R-O to U-COM, 3712 S. Pinnacle Hills Parkway (3712 PHP, LLC)
- ADDED** (b) An Ordinance to Rezone from A-1 and NR to RMF-6B, 1623 and 1625 S. Dixieland Road (Louisiana Properties, Inc.)
-

6:00 p.m. - PUBLIC WORKS COMMITTEE: (Townzen, Brashear and Kendall) **Committee Room #1**

- To Discuss: (a) Monthly Report from RWU
-

6:15 p.m. - TRANSPORTATION COMMITTEE: (Kruger, Townzen and Carmichael) **Committee Room #1**

- To Discuss: (a) A Resolution Amending the 2019 Budget to Recognize Funds from SWEPCO’s Arkansas Energy Efficiency Program in the Amount of \$5,181 into Acct. #200-16-49710; Appropriating into Acct. #200-16-70155
-
- (b) A Resolution Authorizing a Grant Agreement with the Walton Family Foundation to Received up to \$966,000; Amending the 2019 Budget to Recognize Grant Funds in the Amount of \$966,000 into Acct. #200-16-45600; Appropriating into Acct. #200-16-85057
-
- (c) A Resolution Amending Resolution R-19-09 (Attached As “Exhibit A”); Correcting the Amounts Appropriated to be in Compliance with the FAA Airport Improvement Program Eligibility; Authorizing Two Contract Amendments With Garver, LLC of North Little Rock, AR to Amend the Amounts Authorized by Resolution R-19-09
-

6:15 p.m. - FINANCE COMMITTEE: (Reithemeyer, Wolf and Kendall) **Committee Room #2**

- To Discuss: (a) A Resolution Amending the 2019 Budget to Recognized State Trauma System Grant Funds in the Amount of \$14,452 into Acct. #100-04-45305; Appropriating into Acct. #100-04-80100



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ROGERS CITY COUNCIL

AGENDA

ROGERS CITY COUNCIL

APRIL 23, 2019

6:30 P.M.

PUBLIC FORUM:

INVOCATION & PLEDGE OF ALLEGIANCE:

ROLL CALL:

ACTION ON MINUTES: April 9, 2019

REPORTS OF BOARDS AND STANDING COMMITTEES:

1. RES. Re: Amending the 2019 Budget to Recognized State Trauma System Grant Funds in the Amount of \$14,452 into Acct. #100-04-45305; Appropriating into Acct. #100-04-80100 - Finance Committee
2. RES. Re: Amending the 2019 Budget to Recognize Funds from SWEPCO's Arkansas Energy Efficiency Program in the Amount of \$5,181 into Acct. #200-16-49710; Appropriating into Acct. #200-16-70155 - Transportation Committee
3. RES. Re: Authorizing a Grant Agreement with the Walton Family Foundation to Received up to \$966,000; Amending the 2019 Budget to Recognize Grant Funds in the Amount of \$966,000 into Acct. #200-16-45600; Appropriating into Acct. #200-16-85057 - Transportation Committee

ROGERS CITY COUNCIL AGENDA

APRIL 23, 2019

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4. RES. Re: Amending Resolution R-19-09 (Attached As “Exhibit A”); Correcting the Amounts Appropriated to be in Compliance with the FAA Airport Improvement Program Eligibility; Authorizing Two Contract Amendments With Garver, LLC of North Little Rock, AR to Amend the Amounts Authorized by Resolution R-19-09 - Transportation Committee
5. ORD. Re: Rezone from R-O to U-COM, 3712 S. Pinnacle Hills Parkway (3712 PHP, LLC) - Community Environment & Welfare Committee
6. ORD. Re: **Added** Rezone from A-1 and NR to RMF-6B, 1623 and 1625 S. Dixieland Road (Louisiana Properties, Inc.) - Community Environment & Welfare Committee

OLD BUSINESS:

NEW BUSINESS:

1. ORD. Re: Accepting the Final Plat of Magnolia Farms - Daniel Ellis
2. ORD. Re: Accepting the Final Plat of Chandler Run, Phase 3 - Blake Murray
3. ORD. Re: Accepting the Final Plat of Pine Meadows, Phase IV - Nate Bachelor

APPOINTMENTS:

ANNOUNCEMENTS:

A RESOLUTION AMENDING THE 2019 BUDGET TO RECOGNIZE STATE TRAUMA SYSTEM GRANT FUNDS IN THE AMOUNT OF FOURTEEN THOUSAND FOUR HUNDRED FIFTY-TWO DOLLARS (\$14,452.00) INTO ACCOUNT #100-04-45305 STATE GRANT REVENUE; APPROPRIATING THAT SAME AMOUNT TO EXPENSE ACCOUNT #100-04-80100 CAPITAL EXPENDITURES; AND FOR OTHER PURPOSES.

WHEREAS, the City of Rogers will receive fourteen thousand four hundred fifty-two dollars (\$14,452.00) in grant funds from the State Trauma System for the purchase of an electronic loading cot.

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

Section 1: The 2019 Budget is hereby amended to recognize grant funds in the amount of fourteen thousand four hundred fifty-two dollars (\$14,452.00) to Account #100-04-45305 State Grant Revenue;

Section 2: The 2019 Budget is further amended to appropriate fourteen thousand four hundred fifty-two dollars (\$14,452.00) to Account #100-04-80100 Capital Expenditures;

Section 3 - Severability Provision: If any part of this Resolution is held invalid, the remainder of this Resolution shall continue in effect as if such invalid portion never existed; and

Section 4 - Repeal of Conflicting Resolutions: All resolutions or orders of the City Council, or parts of resolutions or orders of the City Council, in conflict with this Resolution are repealed to the extent of such conflict.

RESOLVED this _____ day of _____, 2019.

APPROVED:

C. GREG HINES, Mayor

Attest:

PEGGY DAVID, City Clerk

Requested By: Chief Tom Jenkins, Rogers Fire Department
Prepared By: Casey Wilhelm, Director of Finance
Reviewed By: Bonnie Bridges, Staff Attorney
For Consideration by the Finance Committee

A RESOLUTION AMENDING THE 2019 BUDGET TO RECOGNIZE FUNDS FROM SWEPCO'S ARKANSAS ENERGY EFFICIENCY PROGRAM IN THE AMOUNT OF FIVE THOUSAND ONE HUNDRED EIGHTY-ONE DOLLARS (\$5,181.00) INTO ACCOUNT #200-16-49710 REIMBURSEMENT REVENUE; APPROPRIATING THAT SAME AMOUNT TO EXPENSE ACCOUNT #200-16-70155 BUILDING AND GROUNDS; AND FOR OTHER PURPOSES.

WHEREAS, the City of Rogers received five thousand one hundred eighty-one dollars (\$5,181.00) from SWEPCO's Arkansas Energy Efficiency Program for light fixture upgrades in Street buildings to reduce energy consumption in Arkansas.

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

Section 1: The 2019 Budget is hereby amended to recognize funds from SWEPCO'S Arkansas Energy Efficiency Program in the amount of five thousand one hundred eighty-one dollars (\$5,181.00) to Account #200-16-49710 Reimbursement Revenue;

Section 2: The 2019 Budget is further amended to appropriate five thousand one hundred eighty-one dollars (\$5,181.00) to Account #200-16-70155 Building and Grounds;

Section 3 - Severability Provision: If any part of this Resolution is held invalid, the remainder of this Resolution shall continue in effect as if such invalid portion never existed; and

Section 4 - Repeal of Conflicting Resolutions: All Resolutions or orders of the City Council, or parts of Resolutions or orders of the City Council, in conflict with this Resolution are repealed to the extent of such conflict.

RESOLVED this _____ day of _____, 2019.

APPROVED:

C. GREG HINES, Mayor

Attest:

PEGGY DAVID, City Clerk

Requested By: Frankie Guyll, Street Superintendent
Prepared By: Casey Wilhelm, Director of Finance
Reviewed By: Bonnie Bridges, Staff Attorney
For Consideration by the Transportation Committee

A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO A GRANT AGREEMENT WITH THE WALTON FAMILY FOUNDATION TO RECEIVE UP TO NINE HUNDRED SIXTY-SIX THOUSAND DOLLARS (\$966,000.00); AMENDING THE 2019 BUDGET TO RECOGNIZE GRANT FUNDS IN THE AMOUNT OF NINE HUNDRED SIXTY-SIX THOUSAND DOLLARS (\$966,000.00) INTO ACCOUNT #200-16-45600 GRANTS AND DONATIONS; APPROPRIATING THE SAME TO EXPENSE ACCOUNT #200-16-85057 RAC TO RAILYARD PARK TRAIL; AND FOR OTHER PURPOSES.

WHEREAS, the City of Rogers will receive up to \$966,000.00 in a 50/50 matching grant project estimated at \$1,932,000.00 from the Walton Family Foundation to be used for the Northern Loop 2B Trail; and

WHEREAS, the Grant is a 50/50 matching grant, where the City will match the grant funds provided by the Walton Family Foundation with Bond Funds for the trail completion project.

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

Section 1: The Mayor and City Clerk are hereby authorized to enter into a 50/50 matching grant agreement on behalf of the City with the Walton Family Foundation in which the City shall accept up to nine hundred sixty-six thousand dollars (\$966,000.00) in grant funds on a project with an estimated cost of one million nine hundred thirty-two thousand (\$1,932,000.00);

Section 2: The 2019 Budget is hereby amended to recognize grant funds in the amount of nine hundred sixty-six thousand dollars (\$966,000.00) to Account #200-16-45600 Grants and Donations;

Section 3: The 2019 Budget is further amended to appropriate said nine hundred sixty-six thousand dollars (\$966,000.00) to Account #200-16-85057 RAC to Railyard Park Trail;

Section 4 - Severability Provision: If any part of this Resolution is held invalid, the remainder of this Resolution shall continue in effect as if such invalid portion never existed; and

Section 5 - Repeal of Conflicting Resolutions: All Resolutions or orders of the City Council, or parts of Resolutions or orders of the City Council, in conflict with this Resolution are repealed to the extent of such conflict.

RESOLVED this _____ day of _____, 2019.

APPROVED:

C. GREG HINES, Mayor

Attest:

PEGGY DAVID, City Clerk

Requested By: Lance Jobe, PE, Department of Community Development

Prepared By: Casey Wilhelm, Director of Finance

Reviewed By: Bonnie Bridges, Staff Attorney

For Consideration by the Transportation Committee

A RESOLUTION AMENDING RESOLUTION R-19-09 (ATTACHED AS “EXHIBIT A”); CORRECTING THE AMOUNTS APPROPRIATED TO BE IN COMPLIANCE WITH THE FEDERAL AVIATION ADMINISTRATION (HEREAFTER “FAA”) AIRPORT IMPROVEMENT PROGRAM ELIGIBILITY; AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO TWO CONTRACT AMENDMENTS WITH GARVER, LLC OF NORTH LITTLE ROCK, ARKANSAS, TO AMEND THE AMOUNTS AUTHORIZED BY RESOLUTION R-19-09; AND FOR OTHER PURPOSES.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ROGERS, ARKANSAS:

Section 1: That the sum of eighty-two thousand seven hundred forty dollars (\$82,740.00) was appropriated into Account #315-15-81137 Capital Project 37 per Resolution R-19-09;

Section 2: That the Mayor and City Clerk have already entered into the two contract amendments authorized in Resolution R-19-09;

Section 3: That subsequently the FAA amended it’s Airport Improvement Program eligible portions of those contract amendments;

Section 4: That the Mayor and City Clerk may enter into a contract amendment with Garver, LLC for design and bid phase services associated with the reconstruction of an aircraft taxiway and related improvements at the Rogers Executive Airport for an amount not to exceed fifty-nine thousand five hundred dollars (\$59,500.00) and declaring as void the contract amendment entered into and authorized by R-19-09, Section 2, for sixty-two five hundred fifty dollars (\$62,550.00);

Section 5: That the Mayor and City Clerk may enter into a contract amendment with Garver LLC, for design and bid phase services associated with the reconstruction of an aircraft taxiway and related improvements at the Rogers Executive Airport for an amount not to exceed fourteen thousand seven hundred forty dollars (\$14,740.00) and declaring as void the contract amendment entered into and authorized by R-19-09, Section 3, for eleven thousand six hundred ninety dollars (\$11,690.00);

Section 6: That the amount changes for the two above contract amendments do not change the total amount authorized by the City Council in R-19-09 of seventy-four thousand two hundred forty dollars (\$74,240.00);

Section 7: That execution of said contract amendments with Garver, LLC, shall be contingent upon the approval of the FAA as may be required;

Section 8 - Severability Provision: In the event that any section, paragraph, subdivision, clause, phrase, or other provision or portion of this Resolution shall be adjudged invalid or unconstitutional, the same shall not affect the validity of this Resolution as a whole, or any part or provision, other than the part so decided to be invalid or unconstitutional, and the remaining provisions of this Resolution shall be construed as if such invalid, unenforceable or unconstitutional provision or provisions had never been contained herein; and

Section 9 - Repeal of Conflicting Resolutions: All Resolutions of the City Council, or parts of Resolutions of the City Council in conflict herewith are hereby repealed to the extent of such conflict.

RESOLVED this _____ day of _____, 2019.

APPROVED:

C. GREG HINES, Mayor

Attest:

PEGGY DAVID, City Clerk

Requested by: David Krutsch, Airport Manager
Prepared by: Bonnie Bridges, Staff Attorney
Reviewed by: Bonnie Bridges, Staff Attorney
For Consideration by the Transportation Committee

EXHIBIT A

ORDINANCE NO. _____
CITY OF ROGERS, ARKANSAS

AN ORDINANCE AMENDING ROGERS CODE SECTION 14-675 BY RE-ZONING
CERTAIN LANDS FROM R-O TO U-COM, PROVIDING FOR
THE EMERGENCY CLAUSE AND FOR OTHER PURPOSES

WHEREAS, pursuant to the provisions of Rogers Code Section Rogers Code Section 14-725, et seq, and upon the consideration of the report and recommendations of the Planning Commission of the City of Rogers, Benton County, Arkansas, the City Council has found that certain lands hereinafter described are better suited for U-COM than R-O zoning.

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

SECTION 1: That Section 14-675 of the code of Ordinances, City of Rogers, should be and the same hereby is amended as hereinafter provided.

SECTION 2: That the land hereinafter described should be and the same is hereby zoned as U-COM and that said lands being in Benton County, Arkansas, are described as:

LEGAL DESCRIPTION: Lot 1, Pinnacle Hills Office Park-Rogers, PLAT 8/28/2014-422 & 423

LAYMAN'S DESCRIPTION: 3712 S. Pinnacle Hills Parkway, Rogers, AR 72758

SECTION 3: That it is necessary to bring proposed uses of the property into conformance with the Rogers City Zoning Ordinances and because of such an emergency is declared to exist and in order to protect the public peace, health, safety and welfare, this ordinance shall be in full force and effect from the date of its passage and approval.

SECTION 4: Severability Provision- In the event that any section, paragraph, subdivision, clause, phrase, or other provision or portion of this Ordinance shall be adjudged invalid or unconstitutional, the same shall not affect the validity of this Ordinance as a whole, or any part or provision, other than the part so decided to be invalid or unconstitutional, and the remaining provisions of this Ordinance shall be construed as if such invalid, unenforceable or unconstitutional provision or provisions had never been contained herein.

SECTION 5: Repeal of Conflicting Ordinances and Resolutions- All ordinances, resolutions or orders of the City Council, or parts of ordinances, resolutions or orders of the City Council in conflict herewith are hereby repealed to the extent of such conflict.

PASSED THIS _____ DAY OF _____, 2019.

ROGERS, ARKANSAS

APPROVED:

ATTEST:

PEGGY DAVID, CLERK

C. GREG HINES, MAYOR

ORDINANCE NO. _____
CITY OF ROGERS, ARKANSAS

AN ORDINANCE AMENDING ROGERS CODE SECTION 14-675 BY RE-ZONING
CERTAIN LANDS FROM A-1 AND NR TO RMF-6, PROVIDING FOR
THE EMERGENCY CLAUSE AND FOR OTHER PURPOSES

WHEREAS, pursuant to the provisions of Rogers Code Section Rogers Code Section 14-725, et seq, and upon the consideration of the report and recommendations of the Planning Commission of the City of Rogers, Benton County, Arkansas, the City Council has found that certain lands hereinafter described are better suited for RMF-6 than A-1 and NR zoning.

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

SECTION 1: That Section 14-675 of the code of Ordinances, City of Rogers, should be and the same hereby is amended as hereinafter provided.

SECTION 2: That the land hereinafter described should be and the same is hereby zoned as RMF-6 and that said lands being in Benton County, Arkansas, are described as:

LEGAL DESCRIPTION: PID#02-01612-000

1625 S. Dixieland Road, Rogers, AR

A PART OF THE N 1/2 OF THE NW 1/4 OF THE SE 1/4 OF SECTION 14, TOWNSHIP 19 NORTH, RANGE 30 WEST, BENTON COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT: BEGINNING AT A POINT WHICH IS EAST 16.00 FEET AND NORTH 112.00 FEET FROM THE SOUTHWEST CORNER OF SAID 20 ACRE TRACT AND RUNNING THENCE NORTH 100.00 FEET; THENCE EAST 150.00 FEET TO A SET IRON PIN; THENCE NORTH 100.00 FEET TO A SET IRON PIN; THENCE WEST 150.00 FEET; THENCE NORTH 335.00 FEET; THENCE EAST 340.28 FEET TO THE WEST LINE OF SOUTHERN HILLS SECOND ADDITION; THENCE ALONG SAID LINE S00*24'42"W 535.01 FEET TO A SET IRON PIN; THENCE LEAVING SAID WEST LINE WEST 336.44 FEET TO THE POINT OF BEGINNING. CONTAINING 3.81 ACRES, MORE OR LESS. SUBJECT TO EASEMENTS, RIGHTS OF WAY AND OTHER RESTRICITIONS OF RECORD, IF ANY.

PID#02-01611-000

1623 S. Dixieland Road, Rogers, AR

SURVEY DESCRIPTION:

A PART OF THE NORTH HALF OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 14, TOWNSHIP 19 NORTH, RANGE 30 WEST, BENTON COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT: BEGINNING AT A POINT WHICH IS EAST 16.00' AND NORTH 212.00' FROM THE SOUTHWEST CORNER OF SAID 20 ACRE TRACT AND RUNNING THENCE NORTH 100.00' TO A SET IRON PIN, THENCE EAST 150.00' TO A SET IRON PIN, THENCE SOUTH 100.00' TO A SET IRON PIN, THENCE WEST 150.00' TO THE POINT OF BEGINNING. CONTAINING 0.34 ACRES, MORE OR LESS. SUBJECT TO EASEMENTS AND RIGHTS-OF-WAY OF RECORD, IF ANY.

LAYMAN'S DESCRIPTION: 1623 and 1625 S. Dixieland Road, Rogers, AR 72758

SECTION 3: That it is necessary to bring proposed uses of the property into conformance with the Rogers City Zoning Ordinances and because of such an emergency is declared to exist and in order to protect the public peace, health, safety and welfare, this ordinance shall be in full force and effect from the date of its passage and approval.

SECTION 4: Severability Provision- In the event that any section, paragraph, subdivision, clause, phrase, or other provision or portion of this Ordinance shall be adjudged invalid or unconstitutional, the same shall not affect the validity of this Ordinance as a whole, or any part or provision, other than the part so decided to be invalid or unconstitutional, and the remaining provisions of this Ordinance shall be

construed as if such invalid, unenforceable or unconstitutional provision or provisions had never been contained herein.

SECTION 5: Repeal of Conflicting Ordinances and Resolutions- All ordinances, resolutions or orders of the City Council, or parts of ordinances, resolutions or orders of the City Council in conflict herewith are hereby repealed to the extent of such conflict.

PASSED THIS _____ DAY OF _____, 2019.

ROGERS, ARKANSAS

APPROVED:

ATTEST:

PEGGY DAVID, CLERK

C. GREG HINES, MAYOR

ORDINANCE NO. _____

CITY OF ROGERS, ARKANSAS

AN ORDINANCE ACCEPTING THE FINAL PLAT OF
MAGNOLIA FARMS
ROGERS, BENTON COUNTY, ARKANSAS,
THE DEDICATION OF UTILITY EASEMENTS AND OTHER PUBLIC WAYS THEREIN;
AND DECLARING AN EMERGENCY

WHEREAS, the Final Plat has been submitted for MAGNOLIA FARMS, Rogers, Benton County Arkansas which is more particularly described as follows, to-wit:

THE SOUTHEAST ONE QUARTER (SE/4) OF THE NORTHWEST ONE QUARTER (NW/4), A PART OF THE SOUTHWEST ONE QUARTER (SW/4) OF THE NORTHEAST ONE QUARTER (NE/4), AND A PART OF THE NE/4 OF THE SW/4 OF SECTION SIXTEEN (16), TOWNSHIP NINETEEN (19) NORTH, RANGE THIRTY (30) WEST IN THE CITY OF ROGERS, BENTON COUNTY, ARKANSAS; BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF SAID SE/4 OF THE NW/4, A FOUND 4"X7" LIMESTONE;

THENCE ALONG THE WEST LINE THEREOF NORTH TWO DEGREES (02°) SEVENTEEN MINUTES (17') THIRTY-EIGHTH SECONDS (38") EAST A DISTANCE OF ONE THOUSAND THREE HUNDRED TWENTY-FOUR AND EIGHTY-FOUR HUNDRETHS (1324.84) FEET TO THE NORTHWEST CORNER THEREOF, A FOUND 3"X8" LIMESTONE;

THENCE ALONG THE NORTH LINE OF SAID SE/4 OF THE NW/4 SOUTH EIGHTY-SIX DEGREES (86°) FIFTY-TWO MINUTES (52') FIFTY-SEVEN SECONDS (57") EAST A DISTANCE OF ONE THOUSAND THREE HUNDRED TWENTY-THREE AND THIRTY-SEVEN HUNDRETHS (1323.37) FEET TO THE NORTHWEST CORNER OF SAID SW/4 OF THE NE/4, A FOUND RAIL SPIKE;

THENCE ALONG THE NORTH LINE THEREOF SOUTH EIGHTY-SIX DEGREES (86°) TWENTY-EIGHT MINUTES (28') FIFTY-THREE SECONDS (53") EAST A DISTANCE OF FIVE HUNDRED SEVENTY-SIX AND TWENTY-ONE HUNDRETHS (576.21) FEET TO THE WEST RIGHT-OF-WAY OF SOUTH PROMENADE BOULEVARD ACCORDING TO PLAT 2008-58;

THENCE ALONG SAID WEST RIGHT-OF-WAY THE FOLLOWING FOUR (4) COURSES:

(1) SOUTH EIGHT DEGREES (08°) THIRTY-EIGHT MINUTES (38') THREE SECONDS (03") EAST TWENTY-FIVE AND SEVENTY-NINE HUNDRETHS (25.79) FEET;

(2) THREE HUNDRED NINETY-EIGHT AND TWENTY-ONE HUNDRETHS (398.21) FEET ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF FOUR HUNDRED SIXTY-SEVEN AND FIFTY HUNDRETHS (467.50) FEET AND HAVING A LONG CHORD OF SOUTH FIFTEEN DEGREES (15°) FORTY-SIX MINUTES (46') FIVE SECONDS (05") WEST WITH A CHORD DISTANCE OF THREE HUNDRED EIGHTY-SIX AND TWENTY-EIGHT HUNDRETHS (386.28) FEET TO A FOUND 5/8" REBAR;

(3) SOUTH FORTY DEGREES (40°) TEN MINUTES (10') TWELVE SECONDS (12") WEST, CROSSING A FOUND 5/8" REBAR AT A DISTANCE OF ONE HUNDRED THIRTY-THREE AND NINETY-EIGHT HUNDRETHS (133.98) FEET AND CONTINUING FOR A TOTAL DISTANCE OF SIX HUNDRED FORTY-THREE AND NINETEEN HUNDRETHS (643.19) FEET;

(4) TWO HUNDRED SIXTY AND EIGHTY-NINE HUNDRETHS (260.89) FEET ALONG A CURVE TO THE LEFT HAVING A RADIUS OF FOUR HUNDRED SIXTY-SEVEN AND FIFTY HUNDRETHS (467.50) FEET AND HAVING A LONG CHORD OF SOUTH TWENTY-FOUR DEGREES (24°) ELEVEN MINUTES (11') ZERO SECONDS (00") WEST WITH A CHORD DISTANCE OF TWO HUNDRED FIFTY-SEVEN AND FIFTY-ONE HUNDRETHS (257.51) FEET TO THE EAST LINE OF SAID SE/4 OF THE NW/4;

THENCE ALONG SAID EAST LINE SOUTH TWO DEGREES (02°) SEVENTEEN MINUTES (17') TWENTY-SEVEN SECONDS (27") WEST A DISTANCE OF ONE HUNDRED SIXTY-EIGHT AND SIXTY-FOUR HUNDRETHS (168.64) FEET TO THE SOUTHEAST CORNER OF SAID SE/4 OF THE NW/4, A FOUND 2" ALUMINUM MONUMENT;

THENCE ALONG THE SOUTH LINE THEREOF NORTH EIGHTY-SIX DEGREES (86°) FORTY-THREE MINUTES (43') SEVENTEEN SECONDS (17") WEST A DISTANCE OF THREE HUNDRED TWENTY AND NINETEEN HUNDRETHS (320.19) FEET;

THENCE LEAVING SAID SOUTH LINE SOUTH SIXTY-FOUR DEGREES (64°) FORTY-SEVEN MINUTES (47') FIFTY-ONE SECONDS (51") WEST A DISTANCE OF SEVEN HUNDRED ELEVEN AND SEVENTY-ONE HUNDRETHS (711.71) FEET TO A FOUND 5/8" REBAR;

THENCE SOUTH SIXTY-FOUR DEGREES (64°) FIFTY-SIX MINUTES (56') TWENTY-SIX SECONDS (26") WEST A DISTANCE OF NINETY AND SEVEN HUNDRETHS (90.07) FEET TO A 5/8" REBAR;

THENCE SOUTH SIXTY-FOUR DEGREES (64°) FORTY-SIX MINUTES (46') NINE SECONDS (09") WEST A DISTANCE OF ONE HUNDRED EIGHTY-ONE AND EIGHTY-THREE HUNDRETHS (181.83) FEET TO A FOUND 5/8" REBAR;

THENCE SOUTH SEVENTY DEGREES (70°) TWENTY-ONE MINUTES (21') TWENTY-SIX SECONDS (26") WEST A DISTANCE OF ONE HUNDRED FORTY-FOUR AND FIFTY-EIGHT HUNDRETHS (144.58) FEET TO THE WEST LINE OF SAID NE/4 OF THE SW/4;

THENCE ALONG SAID WEST LINE NORTH TWO DEGREES (02°) FORTY MINUTES (40') FORTY-ONE SECONDS (41") EAST A DISTANCE OF FIVE HUNDRED TWENTY-FIVE AND TWENTY-EIGHT HUNDRETHS (525.28) FEET TO THE POINT OF BEGINNING, CONTAINING FIFTY-FIVE AND FORTY-ONE HUNDRETHS (55.41) ACRES, MORE OR LESS AND SUBJECT TO THE RIGHT-OF-WAY OF SOUTH 45TH STREET AND TO ALL EASEMENTS AND RIGHTS OF WAY OF RECORD OR FACT.

WHEREAS, the City Council finds that said Final Plat is in conformance with the Ordinances of the City of Rogers, Arkansas; and

WHEREAS, the City Council finds that it is in the best interest of the citizens of Rogers, Arkansas that said Final Plat be approved and the dedication of the utility easements and other public was be accepted and confirmed;

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

SECTION 1: The Final Plat of MAGNOLIA FARMS, Rogers, Benton County, Arkansas, as described in the Plat thereof, is hereby accepted, approved and confirmed.

SECTION 2: All dedication of utility easements and other public ways as set forth in the Plat are hereby accepted by the City. The Mayor and City Clerk are authorized and directed to certify the aforesaid approval and acceptance upon the face of the Plat.

SECTION 3: As the facilities to be constructed within this subdivision will promote the economy of the City and will promote the public health and welfare, an emergency is declared to exist and this Ordinance shall be in full force and effect from and after the date of its passage.

SECTION 4: Severability Provision- In the event that any section, paragraph, subdivision, clause, phrase, or other provision or portion of this Ordinance shall be adjudged invalid or unconstitutional, the same shall not affect the validity of this Ordinance as a whole, or any part or provision, other than the part so decided to be invalid or unconstitutional, and the remaining provisions of this Ordinance shall be construed as if such invalid, unenforceable or unconstitutional provision or provisions had never been contained herein.

SECTION 5: Repeal of Conflicting Ordinances and Resolutions- All ordinances, resolutions or orders of the City Council, or parts of ordinances, resolutions or orders of the City Council in conflict herewith are hereby repealed to the extent of such conflict.

PASSED: _____, 2019

CITY OF ROGERS, ARKANSAS

APPROVED:

C. GREG HINES, MAYOR

ATTEST:

PEGGY DAVID, CITY CLERK

ORDINANCE NO. _____

CITY OF ROGERS, ARKANSAS

AN ORDINANCE ACCEPTING THE FINAL PLAT OF
CHANDLER RUN, PHASE 3
ROGERS, BENTON COUNTY, ARKANSAS,
THE DEDICATION OF UTILITY EASEMENTS AND OTHER PUBLIC WAYS THEREIN;
AND DECLARING AN EMERGENCY

WHEREAS, the Final Plat has been submitted for CHANDLER RUN, PHASE 3, Rogers, Benton County Arkansas which is more particularly described as follows, to-wit:

A PART OF LOTS 21, 24 AND 25 OF THE GROVE PHASE II, AS SHOWN IN THE BENTON COUNTY RECORDS IN BOOK 2007 AT PAGE 447, CITY OF ROGERS, BENTON COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF LOT 21 OF SAID GROVE SUBDIVISION, SAID POINT BEING A FOUND .4' X .4' STONE; THENCE N02°39'50"E A DISTANCE OF 331.00 FEET TO A SET IRON PIN WITH CAP "PLS 1156"; THENCE S87°26'59"E A DISTANCE OF 134.24 FEET TO A SET IRON PIN WITH CAP "PLS 1156"; THENCE S61°46'28"E A DISTANCE OF 55.48 FEET TO A SET IRON PIN WITH CAP "PLS 1156"; THENCE S87°26'59"E A DISTANCE OF 858.55 FEET TO A SET IRON PIN WITH CAP "PLS 1156"; THENCE S36°56'58"E A DISTANCE OF 78.61 FEET TO A SET IRON PIN WITH CAP "PLS 1156"; THENCE S87°26'59"E A DISTANCE OF 180.00 FEET TO THE WESTERLY RIGHT OF WAY LINE OF SOUTH DIXIELAND ROAD, SAID POINT BEING A SET IRON PIN WITH CAP "PLS 1156"; THENCE ALONG SAID WESTERLY RIGHT OF WAY LINE, S02°33'01"W A DISTANCE OF 262.80 FEET TO A FOUND 5/8" REBAR; THENCE LEAVING SAID WESTERLY RIGHT OF WAY LINE, N86°42'28"W A DISTANCE OF 1,273.55 FEET TO THE POINT OF BEGINNING. CONTAINING 9.02 ACRES (392,701 SQ.FT.), MORE OR LESS.

WHEREAS, the City Council finds that said Final Plat is in conformance with the Ordinances of the City of Rogers, Arkansas; and

WHEREAS, the City Council finds that it is in the best interest of the citizens of Rogers, Arkansas that said Final Plat be approved and the dedication of the utility easements and other public was be accepted and confirmed;

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

SECTION 1: The Final Plat of Chandler Run, Phase 3, Rogers, Benton County, Arkansas, as described in the Plat thereof, is hereby accepted, approved and confirmed.

SECTION 2: All dedication of utility easements and other public ways as set forth in the Plat are hereby accepted by the City. The Mayor and City Clerk are authorized and directed to certify the aforesaid approval and acceptance upon the face of the Plat.

SECTION 3: As the facilities to be constructed within this subdivision will promote the economy of the City and will promote the public health and welfare, an emergency is declared to exist and this Ordinance shall be in full force and effect from and after the date of its passage.

SECTION 4: **Severability Provision-** In the event that any section, paragraph, subdivision, clause, phrase, or other provision or portion of this Ordinance shall be adjudged invalid or unconstitutional, the same shall not affect the validity of this Ordinance as a whole, or any part or provision, other than the part so decided to be invalid or unconstitutional, and the remaining provisions of this Ordinance shall be construed as if such invalid, unenforceable or unconstitutional provision or provisions had never been contained herein.

SECTION 5: **Repeal of Conflicting Ordinances and Resolutions-** All ordinances, resolutions or orders of the City Council, or parts of ordinances, resolutions or orders of the City Council in conflict herewith are hereby repealed to the extent of such conflict.

PASSED: _____, 2019

CITY OF ROGERS, ARKANSAS

APPROVED:

C. GREG HINES, MAYOR

ATTEST:

PEGGY DAVID, CITY CLERK

ORDINANCE NO. _____

CITY OF ROGERS, ARKANSAS

AN ORDINANCE ACCEPTING THE FINAL PLAT OF
PINE MEADOWS PHASE IV
ROGERS, BENTON COUNTY, ARKANSAS,
THE DEDICATION OF UTILITY EASEMENTS AND OTHER PUBLIC WAYS THEREIN;
AND DECLARING AN EMERGENCY

WHEREAS, the Final Plat has been submitted for Pine Meadows Phase IV, Rogers, Benton County Arkansas which is more particularly described as follows, to-wit:

A tract of land situated in part of the W1/2 of the W1/2 of the SE1/4 and part of the E1/2 of the E1/2 of the SW1/4 and the Reserved Property in Pine Meadow Addition as shown on Plat Book 14, Page 318 all in Section 3, Township 19 North, Range 30 West, Benton County, Arkansas, being more particularly described by metes and bounds:

BEGINNING at a found 1/2" rebar at the SE corner of Lot 36, Block 6 of Pine Meadow Addition, according to Plat Book 19, Page 21; THENCE South 02°00'09" West, a distance of 655.90 feet to a found 5/8" rebar at the NW corner of the E1/2 of the SW1/4 of the SE1/4 of said Section 3 as shown on Plat Book 2016, Page 767; THENCE South 02°08'02" West, a distance of 518.33 feet to a found 5/8" rebar with cap "Buescher"; THENCE along the North line of said Plat Book 2016, Page 767, North 88°02'00" West, a distance of 179.77 feet to a found 5/8" rebar on the East line of Lot 10, Block 2 of Pine Meadow Addition according to Plat Book 15, Page 176; THENCE along said East line, North 02°10'32" East, a distance of 22.80 feet to a found 5/8" rebar on the Northeast corner of said Lot 10; THENCE along the North line of said Lot 10, North 86°55'08" West, a distance of 88.80 feet to a set 5/8" rebar with cap "LS#1759" on the East Right-of-Way of N. 27th Street; THENCE along said East Right-of-Way the following two (2) courses: 1) North 45°44'33" East, a distance of 204.94 feet to a set 5/8" rebar with cap "LS#1759"; 2) North 02°18'51" East, a distance of 1004.10 feet to a found 5/8" rebar on the South line of aforementioned Lot 36, Block 6; THENCE along said South line, South 86°55'57" East, a distance of 122.57 feet to the POINT OF BEGINNING, containing 159,256 square feet or 3.66 acres, more or less, subject to any easements, covenants or restrictions or record or fact.

WHEREAS, the City Council finds that said Final Plat is in conformance with the Ordinances of the City of Rogers, Arkansas; and

WHEREAS, the City Council finds that it is in the best interest of the citizens of Rogers, Arkansas that said Final Plat be approved and the dedication of the utility easements and other public ways be accepted and confirmed;

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

SECTION 1: The Final Plat of Pine Meadows Phase IV, Rogers, Benton County, Arkansas, as described in the Plat thereof, is hereby accepted, approved and confirmed.

SECTION 2: All dedication of utility easements and other public ways as set forth in the Plat are hereby accepted by the City. The Mayor and City Clerk are authorized and directed to certify the aforesaid approval and acceptance upon the face of the Plat.

SECTION 3: As the facilities to be constructed within this subdivision will promote the economy of the City and will promote the public health and welfare, an

emergency is declared to exist and this Ordinance shall be in full force and effect from and after the date of its passage.

SECTION 4: Severability Provision- In the event that any section, paragraph, subdivision, clause, phrase, or other provision or portion of this Ordinance shall be adjudged invalid or unconstitutional, the same shall not affect the validity of this Ordinance as a whole, or any part or provision, other than the part so decided to be invalid or unconstitutional, and the remaining provisions of this Ordinance shall be construed as if such invalid, unenforceable or unconstitutional provision or provisions had never been contained herein.

SECTION 5: Repeal of Conflicting Ordinances and Resolutions- All ordinances, resolutions or orders of the City Council, or parts of ordinances, resolutions or orders of the City Council in conflict herewith are hereby repealed to the extent of such conflict.

PASSED: _____, 2019

CITY OF ROGERS, ARKANSAS

APPROVED:

C. GREG HINES, MAYOR

ATTEST:

PEGGY DAVID, CITY CLERK