



Office of the City Clerk-Treasurer
301 W. Chestnut
Rogers, Arkansas 72756
479-621-1117
www.rogersar.gov

COMMITTEE SCHEDULE

TO: MAYOR
CITY COUNCIL
DEPARTMENT HEADS
PRESS

FROM: Jessica Rush, CITY CLERK-TREASURER

DATE: May 25, 2021

The following committee meetings will be held on **Tuesday, May 25, 2021** prior to the City Council Meeting:

05:00 p.m. - PUBLIC WORKS COMMITTEE: (Townzen*, Brashear, Kendall)

<https://us02web.zoom.us/j/87362009182> OR (312) 626-6799 ID: 873 6200 9182

To Discuss: (a) RWU Monthly Report

05:10 p.m. - TRANSPORTATION COMMITTEE: (Kruger*, Legere, Townzen)

<https://us02web.zoom.us/j/87362009182> OR (312) 626-6799 ID: 873 6200 9182

To Discuss: (a) Street Closure Request - Walmart Shareholders [Request Form](#)

05:20 p.m. - PUBLIC SAFETY COMMITTEE: (Wolf*, Kruger, Legere)

<https://us02web.zoom.us/j/87362009182> OR (312) 626-6799 ID: 873 6200 9182

To Discuss: (a) An Ordinance Repealing Ordinance #20-54

- (b) A Resolution Encouraging The Citizens Of Rogers To Follow The Arkansas Department Of Health Guidelines In Relation To The Covid-19 Pandemic; Supporting Recommended Mask Use

05:30 p.m. - FINANCE COMMITTEE: (Reithemeyer*, Wolf, Kendall)

<https://us02web.zoom.us/j/87362009182> OR (312) 626-6799 ID: 873 6200 9182

- To Discuss: (a) A Resolution Authorizing The Mayor And City Clerk To Enter Into A Grant Agreement With The Beaver Watershed Alliance To Receive Up To \$206,000.00
- (b) A Resolution Authorizing The Mayor And City Clerk To Enter Into A Contract With All A-V Services, LLC To Provide Audio Visual Equipment

05:45 p.m. - COMMUNITY ENVIRONMENT & WELFARE COMMITTEE: (Legere*, Townzen, Hayes)

<https://us02web.zoom.us/j/87362009182> OR (312) 626-6799 ID: 873 6200 9182

- To Discuss: (a) An Ordinance Amending Rogers Code Section 14-675 By Re-Zoning Certain Lands From I-2 To I-1 (Rite Temp) [Staff Report](#)



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ROGERS CITY COUNCIL
AGENDA

MAY 25, 2021
6:30 PM

via ZOOM <https://us02web.zoom.us/j/86414455753> OR By Phone (312) 626-6799
ID: 864 1445 5753

PUBLIC FORUM:

ROLL CALL:

ACTION ON MINUTES:

1. May 11, 2021

REPORTS OF BOARDS AND STANDING COMMITTEES:

- | | | | |
|----|----------|--|----------------------------|
| 1. | ORD. Re: | Repealing Ordinance #20-54 | PUBLIC SAFETY
COMMITTEE |
| 2. | RES. Re: | Encouraging The Citizens Of Rogers To Follow The
Arkansas Department Of Health Guidelines In Relation
To The Covid-19 Pandemic; Supporting Recommended
Mask Use | PUBLIC SAFETY
COMMITTEE |
| 3. | RES. Re: | Authorizing The Mayor And City Clerk To Enter Into
A Grant Agreement With The Beaver Watershed
Alliance To Receive Up To \$206,000.00 | FINANCE
COMMITTEE |

- FINANCE
COMMITTEE

COMMUNITY
ENVIRONMENT &
WELFARE
COMMITTEE

1. ORD. Re: Accepting The Final Plat Of Cobble Creek Subdivision Rogers, Benton County, Arkansas
2. ORD. Re: Accepting The Final Plat Of The Iveys Phase III Subdivision Rogers, Benton County, Arkansas
3. ORD. Re: Accepting The Final Plat Of Scissortail Phase III Subdivision Rogers, Benton County, Arkansas

ANNOUNCEMENTS:

ORDINANCE NO. 21-_____

AN ORDINANCE REPEALING ORDINANCE #20-54; PROVIDING FOR THE EMERGENCY CLAUSE; AND FOR OTHER PURPOSES.

WHEREAS, on July 6, 2020 the Rogers City Council passed Ordinance No. 20-54, regarding the use of masks in relation to the Covid-19 pandemic;

WHEREAS, the City pledged its support to the Rogers School District and its commitment to students and staff by continuing mask usage until the end of the 2020-2021 school year;

WHEREAS, the Covid-19 vaccine is now readily available to Arkansans over the age of twelve (12);

WHEREAS, as a result, the Arkansas Department of Health (ADH) and the Centers for Disease Control and Prevention (CDC) have updated the guidelines for face coverings; and

WHEREAS, the City Council has found it necessary to repeal said Ordinance at the close of this school year.

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

Section 1: The City of Rogers has determined that it would be in the best interest of the City to repeal the Ordinance regarding the use of face masks in accordance with the current ADH and CDC Covid-19 guidelines;

Section 2: That Ordinance No. 20-54 shall be repealed on May 27, 2021 at 3:34 p.m. in conjunction with the close of the 2020-2021 Rogers school year;

Section 3: Emergency Clause: The need to repeal this Ordinance No. 20-54 is immediate and in order to protect the public peace, health, safety, and welfare an emergency is hereby declared to exist and this Ordinance shall be in full force and effect from the date of its passage and approval;

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

Section 5: Repeal of Conflicting Provisions: All Ordinances, Resolutions, or Orders of the City Council, or parts of the same, in conflict with this Ordinance are repealed to the extent of such conflict.

PASSED this _____ day of _____, 2021.

APPROVED:

C. GREG HINES, Mayor

Attest:

JESSICA RUSH, City Clerk

Requested by: C. Greg Hines, Mayor
Prepared by: Bonnie Bridges, Staff Attorney
For Consideration By: Public Safety Committee

RESOLUTION NO. R21-_____

A RESOLUTION ENCOURAGING THE CITIZENS OF ROGERS TO FOLLOW THE ARKANSAS DEPARTMENT OF HEALTH GUIDELINES IN RELATION TO THE COVID-19 PANDEMIC; SUPPORTING RECOMMENDED MASK USE; AND FOR OTHER PURPOSES.

WHEREAS, the outbreak of Covid-19 has resulted in an ongoing global pandemic;

WHEREAS, The Arkansas Department of Health (ADH) has provided, and continually updates, health guidelines in order to protect the residents of Arkansas;

WHEREAS, though the growing availability of the Covid-19 vaccine has eliminated the need for vaccinated people to wear a mask or socially distance, the City recognizes that there are many Rogers residents that may still choose to wear a mask or follow other safety precautions; and

WHEREAS, the City of Rogers supports mask usage as recommended by the ADH and supports residents who chose to wear a mask or socially distance due to a cancer diagnosis, autoimmune disease, the desire to protect an unvaccinated child or high risk loved one, or for any other reason in order to stay safe from Covid-19 infection and spread.

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

Section 1: The City of Rogers encourages its residents to follow all ADH Covid-19 health guidelines;

Section 2: The City of Rogers supports residents who chose to continue wearing a mask or socially distance in order to best protect themselves, their family, their friends, and their co-workers;

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 Provisions: All Ordinances, Resolutions, or Orders of the City Council, or parts of the same, in conflict with this Ordinance are repealed to the extent of such conflict.

RESOLVED this _____ day of _____, 2021.

APPROVED:

C. GREG HINES, Mayor

Attest:

JESSICA RUSH, City Clerk

Requested by: C. Greg Hines, Mayor

Prepared by: Bonnie Bridges, Staff Attorney

For Consideration By: Public Safety Committee

RESOLUTION NO. R21-_____

A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO A GRANT AGREEMENT WITH THE BEAVER WATERSHED ALLIANCE TO RECEIVE UP TO TWO HUNDRED SIX THOUSAND DOLLARS (\$206,000.00); AMENDING THE 2021 BUDGET TO RECOGNIZE GRANT FUNDS IN THAT AMOUNT INTO ACCOUNT #200-16-45600, GRANTS AND DONATIONS; APPROPRIATING THE SAME TO ACCOUNT #200-16-80115, LAKE ATALANTA IMPROVEMENTS; AND FOR OTHER PURPOSES.

WHEREAS, the City of Rogers will receive up to two hundred six thousand dollars (\$206,000.00), from the Beaver Watershed Alliance to be used for the replacement of gravel parking areas at Lake Atalanta with permeable paving units City of Rogers; and

WHEREAS, the City has committed to a seventy thousand dollar (\$70,000.00) matching portion, to be paid for out of Park Bond monies, which is approximately twenty-seven percent (27%) of the budgeted portion for Lake Atalanta 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 grant agreement on behalf of the City of Rogers with the Beaver Watershed Alliance in which the City will receive up to two hundred six thousand dollars (\$206,000.00) in grant funds;

Section 2: The 2021 Budget is hereby amended to recognize grant funds in the amount of two hundred six thousand dollars (\$206,000.00) to account #200-16-45600, Grants and Donations;

Section 3: The 2021 Budget is further amended to appropriate said two hundred six thousand dollars (\$206,000.00) to account #200-16-80115, Lake Atalanta Improvements;

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 Ordinances, Resolutions, or Orders of the City Council, or parts of the same, in conflict with this Resolution are repealed to the extent of such conflict.

RESOLVED this _____ day of _____, 2021.

APPROVED:

C. GREG HINES, Mayor

Attest:

JESSICA RUSH, City Clerk

Requested By: Kent Laughlin, Community Development Project Manager
Prepared By: Bonnie Bridges, Staff Attorney
For Consideration By: Finance Committee

RESOLUTION NO. R21-_____

A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO A CONTRACT WITH ALL A-V SERVICES, LLC TO PROVIDE AUDIO VISUAL EQUIPMENT; AMENDING THE 2021 BUDGET TO APPROPRIATE SEVENTY-FIVE THOUSAND SIX HUNDRED EIGHTY-SIX DOLLARS AND FORTY CENTS (\$75,686.40) FROM GENERAL FUND RESERVES TO ACCOUNT #100-01-80120 CITY HALL IMPROVEMENTS; AND FOR OTHER PURPOSES.

WHEREAS, there is a need to update the audio visual equipment in the City Council Chambers and install audio visual equipment in the Community and Committee Rooms;

WHEREAS, this equipment will allow continued flexibility and accessibility for citizens, and the public as a whole, while attending and participating in public meetings;

WHEREAS, All A-V Services, LLC of Lowell, Arkansas has estimated the cost of the renovation to be seventy-five thousand six hundred eighty-six dollars and forty cents (\$75,686.40); and

WHEREAS, this project quote is made under a TIPS/TAPS contract and does not need to be competitively bid.

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

Section 1: That the Mayor and City Clerk are authorized to enter into a contract with All A-V Services, LLC of Lowell, Arkansas, in an amount not to exceed seventy-five thousand six hundred eighty-six dollars and forty cents (\$75,686.40), for the installation of audio visual equipment in the City Council Chambers, Community Room, and Committee Rooms;

Section 2: That the cost breakdown is as follows:

- a. Council Chambers: Forty-three thousand six hundred forty-six dollars and seventy cents (\$43,646.70);
- b. Community Room: Nineteen thousand six hundred eighty-eight dollars and ten cents (\$19,688.10);
- c. Committee Room One: Six thousand one hundred seventy-five dollars and eighty cents (\$6,175.80); and
- d. Committee Room Two: Six thousand one hundred seventy-five dollars and eighty cents (\$6,175.80).

Section 3: The 2021 Budget is hereby amended to appropriate seventy-five thousand six hundred eighty-six dollars and forty cents (\$75,686.40), from General Fund Reserves to Account #100-01-80120 City Hall Improvements;

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 Provisions: All Ordinances, Resolutions, or Orders of the City Council, or parts of the same, in conflict with this Ordinance are repealed to the extent of such conflict.

RESOLVED this _____ day of _____, 2021.

APPROVED:

C. GREG HINES, Mayor

Attest:

JESSICA RUSH, City Clerk

Requested by: Mandy Brashear, Position 1, Ward 1, Rogers City Council

Prepared by: Bonnie Bridges, Staff Attorney

For Consideration By: Finance Committee

ORDINANCE NO. 21-_____

**AN ORDINANCE AMENDING ROGERS CODE SECTION 14-675 BY RE-ZONING
CERTAIN LANDS FROM I-2 TO I-1, PROVIDING FOR
THE EMERGENCY CLAUSE AND FOR OTHER PURPOSES**

WHEREAS, pursuant to the provisions of 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, on May 18, 2021, the City Council has found that certain lands hereinafter described are better suited for I-1 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 I-1 and that said lands being in Benton County, Arkansas, are described as:

PROPERTY DESCRIPTION:

Part of the Northeast Quarter of the Southeast Quarter of Section 13, Township 19 North, Range 30 West, Washington County, Arkansas as recorded in Warranty Deed filed for record at Bk. 663, Pg. 484.

LESS & EXCEPT

Right of way dedicated to the City of Rogers, Arkansas in Right of Way Deed filed for record at Bk. 2005, Pg. 56871.

LAYMAN'S DESCRIPTION:

3.32 ± acres located at 1706 S. 1st St.

SECTION 3: Zoning. That the above described lands are better suited for I-1 than I-2 zoning and same should be and are hereby zoned I-1.

SECTION 4: Emergency Clause. 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 5: 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 6: 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 _____, 2021.

APPROVED:

C. GREG HINES, Mayor

Attest:

JESSICA RUSH, City Clerk

Requested by: K & M Properties

Prepared by: Amber Long, Planner I

For Consideration By: Community Environment & Welfare Committee

ORDINANCE NO. 21-_____

**AN ORDINANCE ACCEPTING THE FINAL PLAT OF COBBLE CREEK
SUBDIVISION ROGERS, BENTON COUNTY, ARKANSAS; THE DEDICATION OF
UTILITY EASEMENTS AND OTHER PUBLIC WAYS THEREIN; PROVIDING FOR
THE EMERGENCY CLAUSE; AND FOR OTHER PURPOSES.**

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

THE WEST HALF (W/2) OF THE SOUTHEAST QUARTER (SE/4) OF THE NORTHWEST QUARTER (NW/4) OF SECTION 26, TOWNSHIP 19 NORTH, RANGE 30 WEST, CITY OF ROGERS, BENTON COUNTY, ARKANSAS. ALSO DESCRIBED AS FOLLOWS:

BEGINNING AT AN EXISTING 1/2 INCH REBAR FOUND FOR THE SOUTHWEST CORNER OF SAID SE/4 OF THE NW/4; THENCE NORTH 02°27'02" EAST ALONG THE WEST LINE OF SAID SE/4 OF THE NW/4, A DISTANCE OF 1324.89 FEET TO THE NORTHWEST CORNER THEREOF; THENCE SOUTH 86°42'45" EAST ALONG THE NORTH LINE OF SAID SE/4 OF THE NW/4, A DISTANCE OF 664.88 FEET TO THE NORTHEAST CORNER OF SAID W/2 OF THE SE/4 OF THE NW/4; THENCE SOUTH 02°37'09" WEST ALONG THE EAST LINE OF SAID W/2 OF THE SE/4 OF THE NW/4, A DISTANCE OF 1323.22 FEET TO THE SOUTHEAST CORNER THEREOF; THENCE NORTH 86°51'11" WEST ALONG THE SOUTH LINE OF SAID SE/4 OF THE NW/4, A DISTANCE OF 660.97 FEET TO THE POINT OF BEGINNING AND CONTAINING 20.15 ACRES MORE OR LESS. ALSO BEING SUBJECT TO LAUREL AVENUE ON THE SOUTH SIDE THEREOF AND ANY EASEMENTS, COVENANTS, OR RESTRICTIONS OF RECORD OF 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 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 THAT:

Section 1: That the Final Plat of Cobble Creek Subdivision, Rogers, Benton County, Arkansas, as described in the Plat thereof, is hereby accepted, approved, and confirmed;

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

Section 3: Emergency Clause: The facilities to be constructed within this subdivision will promote the economy of the City and support the public health and welfare; therefor an emergency is hereby declared to exist and this Ordinance shall be in full force and effect from the date of its passage and approval;

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

Section 5: Repeal of Conflicting Provisions: All Ordinances, Resolutions, or Orders of the City Council, or parts of the same, in conflict with this Ordinance are repealed to the extent of such conflict.

PASSED this _____ day of _____, **2021**.

APPROVED:

C. GREG HINES, Mayor

Attest:

JESSICA RUSH, City Clerk

Requested by: Daniel Ellis

Reviewed by: Bonnie Bridges, Staff Attorney

ORDINANCE NO. 21-_____

AN ORDINANCE ACCEPTING THE FINAL PLAT OF THE IVEYS PHASE III SUBDIVISION ROGERS, BENTON COUNTY, ARKANSAS; THE DEDICATION OF UTILITY EASEMENTS AND OTHER PUBLIC WAYS THEREIN; PROVIDING FOR THE EMERGENCY CLAUSE; AND FOR OTHER PURPOSES.

WHEREAS, the Final Plat has been submitted for the subdivision of The Iveys Phase III, Rogers, Benton County Arkansas which is more particularly described as follows, to-wit:

A PART OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 32, TOWNSHIP 19 NORTH, RANGE 30 WEST, BENTON COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS ROLLOWS, TO-WIT: BEGINNING AT THE SOUTHWEST CORNER OF SAID FORTY ACRE TRACT AND RUNNING THENCE N02°36'56"E 1119.89', THENCE S85°51'11"E 309.90, THENCE S03°40'01"W 957.88', THENCE S86°52'28"E 8.55, THENCE S03°08'36"W 155.93', THENCE N86°58'51"W 299.33' TO THE POINT OF BEGINNING, CONTAINING 7.71 ACRES, MORE OR LESS. SUBJECT TO THAT PORTION IN WEST SHORES AVENUE MASTER STREET PLAN RIGHT-OF-WAY ON THE SOUTH SIDE OF HEREIN DESCRIBED TRACT AND SUBJECT TO ALL OTHER EASEMENTS AND RIGHTS-OF-WAY-RECORD.

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 THAT:

Section 1: That the Final Plat of The Iveys Phase III Subdivision, Rogers, Benton County, Arkansas, as described in the Plat thereof, is hereby accepted, approved, and confirmed;

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

Section 3: Emergency Clause: The facilities to be constructed within this subdivision will promote the economy of the City and support the public health and welfare; therefor an emergency is hereby declared to exist and this Ordinance shall be in full force and effect from the date of its passage and approval;

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

Section 5: Repeal of Conflicting Provisions: All Ordinances, Resolutions, or Orders of the City Council, or parts of the same, in conflict with this Ordinance are repealed to the extent of such conflict.

PASSED this _____ day of _____, **2021**.

APPROVED:

C. GREG HINES, Mayor

Attest:

JESSICA RUSH, City Clerk

Requested by: Geoff Bates

Reviewed by: Bonnie Bridges, Staff Attorney

ORDINANCE NO. 21-_____

**AN ORDINANCE ACCEPTING THE FINAL PLAT OF SCISSORTAIL PHASE III
SUBDIVISION ROGERS, BENTON COUNTY, ARKANSAS; THE DEDICATION OF
UTILITY EASEMENTS AND OTHER PUBLIC WAYS THEREIN; PROVIDING FOR
THE EMERGENCY CLAUSE; AND FOR OTHER PURPOSES.**

WHEREAS, the Final Plat has been submitted for the subdivision of Scissortail Phase III, Rogers, Benton County Arkansas which is more particularly described as follows, to-wit:

A PART OF THE NW ¼ OF SECTION 25, TOWNSHIP 19 NORTH, RANGE 31 WEST, BENTON COUNTY, ARKANSAS BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A FOUND IRON PIN FOR THE NW CORNER OF THE NW ¼ OF THE NW ¼. THENCE ALONG THE NORTH LINE OF SAID FORTY, S 87°08'16" E, 1150.33 FEET TO A POINT; THENCE LEAVING THE NORTH LINE OF SAID FORTY, S 07°50'09" E, 202.18 FEET TO A POINT; THENCE S 17°41'39" E, 164.49 FEET TO A POINT; THENCE S 46°38'45" E, 172.63 FEET TO A POINT; THENCE S 22°05'09" E, 233.60 FEET TO A FOUND IRON PIN; THENCE S 65°21'09" W, 144.20 FEET TO A FOUND IRON PIN; THENCE S 62°54'42" W, 50.63 FEET TO A FOUND IRON PIN; THENCE S 72°03'41" W, 153.88 FEET TO A FOUND IRON PIN; THENCE N 11°18'21" W, 90.17 FEET TO A FOUND IRON PIN; THENCE N 72°47'48" E, 86.46 FEET TO A FOUND IRON PIN; THENCE N 75°49'30" W, 61.01 FEET TO A FOUND IRON PIN; THENCE N 78°04'28" W, 14.75 FEET TO A FOUND IRON PIN; THENCE N 81°29'32" W, 100.33 FEET TO A FOUND IRON PIN; THENCE S 02°24'00" W, 140.24 FEET TO A FOUND IRON PIN; THENCE S 06°03'34" W, 50.00 FEET TO A FOUND IRON PIN; THENCE AROUND A CURVE TO THE RIGHT HAVING A RADIUS OF 775.00 FEET AND SUBTENDED BY A CHORD BEARING AND DISTANCE OF N 88°04'33" W, 111.77 FEET TO A FOUND IRON PIN; THENCE S 02°27'14" W, 511.00 FEET TO A FOUND IRON PIN; THENCE S 02°36'42" W, 50.00 FEET TO A FOUND IRON PIN; THENCE S 87°23'18" E, 35.14 FEET TO A FOUND IRON PIN; THENCE S 03°24'48" W, 143.80 FEET TO A FOUND IRON PIN; THENCE N 87°05'48" W, 502.61 FEET TO A FOUND IRON PIN; THENCE S 02°27'14" W, 81.14 FEET TO A FOUND IRON PIN; THENCE AROUND A CURVE TO THE LEFT HAVING A RADIUS OF 125.00 FEET AND SUBTENDED BY A CHORD BEARING AND DISTANCE OF S 21°39'02" E, 102.10 FEET TO A FOUND IRON PIN; THENCE AROUND A CURVE TO THE LEFT HAVING A RADIUS OF 17.50 FEET AND SUBTENDED BY A CHORD BEARING AND DISTANCE OF S 87°14'57" E, 23.19 FEET TO A FOUND IRON PIN; THENCE AROUND A CURVE TO THE LEFT HAVING A RADIUS OF 137.82 FEET AND SUBTENDED BY A CHORD BEARING AND DISTANCE OF S 34°57'09" W, 75.80 FEET TO A FOUND IRON PIN; THENCE AROUND A CURVE TO THE LEFT HAVING A RADIUS OF 20.38 FEET AND SUBTENDED BY A CHORD BEARING AND DISTANCE OF N 24°16'28" W, 26.01 FEET TO A FOUND IRON PIN; THENCE N 87°32'46" W, 202.57 FEET TO A FOUND IRON PIN ON THE WEST LINE ON THE NW ¼; THENCE ALONG THE WEST LINE OF SAID NW 1/4, N 02°27'12" E, 1807.92 FEET TO THE POINT OF BEGINNING, CONTAINING 35.38 ACERS, MORE OR LESS,

SUBJECT TO ANY COVENANTS, EASEMENTS, OR RIGHT-OF-WAYS 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 ways be accepted and confirmed;

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

Section 1: That the Final Plat of Scissortail Phase III Subdivision, Rogers, Benton County, Arkansas, as described in the Plat thereof, is hereby accepted, approved, and confirmed;

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

Section 3: Emergency Clause: The facilities to be constructed within this subdivision will promote the economy of the City and support the public health and welfare; therefor an emergency is hereby declared to exist and this Ordinance shall be in full force and effect from the date of its passage and approval;

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

Section 5: Repeal of Conflicting Provisions: All Ordinances, Resolutions, or Orders of the City Council, or parts of the same, in conflict with this Ordinance are repealed to the extent of such conflict.

PASSED this _____ day of _____, **2021**.

APPROVED:

C. GREG HINES, Mayor

Attest:

JESSICA RUSH, City Clerk

Requested by: Phil Swope

Reviewed by: Bonnie Bridges, Staff Attorney