

RESOLUTION NO. R-192-17RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A CORRECTION
EASEMENT WITH OKLAHOMA GAS AND ELECTRIC COMPANY IN
CONNECTION WITH THE MILL CREEK PUMP STATION
AND EQUALIZATION TANK PROJECT

BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE CITY OF FORT SMITH, ARKANSAS,
that:

SECTION 1: On September 16, 2015, the City of Fort Smith granted Oklahoma Gas and Electric Company (OG&E) an overhead easement being twenty-five feet (25') in width and an underground easement being ten feet (10') in width. OG&E discovered the legal description of the easement, recorded on October 6, 2015 at 2015F-14368, contained scrivener's errors resulting in an inaccurate easement area conveyance.

SECTION 2: In order to correct these typographical errors, the legal description should read as follows:

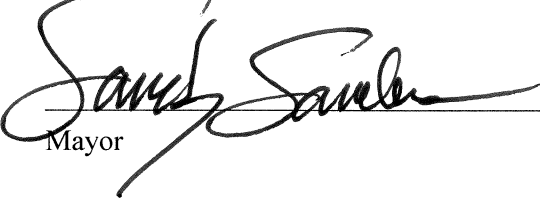
Overhead: A twenty-five foot (25.00') wide easement crossing part of the Lot 7, of the T.H.R. Johnson Survey (dated August 1891) of the North Half of Fractional Section 20, Township 8 North, Rand 32 West, Fort Smith, Sebastian County, Arkansas, said easement being twelve and one-half feet (12.50') wide on each side of the centerline described as follows: Commencing at the NE corner of the Southeast Quarter of the Northwest Quarter said Fractional Section 20; thence South 302.31 feet along the East line of said Lot 7 to the NE corner of the Mill Creek Pump Station Site; thence continuing South 215.00 feet; thence West 8.00 feet to an existing OG&E pole and the Point of Beginning; thence North 32.00 feet from this point extends an anchor, North 30.00 feet to the Point of Terminus AND as shown on the attached EXHIBIT A.

ALSO; Underground: A fifteen feet (15.00') wide easement crossing part of Lot 7, of T. H. R. Johnson Survey (dated August 1891) of the North Half of Fractional Section 20, Township 8 North, Range 32 West, Fort Smith, Sebastian County, Arkansas, said easement being seven and one-half feet (7.50') wide on each side of the centerline described as follows: Commencing at the NE corner of the Southeast Quarter of the Northwest Quarter said Fractional Section 20; thence South 302.31 feet along the East line of said Lot 7 to the NE corner of the Mill Creek Pump Station site; thence continuing South 183.00 feet; thence West 8.00 feet the Point of Beginning; thence North 85 deg. 02' 08" West 160.00 feet; thence North 70 deg. 38' 32" West 29.22 feet; thence North 26 deg. 35' 45" West 23.74 feet to the Point of Terminus AND as shown on the attached EXHIBIT A.

SECTION 3: The Mayor is hereby authorized to execute the Correction Easement for the purpose of granting OG&E the accurate easement area of their facilities by correcting the legal description contained in the aforementioned recorded easement

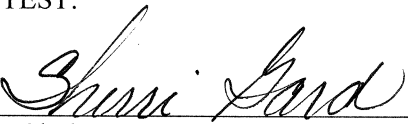
This Resolution adopted this 19th day of December, 2017.

APPROVED:



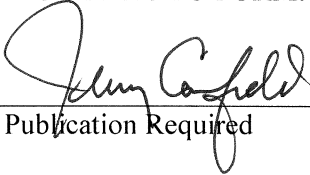
Mayor

ATTEST:



City Clerk

APPROVED AS TO FORM:



No Publication Required