

#11B

ORDINANCE NO. 44-20

**AN ORDINANCE TO ABANDON A PORTION OF A PUBLIC DRAINAGE AND UTILITY EASEMENT  
LOCATED IN FITZGERALD ADDITION, BLOCK B, LOT 11A AND BLOCK K, LOT 6A, AN  
ADDITION TO THE CITY OF FORT SMITH, SEBASTIAN COUNTY, ARKANSAS**

**BE IT ORDAINED AND ENACTED BY THE BOARD OF DIRECTORS OF THE CITY OF FORT SMITH,  
THAT:**

**SECTION 1:** The City of Fort Smith, Arkansas hereby releases, vacates and abandons all its rights together with the rights of the public generally to a portion of a public drainage and utility easement located in the hereinafter described real property:

Part of the platted Drainage & Utility Easement within Lot 11A, Block B and within Lot 6A, Block K, Fitzgerald Addition, Fort Smith, Sebastian County, Arkansas, according to the plat filed for record December 01, 1998, more particularly described as follows:

Part of Lot 11A:

Beginning at the Southeast Corner of said Lot 11A, Block B also being the Southwest Corner of said Lot 6A, Block K, and being on the north Right of Way line of South A Street; thence N00°00'00"E, along the common lot line of said Lot 11A, Block B and Lot 6A, Block K, 166.68 feet to the Northeast corner of said Lot 11A and also being the Northwest corner of said 6A also being on the southerly Right of Way line of Rogers Avenue; thence N72°47'38"W, along said southerly Right of Way line, 26.17 feet to the northwesterly corner of a platted 50 feet wide Drainage & Utility Easement; thence S00°00'00"W, along the westerly line of said Easement, 174.32 feet to the southwesterly corner of said Easement on said north Right of Way line; thence S89°46'13"E, along said north Right of Way line, 25.00 feet to the Point of Beginning,

and

Part of Lot 6A:

Beginning at the Southwest Corner of said Lot 6A, Block K also being the Southeast Corner of said Lot 11A, Block B, and being on the north Right of Way line of South A Street; thence S89°46'13"E, along said north Right of Way line and along the south line of said Lot 6A, 10.00 feet; thence N00°00'00"E, 162.64 feet to said southerly Right of Way line of Rogers Avenue; thence N67°49'37"W, along said southerly Right of Way line, 10.80 feet to the Northwest Corner of said Lot 6A; thence S00°00'00"W, along the common lot line of said Lot 11A, Block B and Lot 6A, Block K, 166.68 feet to the Point of Beginning.

The portion of the public drainage and utility easement being released, vacated and abandoned is no longer required for municipal corporate purposes.

SECTION 2: A copy of the Ordinance duly certified by the City Clerk shall be filed with the Office of the Recorder of the County and recorded in the deed records of the County.

PASSED AND APPROVED THIS 19<sup>th</sup> DAY OF MAY 2020.

APPROVED:

  
\_\_\_\_\_  
Mayor

ATTEST:

  
\_\_\_\_\_  
City Clerk

Approved as to form  
Jerry Linfield  
No publication required