

ORDINANCE NO. 35-20

**AN ORDINANCE ZONING AND REZONING IDENTIFIED PROPERTY
AND AMENDING THE ZONING MAP**

WHEREAS, the City Planning Commission has heretofore held a public hearing upon request 9-4-20 to zone and rezone certain properties hereinafter described, and, having considered said request, recommended on April 14, 2020, that said change be made;

NOW, THEREFORE, BE IT ORDAINED AND ENACTED BY THE BOARD OF DIRECTORS OF THE CITY OF FORT SMITH, ARKANSAS:

SECTION 1: That the following properties to-wit:

APPROXIMATELY 31.44 ACRES OF THE SOUTHEAST QUARTER (SE/4) OF SECTION 4 AND APPROXIMATELY 4.58 ACRES OF THE NORTHEAST QUARTER (NE/4) ALL IN TOWNSHIP 7 NORTH (T7N), RANGE 31 WEST (R31W), OF THE FIFTH PRINCIPAL MERIDIAN (5PM), SEBASTIAN COUNTY, ARKANSAS AND BEING MORE PARTICULARLY DESCRIBED AS:

COMMENCING AT A FOUND RAILROAD SPIKE FOR THE SOUTHEAST CORNER OF SECTION 4; THENCE N87°19'07"W, ALONG THE SECTION LINE BETWEEN SECTION 4 AND SECTION 9, 688.03 FEET TO THE POINT OF BEGINNING; THENCE S44°02'24"W, 592.41 FEET TO A FOUND 1/2" REBAR (PS#1272) ON THE NORTHEASTERLY RIGHT-OF-WAY LINE OF DARBY AVENUE; THENCE N46°00'34"W, ALONG SAID NORTHEASTERLY RIGHT-OF-WAY LINE, 775.48 FEET TO THE SOUTHWESTERLY CORNER OF VIGIL ADDITION; THENCE N43°59'47"E, 132.65 FEET TO THE SOUTHEASTERLY CORNER OF VIGIL ADDITION; THENCE N45°55'41"W, 308.82 FEET TO THE NORTHEASTERLY CORNER OF VIGIL ADDITION ON THE SOUTHERLY RIGHT-OF-WAY LINE OF TERRY STREET; THENCE N44°06'27"E, ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE, 1350.96 FEET TO THE INTERSECTION OF THE SOUTHERLY RIGHT-OF-WAY LINE OF TERRY STREET AND THE CENTERLINE OF REDWOOD DRIVE (A PRIVATE STREET); THENCE S46°13'35"E, ALONG THE CENTERLINE OF REDWOOD DRIVE AND THE EXTENSION THEREOF, 645.86 FEET TO A FOUND 1/2" REBAR; THENCE S45°56'22"E, 436.96 FEET; THENCE S44°02'24"W, 893.56 FEET TO THE POINT OF BEGINNING AND CONTAINING 36.00 ACRES, MORE OR LESS.

LESS AND EXCEPT FOR THAT PARCEL CONTAINING 0.35 ACRES AND DESCRIBED IN EXHIBIT "A" OF DEED RECORD 2016F-06665 AND BEING MORE PARTICULARLY

DESCRIBED AS FOLLOWS:


COMMENCING AT A FOUND RAILROAD SPIKE FOR THE SOUTHEAST CORNER OF SECTION 4; THENCE N87°19'07"W, ALONG THE SECTION LINE BETWEEN SECTION 4 AND SECTION 9, 768.57 FEET; THENCE N2°40'53"E, 213.67 FEET TO A FOUND MAG NAIL FOR THE POINT OF BEGINNING; THENCE N45°55'10"W, 23.69 FEET; THENCE N43°48'45"E, 25.16 FEET; THENCE N45°55'10"W, 58.08 FEET TO A FOUND MAG NAIL; THENCE N43°43'55"E, 178.83 FEET TO A FOUND ½" REBAR (PS#1369); THENCE S45°55'10"E, 83.00 FEET; THENCE S44°05'07"W, 203.98 FEET TO THE POINT OF BEGINNING, CONTAINING 0.35 ACRES, MORE OR LESS.
CONTAINING IN THE AGGREGATE 35.65 ACRES, MORE OR LESS.

more commonly known as 7201 - 7421 Terry Street, 7300-7429 Buckhorn Street, 7300-7429 Ellis Street, 11821 Darby Avenue, 7400 & 7506-7615 Fort Chaffee Boulevard, 12112 Redwood Drive, & 12001 - 12211 Ward Ave, should be, and is hereby zoned and rezoned to a Planned Zoning District (PZD). The approved zoning classification is based and conditioned upon the Planned Zoning District provisions of Section 27-341 of the Unified Development Ordinance and the Planned Zoning District Project Booklet reviewed by the Fort Smith Planning Commission and approved hereby, which Project Booklet shall be filed in the office of the City Clerk.

The zoning map of the City of Fort Smith is hereby amended to reflect said zoning and rezoning.

PASSED AND APPROVED THIS 5th DAY OF May, 2020.

ATTEST:



City Clerk

APPROVED:



Mayor

Approved as to form:



Publish One Time