

ORDINANCE NO. 4-23**AN ORDINANCE TO CLOSE AND VACATE PORTIONS OF SOUTH 8TH STREET,
BELMONT STREET, AND R.S. BOREHAM, JR. STREET WITHIN THE
CITY OF FORT SMITH, ARKANSAS**

WHEREAS, a petition was duly filed with the Board of Directors of the City of Fort Smith, Arkansas, November 17, 2022, asking the Board of Directors to vacate and abandon described portions of South 8th Street, Belmont Street, and R.S. Boreham, Jr. Street rights-of-way:

WHEREAS, after notice as required by law, the Board of Directors has at the time and place mentioned in the notice duly published as required by law, heard all persons as desiring to be heard on the questions, and has ascertained that the said rights of way as described herein has heretofore been dedicated to the public use as rights of way and at this time are no longer required for corporate purposes; that said rights-of-way are of no practical purpose or general purpose to the citizens of Fort Smith; that it is in the best interest of the citizens of Fort Smith that the rights-of-way be closed; and that the public interest and welfare will not be adversely affected by the abandonment of the said right of way.

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

SECTION 1: The City of Fort Smith hereby releases, vacates and abandons all of its rights, title and interest, together with the right of the public generally, in and to the following described street rights-of-way:

A portion of South 8th Street located in the Fairfax Addition, an addition to the City of Fort Smith, Sebastian County, Arkansas, more particularly described as:

Part of Fairfax Addition, Fort Smith, Sebastian County, Arkansas, as follows: That part of South 8th Street which Begins at the Southwest Corner of Lot 47 of said Fairfax Addition; thence North, along the west line of Lot 47, Fairfax Addition, and its extension, 187.5 feet to the south

line of Lot 1, Baldor Addition; thence West, along said south line, 50.0 feet, to the east line of said Lot 1; thence South, along the east line of said Lot 1, 187.5 feet; thence East, 50.0 feet to the Point of Beginning, containing 0.215 acres, more or less.

Portion of Belmont Street located in the Fairfax Addition, an addition to the City of Fort Smith, Sebastian County, Arkansas, more particularly described as:

Part of Fairfax Addition, Fort Smith, Sebastian County, Arkansas, as follows: That part of Belmont Street which Begins at the Northeast Corner of Lot 54 of said Fairfax Addition; thence West, along the north lines of Lots 54 thru 47, Fairfax Addition, 408.0 feet to the Northwest corner of Lot 47, Fairfax Addition; thence North, 50.0 feet to the south line of Lot 1, Baldor Addition; thence East, along the south line of said Lot 1 and the south lines of Lots 45 thru 39, Fairfax Addition, 408.0 feet to the Southeast corner of said Lot 39; thence South, 50.0 feet to the Point of Beginning, containing 0.468 acres, more or less.

Portion of R.S. Boreham, Jr. Street (portions formerly known as South 7th Street and Pawnee Street) located in the Baldor Addition, Fairfax Addition and part of the Northeast Quarter and part of the Northwest Quarter, Section 5, Township 7 North, Range 32 West, Sebastian County, Fort Smith, Arkansas, more particularly described as:

Part of Governmental Lots 1 and 2 of the Northeast Quarter of Fractional Section 5, T-07-N, R-32-W, Fort Smith, Sebastian County, Arkansas more particularly described as follows: Beginning at the Southwest Corner of Lot 2, Baldor Addition, Lots 1 and 2, Fort Smith, Sebastian County, Arkansas, as filed for record June 18, 1990; thence along the existing Right of Way lines of R.S. Boreham Jr. Street as follows: N86°50'12"W, 5.00 feet; thence S03°09'39"W, 415.44 feet; thence along a curve to the left, having a radius of 570.00 feet, an arc length of 75.55 feet, being subtended by a chord bearing S00°38'11"E, a distance of 75.50 feet to the west line of Lot 1 of said Baldor Addition; thence S03°09'39"W, along said West line, 203.37 feet; thence along a curve to the right, having a radius of 630.00 feet, an arc length of 288.70 feet, being subtended by a chord bearing N09°58'02"W, a distance of 286.18 feet; thence N03°09'39"E, 415.44 feet; thence S86°50'12"E, 5.00 feet; thence N03°09'48"E, 120.02 feet; thence N03°13'16"E, 1110.09 feet to the southerly Right of Way line of South Zero Street; thence S86°49'15"E, along said southerly Right of Way line, 50.00 feet to the Northwest Corner of said Lot 1; thence S03°13'16"W, along the west line of said Lot 1, 1110.07 feet; thence S86°41'12"E, 10.00 feet; thence S03°09'48"W, 120.00 feet to the Point of Beginning, containing 2.286 acres, more or less.

Part of Baldor Addition, Lots 1 and 2, Fort Smith, Sebastian County, Arkansas, as filed for record June 18, 1990 more particularly described as follows: Commencing at the Southwest Corner of Lot 2 of said Baldor Addition; thence N86°50'12"W, 5.00 feet; thence S03°09'39"W, 415.44 feet; thence along a curve to the left, having a radius of 570.00 feet, an arc length of 75.55 feet, being subtended by a chord bearing S00°38'11"E, a distance of 75.50 feet to the west line of Lot 1, Baldor Addition for a Point of Beginning; thence along the existing Right of Way lines of R.S. Boreham Jr. Street as follows: Continuing along said curve to the left having a

radius of 570.00 feet, an arc length of 322.04 feet, being subtended by a chord bearing S20°37'09"E, a distance of 317.77 feet; thence N53°11'46"E, 15.00 feet; thence S43°57'59"E, 138.39 feet; thence S38°52'20"W, 15.00 feet; thence along a curve to the left, having a radius of 570.00 feet, an arc length of 331.38 feet, being subtended by a chord bearing S67°47'01"E, a distance of 326.73 feet to the westerly line of Fairfax Addition, Fort Smith, Sebastian County, Arkansas as filed for record April 29, 1951; thence S03°09'48"W, 60.05 feet; thence along a curve to the right, having a radius of 630.00 feet, an arc length of 316.28 feet, being subtended by a chord bearing N70°17'05"W, a distance of 312.97 feet; thence S34°05'51"W, 25.00 feet; thence N48°44'24"W, 163.33 feet; thence N48°25'17"E, 25.00 feet; thence continuing along said curve to the right having a radius of 630.00 feet, an arc length of 203.23 feet, being subtended by a chord bearing N32°20'12"W, a distance of 202.35 feet to the west line of said Lot 1; thence N03°09'39"E, along said west line, 203.37 feet to the Point of Beginning, containing 1.128 acres, more or less.

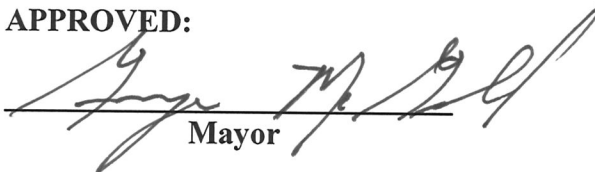
Part of Fairfax Addition, Fort Smith, Sebastian County, Arkansas, as follows: That part of R.S. Boreham Jr. Street, platted as Pawnee Street which Begins at the Southeast Corner of Lot 217 of said Fairfax Addition; thence South, 50.0 feet to the Northeast corner of Lot 220, Fairfax Addition; thence West, along the north lines of Lots 220 thru 218, Fairfax Addition, 154.2 feet to the west line of said Fairfax Addition; thence North, along said west line, 50.0 feet to the Southwest corner of said Lot 217; thence East along the south line of said Lot 217, 154.2 feet to the Point of Beginning, containing 0.177 acres, more or less.

SECTION 2: A copy of this Ordinance duly certified by the City Clerk shall be filed in the Office of the County for the Fort Smith District of Sebastian County, Arkansas, and recorded in the deed records of said county.

SECTION 3: This Ordinance shall take effect and be in effect from and after its passage.


PASSED AND APPROVED THIS 17th DAY OF JANUARY 2023.

APPROVED:



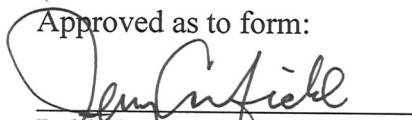
Mayor

ATTEST:



City Clerk

Approved as to form:



Publish One Time