

RESOLUTION NO. R-39-22

**A RESOLUTION GRANTING A TEMPORARY REVOCABLE LICENSE FOR THE
PLACEMENT OF A RETAINING WALL WITHIN A SANITARY SEWER EASEMENT
AND
AUTHORIZING THE MAYOR TO EXECUTE AGREEMENT**

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

SECTION 1: A Temporary Revocable License is hereby granted to St. Edward Mercy Medical Center, its successors or assigns for the placement and maintenance of a retaining wall within a sanitary sewer easement as shown on Exhibit "A" and within the following described property:

Being a part of the Southeast Quarter (SE $\frac{1}{4}$) of the Southeast Quarter (SE $\frac{1}{4}$) of Section 24, Township 8 North, Range 32 West, in the City of Ft. Smith, Sebastian County, Arkansas, being a part of the tract of land on file in the office of the County Clerk and Ex-Officio Recorder of Sebastian County, Arkansas, in Book 340 at Page 1244, and being more particularly described as follows:

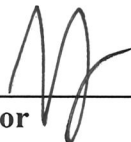
COMMENCING at the Southeast corner of the Southeast Quarter (SE $\frac{1}{4}$) of the Southeast Quarter (SE $\frac{1}{4}$) of said Section 24; thence N02°48'06"E along the East line of said forty acre tract, a distance of 648.39 feet; thence departing said East line N86°27'42"W, a distance of 295.25 feet to a point in the South line of an existing platted sanitary easement as depicted in the plat of Saint Edward Mercy Medical Center Addition, Lots 2A and 3A, a subdivision in the City of Ft. Smith, Sebastian County, Arkansas, on file in the Office of the Clerk and Ex-Officio Recorder of Sebastian County, Arkansas, as Plat Number 1584, said point being the POINT OF BEGINNING; thence S82°13'29"W along the South line of said existing easement, a distance of 150.17 feet; thence departing said

South line N44°11'29"E, a distance of 14.82 feet; thence N82°13'29"E, a distance of 126.50 feet; thence N07°46'31"W, a distance of 15.87 feet to a point in the North line of said existing easement; thence N82°13'29"E along said North line, a distance of 12.00 feet; thence departing said North line S07°46'31"E, a distance of 25.00 feet to the POINT OF BEGINNING, and containing 1,508 square feet or 0.030 acres, more or less.

SECTION 2: The Mayor, his signature being attested by the City Clerk, is authorized to execute the attached agreement providing conditions applicable to the Temporary Revocable License granted by Section 1 of this Resolution.

THIS RESOLUTION ADOPTED THIS 15th DAY OF March 2022.

APPROVED:

VICE Mayor 

ATTEST:

Brittney Brittonis
City Clerk (Acting)

Approved as to form:
