

RESOLUTION NO. R-52-23


RESOLUTION ACCEPTING A RIGHT OF WAY EASEMENT FOR AN EXTENSION OF LEIGH AVENUE LOCATED IN PART OF THE SOUTH HALF OF THE SOUTHWEST QUARTER OF SECTION 26, TOWNSHIP 8 NORTH, RANGE 32 WEST IN SEBASTIAN COUNTY, FORT SMITH, ARKANSAS

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

The attached Right of Way Easement, executed by Southside Real Estate, LLC, is hereby accepted.

THIS RESOLUTION ADOPTED THIS 21st DAY OF March, 2023.

APPROVED:



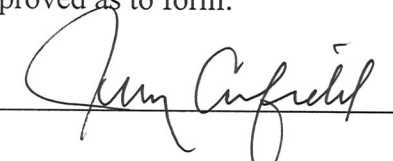
Mayor

ATTEST:

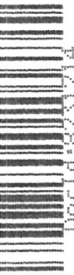


City Clerk

Approved as to form:



R-52-23
County -



DocID: 8231214
Tx: 4136245

2023-05807
Certificate of Record
FORT SMITH DISTRICT
SEBASTIAN COUNTY, ARKANSAS
SHARON BROOKS, CO CLERK & RECORDER
03/27/2023 12:28:17 PM
RECORDING FEE 25.00
Pages: 3

RIGHT OF WAY EASEMENT

KNOW ALL MEN BY THESE PRESENTS:

That Southside Real Estate, LLC, GRANTOR(S), for and in consideration of the sum of \$1.00 and other good and valuable consideration, to them in hand paid by the CITY OF FORT SMITH, ARKANSAS, a municipal corporation, hereinafter referred to as "GRANTEE", the receipt of which is hereby acknowledged, do hereby grant, bargain, sell and convey, unto the said GRANTEE, and its successors and assigns a permanent easement and right-of-way for the construction, operation and maintenance of a public street, sidewalk, drainage, public and/or franchised utilities, both above ground and underground, over, across, under and upon the following described lands lying in the City of Fort Smith, Sebastian County, Arkansas, to wit:

A street right-of-way located in part of the South 1/2 of the Southwest 1/4 of Section 26, Township 8 North, Range 32 West in Sebastian County, Arkansas and being more particularly described as follows:

BEGINNING, at the Northeast Corner of Lot 13A of Horseshoe Ridge, Lots 11A thru 15A & Lots 20A thru 23A, Subdivision plat filed in Sebastian County Clerk and Recorder's office, Fort Smith District as document # 2022-12341; Thence along said right-of-way the following bearings and distances: South 26°50'41" East 80.00 feet, Thence along the arc of a curve to the left 229.43 feet, said curve having a radius of 410.00 feet and being subtended by a chord bearing and distance of South 44°06'04" East 226.45 feet, South 26°17'52" East 136.14 feet, North 63°42'08" East 15.00 feet, South 26°17'52" East 13.34 feet, along the arc of a curve to the right 444.17 feet, said curve having a radius of 580.00 feet and being subtended by a chord bearing and distance of South 04°21'01" East 433.39 feet, South 17°35'18" West 81.50 feet to a point on the existing North right of way of Leigh Avenue, North 67°30'14" West 86.19 feet to the Southeast Corner of Tract A (POA) of the Revised Plat of Horseshoe Ridge, Lots 1 thru 30 and Tracts A & B1, Subdivision plat filed in Sebastian County Clerk and Recorder's office, Fort Smith District as document # 2021-15504, thence parallel and along the East side of said lots the following bearings and distances: along the arc of a curve to the left 547.22 feet, said curve having a radius of 770.01 feet and being subtended by a chord bearing and distance of North 05°30'01" West distance of 535.78 feet, North 26°04'44" West 5.89 feet, North 26°17'52" West 334.20 feet to the POINT OF BEGINNING, containing 64,420 square feet / 1.47 acres more or less and being subject to any right-of-ways or easements of record.

Said right of way extension to extend or terminate at the intersections of the Existing Leigh Avenue right of ways and as shown on Exhibit A.

City of Fort Smith
41050101-544000

Return to: City Clerk's Office
P.O. Box 1908, Fort Smith, AR 72902

The consideration paid by the GRANTEE is received and accepted by the GRANTOR(S) in full satisfaction of every right hereby conveyed.

IN WITNESS WHEREOF, the GRANTOR(S) herein has hereunto caused these presents to be executed on this 15th day of March, 2023.

GRANTOR(S):

Matthew Scott

ACKNOWLEDGMENT

STATE OF ARKANSAS)

SS

COUNTY OF SEBASTIAN)

I, the undersigned, a Notary Public, duly commissioned, qualified, and acting within and for said County and State, hereby certify the execution of the foregoing instrument by the within named Matthew Scott, as the Manager of Southside Real Estate, LLC, and is duly authorized in his capacity, to execute the foregoing instrument for and in the name and behalf of said corporation, as the GRANTOR(S), for the consideration and purposes therein mentioned and set forth on this 15 day of March, 2023.

Allison Taylor
Notary Public

8-15-2031
My Commission Expires

