

ORDINANCE NO. 62-15

**AN ORDINANCE ENTITLED, AN ORDINANCE TO CLOSE AND VACATE
PORTIONS OF PUBLIC RIGHTS-OF-WAY LOCATED IN
RESERVE ADDITION, AN ADDITION TO THE CITY OF FORT SMITH, ARKANSAS**

WHEREAS, a petition was duly filed with the Board of Directors of the City of Fort Smith, Arkansas, on the 27th day of August 2015, asking the Board of Directors to vacate and abandon certain street rights-of-way located in Reserve Addition, an addition to the City of Fort Smith, Arkansas, more particularly described as follow:

South "C" Street Closing

That portion of South "C" Street right of way between Block 555 and Block 572 of Reserve Addition to the City of Fort Smith, Sebastian County, Arkansas, being more particularly described as follows:

Beginning at the SW corner of said Block 555 on the east right of way of the Missouri-Pacific Railroad; thence S89°55'45"E along the south line of said Block 555, 109.55'; thence S29°35'15"E 57.50' to the north line of said Block 572; thence N89°55'45"W along said north line of Block 572, 138.00' to the NW corner of said Block 572; thence N00°04'15"E 50.00' to the Point of Beginning.

South 4th Street Closing

That portion of South 4th Street right of way between Block 573 and Block 574 of Reserve Addition to the City of Fort Smith, Sebastian County, Arkansas, being more particularly described as follows:

Beginning at the SE corner of said Block 573 on the north right of way line of South "E" Street; thence N00°00'14"E along the east line of said Block 573, 272.55'; thence S19°04'12"E 153.01' to the west line of said Block 574; thence S00°00'14"W along said west line of Block 574, 127.94' to the SW corner of said Block 574; thence N89°59'46"W 50.00' to the Point of Beginning.

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 street rights-of-way as described above has heretofore been dedicated to the public use as street rights-of-way and at this time is no longer required for the corporate purposes, and that said portion of the street rights-of-way is of no practical purpose or general purpose to the citizens of Fort Smith and it is in the best interest of the citizens of Fort Smith that the street rights-of-way be closed; and that the public interest and welfare will not be adversely affected by the abandonment of the said street rights-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 street rights-of-way designated as follows:

South "C" Street Closing

That portion of South "C" Street right of way between Block 555 and Block 572 of Reserve Addition to the City of Fort Smith, Sebastian County, Arkansas, being more particularly described as follows:

Beginning at the SW corner of said Block 555 on the east right of way of the Missouri-Pacific Railroad; thence S89°55'45"E along the south line of said Block 555, 109.55'; thence S29°35'15"E 57.50' to the north line of said Block 572; thence N89°55'45"W along said north line of Block 572, 138.00' to the NW corner of said Block 572; thence N00°04'15"E 50.00' to the Point of Beginning.

South 4th Street Closing

That portion of South 4th Street right of way between Block 573 and Block 574 of Reserve Addition to the City of Fort Smith, Sebastian County, Arkansas, being more particularly described as follows:

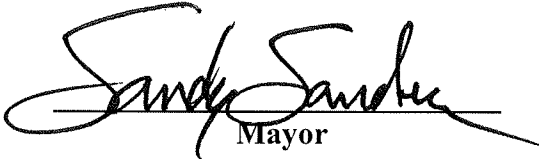
Beginning at the SE corner of said Block 573 on the north right of way line of South "E" Street; thence N00°00'14"E along the east line of said Block 573, 272.55'; thence S19°04'12"E 153.01' to the west line of said Block 574; thence S00°00'14"W along said west line of Block 574, 127.94' to the SW corner of said Block 574; thence N89°59'46"W 50.00' to the Point of Beginning.

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 15th DAY OF SEPTEMBER 2015.

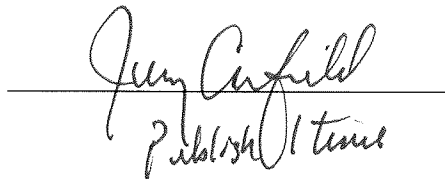
APPROVED:


Mayor

ATTEST:


City Clerk

Approved as to form:


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