

ORDINANCE NO. 55-15

1.

**AN ORDINANCE ENTITLED, AN ORDINANCE TO CLOSE AND VACATE AND
ABANDON A PORTION OF AN ALLEY RIGHT-OF-WAY LOCATED IN
SOUTH FORT SMITH, BLOCK 19, 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, July 24, 2015, asking the Board of Directors to vacate and abandon a portion of an alley right-of-way located in South Fort Smith, Block 19, an addition to the City of Fort Smith, Arkansas, more particularly described as follows:

A part of a platted alley in Block 19 of South Fort Smith Addition to the City of Fort Smith, Sebastian County, Arkansas being more particularly described as follows:

Beginning at an existing chiseled hole in the concrete marking the Northeast Corner of Lot 14A, said point being on the South right of way line of Tulsa Street. Thence along said South right of way line, South 86 degrees 50 minutes 28 seconds East, 20.00 feet to an existing chiseled hole in the concrete marking the Northwest Corner of Lot 1A, said point being at the intersection of the South right of way line of Tulsa Street and the East right of way line of a platted alley. Thence leaving said South right of way line and along the West line of Lots 1A, 1B and 1C and the East right of way line of said platted alley, South 03 degrees 08 minutes 54 seconds West, 148.80 feet to a set rebar with cap. Thence leaving the West line of Lot 1C and said East right of way line, North 86 degrees 50 minutes 28 seconds West, 20.00 feet to an existing rebar marking the Southeast Corner of Lot 14A, said point being on the West right of way line of a platted alley. Thence along the East line of said Lot 14A and the West right of way line of said platted alley, North 03 degrees 08 minutes 54 seconds East, 148.80 feet to the Point of Beginning, containing 0.07 of an acre and subject to any Easements of Record.

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 alley right-of-way as described above has heretofore been dedicated to the public use as an alley right-of-way and at this time is no

longer required for the corporate purposes, and that said portion of alley right-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 alley right-of-way be closed; and that the public interest and welfare will not be adversely affected by the abandonment of the said alley.

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 alley designated as follows:

A part of a platted alley in Block 19 of South Fort Smith Addition to the City of Fort Smith, Sebastian County, Arkansas being more particularly described as follows:

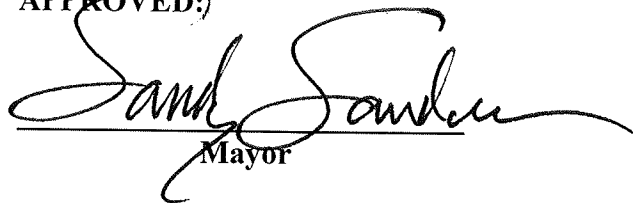
Beginning at an existing chiseled hole in the concrete marking the Northeast Corner of Lot 14A, said point being on the South right of way line of Tulsa Street. Thence along said South right of way line, South 86 degrees 50 minutes 28 seconds East, 20.00 feet to an existing chiseled hole in the concrete marking the Northwest Corner of Lot 1A, said point being at the intersection of the South right of way line of Tulsa Street and the East right of way line of a platted alley. Thence leaving said South right of way line and along the West line of Lots 1A, 1B and 1C and the East right of way line of said platted alley, South 03 degrees 08 minutes 54 seconds West, 148.80 feet to a set rebar with cap. Thence leaving the West line of Lot 1C and said East right of way line, North 86 degrees 50 minutes 28 seconds West, 20.00 feet to an existing rebar marking the Southeast Corner of Lot 14A, said point being on the West right of way line of a platted alley. Thence along the East line of said Lot 14A and the West right of way line of said platted alley, North 03 degrees 08 minutes 54 seconds East, 148.80 feet to the Point of Beginning, containing 0.07 of an acre and subject to any Easements of Record.

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.

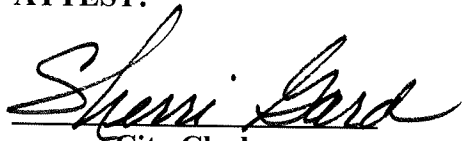
PASSED AND APPROVED THIS 18th DAY OF AUGUST 2015.

APPROVED:



Mayor

ATTEST:



City Clerk

Approved as to form
JPC
Publish time