

ORDINANCE NO. 33-16

**AN ORDINANCE REZONING IDENTIFIED PROPERTY
AND AMENDING THE ZONING MAP**

WHEREAS, the City Planning Commission has heretofore held a public hearing upon request No.11-5-16 to rezone certain properties hereinafter described, and, having considered said request, recommended on May 10, 2016, that said change be made;

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

SECTION 1: That the following properties to-wit:

Part of the Southwest Quarter of Section 9, Township 7 North, Range 31 West, Fort Smith, Sebastian County, Arkansas. Being more particularly described as follows:

Commencing at the Southeast Corner of said Section 9; Thence along the south line of said Section 9, N87°11'16"W, 3309.03 feet; Thence leaving said south line, N00°00'00"W, 656.71 feet to a point on the north right-of-way line of Custer Boulevard and the Point of Beginning, said point being marked with a set 1/2" rebar with cap stamped MWC 1369; Thence along said north right-of-way line, N86°43'31"W, 327.10 feet to a set 1/2" rebar with cap stamped MWC 1369; Thence leaving said north right-of-way line, N02°33'09"E, 278.00 feet to a set 1/2" rebar with cap stamped MWC 1369; Thence N86°43'31"W, 210.00 feet to the easterly line of a Tank Trail Easement, being filed June 21, 2001 as Document #7046150, said point being marked with a set 1/2" rebar with cap stamped MWC 1369; Thence along said easterly line the following courses: N02°33'09"E, 32.93 feet to a set 1/2" rebar with cap stamped MWC 1369; N19°37'20"W, 202.70 feet to a set 1/2" rebar with cap stamped MWC 1369; N57°16'53"W, 226.59 feet to a set 1/2" rebar with cap stamped MWC 1369; N76°46'54"W, 207.00 feet to a set 1/2" rebar with cap stamped MWC 1369; Thence leaving said easterly line, N02°33'09"E, 393.98 feet to a set 1/2" rebar with cap stamped MWC 1369 on the northerly line of a sanitary sewer easement, being filed for record March 24, 2009 as Document #7263892; Thence along said northerly line the following courses: N83°17'36"E, 196.30 feet to a set 1/2" rebar with cap stamped MWC 1369; N76°10'06"E, 599.08 feet to a set 1/2" rebar with cap stamped MWC 1369; N28°55'17"W, 2.41 feet to a set 1/2" rebar with cap stamped MWC 1369; N61°04'43"E,

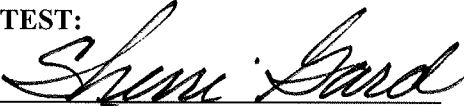
288.04 feet to a set 1/2" rebar with cap stamped MWC 1369; Thence leaving said northerly line, S02°33'09"W, 1404.58 feet to the Point of Beginning. Containing 20.00 acres, more or less.

more commonly known as 11201 Custer Boulevard, should be, and is hereby rezoned from Not Zoned to a Planned Zoning District (PZD) by Classification. The approved change in zoning classification is based and conditioned upon the Planned Zoning District provisions of Section 27-341 of the Unified Development Ordinance and the Planned Zone Project Booklet reviewed by the Fort Smith Planning Commission and approved hereby, which Project Booklet shall be filed in the office of the City Clerk.

The zoning map of the City of Fort Smith is hereby amended to reflect said rezoning.

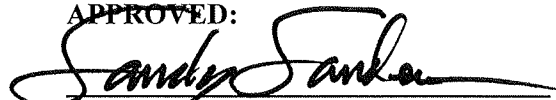
PASSED AND APPROVED THIS 7th DAY OF June, 2016.

ATTEST:



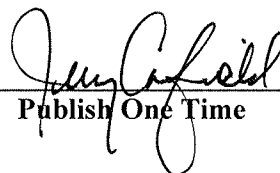
City Clerk

APPROVED:



Mayor

Approved as to form:



Publish One Time