

ORDINANCE NO. 1743

AN ORDINANCE GRANTING AN EASEMENT FOR  
AIRSPACE AND SUPPORT PILLARS FOR RESTORATION  
OF A SECOND LEVEL BALCONY ON THE "WALKER BROTHERS"  
BUILDING ON NORTH MAIN STREET.



WHEREAS, the Historic District Commission has approved plans for the restoration of a second level balcony on the front of the building known as the Walker Brothers Department Store building located on Lots 8, 9 and 10 in Block 180 of the R & A Survey to the City of Eureka Springs, Arkansas, and

WHEREAS, the restoration work involves constructing a balcony over the sidewalk in front of the building and the sidewalk is part of North Main Street, and

WHEREAS, the restoration of the second level balcony on the front of the building will benefit the City of Eureka Springs in that the work will restore the building's appearance to a condition more closely resembling the original structure and improve its aesthetic value in keeping with the remainder of the Victorian Commercial District.

NOW, THEREFORE, BE IT ORDAINED by the City of Eureka Springs, as follows:

Section 1: That the City of Eureka Springs does hereby grant, sell and convey to Lee Pohl, his heirs and assigns, an easement for the construction, maintenance and repair of a second level balcony at least ten (10) feet above the level of the sidewalk in accordance with plans approved by

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the Historic District Commission of the City over and above the following described property, to-wit:

A part of North Main Street lying adjacent to Lots 8, 9 and 10, Block 180 of the R & A Survey of the City of Eureka Springs, more particularly described as follows: Commencing at the Easternmost corner of Lot 10, Block 180; thence S 47° 04' 00" W 27.67 feet; thence N 48° 02' 36" W 97.17 feet to the Northernmost corner of a building formerly known as the Walker Bros. Dept. Store for the point of real beginning; thence S 45° 52' 19" W 86.54 feet; thence N 47° 55' 26" W 9.5 feet to the curb of Main Street; thence following the curb N 45° 52' 19" E 86.54 feet; thence S 48° 02' 36" E 9.5 feet to the Northernmost corner of the Walker Bros. building and the point of real beginning.

The above easement also includes the right to place five support pillars on the sidewalk as shown by the plans.

Section 2: Any ordinance in conflict with this ordinance is hereby repealed.

Section 3: A copy of this ordinance shall be filed in the deed records of the Western District of Carroll County, Arkansas.

PASSED AND ORDAINED by the City Council of the City of Eureka Springs, Arkansas, on this 28<sup>th</sup> day of

January, 1997.

Barbara O'Harris  
Mayor

Attest:

Mary Ann Lee  
City Clerk

CERTIFICATE OF RECORD	
Filed for record in my office on the	<u>4th</u>
day of	<u>April</u> 19 <u>97</u>
of	<u>10:20 A.M.</u> and now recorded in
	<u>Deed</u> Record Book <u>146</u>
at page	<u>20421</u>
Witness my hand and the Court Seal this	<u>4th</u>
day of	<u>April</u> 19 <u>97</u>
JACKIE BUNCH	
Circuit Clerk and Recorder	
BY	<u>Danny Dutilleul</u>
	Deputy Clerk Seal