

ORDINANCE NO. 2199

AN ORDINANCE VACATING PORTIONS OF AN UNOPENED PORTION OF PALO PINTO AVENUE

WHEREAS, the City Council of Eureka Springs, Arkansas, has reviewed the Petition of the adjoining landowners to vacate the area defined by the following legal descriptions:

A part of Palo Pinto Avenue and a part of Ojo Street as shown on the plat of survey for the Freeman Addition to the City of Eureka Springs, Arkansas, more particularly described as follows, to wit:

Begin at the Northwest corner of Lot 1, Block 1, said Freeman Addition, thence North to a point located on the North side of said Palo Pinto Avenue, thence East along the North side of said Palo Pinto Avenue to a point on the East side of said Ojo Street, said point on Ojo Street being located by a prolongation of the North line of said Palo Pinto Avenue, thence South along the East side of said Ojo Street to a point that is created by a prolongation of the North line of Lot 1, Block 1, said Freeman Addition, thence West along said prolonged line and the North line of Lot 1, Block 1, said Freeman Addition to the point of beginning.

AND WHEREAS Section 14-54-104(2) of the Arkansas Code Annotated allows the City Council to vacate certain streets

NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EUREKA SPRINGS, ARKANSAS THAT:

Section 1. The sections described above are hereby vacated and title is hereby vested in fee simple in the adjoining landowners, for the sum of \$0 per land owner.

EMERGENCY CLAUSE

Section 2. Whereas time is of the essence due to petitioners' need for the title clarification regarding existing structures and in order to protect the health, safety and welfare of the people of the City of Eureka Springs, Arkansas, an emergency is hereby declared to exist and this ordinance shall become effective upon its passage by the City Council of Eureka Springs, Arkansas, and upon affixing the signature of the City Clerk and the Mayor of Eureka Springs, Arkansas.

PASSED AND APPROVED THE 9th DAY OF DECEMBER, 2013

APPROVED:



Mayor Morris Pate

ATTEST:


City Clerk/Treasurer Ann Armstrong

All present voted "Aye" – James DeVito, David Mitchell, Mickey Schneider, Terry McClung, and Joyce Zeller