

ORDINANCE 2009

AN ORDINANCE AUTHORIZING THE CITY COUNCIL, PURSUANT TO CHAPTER 12.02.02 (E) OF THE MUNICIPAL CODE OF THE CITY OF EUREKA SPRINGS, ARKANSAS, TO RECLAIM JURISDICTION OVER CERTAIN PROPERTY COMMONLY KNOWN AS THOSE PARTS OF HINES STREET WITHIN BLOCK 27 AND BLOCK 28 OF LOT 94 OF THE RILEY AND ARMSTRONG SURVEY TO THE CITY OF EUREKA SPRINGS, ARKANSAS

WHEREAS, the City Council of Eureka Springs, Arkansas, has been petitioned to vacate certain land now held as a Green Zone;

And whereas Section 12.08.01(E) of the Eureka Springs Municipal Code allows the City Council to reclaim jurisdiction over the section of Green Zone more particularly described as the portion of Hines Street within Block 27 and Block 28 of Lot 94 to the Freeman Addition to the City of Eureka Springs Arkansas in order to make further discussions of the petition.

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

Section 1. That the sections described below are hereby removed from the jurisdiction of the Parks and Recreation Commission for further consideration by the City Council of Eureka Springs, Arkansas.

That portion of Hines Street within Block 27 and Block 28 of Lot 94 to the Freeman Addition to the City of Eureka Springs, Arkansas

Section 2. That provisions of this ordinance are hereby declared to be separable and if any provision shall for any reason be held illegal or invalid, such holding shall not affect the validity of the remainder of this ordinance.

Section 3. All ordinances and solutions and parts thereof, in conflict herewith are hereby repealed to the extent of such conflict.

EMERGENCY CLAUSE

Section 4. Whereas time is of the essence due to the pending sale of property and in order to protect the health, safety and welfare of the people of the City of Eureka Springs, Arkansas, an emergency is 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 the City of Eureka Springs, Arkansas.

PASSED AND APPROVED THE _____ DAY OF _____, 2005.

APPROVED:

Mayor Kathy Harrison

City Clerk Mary Jean Sell