

ORDINANCE NO. 2030

AN ORDINANCE AUTHORIZING THE CITY COUNCIL PURSUANT TO CHAPTER 12.08.01(E) OF THE MUNICIPAL CODE OF THE CITY OF EUREKA SPRINGS, ARKANSAS, TO RECLAIM JURISDICTION OVER CERTAIN PROPERTY COMMONLY KNOWN AS PART OF FRITZ STREET BETWEEN BLOCKS 76 AND 77 OF THE R&A SURVEY OF 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 following sections of Green Zone to make further discussions of the petition.

THAT PART OF FRITZ STREET LYING NORTH OF SUMMIT STREET BETWEEN BLOCK 76 AND BLOCK 77, RILEY AND ARMSTRONG SURVEY TO THE CITY OF EUREKA SPRINGS, CARROLL COUNTY, ARKANSAS, MORE PARTICULARLY DESCRIBED AS:

Tract #2: A part of Fritz Street as shown on the Riley & Armstrong Survey of the City of Eureka Springs, Arkansas, being more particularly described as follows: Commencing at a found iron pin with cap #1302 for the Southwest corner of Block #77 of said survey; thence along the North right-of-way of Summit Street, North 82° 58'00" West, a distance of 16.93 feet to the POINT OF BEGINNING; thence along said North right-of-way, North 82°58'00" West, a distance of 3.07 feet to the East line of Block #76 of said Survey; thence along said East line, North 07°43'56" East, a distance of 38.47 feet to a set ½" rebar pin with cap; thence South 83°19'18" East, a distance of 8.00 feet to a set ½" rebar pin with cap; thence South 07°44'36" West, a distance of 20.01 feet to a set ½" rebar pin with cap; thence North 82°21'23" West, a distance of 5.40 feet; thence South 06°16'01" West, a distance of 18.57 feet to the Point of Beginning.

Tract #3: A part of Fritz Street as shown on the Riley & Armstrong Survey of the City of Eureka Springs, Arkansas, being more particularly described as follows: Commencing at a found iron pin with cap #1302 for the Southwest corner of Block #77 of said survey; thence along the North right-of-way of Summit Street, North 82°58'00" West, a distance of 10.00 feet a set cotton spindle in the centerline of said Fritz Street for the POINT OF BEGINNING; thence North 82°58'00" West, a distance of 6.93 feet; thence North 06°16'01" East, a distance of 18.57 feet; thence South 82°21'23" East, a distance of 7.40 feet to a set ½" rebar pin with cap; thence South 07°43'56" West, a distance of 18.49 feet to the POINT OF BEGINNING.

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

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

That part of Fritz Street lying north of Summit Street between Block 76 and Block 77, Riley & Armstrong Survey to the City of Eureka Springs, Carroll County, Arkansas, as described as Tract #1 and Tract

#2

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 resolutions and parts thereof, in conflict herewith are hereby repealed to the extent of such conflict.

PASSED AND APPROVED THE 13th DAY OF NOVEMBER, 2006.

APPROVED:

Mayor Kathy Harrison

City Clerk-Treasurer Mary Jean Sell