

ORDINANCE NO. 1053

AN ORDINANCE VACATING CERTAIN UNNAMED
STREETS AND ALLEYS IN UNITS I AND II OF THE
LAKE LUCERNE SUBDIVISION

WHEREAS, a petition was duly filed with the City Council of the City of Eureka Springs, Arkansas, on the 29th day of December, 1978, asking the City Council to vacate and abandon all those portions of the unnamed streets and alleys located in Units I and II of Lake Lucerne Subdivision and shown on the plats of the said Units of the Lake Lucerne Subdivision to said city, now appearing of record in Plat Book A at pages 28 - 29, in the Office of the Circuit Clerk & Ex-Officio Recorder in and for the Western District, Carroll County, Arkansas.

WHEREAS, after due notices as required by law, the Council has, at the time and place mentioned in the notice, heard all persons desiring to be heard on the question and has ascertained that the unnamed streets and alleys hereinbefore described, have heretofore been dedicated to the public use as streets and alleys herein described; have not been actually used by the public generally for a period of at least five years subsequent to the filing of the plat; that all the owners of the property abutting upon the streets and alleys to be vacated have filed with the Council their written consent to such abandonment; and that public interest and welfare will not be adversely affected by the vacation of such streets and alleys.

NOW, THEREFORE, be it ordained by the City Council of the City of Eureka Springs, Arkansas:

Section 1: The City of Eureka Springs, Arkansas, hereby releases, vacates and abandons all its rights, together with the rights of the public generally, in and to the unnamed streets and alleys located upon the following described property:

Part of the SW 1/4 of Section 22, Township 20 North, Range 26 West, of the 5th Principal Meridian, Carroll County, Arkansas, more particularly described as follows: Beginning at the Northeast corner of the SE 1/4 of SW 1/4 of said Section 22, Township 20 North, Range 26 West; run thence South 01° 33' 00" East 194.73 feet; thence South 89° 09' 00" West 258.16 feet; thence South 87° 53' 39" West 199.92 feet; thence South 00° 52' 13"

East 100.00 feet; thence South 00° 52' 13" East 130.51 feet; thence North 70° 31' 24" West 178.92 feet; thence South 15° 17' 05" West 162.01 feet; thence South 34° 24' 03" West 136.45 feet; thence South 51° 44' 32" West 158.21 feet; thence South 35° 32' 13" West 79.40 feet; thence South 35° 39' 12" West 99.92 feet; thence South 19° 53' 20" West 201.07 feet; thence South 33° 07' 38" West 132.38 feet; thence North 86° 31' 50" West 155.00 feet; thence North 52° 39' 21" West 175.56 feet; thence North 00° 28' 00" East 176.25 feet; thence North 19° 50' 00" East 111.99 feet; thence North 20° 12' 08" East 105.02 feet; thence North 29° 25' 59" East 113.94 feet; thence North 19° 03' 54" West 96.07 feet; thence North 37° 26' 00" West 20.00 feet; thence North 37° 25' 00" West 212.01 feet; thence North 05° 20' 00" East 416.57 feet; thence North 23° 35' 00" East 313.68 feet; thence North 11° 05' 00" East 271.43 feet; thence North 25° 35' 00" East 227.82 feet; thence along Lake Lucerne Road North 12° 55' 00" West 119.56 feet to the intersection of Lake Lucerne Road and Greenwood Hollow Road; thence S 41° 55' 34" East 545.94 feet along the center line of Greenwood Hollow Road; thence South 46° 37' 19" West 16.67 feet to a point on the South Right-of-Way of said road; thence South 43° 22' 41" East 144.83 feet; thence South 57° 11' 00" East 100.00 feet; thence South 58° 35' 00" East 100.20 feet; thence South 61° 03' 00" East 100.40 feet; thence South 68° 14' 00" East 104.75 feet; thence South 76° 32' 00" East 100.00 feet; thence South 88° 41' 00" East 142.15 feet; thence N 72° 38' 00" East 105.51 feet; thence South 01° 33' 00" East 260.00 feet to the point of beginning, containing 34.26 acres, more or less, and subject to all easements of record.

Section 2: A copy of the Ordinance, duly certified by the City Clerk, shall be filed in the office of the Circuit Clerk and Ex-Officio Recorder in and for the Western District of Carroll County, Arkansas, and recorded in the deed records of said county.

Section 3: The road leading from Greenwood Hollow Road and running between Lots 1 - 8 on one side and Lots 42 - 49 on the other side of Lake Lucerne Subdivision shall not be closed until such time as an adequate alternate access road shall be provided to Greenwood Hollow Road for the use of the property owners in the Lake Lucerne Subdivision and the public generally.

Section 4: This Ordinance shall take effect and be in force from and after its passage.

PASSED AND APPROVED this 5th day of January, 1979.

Marcile Davis
Mayor

ATTEST:

Vesta Johnson
City Clerk