

AN ORDINANCE VACATING A PORTION OF MAGNOLIA STREET IN THE CITY OF EUREKA SPRINGS, ARKANSAS

WHEREAS, a petition was duly filed with the City Council of Eureka Springs, Arkansas, requesting the vacation of the following described portion of Magnolia Street, to-wit:

That part of Magnolia Street lying between a rock wall and the East line of Lots 3, 4, 5, and 6 of Block 39 of the Clayton Addition to the City of Eureka Springs, Arkansas, being more particularly described as follows:

Beginning at the Southeast corner of Lot 6 for a Point of Beginning; thence North 15° 41' 50" East along a rock wall on the Southwest side of Magnolia Street 61.55 feet; thence North 09° 21' 18" West along said rock wall 51.39 feet; thence North 33° 59' 49" West along said rock wall 25.23 feet; thence North 44° 11' 33" West along said rock wall 53.79 feet to a found nail at the corner of the rock wall on the Southwest side of Magnolia Street with a rock wall running Southerly; thence South 05° 01' 41" West along said rock wall running Southerly 5.93 feet to the East line of Lot 3, being a point on a curve; thence along a curve to the right having a radius of 170.00 feet a central angle of 059° 43' 49", an arc length of 177.22 feet, and a chord which bears South 15° 00' 06" East to the point of beginning, containing .0336 acre, more or less.

WHEREAS, notice that a public hearing would be conducted by the City Council was duly published, and at the time set forth therein all persons present were afforded an opportunity to be heard on the question, and it was ascertained that it would be in the best interests of the City of Eureka Springs for the aforesaid portion of Magnolia Street to be vacated.

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

SECTION 1: Stanley Stallones and Charles A. White, petitioners herein, are the sole owners of the property abutting and adjoining the above described portion of Magnolia Street requested to be vacated.

SECTION 2: The said portion of Magnolia Street as described above is not open and has not been used for street purposes for more than five (5) years last past; that same is not needed for street purposes and should be vacated by the City Council of the City of Eureka Springs, Arkansas.

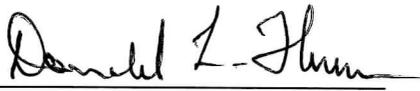
SECTION 3: The City Council of the City of Eureka Springs, Arkansas, does hereby vacate the above described portion of Magnolia Street and fee simple title thereto is hereby vested in petitioners herein, the abutting property owners, and said petitioners do hereby agree to maintain the stone wall mentioned in the description.

SECTION 4: A copy of the Ordinance, duly certified by the City Recorder, shall be recorded in the deed records of the Ex-Officio Recorder in and for the Western District, Carroll County, Arkansas.

SECTION 5. This Ordinance shall be in full force and effect from and after its passage, approval and publication.

PASSED AND ORDAINED THIS 12th day of August, 1986

APPROVED:



DONALD L. THURMAN, Mayor

ATTEST:



City Clerk