

ORDINANCE NO. 1267

AN ORDINANCE VACATING A PORTION OF ALLEY
IN BLOCKS 9 AND 13 R & A SURVEY, BAY SURVEY
OR MAGNETIC FORTY, CITY OF EUREKA SPRINGS, ARKANSAS

WHEREAS, a petition was duly filed with the City Council of the City of Eureka Springs, Arkansas, on the 23rd day of September, 1986, asking the City Council to vacate and abandon the hereinafter described portion of alleys lying in Blocks 9 and 13 on North Main Street in Blocks 9 and 13, R & A Survey, Bay Survey or Magnetic Forty in the City of Eureka Springs, Arkansas:

AND 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 questions and has ascertained that the hereinafter described portion of alleys have heretofore been dedicated to the public use as alleys; have not been actually used by the public generally for a period of at least five (5) years subsequent to the filing of the plat; that petitioner, Cletus H. Humm, Trustee, is the sole owner of the property adjoining and abutting upon the portion of the alleys to be vacated; that public interest and welfare will not be adversely affected by the abandonment of the said portion of alleys.

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

SECTION I. That the City Council of Eureka Springs, Arkansas, does hereby vacate, release and abandon all its rights, together with the rights of the public generally, and passes the same to Cletus H. Humm, Trustee of the following portions of alleys:

The 14 foot alley between Lots 5 through 8 and Lots 9 through 15, Block 9; the 14 foot alley between Lots 1 through 5 and Lots 6 through 10, Block 13, AND the 10 foot alley between Lot 9, Block 9 and Lot 6, Block 13 and between Lot 8, Block 9 and Lot 5, Block 13, R & A Survey, Bay Survey or Magnetic Forty, City of Eureka Springs.

SECTION II. 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.

PASSED AND APPROVED this 25th day of November, 1986

APPROVED:



Donald L. Thurman, Mayor

ATTEST:



City Clerk

