

ORDINANCE NO. 1301

AN ORDINANCE VACATING AN UNNAMED ALLEY BISECTING  
BLOCK 22, CLAYTON ADDITION TO THE CITY OF EUREKA  
SPRINGS, ARKANSAS.

WHEREAS, a petition was duly filed with the City Council of Eureka Springs, Arkansas, requesting the vacation of an unnamed alley bisecting Block 22, Clayton Addition to the City of Eureka Springs, Arkansas.

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 unnamed alley to be vacated.

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

Section 1: Petitioners herein, Ron L. Bell and Brenda Bell, husband and wife, Mamie Kincaid, Kate M. Gadberry and Arthur E. Gadberry, mother and son, Don Herndon and Melissa Herndon, husband and wife, Tom Kruse and Gayle Kruse, husband and wife, and Jerry Hope and Joelda Hope, husband and wife, along with Ross Sackett and Marvyda W. Sackett, husband and wife, and Milton C. Geuther and Hilda Geuther, husband and wife, are the sole owners of the property abutting and adjoining the said unnamed alley bisecting Block 22, Clayton Addition to the City of Eureka Springs, Arkansas, requested to be vacated.

Section 2: The said unnamed alley is not open and has not been used for street purposes for more than ten (10) 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 unnamed alley and fee simple title thereto is hereby vested in the abutting property owners by the extension of each property line and/or lot line of each of the owners listed in the petition filed herein to the centerline of said alley; thence following the said centerline to complete the natural progression of said line for each property owner. The City Council of

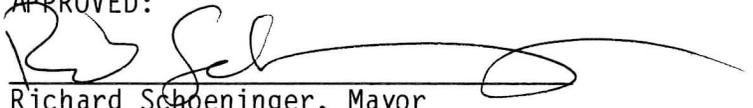
the City of Eureka Springs does hereby reserve from this grant of title an easement over and across said unnamed alley for purposes of constructing and maintaining any utility such as but not limited to gas, water, sewer or electric.

Section 4: A copy of the Ordinance, duly certified by the City Clerk, shall be recorded in the deed records of the Circuit Clerk and 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 26th day of January, 1987.

APPROVED:



Richard Schoeninger, Mayor

ATTEST:

  
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Juanita S. Barner  
City Clerk