

ORDINANCE NO. 1457 (AMENDED)

AN ORDINANCE AUTHORIZING THE MAYOR TO EXECUTE AND DELIVER A TWENTY-FIVE (25) YEAR LEASE TO A PORTION OF OJO STREET AND AN UN-NAMED ALLEY LYING IN FREEMAN'S ADDITION TO THE CITY OF EUREKA SPRINGS, ARKANSAS, UPON CERTAIN CONDITIONS

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

SECTION 1: That WHEREAS, on January 28, 1907, the City Council of this City passed an ordinance leasing a portion of Ojo (e) Street to one Mrs. M. C. Barker for a period of ninety-nine (99) years; and

WHEREAS, Kenneth N. Davis and Deborah A. St. Cyr Davis, husband and wife, are the successors in interest to said lease; and and they are desirous of extending and enlarging the lease; and

WHEREAS, it is, by the City Council of Eureka Springs, believed to be in the best interests of the public and expedient for the benefit of the City of Eureka Springs, Arkansas; and

WHEREAS, the said Kenneth N. Davis and Deborah A. St. Cyr Davis, husband and wife, have agreed to pay the City the sum of \$100 as consideration for the lease.

NOW, THEREFORE, the City Council of Eureka Springs does hereby authorize the Mayor of the City to execute a lease for the following described real property for a period of twenty-five (25) years to Kenneth A. Davis and Deborah A. St. Cyr Davis, husband and wife upon payment by them to the City of Eureka Springs of the sum of \$100.00. The real property which is the subject of the lease is described as follows:

That portion of Ojo Street lying West of Lots 16 and 17, Block 91 of the R & A Survey to the City of Eureka Springs more particularly described as commencing at the Southwest corner of said Lot 17; thence in a Westerly direction extending the lot line between Lots 17 and 18 to a point where the line intersects the East lot line of Lot 4, Block 1 Freeman's Addition; thence following the lot line of said Lot 4 in a Northerly direction to the Northeast corner of said Lot 4, Block 1, Freeman's Addition; thence following the North lot line of said Lot 4 in a Westerly direction to a point where the said lot line intersects the East right of way of Kings Highway; thence in a Northeasterly direction following the said East right of way of Kings Highway to a point where said line intersects the South lot line of Lot 1, Block 1, Freeman's Addition; thence following the said South line of said Lot 1 in an Easterly direction to the Southeast corner of said Lot 1; thence to the Northeast corner of Lot 16, Block 91 of the R & A Survey; thence South along the West line of Lots 16 and 17 to a point of beginning, being all of Ojo Street lying between Lot 4, Block 1, Freeman's Addition and Lots 16 and 17, Block 91, R & A Survey and the part of the un-named alley lying between Lots 1 and 4, Block 1, Freeman's Addition lying East of Kings Highway and West of Lot 16, Block 91.

The lease shall be subject to all utility easements as may be desired or needed by the City during the lease period. The above described property is not needed or presently used by the public for street purposes, and the portion of Ojo Street was previously leased by Ordinance 414, dated January 28, 1907.

SECTION 2: That all ordinances or parts of ordinances in conflict with any of this ordinance are hereby repealed, and this ordinance shall be in full force and effect thirty (30) days after its passage, approval and publication.

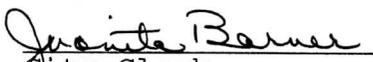
PASSED AND ORDAINED THIS 8th DAY OF October, 1991.

APPROVED:



RANDY WOLFENBARGER, Mayor

ATTEST:



Joanta Barner
City Clerk