

ORDINANCE #1476

AN ORDINANCE VACATING AN UNNAMED ALLEY ON A PORTION OF HILLSIDE AVENUE, AS SHOWN ON THE CLAYTON SURVEY TO THE CITY OF EUREKA SPRINGS, ARKANSAS

WHEREAS, a petition was duly filed with the City Council of the City of Eureka Springs, Arkansas on the 19th day of February, 1992, by Mrs. Barbara Heppner asking the City Council to vacate and abandon the hereinafter described unnamed alley on Hillside Avenue, Clayton Survey to the City of Eureka Springs, Arkansas; and

WHEREAS, after due notice was given as required by law, the City Council has, at a public hearing mentioned in the notice, heard all persons desiring to be heard on the question; and has ascertained that the hereinafter described alley has heretofore been dedicated to the public use as an alley but has not been, nor could be, used by the public due to precipitous condition of the land; and

WHEREAS, the mentioned alley runs between property lots owned solely by the petitioner, and that public interest and welfare will not be adversely affected by the abandonment of said unnamed alley;

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

Section 1. 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 vest same to the petitioner, Mrs. Barbara Heppner, the following:

Unnamed alley, 16 ft. wide, running between Lot 1 of Blk. 19 and Lot 8 of Blk. 18, between Hillside Ave. and unnamed alley, in accordance with the Clayton Survey to the City of Eureka Springs, Arkansas.

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.

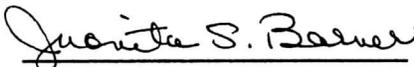
PASSED AND APPROVED this 14th day of April, 1992.

APPROVED:

ATTEST:



RANDY WOLFENBARGER, Mayor



City Clerk/Treasurer