

ORDINANCE NO. 1484 (Amended)

AN ORDINANCE VACATING A PORTION OF BUTZ STREET

WHEREAS, a Petition was duly filed with the City Council of the City of Eureka Springs, Arkansas, on the 31st day of March, 1992, to vacate and abandon the following part of a platted but unused street:

The East Half of Butz Street running between Lots 5 and 6, Block 57, and between Lots 5 and 6, Block 58, Riley and Armstrong Survey, north of Owen Street and south of Elk Street in the City of Eureka Springs, Arkansas.

AND WHEREAS, after due notice as required by law, the City Council has, at the time and place mentioned in the Notice, heard all persons desiring to be heard on the question and has ascertained that the street hereinabove described has heretofore been dedicated to the public use as a street herein described; has not been actually used by the public generally for a period of time of at least five (5) years subsequent to the filing of plat; that all the owners of the property abutting upon the the portion of the street to be vacated have filed with the Council their written consent to the abandonment; and that public interest and welfare will not be adversely affected by the the abandonment of the street.

NOW, THEREFORE, be it ordained by the City Council of the City of Eureka Springs, Arkansas:

Section 1. The City of Eureka Springs, Arkansas, hereby releases, vacates and abandons all its rights, together with the rights of the public generally, in and to the part of the street described above, excepting all utility easements involved on this property.

Section 2. A copy of this ordinance duly certified by the City Clerk shall be filed in the Office of the Circuit Clerk and Recorder of the County and recorded in the Deed Records of the County.

Section 3. This ordinance shall take effect and be enforced from and after its passage.

Passed and approved this 23<sup>rd</sup> day of June, 1992.

  
MAYOR

ATTEST:

  
CITY CLERK