

ORDINANCE #1490

AN ORDINANCE VACATING A PORTION OF BASIN SPRING AVENUE

WHEREAS, a petition was duly filed with the City Council of the City of Eureka Springs, Arkansas, on the 9th day of June, to vacate and abandon the following part of a platted but unused street:

Basin Spring Ave. running between Lot 7, Block 178, and between Lot 1, Block 158, Riley and Armstrong Survey in the City of Eureka Springs, Arkansas.

AND WHEREAS, after due notice has been published as required by law, the City Council has on July 14, 1992, heard all persons desiring to be heard on the question and has ascertained that the street hereinabove described has heretofore not been used by the public for more than five years since these parcels were platted and is not necessary for public use; and all the owners of the property abutting upon the portion of the street to be vacated have filed with the Council their written consent to this abandonment; and

WHEREAS, public interest and welfare will not be adversely affected by the abandonment of the street, and the location is not necessary for the location of any public utilities;

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

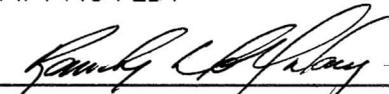
Section 1. The City of Eureka Springs, Arkansas, for consideration as demanded by the current Municipal Code, hereby releases, vacates and abandons all its rights, together with the rights of the public generally, in and to the part of the street described above, excepting any utility easements which might be involved now or in the future.

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 be in full force and effect after date of its passage.

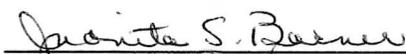
PASSED AND ORDAINED BY THE CITY COUNCIL OF THE CITY OF EUREKA SPRINGS, ARKANSAS, ON THIS 11th DAY OF August, 1992.

APPROVED:



RANDY WOLFENBARGER, Mayor

ATTEST:



City Clerk/Treasurer