

Bk. 139 Pg 35
9/15/94

ORDINANCE NO. 1618-A

**AN ORDINANCE VACATING PORTIONS OF
JACKSON AND LINDSAY STREETS
IN THE CITY OF EUREKA SPRINGS, AR**

WHEREAS, the City Council of the City of Eureka Springs, Arkansas, has determined that it will enter into an agreement with Robert and Nancy Vanderburg whereby the Vanderburgs will quit-claim their interest in two tracts of property and the City of Eureka Springs will vacate portions of Jackson and Lindsay Streets in their favor.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Eureka Springs, Arkansas:

Section 1: That pursuant to the authority set out in A.C.A. 14-54-104, the City of Eureka Springs Arkansas, releases, vacates and abandons all its rights, together with the rights of the public generally, in and to those parts of Jackson and Lindsay Streets as described in the description attached hereto.

Section 2: A copy of the ordinance duly certified by the city clerk shall be filed in the office of the recorder of the county and recorded in the deed records of the county.

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

PASSED AND ORDAINED BY THE CITY COUNCIL OF THE CITY OF EUREKA SPRINGS, ARKANSAS THIS 23rd DAY OF AUGUST, 1994.

APPROVED:

Louise O. Berry
LOUISE O. BERRY, Mayor

ATTEST:

Juanita S. Barner
JUANITA S. BARNER, Clerk

TRACT 1:

A part of Lindsay Street that lies between Block 206 and Block 207 of the Riley and Armstrong Survey of the City of Eureka Springs, Arkansas, being more particularly described as follows:
Commencing at a Box Elder Tree for the Southeast corner of Block 207; thence along the East line of Block 207 N 09°09'39" W 3.42 feet to a set 5/8 inch diameter rebar pin for a POINT OF BEGINNING; thence along a line being 6 feet north of and parallel to the North edge of a stairway N 77°09'28" E 1.93 feet; thence along a line parallel to and 6 feet North of the North edge of the stairway N 82°08'43" E 26.36 feet; thence along a line parallel to and 6 feet North of the North edge of the stairway N 83°15'59" E 1.72 feet to a set 5/8 inch diameter rebar pin on the West line of Block 206; thence along the West line of said Block 206 N 09°09'39" W 24.08 feet to a set PK Nail in a Honey Locust Tree; thence N 44°58'07" W 21.2 feet to a Honey Locust Tree; thence N 25°13'33" W 42.76 feet to a set 5/8 inch diameter rebar pin; thence N 15°34'10" W 51.50 feet to a 5/8 inch diameter rebar pin at the Northeast corner of Lot 4 of Block 207; thence S 09°09'39" E 133.01 feet to the Point of Beginning, containing 1747 square feet, more or less.

TRACT 2:

A part of Jackson Street that lies along the East line of Block 208 of the Riley and Armstrong Survey of the City of Eureka Springs, Arkansas, being 10 feet of equal and uniform width, being more particularly described as follows:
Commencing at a Cotton Spindle for the Southeast corner of said Block 208; thence along the East line of Block 208 N 09°09'39" W 24.77 feet to a set PK Nail for a POINT OF BEGINNING; thence continue along said East line of Block 208 N 09°09'39" W 113.53 feet to a rebar pin at the Northeast corner of Lot 3 of Block 208; thence N 88°12'42" E 10.08 feet; thence along a line 10 feet east of and parallel to the East line of Block 208 S 09°09'39" E 113.56 feet to a set PK Nail; thence S 88°20'42" W 10.09 feet to the Point of Beginning, containing 1135 square feet, more or less.

As a condition of vacating the above described portions of said streets, the City of Eureka Springs, Arkansas, hereby expressly reserves to the City of Eureka Springs the right to said streets for any existing utility lines now in place, and further reserves the right to said streets for any and all future utility lines that the City of Eureka Springs may need to install in the future.