

ORDINANCE NO. 1636-A

AN ORDINANCE ANNEXING CERTAIN TERRITORY  
TO THE CITY OF EUREKA SPRINGS, ARKANSAS

WHEREAS, as on the 27th day of July, 1994, there was presented to the County Court of Carroll County, Arkansas, a proper petition asking that certain real estate adjacent and contiguous to the City of Eureka Springs, Arkansas, be annexed to the City of Eureka Springs, Arkansas. The real estate is described as follows:

Part of the Southwest Quarter (SW1/4) of the Southeast Quarter (SE1/4), Part of the Southeast Quarter (SE1/4) of the Southwest Quarter (SW1/4), Section 22; Also part of the Northwest Quarter (NW1/4) of the Northeast Quarter (NE1/4) and part of the Northeast Quarter (NE1/4) of the Northwest Quarter (NW1/4), Section 27, all in Township-20-North, Range-26-West, Carroll County, Arkansas, more particularly described as:

Commencing at the Iron Pipe marking the Southwest Corner of the NW1/4 of the NE1/4 of said Section 27, hence N 00° 54'00" W 100.43 feet to said point being center line of county road, thence N 00° 54'00" W 362.52 feet to the place of beginning, then N 00° 54'00" W 405.62 feet, thence S 89° 06'00" W 100.00 feet, thence N 00° 54'00" W 100.00 feet, thence N 89° 06'00" E 100.00 feet, thence N 00° 54'00" W 109.41 feet, thence N 47° 38'00" W 354.35 feet, thence N 20° 58'00" W 608.12 feet, thence N 41° 33'00" W 956.25 feet, thence N 83° 58'00" W 251.83 feet, thence N 89° 14'57" E 1083.63 feet, thence S 11° 33'12" E 16.91 feet, thence N 88° 21'00" E 123.71 feet to center line of existing County road, thence with said center line S 05° 23'28" W 217.76 feet, thence S 06° 41'23" E 54.68 feet, thence S 19° 21'02" E 46.51 feet, thence S 31° 59'16" E 48.08 feet, thence S 37° 21'56" E 161.59 feet, thence S 12° 20'16" E 29.62 feet, thence S 17° 59'11" W 29.08 feet, thence S 29° 22'46" W 100.55 feet, thence S 18° 54'56" W 237.09 feet, thence S 06° 36'16" W 63.47 feet, thence S 01° 22'15" E 66.47 feet, thence S 08° 44'30" E 58.17 feet, thence S 18° 08'54" E 52.49 feet, thence S 28° 04'49" E 42.96 feet, thence S 43° 14'36" E 45.91 feet, thence S 60° 20'53" E 41.28 feet, thence S 74° 01'15" E 41.92 feet, thence East 36.94 feet, thence N 74° 02'21" E 35.89 feet, thence N 63° 00'21" E 72.86 feet, thence N 78° 51'59" E 24.24 feet, thence S 84° 58'07" E 28.96 feet, thence S 62° 10'13" E 30.40 feet, thence S

33 53'05" E 23.66 feet, then S 05 49'47" E 30.13 feet, thence S 12 02'23" W 137.97 feet, thence S 07 15'13" W 59.72 feet, thence S 02 25'41" W 59.01 feet, thence S 11 00'31" E 186.85 feet, thence S 06 10'00" E 188.43 feet, thence S 25 45'00" E 208.17 feet, thence S 19 43'00" E 77.00 feet, thence S 15 53'00" W 72.28 feet, thence N 89 58'56" W 326.34 feet to the place of beginning and containing 21.878 acres more or less and subject to all easements and road right of ways.

WHEREAS, on the 7th day of September, 1994, the County Court of Carroll County, Arkansas, found that the statutory requirements with reference to annexation had been complied with in full; that the petition and plat were in proper form; and that the notices required by law had been properly given and on that date entered an order annexing the said real estate to the City of Eureka Springs, Arkansas; and

WHEREAS, according to the statutes of the State of Arkansas, the said order was recorded by the County Clerk in County Record Book 14 at pages 225-226, and no further action was taken for a period of thirty (30) days; that at the end of thirty (30) days, no protests of any sort by anyone had been filed against the action of the County Court therein; and

WHEREAS, on this 20th day of October, 1994, certified copies of the original order and the order confirming the annexation were filed with the City Clerk of the City of Eureka Springs, Arkansas.

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

Section 1. The above described real estate located in Carroll County, Arkansas, is hereby declared annexed, to be incorporated into the City of Eureka Springs, Arkansas; that the map of said annexed territory attached to the certified copies of the order of annexation is hereby declared the map of the said annexed territory; that the said real estate is hereby declared to be in Ward 3, and all the inhabitants of the said annexed territory are declared to be citizens of Eureka Springs, Arkansas, and are entitled to all the rights, privileges and benefits of the other citizens of the City of Eureka Springs AR.; and finally that the annexed property will be zoned C-3, Quiet Use Zone.

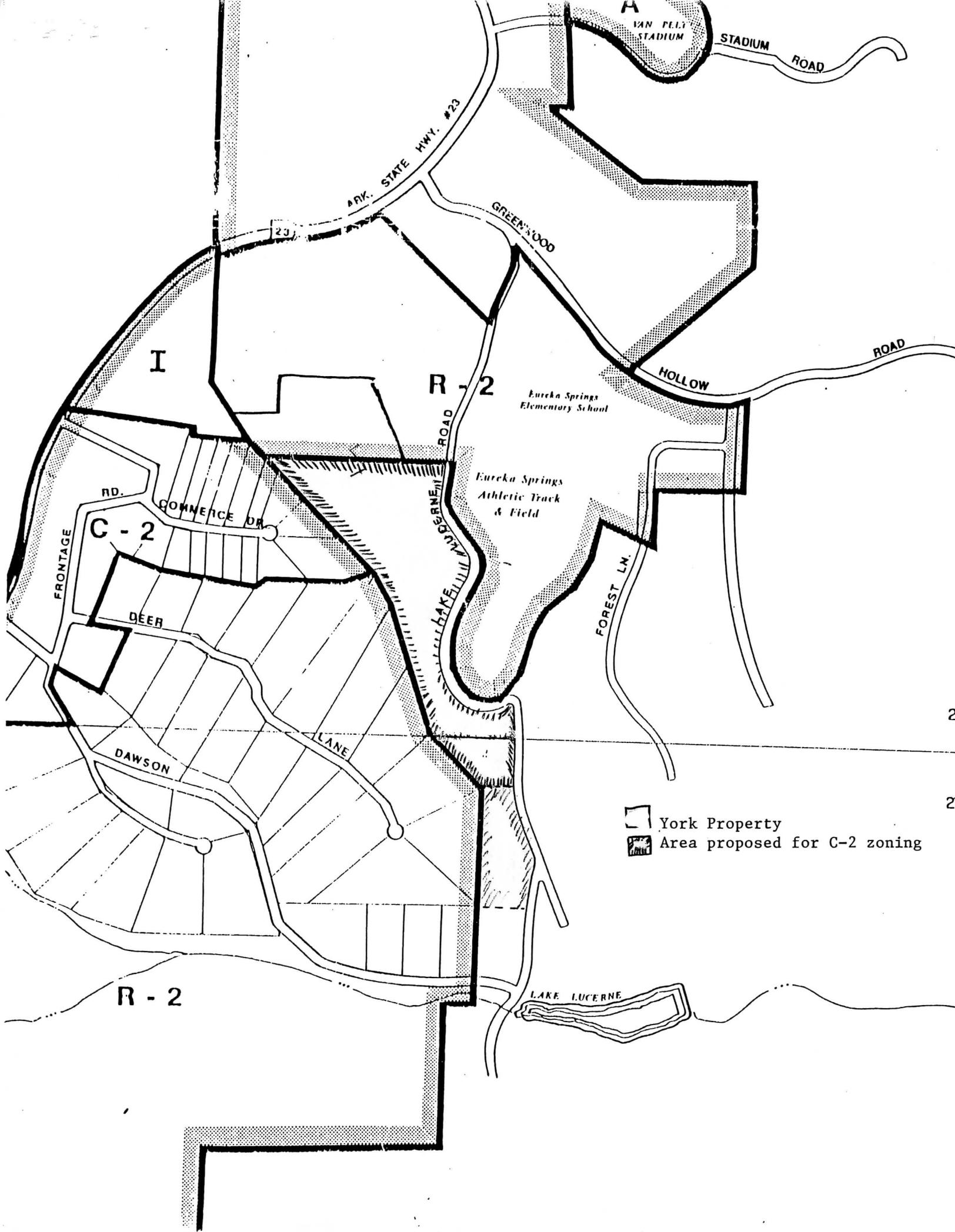
PASSED AND ORDAINED BY THE CITY COUNCIL OF THE CITY OF EUREKA  
SPRINGS, ARKANSAS, ON THIS 8th DAY OF NOVEMBER, 1994.

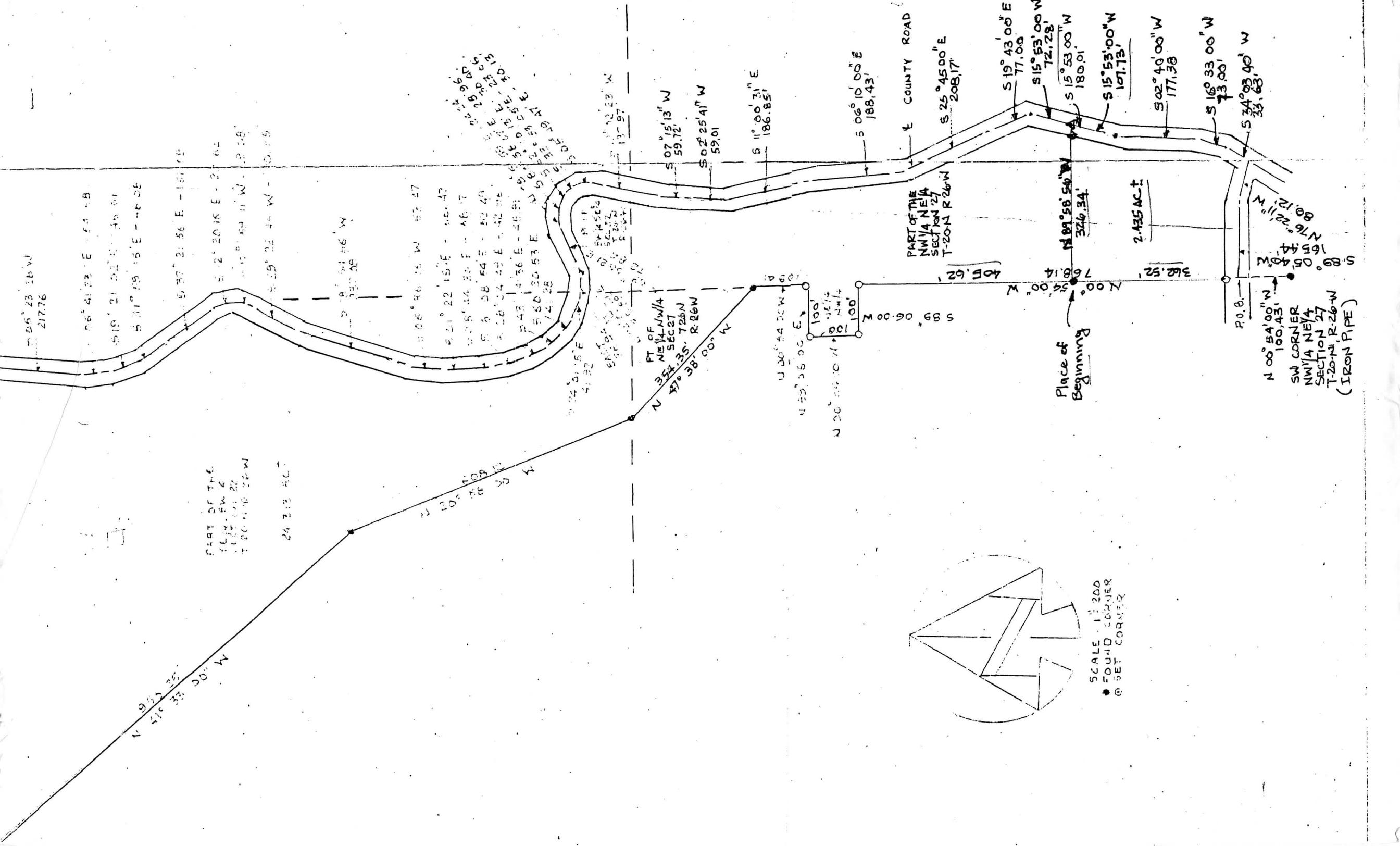
APPROVED:

ATTEST:

*Gerrri Bess Forman*  
GERRI BESS FORMAN, Mayor Pro-Tem

*Juanita S. Barner*  
JUANITA S. BARNER, City Clerk/Treasurer





N 56° 23' 18" W  
217.76

S 06° 41' 23" E - 54.48  
S 19° 21' 02" E - 46.01  
S 31° 29' 16" E - 6.06

S 30° 21' 56" E - 16.19

S 2° 20' 18" E - 2.62

S 15° 09' 11" W - 13.08

S 29° 22' 44" W - 10.15

S 8° 31' 56" W  
230.05

S 06° 46' 15" W - 52.47

S 21° 22' 15" E - 62.47

S 05° 34' 30" E - 46.17

S 6° 08' 54" E - 52.49

S 28° 24' 22" E - 42.05

S 43° 43' 36" E - 48.91

S 50° 30' 53" E - 59.96

S 74° 51' 18" E - 41.32

S 77° 33' 38" E - 41.32

S 87° 38' 00" E - 41.32

S 97° 38' 00" E - 41.32

S 107° 38' 00" E - 41.32

S 117° 38' 00" E - 41.32

S 127° 38' 00" E - 41.32

S 137° 38' 00" E - 41.32

S 147° 38' 00" E - 41.32

S 157° 38' 00" E - 41.32

S 167° 38' 00" E - 41.32

S 177° 38' 00" E - 41.32

S 187° 38' 00" E - 41.32

S 197° 38' 00" E - 41.32

S 207° 38' 00" E - 41.32

S 217° 38' 00" E - 41.32

S 227° 38' 00" E - 41.32

S 237° 38' 00" E - 41.32

S 247° 38' 00" E - 41.32

S 257° 38' 00" E - 41.32

S 267° 38' 00" E - 41.32

S 277° 38' 00" E - 41.32

S 287° 38' 00" E - 41.32

S 297° 38' 00" E - 41.32

S 307° 38' 00" E - 41.32

S 317° 38' 00" E - 41.32

S 327° 38' 00" E - 41.32

S 337° 38' 00" E - 41.32

S 347° 38' 00" E - 41.32

PART OF THE  
NW 1/4  
SECTION 27  
T-20N R-26W

24.213 AC.

N 80° 10' 00" W  
24.213 AC.

PT. OF  
NW 1/4  
SEC 27  
T-20N  
R-26W

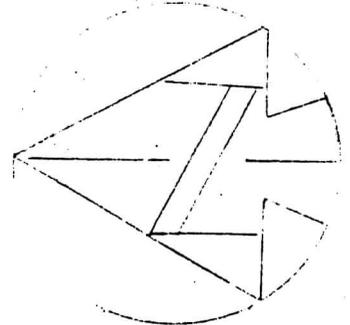
N 00° 54' 00" W  
100.43'

PART OF THE  
NW 1/4  
SECTION 27  
T-20N R-26W

2.435 AC.

Place of  
Beginning

SW CORNER  
NW 1/4  
SECTION 27  
T-20N R-26W  
(IRON PIPE)



SCALE 1" = 200'  
● FOUND CORNER  
○ SET CORNER

S 06° 10' 00" E  
188.43'

S 25° 45' 00" E  
208.17'

S 19° 43' 00" E  
77.00'

S 15° 53' 00" W  
72.28'

S 15° 53' 00" W  
180.01'

S 15° 53' 00" W  
107.73'

S 02° 40' 00" W  
177.38'

S 16° 33' 00" W  
73.00'

S 34° 03' 40" W  
33.63'

N 76° 22' 11" W  
80.12'

N 65° 01' 40" W  
65.40'

S 86° 00' 00" W  
100.43'

S 86° 00' 00" W  
100.43'

S 86° 00' 00" W  
100.43'

405.62'

766.14'

362.52'

20.8'

S 12° 23' W  
13.97'

S 07° 15' 13" W  
59.72'

S 02° 25' 41" W  
59.01'

S 11° 00' 31" E  
186.85'

S 06° 10' 00" E  
188.43'

S 25° 45' 00" E  
208.17'

S 19° 43' 00" E  
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S 34° 03' 40" W  
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N 76° 22' 11" W  
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N 65° 01' 40" W  
65.40'

S 86° 00' 00" W  
100.43'

S 86° 00' 00" W  
100.43'

S 86° 00' 00" W  
100.43'

**city of eureka  
springs**

city offices, 44 south main

eureka springs, arkansas 72632

(501) 253-9703 FAX (501) 253-6967



**PLANNING COMMISSION/  
BOARD OF ZONING ADJ.**

Oct. 17, 1994

**To: City Council**

**RE: Zoning of York Property**

The Planning Commission/Board of Zoning Adjustment recommends the Harold and Joanne York Property along Lake Lucerne Road (map attached) be zoned C-2, Contemporary Commercial, when it is accepted into the city by annexation.

A public hearing was held on the request for zoning during the regular meeting of the Commission/Board at 7 p.m. Thursday, Oct. 13, 1994. The motion for recommendation was approved with seven ayes, no nays and no abstentions. All members were present and voting.

Mary Jean Sell,  
Admin. Liaison,  
Deputy City Clerk

**CERTIFICATE**

STATE OF ARKANSAS }  
County of Carroll } ss.

I, *Shirley Doss* County and Probate Clerk in and for the County and State  
aforesaid, do hereby certify that the foregoing instrument in writing is a true and correct copy of the original  
*Order* as recorded in Book *14*, Page *225-226* in my office at Berryville,  
Arkansas.

Given under my hand and seal this *20* day of *October*, 19*94*

*Shirley Doss*  
County and Probate Clerk

## REVISED PLAT

## LOCATION:

PART OF THE SOUTHWEST QUARTER (SW  $\frac{1}{4}$ ) OF THE SOUTHEAST QUARTER (SE  $\frac{1}{4}$ ),  
 PART OF THE SOUTHEAST QUARTER (SE  $\frac{1}{4}$ ) OF THE SOUTHWEST QUARTER (SW  $\frac{1}{4}$ ),  
 SECTION 22, ALSO PART OF THE NORTHWEST QUARTER (NW  $\frac{1}{4}$ ) OF THE NORTHEAST  
 QUARTER (NE  $\frac{1}{4}$ ) AND PART OF THE NORTHEAST QUARTER (NE  $\frac{1}{4}$ ) OF THE NORTHWEST  
 QUARTER (NW  $\frac{1}{4}$ ), SECTION 27, ALL IN TOWNSHIP-20-NORTH, RANGE-26-WEST,  
 CARROLL COUNTY, ARKANSAS.

## DESCRIPTION:

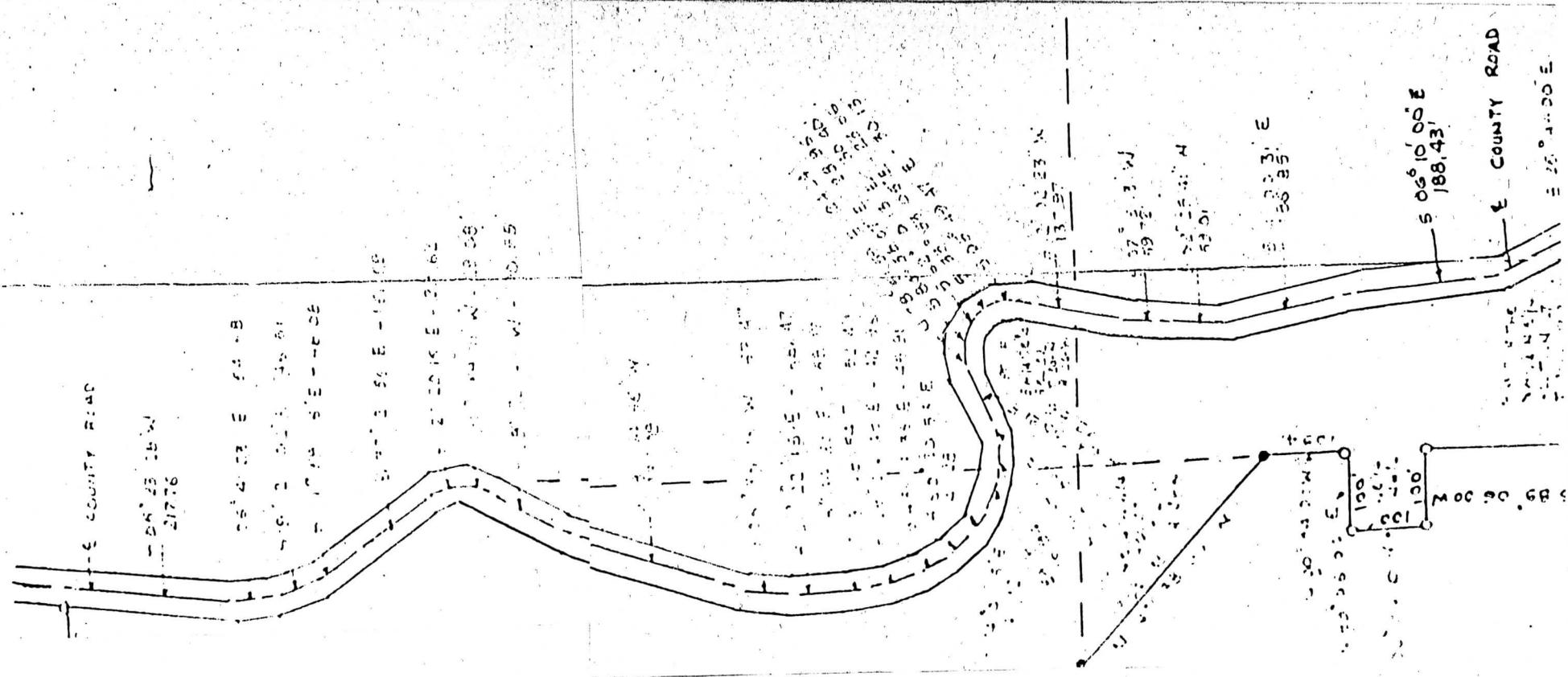
COMMENCING AT AN IRON PIPE MARKING THE SOUTHWEST CORNER OF THE NW  $\frac{1}{4}$  OF  
 THE NE  $\frac{1}{4}$  OF SAID SECTION 27, THENCE N 00° 54' 00" W 100.43 FEET TO THE  
 PLACE OF BEGINNING, THENCE N 00° 54' 00" W 768.14 FEET, THENCE S 89°  
 06' 00" W 100.00 FEET, THENCE N 00° 54' 00" W 100.00 FEET, THENCE N 89°  
 06' 00" E 100.00 FEET, THENCE N 00° 54' 00" W 107.41 FEET, THENCE N 47°  
 38' 00" W 354.35 FEET, THENCE N 20° 58' 00" W 608.12 FEET, THENCE N 41°  
 33' 00" W 956.25 FEET, THENCE N 83° 58' 00" W 251.83 FEET, THENCE N 89°  
 11' 57" E 1003.63 FEET, THENCE S 11° 33' 12" E 16.91 FEET, THENCE N 88°  
 21' 00" E 123.71 FEET TO CENTER LINE OF EXISTING COUNTY ROAD, THENCE  
 WITH SAID CENTER LINE S 05° 23' 25" W 217.76 FEET, THENCE S 05° 41' 23"  
 E 54.68 FEET, THENCE S 19° 21' 02" E 46.51 FEET, THENCE S 31° 59' 16" E  
 48.08 FEET, THENCE S 37° 21' 56" E 161.59 FEET, THENCE S 12° 20' 15" E  
 29.52 FEET, THENCE S 17° 59' 11" W 27.08 FEET, THENCE S 29° 22' 46" W  
 100.55 FEET, THENCE S 18° 54' 56" W 237.09 FEET, THENCE S 06° 36' 16" W  
 63.47 FEET, THENCE S 01° 22' 15" E 66.47 FEET, THENCE S 08° 44' 30" E  
 53.17 FEET, THENCE S 13° 06' 54" E 52.49 FEET, THENCE S 28° 04' 49" E  
 42.96 FEET, THENCE S 43° 14' 36" E 45.91 FEET, THENCE S 60° 20' 53" E  
 41.28 FEET, THENCE S 74° 01' 15" E 41.92 FEET, THENCE EAST 36.94 FEET,  
 THENCE N 74° 02' 21" E 35.89 FEET, THENCE N 63° 00' 21" E 72.86 FEET,  
 THENCE N 78° 51' 59" E 24.24 FEET, THENCE S 84° 58' 07" E 28.96 FEET,  
 THENCE S 62° 13' 13" E 30.40 FEET, THENCE S 33° 53' 05" E 23.66 FEET,  
 THENCE S 05° 49' 47" E 30.13 FEET, THENCE S 12° 02' 23" W 137.97 FEET,  
 THENCE S 07° 15' 13" W 59.72 FEET, THENCE S 02° 25' 41" W 59.01 FEET,  
 THENCE S 11° 00' 31" E 136.85 FEET, THENCE S 06° 10' 00" E 138.43 FEET,  
 THENCE S 25° 45' 00" E 208.17 FEET, THENCE S 19° 43' 00" E 77.00 FEET,  
 THENCE S 15° 51' 00" W 180.01 FEET, THENCE S 02° 40' 00" W 177.38 FEET,  
 THENCE S 16° 33' 00" W 73.00 FEET, THENCE S 34° 03' 00" W 33.63 FEET,  
 THENCE N 76° 22' 11" W 80.12 FEET, THENCE S 89° 05' 40" W 165.14 FEET  
 TO THE PLACE OF BEGINNING AND CONTAINING 24.313 ACRES MORE OR LESS AND  
 SUBJECT TO ALL EASEMENTS AND ROAD RIGHT OF WAYS.

## SURVEYOR'S CERTIFICATION:

I HEREBY CERTIFY THAT THE HEREON DESCRIBED LAND HAS BEEN SURVEYED UNDER  
 MY SUPERVISION AND THAT THIS PLAT CONFORMS TO THAT SURVEY TO THE BEST  
 OF MY KNOWLEDGE AND BELIEF, FOR VERIFICATION AND UPDATING CONTACT THE  
 OFFICE OF:

HUSTON SURVEYING  
 P.O. BOX 297

MICLING REALTY  
E. RENA SPRINGS, ARKANSAS



**A PROPOSAL TO THE PLANNING COMMITTEE AND**  
**CITY COUNCIL OF EUREKA SPRINGS**

May 3, 1994

We, **Harold and Joanne York**, owners of **Gretna Green Chalets**, propose and request to use additional City of Eureka Springs water on a part of our property adjacent to but immediately outside the city limits. We requested and were subsequently granted a meter connection in June, 1993 to run a water line to our homes just outside the city limits. We now request approval to use additional city water at our proposed new building sites.

We have been property owners in Eureka Springs since **1981**. Our main house chalet was built in 1982 and has been operated as a **guest house** since 1990.

We retired from our business careers in Houston, Texas last July, 1993 and moved our permanent residence here. My professional background was as a **design and project engineer in air and gas compression and piping systems**. Joanne worked for many years as an executive and administrative secretary. We feel our professional backgrounds well qualify us to be a part of and contribute to the business community and growing economy of Eureka Springs.

In order to develop **Gretna Green** with additional guest cottages on that lower part of our property along Lake Lucerne Road that is outside the city limits, we feel it is in our best interests to have city water at these new facilities. The attached plats show the locations of our proposed cottages. We also are considering selling a small tract in our valley to a lifelong friend and building her a home on that tract. It would also be necessary to provide her property with city water.

Therefore, we respectfully ask the Planning Committee and City Council to grant this request.

We thank you for your favorable consideration.

**Harold and Joanne York**

1/2" METER LOCATION

2" WATER LINE BY HAROLD & JOANNE YORK

EXISTING 12" WATER MAIN

PROPOSED FUTURE BUILDING SITES

CITY LIMITS

S.W. COENRIG  
NEW YORK, N.Y.  
SEC. 27  
T. 20N. R. 26W.

STONE BRIDGE

STONE BRIDGE

GREINA GREEN ESTATE

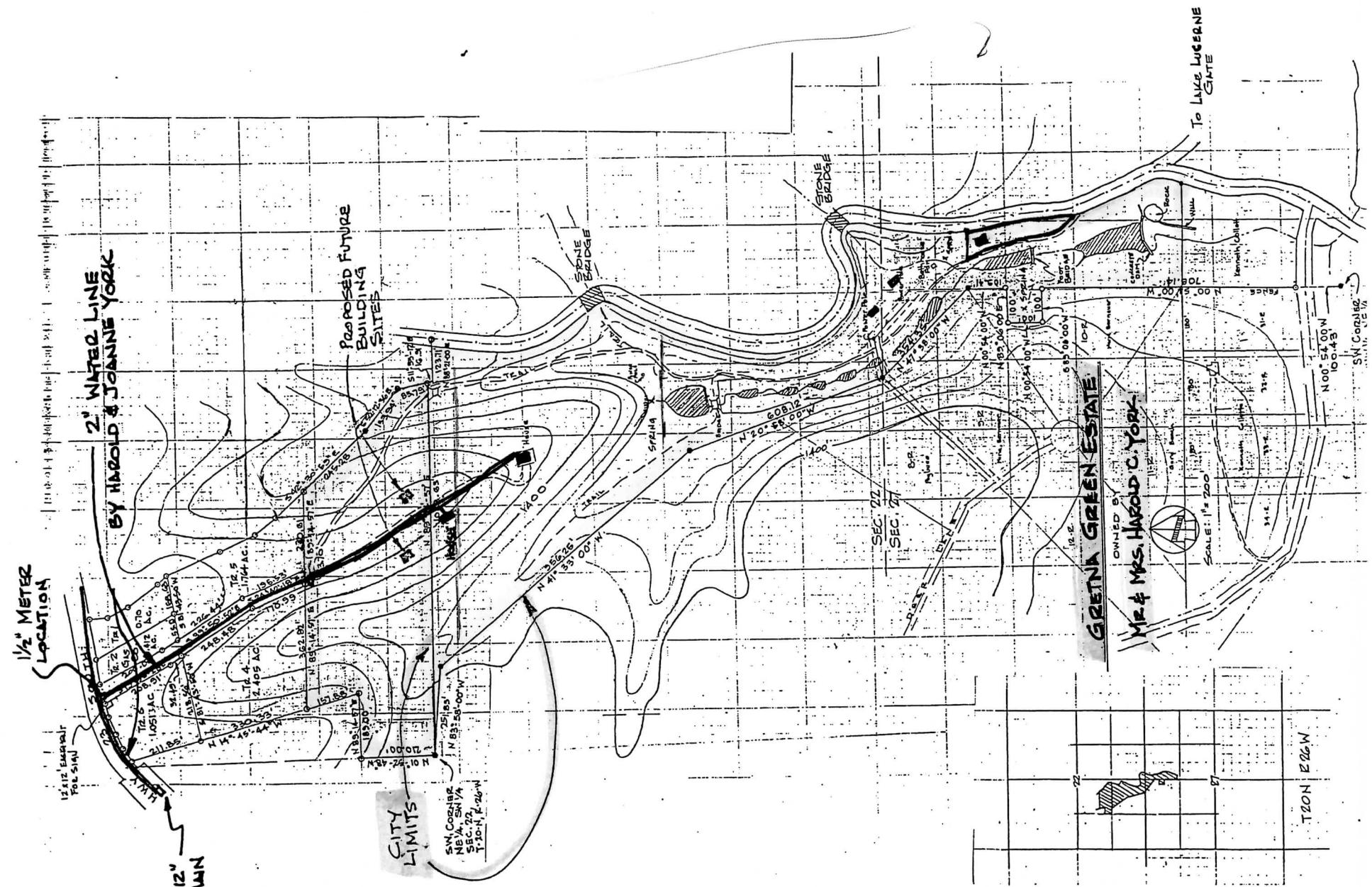
OWNED BY  
MR. & MRS. HAROLD C. YORK

TO LAKE LUCERNE GATE

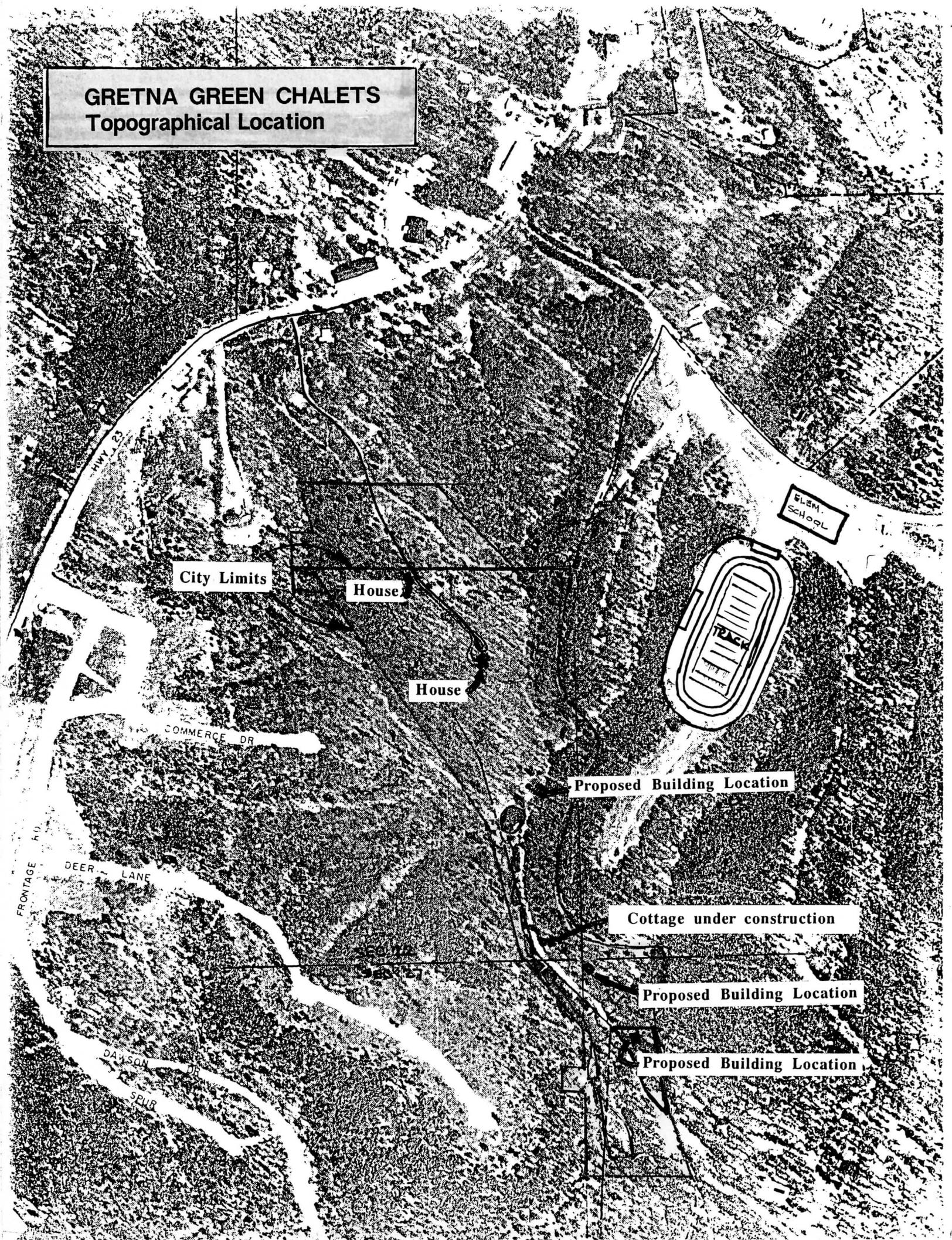
T. 20N. R. 26W.

SCALE: 1" = 200'

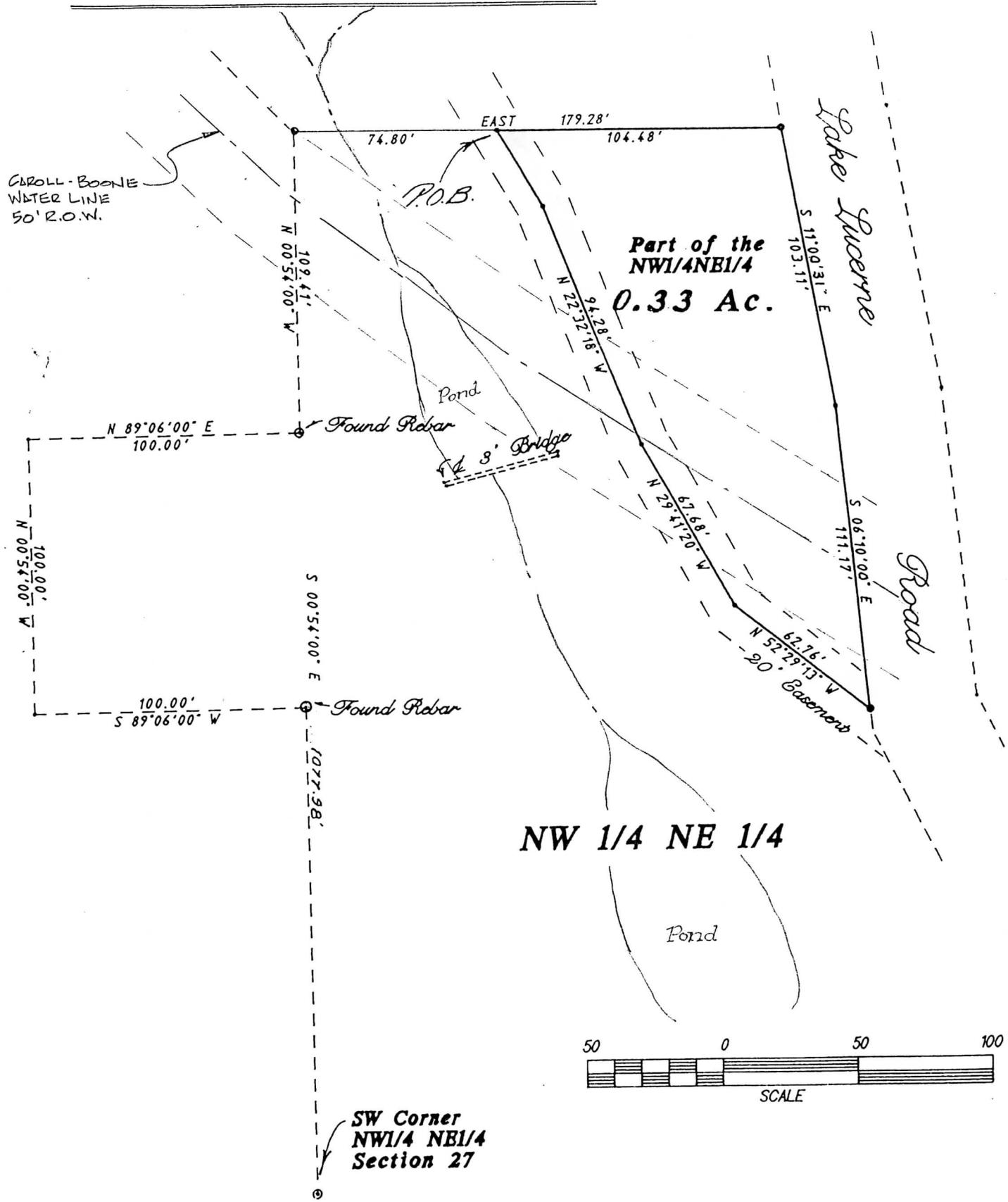
N 00° 54' 00" W  
100.43  
S.W. CORNER  
N. 1/4



# GRETNA GREEN CHALETs Topographical Location



# Certificate of Survey:



IN THE COUNTY COURT OF CARROLL COUNTY, ARKANSAS

IN THE MATTER OF THE ANNEXATION OF  
CERTAIN LANDS TO THE CITY OF EUREKA  
SPRINGS, ARKANSAS

C94-2



ORDER

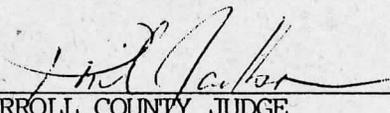
On this 7<sup>th</sup> day of September, 1994, is presented to the Court the Petition of the petitioners to annex to and make a part of the City of Eureka Springs, Carroll County, Arkansas, certain lands. From consideration of said Petition and other matters before the Court, the Court doth find as follows:

1. That the petitioners are owners of land contiguous to the incorporated City of Eureka Springs, Western District, Carroll County, Arkansas. That they own one hundred percent (100%) of the acreage affected by this petition.
2. That the petitioners have petitioned to annex the following contiguous land to the incorporated City of Eureka Springs, Carroll County, Arkansas; said lands being more particularly described as follows, to-wit:  

Parts of Section 22 and Section 27 of Township 20 North, in Range 26 West, less and except that parcel more fully described property formerly owned by Petitioners but sold to Ken and Nancy Collett in April, 1989 and now owned by their Estate.
3. That an accurate map of said lands sought to be annexed to the incorporated City of Eureka Springs, Carroll County, Arkansas, is attached to the Petition filed in this matter.
4. That after publication of notices of a hearing on the Petition in a newspaper of general circulation in the County once a week for two consecutive weeks, said hearing was held on September 7, 1994, at 9:00 A.M., in the Western District Courthouse, Eureka Springs, Arkansas, before the County Court of Carroll County, Arkansas.

5. That this Court is satisfied that the allegations of the Petition are sustained proof admitted at said hearing, and the requirements for signatures of landowners of the property affected by the Petition have been met. Further, this Court is satisfied the the limits of the territory to be annexed have been accurately described and an accurate map thereof made and filed, and that the prayer of these petitioners is right and proper.

IT IS THEREFORE CONSIDERED, ORDERED AND ADJUDGED that the Petition to annex the above described territory be and the same is hereby granted.

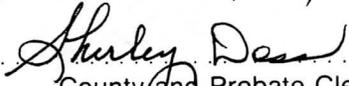
  
CARROLL COUNTY JUDGE

### CERTIFICATE

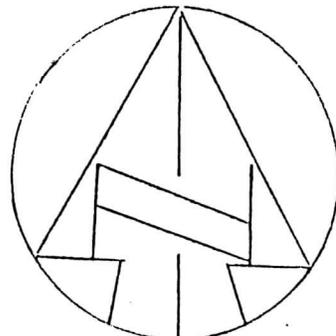
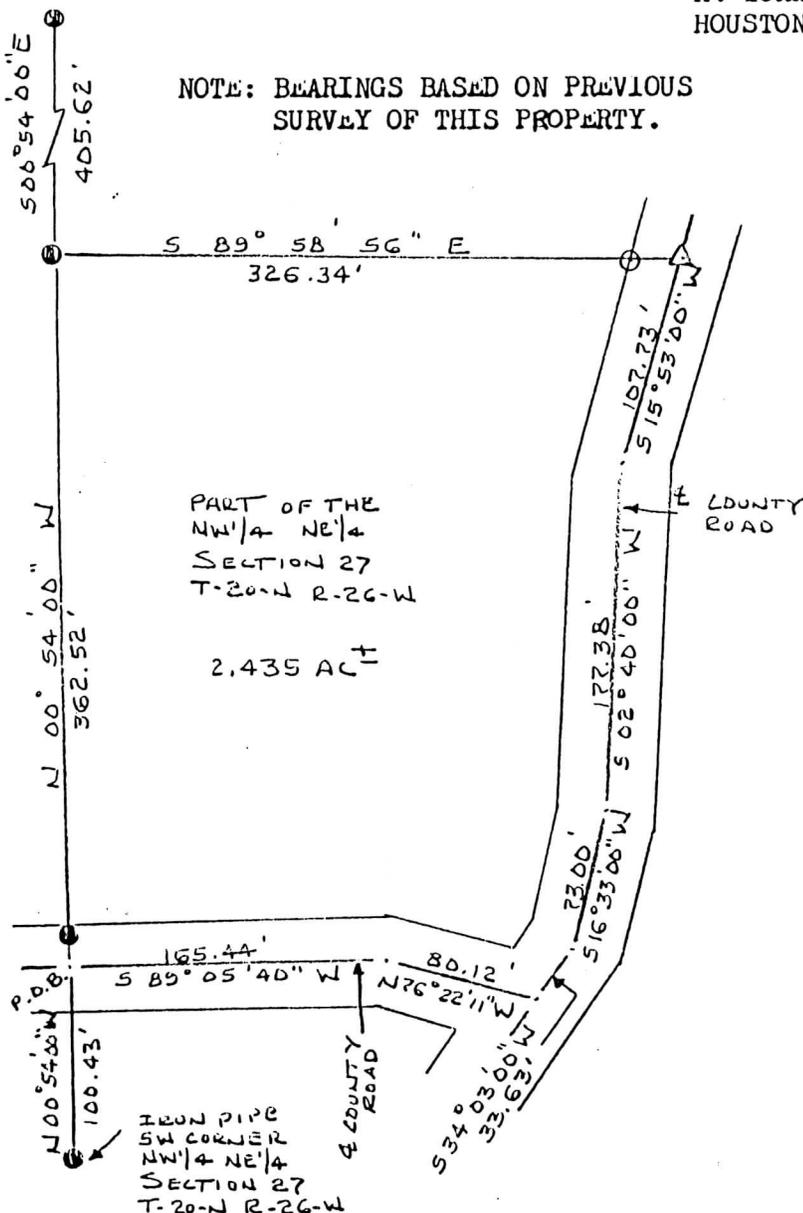
STATE OF ARKANSAS }  
County of Carroll } ss.

I, Shirley Doss County and Probate Clerk in and for the County and State aforesaid, do hereby certify that the foregoing instrument in writing is a true and correct copy of the original Order as recorded in Book 14, Page 225-226 in my office at Berryville, Arkansas.

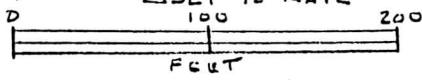
Given under my hand and seal this 20 day of October, 1984

  
County and Probate Clerk

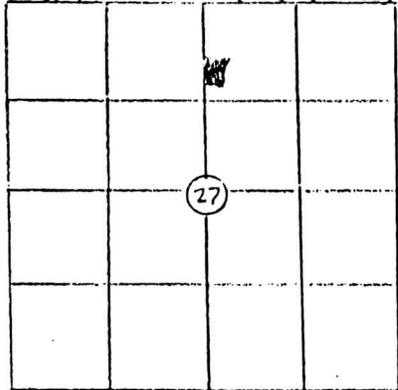
NOTE: BEARINGS BASED ON PREVIOUS  
SURVEY OF THIS PROPERTY.



SCALE: 1"=100'  
 ○ FOUND CORNER  
 ● SET CORNER  
 △ SET 12" NAIL



LOCATION MAP (NO SCALE)



LOCATION:

PART OF THE NORTHWEST QUARTER ( NW ¼ ) OF THE NORTHEAST QUARTER ( NE ¼ ), SECTION 27,  
TOWNSHIP-20-NORTH, RANGE-26-WEST, CARROLL COUNTY, ARKANSAS.

DESCRIPTION:

COMMENCING AT A FOUND IRON PIPE MARKING THE SOUTHWEST CORNER OF THE NW ¼ OF THE NE ¼ OF SAID SECTION 27, THENCE N 00° 54' 00" W 100.43 FEET TO THE PLACE OF BEGINNING, SAID POINT BEING CENTER LINE OF COUNTY ROAD, THENCE LEAVING SAID CENTER LINE N 00° 54' 00" W 362.52 FEET, THENCE S 89° 58' 56" E 326.34 FEET TO THE CENTER LINE OF COUNTY ROAD, THENCE WITH SAID CENTER LINE S 15° 53' 00" W 107.73 FEET, THENCE S 02° 40' 00" W 177.38 FEET, THENCE S 16° 33' 00" W 73.00 FEET, THENCE S 34° 03' 00" W 33.63 FEET, THENCE N 76° 22' 11" W 80.12 FEET, THENCE S 89° 05' 40" W 165.44 FEET TO THE PLACE OF BEGINNING AND CONTAINING 2.435 ACRES MORE OR LESS AND SUBJECT TO EXISTING EASEMENTS AND ROAD RIGHT OF WAYS.

SURVEYOR'S CERTIFICATION:

I HEREBY CERTIFY THAT THE HEREON DESCRIBED LAND HAS BEEN SURVEYED UNDER MY SUPERVISION AND THAT THIS PLAT CONFORMS TO THAT SURVEY TO THE BEST OF MY KNOWLEDGE AND BELIEF, FOR VERIFICATION AND UPDATING CONTACT THE OFFICE OF:

HUSTON SURVEYING  
P.O. BOX 297  
OMAHA, ARKANSAS

DECEMBER 29, 1988

