

ORDINANCE NO. 1637-Amended

AN ORDINANCE VACATING A PORTION OF WILLETT  
STREET IN THE CITY OF EUREKA SPRINGS, ARKANSAS

WHEREAS, a petition was duly filed with the City Council of the City of Eureka Springs, Arkansas, requesting the City Council to vacate and abandon a portion of Willett Street hereinafter described; 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 portion of street in question, described as follows:

North half of Willett Street lying between Blocks 141 and 227,  
in the R & A Survey of the City of Eureka Springs, Arkansas

has not been actually used by the public generally for a period of at least ten (10) years last past; that the public interest and welfare will not be adversely affected by the abandonment of that half of said street; and

WHEREAS, pursuant to authority granted in Ark. Code Anno. 14-54-104, the petitioners, Allen Merrill and Bonnie Jean Merrill, husband and wife, and the City of Eureka Springs have agreed to trade certain real property as described on Exhibit A attached hereto and the portion of Willett Street vacated herein is the property to be traded by the City; and

WHEREAS, the petition to vacate was filed by Allen Merrill and Bonnie Jean Merrill, husband and wife, who are the sole adjoining land-owners.

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 street or the portion thereof described as follows:

North half of Willett Street, lying between Blocks 141 and 227,  
in the R & A Survey of the City of Eureka Springs, Arkansas.

Title to said portion of Willett Street is hereby vested in adjoining land-owners, Allen Merrill and Bonnie Jean Merrill, husband and wife.

Section 2. A copy of the ordinance duly certified by the City Clerk shall be filed in the office of 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 ORDAINED BY THE CITY COUNCIL OF THE CITY OF EUREKA SPRINGS, ARKANSAS, ON THIS 22 DAY OF Nov., 1994.

APPROVED:

ATTEST:

Geri Bess Forman  
GERRI BESS FORMAN, Mayor Pro Tem

Quanita S. Bomer  
City Clerk/Treasurer