

ORDINANCE NO. 817

19

AN ORDINANCE VACATING CERTAIN STREETS LOCATED IN PEEBLES ADDITION TO THE CITY OF EUREKA SPRINGS, ARKANSAS.

Whereas, a petition was duly filed with the City Commission of the City of Eureka Springs, Arkansas, on the 2nd day of January, 1962, asking the City Commission to vacate and abandon certain streets and parts or portions of streets as designated on the plat of the Peebles Addition to said City of Eureka Springs, Arkansas, now appearing of record in Deed Record Book 60 at page 335, in the office of the Circuit Clerk and Recorder in and for the Western District of Carroll County, Arkansas.

87

WHEREAS, after due notices as required by law, the commission 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 streets in question or the portion thereof, described as follows: A portion of College Street from the intersection of College Street and Hamilton Street to the east side of Peebles Addition; all of Moose Street; a portion of Ming Street, that portion being described as that part which runs northwest off of College Street to a point where said Ming Street turns in a northeast direction at an intersection, have not been actually used by the public generally for a period of at least five years subsequent to the filing of the plat; that all the owners of the property abutting upon the streets or portions of streets to be vacated have filed with the Commission their written consent to such abandonment; and that public interest and welfare will not be adversely affected by the abandonment of such streets and portions of streets.

179

WHEREAS, the petition to vacate the above described streets was filed by Lawrence Thurman, an abutting property owner, in the manner and time as required by law.

17

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

16

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 streets and portions of streets as follows: A portion of College Street from the intersection of College Street and Hamilton Street to the east side of Peebles Addition; all of Moose Street; a portion of Ming Street, that portion being described as that part which runs northwest off of College Street to a point where said Ming Street turns in a northeast direction at an intersection. All of the above streets and portions thereof being shown on the plat of Peebles Addition to the City of Eureka Springs, Arkansas.

116

40

SECTION 2. A copy of the ordinance duly certified by the city clerk shall be filed in the office of the recorder of the Western District of Carroll County, Arkansas and recorded in the deed records of the said County.

44

This Ordinance being necessary for the immediate preservation of the public peace, health, safety and property of the City of Eureka Springs, Arkansas, an emergency is hereby declared and this Ordinance shall be in full force and effect after its passage, approval and publication.

PASSED AND APPROVED this the 18 day of January, 1962.

BY Roy Walker
Mayor

ATTEST:

James Walker
City Clerk

19

1 time