

ORDINANCE NO. 822

AN ORDINANCE VACATING CERTAIN STREETS AND ALLEYS IN FREEMANS 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 6th day of February, 1962, asking the City Commission to vacate and abandon certain streets and alleys and/or portions of streets and alleys as designated on the plat of Freemans Addition to the City of Eureka Springs, Arkansas, as appearing in Ordinance Book 1 at page 603 (Ordinance #330), in the office of the City Clerk and Recorder for said City; and as appearing of record in Book B at page 440 in the office of the Circuit Clerk and Recorder in and for the Eastern District of Carroll County, Arkansas; and as appearing on the official plat of the City of Eureka Springs, Arkansas, same being kept in the office of the Circuit Clerk and Recorder in and for the Western District of Carroll County, Arkansas.

WHEREAS, after due notices as required by law, the City Commission has, at the time and place mentioned in the notices, heard all persons desiring to be heard on the question and has ascertained that the streets and alleys in question or the portions of streets and alleys thereof, described as follows: All the alleys running north and south, east and west between Lot 1, 2, 3 and 4 inclusive in Blocks 28 and 29; that portion of Paxos Street between Blocks 28 and 29; that portion of Paxos Street between Blocks 32 and 33; the alley running north and south between Lots 1 and 2 and the alley running east and west between Lots 1, and 4 in Block 33; all the alleys running north and south, east and west between Lots 1, 2, 3 and 4 inclusive all in Block 32. All of the above described streets and alleys 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 of the owners of property abutting upon the streets or alleys or portions of streets and alleys 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 alleys or portions of streets and alleys.

WHEREAS, the petition to vacate and abandon the above described streets and alleys or portions of streets and alleys was filed by the Eureka Springs Special School District by its President, Roland R. Clark and Secretary, Beulah L. Mullins, in the time and manner as required by law, said School District also being an abutting property owner.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION 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 streets and alleys and portions of streets and alleys as follows: All the alleys running north and south, east and west between Lots 1, 2, 3 and 4 inclusive in Blocks 28 and 29; that portion of Paxos Street between Block Blocks 28 and 29; that portion of Paxos Street between Blocks 32 and 33; the alley running north and south between Lots 1 and 2 and the alley running east and west between Lots 1 and 4 in Block 33; all the alleys running north and south, east and west between Lots 1, 2, 3 and 4 inclusive all in Block 32. All of the above described streets and alleys or portions of streets and alleys are shown on the plat of Freemans Addition to the City of Eureka Springs, Arkansas.

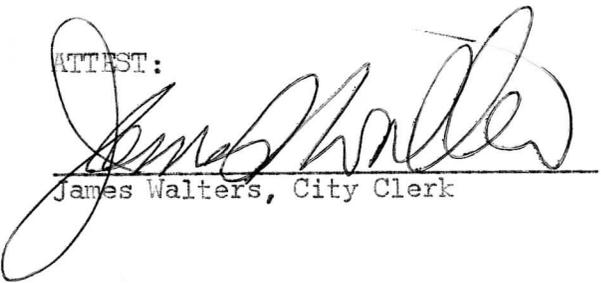
SECTION 2. -- A copy of the ordinance duly certified by the City Clerk shall be filed in the office of the recorder in and for the Western District of Carroll County, Arkansas and recorded in the deed records of the said County.

SECTION 3. -- 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 ^{22nd} ~~21st~~ day of March, 1962.

BY 
Roy Walker Mayor

ATTEST:


James Walters, City Clerk