

ORDINANCE NO. 852

AN ORDINANCE ACCEPTING A NEW ADDITION TO THE CITY OF EUREKA SPRINGS, ARKANSAS, TO BE KNOWN AS TUCKER ADDITION, AN ADDITION TO THE CITY OF EUREKA SPRINGS, ARKANSAS

Be It Ordained by the City Commission of Eureka Springs, Arkansas:

SECTION I: WHEREAS, Norman L. Tucker and Vera M. Tucker have presented to the City Commission a plat of certain lands located in the City of Eureka Springs, Western District, Carroll County, Arkansas, and more particularly described as follows:

That part of the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 15, Township 20 North of Range 26 West, bounded on the North by quarter section line of NE $\frac{1}{4}$ of SE $\frac{1}{4}$ Section 15, Township 20 North, Range 26 West on the East by the East Mt. Road as presently located; on the South by U. S. Highway #62 as presently located, on the West by quarter section line of SW $\frac{1}{4}$ of SE $\frac{1}{4}$ Section 15 T20N of R26W, LESS AND EXCEPT therefrom the TWO following tracts:

Tract #1: Begin at the point where U. S. Highway #62 as presently located intersects the quarter section line between the SW $\frac{1}{4}$ of SE $\frac{1}{4}$ and SE $\frac{1}{4}$ of SE $\frac{1}{4}$; thence in an easterly direction along the North side of U. S. Hwy. #62 to center of draw; thence in a Northwesterly direction along center of draw to aforesaid quarter section line; thence South along said quarter section line to place of beginning, containing approximately one-half acre, more or less; said tract being 300 feet on West Boundary and 245 feet on South Boundary.

Tract #2: Begin at the NW Corner of the SE $\frac{1}{4}$ of SE $\frac{1}{4}$, Sec. 15 Township 20 North of Range 26 West; thence South along quarter section line 100 feet; thence due East to the West side of the East Mt. Road; thence in a Northwesterly direction along the West side of East Mountain Road to the North line SE $\frac{1}{4}$ of SE $\frac{1}{4}$ Sec. 15 T20N of R26W; thence due West along said quarter section line to point of beginning; approximately 100 x 150 feet.

Containing approximately 6 acres, more or less in the tract conveyed to Grantee herein. Said six acre tract as conveyed herein being MORE PARTICULARLY DESCRIBED AS FOLLOWS:

Beginning at a point North 0° 9' E 529.0 feet from the SW Corner of said SE $\frac{1}{4}$, SE $\frac{1}{4}$, Section 15; thence N 0° 9' E 691.0 feet; thence N 89° 42' E 158.6 feet to the West right-of-way line of East Mt. Drive; thence S 20° 43' E 175.0 feet along said R/W line; thence S 23° 04' E 95.0 feet along said R/W line; thence S 31° 12' E 90.0 feet along said R/W line; thence S 37° 22' E 204.3 feet along said R/W line; thence S 37° 08' E 100.0 feet along said R/W line; thence S 46° 26' E 125.0 feet along said R/W line to the intersection with the North R/W line of U. S. Highway #62; thence S 52° 47' W 113.3 feet along the North R/W line of U. S. Highway #62; thence S 41° 41' W 86.4 feet along said R/W line; thence S 50° 05' W 116.5 feet along said R/W line; thence S 60° 38' W 133.9 feet along said R/W line; thence N 39° 03' W 194.1 feet; thence N 47° 26' W 137.0 feet to the point of beginning.

SECTION II: AND WHEREAS, from an examination of the plat of the East Mt. Survey it has been ascertained that the portion of Block G, East Mt.

Survey located in SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 15, T20N of R26W, has never been officially deleted from the various maps and plats of the said East Mountain Survey, irrespective of the fact that the Minutes of the City of Eureka Springs, contain the following record:

"Meeting August 6, 1907

A Resolution was presented at the request of Dr. Chas. E. Davis and unanimously accepted requesting the Co. assessor to drop the lot and blocks in the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ and SW $\frac{1}{4}$ of the SE $\frac{1}{4}$, NE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Sec. 15 in Town. 20 N, Range 28 west and assess the same as quarter sections. A copy of same being recorded in Ordinance Book at Page "

That it is apparent that said minutes are in error as the City of Eureka Springs, would have no interest whatsoever in the vacation of lots and blocks in lands located in Range 28; that said minutes should be corrected to read Range 26, instead of Range 28.

That the City Commission hereby officially vacates all that part of Block G, East Mountain Survey that lies within the boundaries of the said Tucker Addition.

SECTION III: AND WHEREAS, many maps and plats of the City of Eureka Springs, which contain the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 15 T20N of R26W, show a certain roadway designated by broken lines, said roadway being unnamed, but same identified herein as a possible extension of Coe Street; that the City Commission finds no indication that said roadway was ever officially dedicated to the City of Eureka Springs, for roadway purposes and that said roadway has not been used by the general public as a street or roadway within the past 5 years and; that the City of Eureka Springs, Arkansas, makes no claim on said roadway and hereby vacates and abandons whatever right, title or interest (if any) that the City of Eureka Springs, may have had in said roadway.

SECTION IV: AND WHEREAS, the City Commission has approved the plat as presented by the said Norman L. Tucker and Vera M. Tucker, and has approved the dedication of the street to be known as Tucker Drive and the utility easements as shown on the said plat.

SECTION V: AND WHEREAS, it is desirable for property located in

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the City of Eureka Springs, Arkansas, to be properly platted;

NOW THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF EUREKA SPRINGS, ARKANSAS, that Tucker Addition as shown upon the plat, a copy of which is attached to this Ordinance and made a part hereof as though set out herein, be and the same is hereby accepted by the City of Eureka Springs, Arkansas, and the City hereby accepts for the use and benefit of the public, the dedication contained thereon of the streets and utility easements; that the City Commission hereby officially vacates all that part of Block G, East Mountain Survey that lies within the boundaries of the said Tucker Addition.

This Ordinance shall be in effect from and after its approval, passage and publication and the recording of a certified copy of same with the Circuit Clerk and Ex-Officio Recorder of the Western District of Carroll County, Arkansas.

Passed and approved this 20th day of May, 1965.

CITY OF EUREKA SPRINGS, ARKANSAS

BY

Jan M. Bullock
Jan M. Bullock, Mayor

ATTEST:

Albert Harp
Albert Harp, City Clerk