

ORDINANCE NO. 889

AN ORDINANCE VACATING MAYO STREET AND A CERTAIN UNNAMED ALLEY AS PER EAST MOUNTAIN SURVEY 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 4th day of June, 1968, requesting the City Commission to vacate and abandon Mayo Street and a certain unnamed alley, as hereinafter described as designated on East Mountain Plat to the City of Eureka Springs, Arkansas, as appearing in record in Deed Record Book H at page 614 in the Office of the Circuit Clerk and Recorder in and for the Western District, 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 street in question, described as follows, to-wit:

All of Mayo Street and the unnamed alley in Block R East Mountain Survey to the City of Eureka Springs, Arkansas.

has 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 property owners abutting upon the portion of said street and alley to be vacated have filed their written consent to the closing of said street with the City Commission; and that the public interest and welfare will not be adversely effected by the abandonment of the above described Mayo Street and unnamed alley, in accordance with the terms and conditions of this Ordinance.

WHEREAS, the petition to vacate and abandon the above described Mayo Street and unnamed alley was filed by Joyce Davis Harvey, in the time and in the manner as required by law.

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

SECTION I: That the City Commission of Eureka Springs, Arkansas, does hereby release, vacate, and abandon all its rights, together with the rights of the public generally, in and to Mayo Street and unnamed alley described as follows:

All of Mayo Street and the unnamed alley in Block R East Mountain Survey to the City of Eureka Springs, Arkansas.

SECTION II. 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 III. This ordinance shall take effect and be in force from and after its passage.

PASSED AND APPROVED THIS 18th day of June, 1968.

BY Charles B. Freeman
Mayor

ATTEST:

Albert Harp
City Clerk

CERTIFICATE

STATE OF ARKANSAS }
COUNTY OF CARROLL } ss.
CITY OF EUREKA SPRINGS }

I, Albert Harp, the duly appointed, elected and qualified City Clerk and Commissioner in and for the City of Eureka Springs, do hereby certify that the attached, above and foregoing instrument of writing is a true and complete copy of Ordinance No. 889 as the same appears in the Ordinance Book No. 3 at page 396 in my office at Eureka Springs, Western District, Carroll County, Arkansas.

GIVEN under my hand and the seal of the City of Eureka Springs, Arkansas, this the 27th day of June, 1968.

Albert Harp
City Clerk

Filed for record on the 27th day
of June 1968, at 1:30
O'clock P. M.

Eileen Harvey
Clerk
By Bonnie M. Roach
D.C.

STATE OF ARKANSAS }
COUNTY OF CARROLL } ss

I hereby certify that this instrument was filed for record in my office the 27 day of June 1968 at 1:30 O'clock P. M., and duly recorded in Deed Record Book 67 at page 436 Witness my hand and the Court Seal this 28th

day of June, 1968
Eileen Harvey
Circuit Clerk and Recorder
By Bonnie M. Roach Deputy Clerk