

ORDINANCE NO. 891

AN ORDINANCE VACATING A PART OF WHEELER STREET AND A PART OF SOUTH NEBO STREET AS PER THE R&A 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 17th day of July, 1968, requesting the City Commission to vacate a part of Wheeler Street and a part of South Nebo Street, as hereinafter described as designated on R&A Plat to the City of Eureka Springs, Arkansas, as appearing of 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 streets in question, described as follows, to-wit:

All that part of Wheeler Street that lies between, abutts and adjoins Lots 16 and 17, Block 163, and Lots 20 and 21, Block 164.

And all that part of South Nebo Street between Owl Street (South side) and Eagle Street (North side).

All of the above being as per the R&A Survey to the City of Eureka Springs, Arkansas.

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 property owners abutting upon the portion of said streets to be vacated have filed their written consent to the closing of said streets with the City Commission; and that the public interest and welfare will not be adversely effected by the abandonment of the above described parts of Wheeler Street and South Nebo Street.

WHEREAS, the petition to vacate and abandon the above described part of Wheeler Street and part of South Nebo Street was filed by Charles W. Burnside and Ethel R. Burnside, 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 that part of Wheeler Street and that part of South Nebo Street described as follows:

All that part of Wheeler Street that lies between, abutts and adjoins Lots 16 and 17, Block 163, and Lots 20 and 21, Block 164.

And all that part of South Nebo Street between Owl Street (South side) and Eagle Street (North side).

All of the above being as per the R&A 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 6th day of August, 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. 891 as same appears in the Ordinance Book No. at Page 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 6th day of August, 1968.

Albert Harp
City Clerk