

ORDINANCE NO. 896

AN ORDINANCE VACATING ALLEYS IN BLOCK 53, 54, AND 59 AND A PORTION OF THE ALLEY IN BLOCK 52, CLAYTON OR EUREKA IMPROVEMENT COMPANY 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 Fuller Avenue, a part of Main Avenue, a part of Adams Street, and certain unnamed alleys, as hereinafter described as designated on Clayton or Eureka Improvement Company Survey 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 and at an adjourned meeting held on September 18, 1968, heard all persons desiring to be heard on the question, and has ascertained that the alleys in question, described as follows, to-wit:

The alley between Lots 1 to 4, inclusive, and Lots 5 to 8, inclusive, in each of the following Blocks 53, 54, and 59, inclusive; and all that part of the alley running through the middle of Block 52 that lies East or Northeast of road (as presently located) which cuts across Block 52. All of the above being as per the Clayton or Eureka Improvement Company 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 the petitioners, Werner C. Jarchow and Mildred W. Jarchow, are the only abutting owners upon the portion of said alleys to be vacated; that the public interest and welfare will not be adversely effected by the abandonment of the above described alleys.

WHEREAS, the petition to vacate and abandon the above described alleys was filed by Werner C. Jarchow and Mildred W. Jarchow, 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 the alleys described as follows:

The alley between Lots 1 to 4, inclusive, and Lots 5 to 8, inclusive, in each of the following Block 53, 54, and 59, inclusive; and that part of the alley running through the middle of Block 52 that lies East or Northeast of road (as presently located) which cuts across Block 52.

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 25 day of September, 1968.

BY Charles B. Freeman  
Mayor

ATTEST:

Albert Harp  
City Clerk

CERTIFICATE

STATE OF ARKANSAS  
COUNTY OF CARROLL  
CITY OF EUREKA SPRINGS

ss.  
I

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. \_\_\_\_\_ 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 \_\_\_\_\_ day of September, 1968.

Albert Harp  
City Clerk