

ORDINANCE NO. 899

AN ORDINANCE VACATING THE CUL-DE-SACS AT THE END OF RICHARD CIRCLE, ELM CIRCLE, AND CHARLES CIRCLE, RESPECTIVELY, ALL LOCATED IN THE PINES SUBDIVISION 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 13<sup>th</sup> day of November, 1968, requesting the City Commission to vacate the cul-de-sacs at the end of Richard Circle, Elm Circle, Oakridge Circle, and Charles Circle, respectively, all being located in The Pines Subdivision to the City of Eureka Springs, Arkansas, and shown, described, and designated on the plat of The Pines Subdivision to the City of Eureka Springs, Arkansas, as appearing of record in Plat Book A at Page \_\_\_ in the Office of the Circuit Clerk and Ex-Officio Recorder in and for the Western District of Carroll County, Arkansas, and

WHEREAS, after due notices as required by law, the City Commission has at the time and place mentioned in the notices and at this adjourned meeting heard all persons desiring to be heard on the question and has ascertained that the hereinafter described cul-de-sacs 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 petitioner, Joyce Davis Harvey, is the only abutting property owner upon the hereinafter described cul-de-sacs; and that the public interest and welfare will not be adversely affected by the abandonment of the hereinafter described cul-de-sacs, and

WHEREAS, the Petition to vacate and abandon the hereinafter described cul-de-sacs was filed in the time and in the manner required by law,

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

SECTION I: 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 cul-de-sacs designated as follows:

Cul-de-sac at the end of Richard Circle, more particularly described as beginning at the NE corner of Lot 3, Block 9, thence NWly 40 feet to the SE corner of Lot 7, Block 9, thence along the circumference of a circle having a radius of 35 feet for a distance of 177.34 feet to the point of beginning. Circumference of said circle being the street

line of Lots 4, 5, and 6, Block 9.

Cul-de-sac at the end of Elm Circle, more particularly described as beginning at the NW corner of Lot 10, Block 10; thence SWly 40 feet to a point; said point being N. 22 degrees 15 minutes W. 50 feet from the SE corner of Lot 7, Block 10; thence along the circumference of a circle having a radius of 35 feet for a distance of 177.34 feet to the point of beginning. Circumference of said circle being the street line of Lots 7, 8, and 9, Block 10.

Cul-de-sac at the end of Charles Circle, more particularly described as beginning at the SW corner of Lot 7, Block 11; thence NWly to the SW corner of Lot 4, Block 11; thence along the circumference of a circle having a radius of 35 feet for a distance of 177.34 feet to the point of beginning. Circumference of said circle being the street line of Lots 4, 5, 6, and 7, Block 11.

SECTION II: A copy of the Ordinance, duly certified by the City Clerk, shall be filed in the Office of the Circuit Clerk and Ex-Officio Recorder of the Western District, Carroll County, Arkansas, and recorded in the Deed Records of the Western District, Carroll County, Arkansas.

SECTION III: That the Mayor and the City Clerk of the City of Eureka Springs, Arkansas, are hereby authorized to execute a Quitclaim Deed to Joyce Davis Harvey to the three cul-de-sacs described in Section I, in order to convey and release any possible interest that the City of Eureka Springs might have in said cul-de-sacs as a possible abutting property owner.

SECTION IV: This Ordinance shall take effect and be in force from and after its passage.

PASSED AND APPROVED THIS 12 DAY OF DECEMBER, 1968.

BY Charles B. Freeman  
Mayor

ATTEST:

Albert Harp  
City Clerk

CERTIFICATE

STATE OF ARKANSAS            *ss.*  
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. 899 as same appears in the Ordinance Book No. 3 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 12 day of December, 1968.

Albert Harp  
City Clerk