

ORDINANCE NO. 945

AN ORDINANCE VACATING A PART OF PATTON ALLEY AS PER THE R & A SURVEY TO THE CITY OF EUREKA SPRINGS, ARKANSAS.

WHEREAS, a petition was duly filed with the City Council of the City of Eureka Springs, Arkansas, on the 3rd day of August, 1972, requesting the City Council to vacate a part of Patton Alley as hereinafter described as designated on the 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 Ex-Officio Recorder in and for the Western District, Carroll County, Arkansas.

WHEREAS, after due notices as required by law, the City Council 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 alley in question, described as follows, to-wit:

All that portion of Patton Alley abutting, adjoining and lying between Lots 22 and 23, Block 131, R & A 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 the petitioners, Wayne L. Brashear and Paula S. Brashear, are the sole property owners abutting upon the portion of said alley to be vacated, and that the public interest and welfare will not be adversely effected by the abandonment of the above described alley.

WHEREAS, the petition to vacate and abandon the above described Patton alley was filed by Wayne L. Brashear and Paula S. Brashear, in the time and in the manner as required by law.

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

SECTION I. That the City Council 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 part of Patton alley described as follows:

All that portion of Patton Alley abutting, adjoining and lying between Lots 22 and 23, Block 131, 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 5th day of October, 1972.

BY Fred L. Craft Mayor

ATTEST:

Katherine Green City Clerk

CERTIFICATE

STATE OF ARKANSAS)
COUNTY OF CARROLL) SS.
CITY OF EUREKA SPRINGS)

I, Kay Green, the duly appointed, elected and qualified City Clerk 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 _____, 1972.

Katherine Green City Clerk