

ORDINANCE NO. 985

AN ORDINANCE APPROVING AND ACCEPTING THE ASSIGNMENT OF THE EXCLUSIVE FRANCHISE AND AGREEMENT PROVIDING FOR THE COLLECTION OF REFUSE, TRASH, GARBAGE AND OFFAL WITHIN THE CORPORATE LIMITS OF THE CITY OF EUREKA SPRINGS, ARKANSAS, AND AMENDING ORDINANCE NO. 979, PURSUANT TO SECTION 6 THEREOF.

BE IT ORDAINED BY THE CITY COUNCIL OF EUREKA SPRINGS, ARKANSAS, that the "Assignment of Franchise" from Herbert H. Fryar, Assignor, to Cumy Ann Knight, Assignee, hereinafter set forth in its entirety, is hereby approved and accepted, and that Ordinance No. 979 is hereby amended, pursuant to Section 6 thereof.

ASSIGNMENT OF FRANCHISE

For value received, I, HERBERT H. FRYAR, d/b/a FRYAR SANITATION, ASSIGNOR, do hereby sell and assign unto CUMY ANN KNIGHT, d/b/a FRYAR SANITATION, ASSIGNEE, all my rights and interests in and to that certain EXCLUSIVE FRANCHISE AND AGREEMENT dated March 22, 1975, wherein I am designated as the FRANCHISEE and THE CITY OF EUREKA SPRINGS, ARKANSAS is designated as the FRANCHISING AUTHORITY.

This Assignment is conditioned on the prior consent of said FRANCHISING AUTHORITY, pursuant to Section 6 of Ordinance No. 979 of the City of Eureka Springs, Arkansas, and shall be deemed to be enforceable and in full force and effect upon the passage, approval and publication of a proper amendment to said Ordinance No. 979.

This Assignment is further conditioned on ASSIGNEE providing said FRANCHISING AUTHORITY with a Five Thousand and no/100 Dollars (\$5,000.00) signature performance bond, payable to the City of Eureka Springs, Arkansas, guaranteeing good and faithful performance of the duties of said ASSIGNEE set forth in said EXCLUSIVE FRANCHISE AND AGREEMENT and in said Ordinance No. 979.

WITNESS MY HAND on this 1st day of February, 1976.

  
HERBERT H. FRYAR, d/b/a  
FRYAR SANITATION

ACCEPTANCE OF ASSIGNEE

The undersigned ASSIGNEE of said EXCLUSIVE FRANCHISE AND AGREEMENT hereby approves, accepts and agrees to perform the same, subject to all terms, covenants and conditions thereof.

Cumy Ann Knight  
CUMY ANN KNIGHT, d/b/a  
FRYAR SANITATION

PASSED AND ORDAINED BY THE CITY COUNCIL OF EUREKA SPRINGS, ARKANSAS OF THIS 7TH DAY OF FEBRUARY, 1976.

APPROVED:

W. A. Hill  
W. A. HILL, MAYOR

(SEAL)

ATTEST:

June I. Moncravie  
JUNE I. MONCRAVIE, CITY CLERK

EMERGENCY DECLARED

The City Council of Eureka Springs, Arkansas has found, and hereby declares, an emergency to exist, wherein it is essential to the health, safety and welfare of the citizenry that Ordinance No. 995 should take immediate effect upon its publication according to law.

PASSED BY THE CITY COUNCIL OF EUREKA SPRINGS, ARKANSAS ON THIS 7TH DAY OF FEBRUARY, 1976.

APPROVED:

W. A. Hill  
W. A. HILL, MAYOR

(SEAL)

ATTEST:

June I. Moncravie  
JUNE I. MONCRAVIE, CITY CLERK