

ORDINANCE NO. 999

AN ORDINANCE VACATING PORTIONS OF MOUND STREET, SOUTH NEBO STREET, AND OWL STREET AS SHOWN ON THE R&A PLAT OF THE CITY OF EUREKA SPRINGS, ARKANSAS.

WHEREAS, a petition was duly filed with the City Council of the City of Eureka Springs, Arkansas, requesting that the following streets and portions of streets be vacated by the City Council of the City of Eureka Springs, Arkansas, to-wit:

All of Mound Street which lies between Block 160 and Block 161, that portion of South Nebo Street which lies between Lots 21 and 22 of Block 161, and that portion of South Nebo Street which lies between Lots 21 and 22 of Block 162; and that part of Owl Street lying southeast of Lots 14, 15, 16, 17, 18, and the northeast 20 feet of Lot 19, all in Block 162, and all as shown on the R&A Survey of the City of Eureka Springs, Arkansas.

AND WHEREAS, after due notices, as required by law, the Council has, at the time and place mentioned in the notice, heard all persons desiring to be heard on the question and has ascertained that the above described portions of Mound Street, South Nebo Street, and Owl Street have heretofore been dedicated to the public use as streets; have not been actually used by the public generally for a period of at least five (5) years, subsequent to the filing of the plat; that petitioners are owners of property abutting the portions of Mound Street, South Nebo Street, and Owl Street to be vacated; that all other owners of property adjoining and abutting the above referenced streets have consented in writing to the vacation of said portions of streets; that public interest and welfare will not be adversely affected by the abandonment of the above described portions of said streets.

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

SECTION I: That, the City Council of the City of Eureka Springs, Arkansas, does hereby vacate, release and abandon all its rights, together with the rights

of the public generally in and to the streets and portions of streets described as follows:

All of Mound Street which lies between Block 160 and Block 161, that portion of South Nebo Street which lies between Lots 21 and 22 of Block 161, and that portion of South Nebo Street which lies between Lots 21 and 22 of Block 162, that part of Owl Street lying southeast of Lots 14, 15, 16, 17, 18, and the northeast 20 feet of Lot 19, all in Block 162, and all as shown on the R&A Survey of the City of Eureka Springs, Arkansas.

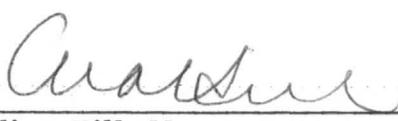
SECTION II: The streets so vacated, released and abandoned, shall revert to the adjoining landowners as their interest may appear by extending their property lines to the center of said streets.

SECTION III: 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 said county.

SECTION IV: It being immediately necessary for the preservation of the peace, health and safety of the inhabitants of the City of Eureka Springs that the provisions of this Ordinance be put in full force and effect, an emergency is hereby declared to exist, and this Ordinance shall be in full force and take effect from and after its passage, approval and publication.

PASSED AND APPROVED this 1st day of May, 1976.

APPROVED:



William Hill, Mayor

ATTEST:



June Moncravie, City Clerk