

**ORDINANCE NO. 2246**

**AN ORDINANCE VACATING A PORTION OF HICKORY STREET  
EXCHANGING A PORTION THEREOF FOR CERTAIN REAL PROPERTY OF  
THE ADJOINING LAND OWNER**

**WHEREAS**, the City Council of Eureka Springs, Arkansas, has reviewed the Petition of the adjoining landowner, James (Jim) Girkin to vacate the area defined by the following legal description:

A Part of Hickory Street, Riley and Armstrong Survey of the City of Eureka Springs, Arkansas, and being more particularly described as follows: Commencing at the Southeast Corner of Lot 6 Block 211, West side of Hickory Street of said Riley and Armstrong Survey for the Point of Beginning; thence S 70 Degrees 25 Minutes 45 Seconds E 30.22 Feet to the Southwest Corner of Lot 6, Block 211, East side of Hickory Street; Thence S 12 Degrees 34 Minutes 29 Seconds W 201.24 Feet to the Southwest Corner of Lot 1, Block 211, East side of Hickory Street; Thence N 70 Degrees 25 Minutes 45 Seconds W 30.22 Feet to the Southeast Corner of Lot 1, Block 211, West side of Hickory Street; Thence N 12 Degrees 34 Minutes 33 Second E 201.24 Feet to the Point of Beginning, containing 0.139 Acres, more or less.

And whereas Section 14-54-104(2) of the Arkansas Code Annotated allows the City Council to vacate certain streets

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

**Section 1.** That the section described above is hereby vacated and title is hereby vested in fee simple by Quit Claim Deed in the adjoining landowner, James (Jim) Girkin in exchange for the area defined by the following legal description:

A Part of Lot 6, Block 211, lying East of Hickory Street, Riley and Armstrong Survey of the City of Eureka Springs, Arkansas, and being more particularly described as follows: Commencing at the Northwest Corner of said Lot 6 for the Point of Beginning; thence S 58 Degrees 25 Minutes 10 Seconds E 28.61 Feet; thence S 16 Degrees 31 Minutes 57 Seconds W 24.51 Feet; Thence N 70 Degrees 25 Minutes 45 Seconds W 25.55 Feet; Thence N 12 Degrees 34 Minutes 29 Seconds E 30.65 Feet to the Point of Beginning, containing 0.017Acres, more or less, and all of lot 6, Block 211, lying West of Hickory Street, Riley and Armstrong Survey of the City of Eureka Springs, Arkansas, and being more particularly described as follows: Commencing at the North Corner of said Lot 6 for the Point of Beginning; Thence S12 Degrees 34 Minutes 33 Seconds W 56.94 Feet; thence N 70 Degrees 25 Minutes 45 Seconds W 14.91 Feet; thence N 27 Degrees 36 Minutes 7 Seconds E 57.08 Feet to the Point of Beginning, Containing 0.010 Acres, more or less.

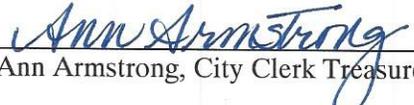
**Section 2.** That the normal fee associated with the vacation of city streets in the Armstrong and Riley Survey is hereby waived as a result of the exchange of property.

**Section 3.** That the real property received from Mr. Girkin shall be joined with the area of Hickory Street defined by the following legal description and placed under the control of the Parks Department as Green Space as otherwise defined by City Code.

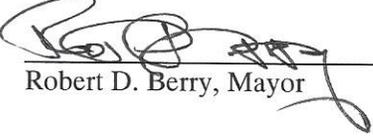
A Part of Hickory Street, Riley and Armstrong Survey of the City of Eureka Springs, Arkansas, and being more particularly described as follows: Commencing at the North Corner of Lot 6, Block 211 lying West of Hickory Street for the Point of Beginning; thence S 32 Degrees 26 Minutes 52 Seconds E 42.40 Feet to the Northwest Corner of Lot 6, Block 211, Lying East of Hickory Street; Thence along the West line of said Lot 6, being the East line of Hickory Street, S 12 Degrees 34 Minutes 29 Seconds W 30.65 Feet; Thence N 70 Degrees 25 Minutes 45 Seconds W 30.22 Feet to the West Line of Hickory Street; Thence along the West Line of Hickory Street N 12 Degrees 34 Minutes 33 Seconds E 56.94 Feet to the Point of Beginning, containing 0.030 Acres, more or less.

**PASSED AND ORDAINED BY THE CITY COUNCIL OF THE CITY OF EUREKA SPRINGS, ARKANSAS, ON THIS 12<sup>th</sup> DAY OF SEPTEMBER, 2016**

**ATTEST:**

  
Ann Armstrong, City Clerk Treasurer

**APPROVED:**

  
Robert D. Berry, Mayor

All present voted "Aye" – Terry McClung, Kristi Kendrick, James DeVito, David Mitchell, Mickey Schneider, and Bob Thomas