

ORDINANCE NO. 2122

AN ORDINANCE TO REZONE PROPERTY FROM R-1, VICTORIAN RESIDENTIAL, TO C-1 VICTORIAN COMMERCIAL

WHEREAS, the City Council of the City of Eureka Springs, Arkansas, has determined that it is in the best interest of the City to rezone the following described property from R-1, Victorian Residential, to C-1, Victorian Commercial:

All of Lot 6 and 7 Block 10, Bays or Magnetic Forty Survey of the City of Eureka Springs, Carroll County, Arkansas, More Particularly described as follows; beginning at the Northeast corner of said Lot 6, Thence S 05 02 58 E 73.59 feet to the Southeast corner of said Lot 6, Thence S 78 32 07 W 21.53 feet, Thence S 78 37 57 W 58.96 feet to the Southwest corner of said Lot 7, Thence N 05 02 58 W 130.83 feet to the Northwest Corner of said Lot 7, Thence S 51 20 55 E 57.45 feet, Thence S 82 22 21 E 39.43 feet to the point of beginning and containing 0.17 acres and subject to existing easements and road right of ways.

NOW, THEREFORE, BE IT HEREBY ORDAINED:

Section 1. That the zoning on the property described above, owned by Pat and Jay Fitzsimmons, known as part of 275 N. Main, Eureka Springs, Arkansas, should be changed from R-1, Victorian Residential, to C-1, Victorian Commercial.

Section 2. All ordinances or resolutions, and parts thereof, in conflict herewith are hereby repealed to the extent of such conflict.

Section 3. In the event any one or more of the provisions contained in this ordinance shall for any reason be held by a court of law to be invalid, illegal or unenforceable in any respect, such invalidity, illegality or unenforceability shall not affect the remaining provisions of this ordinance, and this ordinance shall be construed as if such invalid, illegal or unenforceable provision or provisions had never been contained herein.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF EUREKA SPRINGS, ARKANSAS, THIS 28th DAY OF JUNE, 2010.

APPROVED:

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Mayor Dani D. Joy

ATTEST:

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Mary Jean Sell, City Clerk-Treasurer

