

AGREEMENT

This agreement is entered into on this date by and between **Orthapedic Park Building Partnership** hereinafter referred to as "party of the first part" and the **City of Jonesboro, MATA Department**, hereinafter referred to as "party of the second part."

WITNESSETH:

The party of the first part is the owner of certain property at 1000 East Matthews Avenue, Jonesboro, Arkansas, Parcel Number 12.

The party of the second part is in the process of improving East Matthews Avenue.

The party of the second part has agreed to the following requests made by the party of the first part.

1. Total sum of \$ 6,097.00 is to be paid in following amounts.
2. Dennis W. Luter to be paid \$ 2,438.80
3. James L. Schrantz to be paid \$ 2,438.80
4. William D. Phillips to be paid \$ 1,219.40

This agreement is executed on this the 1st day of September, 2000

[Signature]
Orthapedic Park Building Partnership

[Signature]
OFFICIAL SEAL
J. HARRY HARDWICK
NOTARY PUBLIC-ARKANSAS
CRAIGHEAD COUNTY
MY COMMISSION EXPIRES: 02-14-2010

CITY OF JONESBORO, MATA DEPT.

BY: *[Signature]*
DIRECTOR - MATA

FILED
DATE 10/3/01
DONNA K. JACKSON
CITY CLERK

MISC BOOK 43 PAGE 629
DATE 10/12/2001
TIME 04:49:12 PM
RECORDED IN,
OFFICIAL RECORDS OF
CRAIGHEAD COUNTY
ANN HUDSON
CIRCUIT CLERK
Deborah Weaver, D.C.
RECEIPT# 72471

RIGHT-OF-WAY

Whereas, **Orthopedic Park Building Partnership** is the owner of land in Craighead County, Arkansas described below, and the City of Jonesboro, a municipal corporation of the State of Arkansas, is the owner of adjoining land:

Whereas, **Orthopedic Park Building Partnership**, and city have agreed upon a right-of-way for construction and maintenance of a street across the land of **Orthopedic Park Building Partnership**, in favor of city and in favor of the land of the city:

Now, Therefore, be it agreed between **Orthopedic Park Building Partnership**, and city on this *1st* day of *Sept*, 2000

1. **Orthopedic Park Building Partnership**, in consideration of the agreement hereinafter made by city, grants to city a right-of-way for construction and maintenance of a street over the land of **Orthopedic Park Building Partnership**, in City of Jonesboro, Craighead County, Arkansas, more particularly described as follows:

PART OF THE SOUTHWEST QUARTER OF SECTION 17, TOWNSHIP 14 NORTH, RANGE 4 EAST, CRAIGHEAD COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

PERMANENT RIGHT-OF-WAY

BEGINNING AT THE SOUTHEAST CORNER OF LOT 1, ACCORDING TO THE PLAT OF SCHRANTZ'S SECOND REPLAT OF LOT 1 OF SCJRANTZ'S REPLAT AND THE EAST 50 FEET OF THE SOUTH HALF OF BLOCK 25 OF PATRICK'S THIRD ADDITION, JONESBORO, ARKANSAS, AS RECORDED IN BOOK "B", AT PAGE 80, IN AND FOR THE PUBLIC RECORDS OF CRAIGHEAD COUNTY, AT JONESBORO, ARKANSAS; THENCE SOUTH $89^{\circ}29'40''$ WEST, ALONG THE SOUTH LINE OF SAID LOT 1, A DISTANCE OF 352.50 FEET TO A POINT, SAID POINT BEING THE SOUTHWEST CORNER OF SAID LOT 1; THENCE NORTH $00^{\circ}51'52''$ EAST, ALONG THE WEST LINE OF SAID LOT 1, A DISTANCE OF 1.27 FEET TO A POINT LYING ON THE PROPOSED NORTHERLY RIGHT-OF-WAY LINE OF EAST MATTHEWS AVENUE (33.5' HALF RIGHT-OF-WAY); THENCE NORTH $89^{\circ}02'30''$ EAST, ALONG SAID PROPOSED NORTHERLY RIGHT-OF-WAY LINE, A DISTANCE OF 352.58 FEET TO A POINT LYING ON THE EAST LINE OF SAID LOT 1; THENCE SOUTH $00^{\circ}51'52''$ WEST, ALONG THE EAST LINE OF SAID LOT 1 AND DEPARTING FROM SAID PROPOSED NORTHERLY RIGHT-OF-WAY LINE, A DISTANCE OF 4.06 FEET TO THE POINT OF BEGINNING.

CONTAINING IN ALL 938 SQ.FT. OR 0.022 ACRES, MORE OR LESS

SUBJECT TO EASEMENTS, RESTRICTIONS, RESERVATIONS AND RIGHTS-OF-WAY OF RECORD.

2. Orthopedic Park Building Partnership, warrants the right-of-way against anyone claiming it or in any manner preventing free and unobstructed use of it by city.

3. City, in consideration of the grant of right-of-way aforesaid, agrees to construct, maintain and improve the property through the use as is set forth herein.

4. This agreement shall inure to and bind the heirs, executors, administrators, successors and assigns of the parties and shall constitute a covenant running with the land of Orthopedic Park Building Partnership.

x W.D. Phillips
Orthopedic Park Building Partnership
By: William D Phillips
Title: PRESIDENT / PARTNER

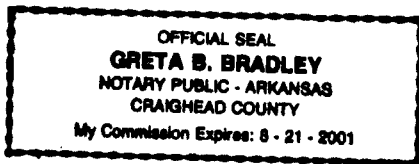
DEED BOOK 597 PAGE 230 - 231
DATE 10/09/2000
TIME 09:02:42 AM
RECORDED IN,
OFFICIAL RECORDS OF
CRAIGHEAD COUNTY
ANN HUDSON
CIRCUIT CLERK
Shanna Vickers, D.C.
RECEIPT# 53053

STATE OF ARKANSAS
COUNTY OF Craighead

ACKNOWLEDGMENT

On this day before me, the undersigned officer, personally appeared Orthopedic Park Building Partnership, by: William D Phillips, Title: Pres/Partner to me well known to be the persons whose names are subscribed to the foregoing instrument, and acknowledged that they had executed the same for the purposes therein stated and set forth.

WITNESS my hand and seal this 1 day of September, 2000.



Greta B. Bradley
NOTARY PUBLIC