

AGREEMENT

This agreement is entered into on this date by and between the **Division of Developmental Disabilities Services** 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 2801 Fox Meadow Lane, Jonesboro, Arkansas, PT of S 1/2 of NW 1/4 Section 4 Township 13 North, Range 4 East.

The party of the second part is in the process of improving Fox Meadow Lane.

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

- Total of \$25,000 for parcel B, C, D, G.
- Restoration at City of Jonesboro's expense of any property damage resultant from road/drainage construction.
- Restoration, at City of Jonesboro's expense, any interruption of utilities to Jonesboro Human Development Center campus.

The above said agreed amount to be paid shall be free and clear of any and all encumbrance with the exception of none.

This agreement is executed on this the 16th day of July, 2004.

Kay E. Barnes
Division of Developmental Disabilities Chairperson
(AR Dept. of Mental Retardation)

CITY OF JONESBORO, MATA DEPARTMENT

BY: [Signature]
DEED DIRECTOR PAGE 245
DATE 01/19/2005
TIME 03:49:29 AM
RECORDED IN
OFFICIAL RECORDS OF
CRAIGHEAD COUNTY
ANN HUDSON
CIRCUIT CLERK
[Signature], D.C.
RECEIPT# 130783

SUBSCRIBED AND SWORN TO BEFORE ME ON THIS 16th DAY OF July, 2004.

Theresia Diane Keith
Notary Public

SEAL



2801 Fox Meadow Lane
 Jonesboro, AR 72404
 Parcel #D
 Right-of-Way

Whereas, State of Arkansas – Arkansas Department of Human Services, Division of Developmental Disabilities Services, (formerly the Arkansas Department of Mental Retardation), are the owners 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, State of Arkansas – DHS/DDS, and city have agreed upon a right-of-way and a drainage easement for construction and maintenance of a street across the land of the State of Arkansas – DHS/DDS, in favor of city and in favor of the land of city.

Now, therefore, be it agreed between State of Arkansas – DHS/DDS, and city on 16th day of July, 2004.

1. State of Arkansas – DHS/DDS, in consideration of the agreement hereinafter made by city, grants to city a right-of-way and a drainage easement for construction and maintenance of a street over the land State of Arkansas – DHS/DDS, in City of Jonesboro, Craighead County, Arkansas, or particularly described as follows:

RIGHT OF WAY DEDICATION

A PART OF THE SOUTH HALF OF THE NORTHWEST QUARTER OF SECTION 4, TOWNSHIP 13 NORTH, RANGE 4 EAST IN CRAIGHEAD COUNTY, ARKANSAS, MORE PARTICULARLY DESCRIBED AS FOLLOWS;

COMMENCING AT THE NORTHEAST CORNER OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 4, THENCE S89°24'W 81.28 FEET ALONG THE NORTH LINE OF THE SOUTH HALF OF THE NORTHWEST QUARTER TO THE WEST RIGHT OF WAY LINE OF HWY 1; THENCE S00°24'E 27.30 FEET TO THE POINT OF BEGINNING

THENCE S00°22'E 3.50 FEET ALONG THE WEST RIGHT OF WAY LINE OF HWY 1; THENCE N89°14'W 384.46 FEET; THENCE N89°09'W 154.40 FEET; THENCE N89°37'W 295.00 FEET; THENCE S89°14'W 200.68 FEET; THENCE S89°14'W 294.53 FEET; THENCE S88°45'W 14.84 FEET; THENCE N00°22'W 3.50 FEET; THENCE N88°45'E 14.76 FEET; THENCE N89°14'E 294.53 FEET; THENCE N89°41' 200.68 FEET; THENCE S89°37'E 295.00 FEET; THENCE S89°09'E 154.40 FEET; THENCE S89°14'E 384.39 FEET TO THE POINT OF BEGINNING; CONTAINING (4,703 SQ.FT.) 0.11 ACRES, MORE OR LESS, BEING SUBJECT TO ANY EASEMENT OF RECORD.

AND,

26.5 FEET PERMANENT DRAINAGE EASMENT

A 26.5 FEET WIDE STRIP OF LAND PARRALLEL AND ADJACENT TO THE SOUTH LINE OF AFORESAID DESCRIBED RIGHT OF WAY DEDICATION AS SHOWN BY PLAT OF SURVEY HEREON

10 FEET TEMPORARY CONSTRUCTION EASMENT

A 10.0 FEET WIDE STRIP OF LAND PARALLEL AND ADJACENT TO THE SOUTH LINE OF DESCRIBED 26.5 FEET PERMANENT DRAINAGE EASEMENT AS SHOWN BY PLAT OF SURVEY HEREON, TO BE RELINQUISHED UPON COMPLETION AND ACCEPTANCE OF THE CONSTRUCTED IMPROVEMENTS BY THE CITY.

2. State of Arkansas – DHS/DDS, warrants the right of way and a drainage easement 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 and a drainage easement 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 State of Arkansas – DHS/DDS.

Kay E. Barnes
Division of Developmental Disabilities
Board Chairperson

STATE OF ARKANSAS
COUNTY OF Craighead

ACKNOWLEDGMENT

On this day before me, the undersigned officer, personally appeared State of Arkansas – DHS/DDS, to me well known to be the person whose name is subscribed to the foregoing instrument and acknowledged that he had executed the same for the purposes therein stated and set forth.

WITNESS my hand and seal this 16th day of July, 2004.

Theresa Diane Keith
NOTARY PUBLIC



- DEED BOOK 689 PAGE 246 - 247
DATE 01/19/2005
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