

**TEMPORARY CONSTRUCTION EASEMENT**

**KNOW ALL MEN BY THESE PRESENTS:**

For good and valuable consideration, the receipt of which is hereby acknowledged, the City of Jonesboro, Arkansas ("Grantor") does hereby grant, sell, and convey unto Turtle Creek Partners, LLC, its successors and assigns ("Grantee") a nonexclusive easement and right-of-entry over and across the following land lying in Jonesboro, Craighead County, Arkansas described on Exhibit "A" which is attached to this Easement and made a part of this Easement.

This Easement is for the purpose of commencing the construction, laying, placement, operation, use, repair, relocation, removal or abandonment of drainage structures, utilities, detention facilities, berms, and such other improvements as may be necessary for the purpose of construction roadways, drainage ditches, detention facilities, and greenways.

This Easement also includes the right of ingress and egress over, to, and across the above property described in Exhibit "A".

This Easement shall be temporary in nature and shall terminate upon completion of the construction of all improvements on the land described in Exhibit "A".

This Easement and covenant shall run with the ownership of the land described and shall bind not only the parties hereto but their successors and assigns until such time as the Easement has terminated.

**IN TESTIMONY WHEREOF**, this instrument has been executed by its Mayor and City Clerk on this

\_\_\_\_\_ day of October 2004.

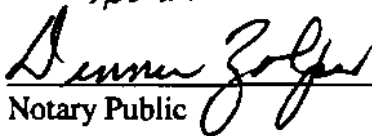
\_\_\_\_\_

STATE OF ARKANSAS

COUNTY OF CRAIGHEAD

On this day before me personally appeared Hubert Brodell and Donna Jackson to me personally well known, who acknowledges that they are the Mayor and City Clerk of the City of Jonesboro and that they as Mayor and City Clerk are authorized to execute the foregoing instrument for the purposes therein contained, by signing the name of the City of Jonesboro by themselves as Mayor and City Clerk.

WITNESS my hand and seal on this 2 day of ~~October~~ 2004.

*November*  
  
\_\_\_\_\_  
Notary Public

My commission expires:

5-7-2010

This instrument prepared by:  
Dennis Zolper, Attorney  
2400 E. Highland Dr., Suite 5000  
Jonesboro, Ar. 72401  
932-1400

Lot 16 in Block F of Belle Meade Addition to the City of Jonesboro, Arkansas, as shown by Plat in Deed Record 123 Page 154 at Jonesboro, Arkansas, subject to Bill of Assurance in Deed Record 151 Page 181 and Amendments thereto recorded in Deed Record 151 Page 608 in Deed Record 233 Page 58 and to easements as shown on Recorded Plat; and,

Lot 7 in Block B of Viking Addition to the City of Jonesboro, Arkansas, as shown by Plat of Record in Deed Record 123 at Page 110, subject to Bill of Assurance of Record in Deed Record 146 at Page 431 and Deed Record 240 Page 416 and to 10 foot utility easement across West end of Lot and to 5 foot easement across southerly side of Lot as shown by easement in Deed Record 146 at Page 431 and to 10 foot easement in favor of Arkansas Louisiana Gas Company along West side of Lot as shown by instrument recorded in Deed Record 164 at Page 49, subject to existing easements, building lines, restrictions, and assessments of record, if any; and,

Lot 1 in Block B of Viking Addition to the City of Jonesboro, Arkansas, as shown by recorded Plat in Deed Record 123 Page 110, subject to Bill of Assurance in Deed Record 146 Page 431 at Jonesboro, Arkansas, and to a 10 foot utility easement across the West end of Lot; and,

Lot 2 in Block B of Viking Addition to the City of Jonesboro, Arkansas as shown by recorded Plat in Deed Record 123 Page 110, subject of Bill of Assurance in Deed Record 146 at Page 431, and to easement of Arkansas Louisiana Gas Company in Deed Record 164 at Page 49, which is included in 10 foot utility easement across the West end of Lot as shown by recorded Plat; and,

Lot 3 in Block B of Viking Addition to the City of Jonesboro, Arkansas, as shown by Plat in Deed Record 123 Page 110 at Jonesboro, Arkansas, subject to Bill of Assurance in Deed Record 146 Page 431 and to 10 foot utility easement across West end of Lot and to right-of-way in favor of Arkansas Louisiana Gas Company recorded in Deed Record 164 at Page 49; and,

Lot 4 in Block B of Viking Addition to the City of Jonesboro, Arkansas, as shown by Plat in Deed Record 123 Page 110 at Jonesboro, Arkansas, subject to Bill of Assurance recorded in Deed Record 146 Page 431, and to easements as shown on recorded Plat; and,

Lot 5 in Block B of Viking Addition to the City of Jonesboro, Arkansas, as shown by Plat in Deed Record 123 Page 110 and subject to Bill of Assurance in Deed Record 146 Page 431 and to easements as shown on recorded Plat; and,

Lot 6 in Block B of Viking Addition to the City of Jonesboro, Arkansas, as shown by Plat in Deed Record 123 Page 110, subject to Bill of Assurance in Deed Record 146 Page 431 and to 10 foot utility easement across the West end of Lot; and,

Lot 8 in Block B of Viking Addition to the City of Jonesboro, Arkansas, as shown by Plat in Deed Record 123 Page 110, subject to Bill of Assurance in Deed Record 146 Page 431, and to a 10 foot utility easement across the West end of said Lot, and a 5 foot utility easement along the South side of said Lot in favor of Arkansas Louisiana Gas Company as shown by instrument in Deed Record 164 Page 49; and,

Lot 9 in Block B of Viking Addition to the City of Jonesboro, Arkansas, as shown by Plat in Deed Record 123 Page 110 at Jonesboro, Arkansas, subject to Bill of Assurance in Deed Record 146 Page 431 and subject to 10 foot utility easement across West end of Lot; and,

Lot 10 in Block B of Viking Addition to the City of Jonesboro, Arkansas, as shown by Plat in Deed Record 123 at Page 110, subject to Bill of Assurance in Deed Record 146 at Page 431 and to easements as shown on said Plat, and to right-of-way in favor of Arkansas Louisiana Gas Company recorded in Deed Record 164 Page 49; and,

Lot 11 in Block B of Viking Addition to the City of Jonesboro, Arkansas, as shown by Plat in Deed Record 123 Page 110 at Jonesboro, Arkansas, subject to Bill of Assurance in Deed Record 146 Page 431 and to easements as shown on said Plat; and,

Lot 12 in Block B of Viking Addition to the City of Jonesboro, Arkansas, as shown by Plat in Deed Record 123 Page 110, subject to Bill of Assurance in Deed Record 146 Page 431, and to easements as shown on recorded Plat; and,

DEED BOOK 684 PAGE 489  
Tract 1: Part of the Northwest Quarter of the Northwest Quarter of Section 27, Township 14 North, Range 4 East, Craighead County, Arkansas, more particularly described as follows: Begin at the Northwest corner of Section 27, aforesaid; thence South 00 degrees 04' 44" West along the Section line 281.50 feet to the point of beginning proper; thence continue South 00 degrees 04' 44" West along the Section line, 1033.10 feet to the Southwest corner of the Northwest Quarter of the Northwest Quarter of said Section 27; thence North 88 degrees 52' 54" East, along the 40 acre line, 658.10 feet; thence North 28 degrees 48' 17" West 1177.35 feet; thence South 82 degrees 42' 44" West 90.00 feet to the point of beginning proper; containing 8.93 acres and being subject to a ditch right-of-way easement and a sanitary sewer easement along and across the East side thereof and being subject to a drainage easement along the North side thereof.

AND,

A part of the Northwest Quarter of the Northwest Quarter of Section 27, Township 14 North, Range 4 East, Craighead County, Arkansas, being more particularly described as follows: Begin at the Northwest corner of Section 27, aforesaid; thence South 00 degrees 04' 44" West, along the Section line 84.7 feet to the point of beginning proper; thence continue South 00 degrees 04' 44" West 196.80 feet; thence North 82 degrees 42' 44" East 90.00 feet; thence North 23 degrees 07' 16" West 111.90 feet; thence North 28 degrees 39'

07" West 93.98 feet to the point of beginning proper, subject to a ditch right-of-way easement, a sanitary sewer easement and a 20.00 foot access easement along and across the east side thereof.

DEED BOOK 684 PAGE 494 - 499  
DATE 11/05/2004  
TIME 08:36:28 AM  
RECORDED IN,  
OFFICIAL RECORDS OF  
CRAIGHEAD COUNTY  
ANN HUDSON  
CIRCUIT CLERK  
*Maise Adams*, D.C.  
RECEIPT# 128122