

AGREEMENT

This agreement is entered into on this date by and between Jimmy R. and Gerry Ann Burton 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 320 East Nettleton, Jonesboro, Arkansas, Parcel Number 6.

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

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

1. Construction of retaining wall less than 4' in height of modular block retaining wall.
2. Construction of curb between driveways.
3. Reconstruct driveway to tie to existing.
4. To be paid \$2,238.00

This agreement is executed on this the 24th day of May, 2000

Jimmy R. Burton
Jimmy R. Burton

Gerry Ann Burton
Gerry Ann Burton

OFFICIAL SEAL
J. HARRY HARDWICK
NOTARY PUBLIC-ARKANSAS
CRAIGHEAD COUNTY
MY COMMISSION EXPIRES 02-11-2010
J. Harry Hardwick

CITY OF JONESBORO, MATA DEPT.
BY: *[Signature]*
DIRECTOR - MATA

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

MISC BOOK 43 PAGE 576
DATE 10/12/2001
TIME 04:48:19 PM
RECORDED IN
OFFICIAL RECORDS OF
CRAIGHEAD COUNTY
ANN HUDSON
CIRCUIT CLERK
Deborah Weaver, D.C.
RECEIPT# 72471

320 E Nettleton

6

RIGHT OF WAY

Whereas, **Jimmy R. Burton and Gerry Ann Burton**, 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, **Jimmy R. Burton and Gerry Ann Burton**, and city have agreed upon a right-of-way for construction and maintenance of a street across the land of **Jimmy R. Burton and Gerry Ann Burton**, in favor of city and in favor of the land of city;

Now, Therefore, be it agreed between **Jimmy R. Burton and Gerry Ann Burton**, and city on 27th day of May, ~~2002~~ 2002

1. **Jimmy R. Burton and Gerry Ann Burton**, 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 **Jimmy R. Burton and Gerry Ann Burton**, in City of Jonesboro, Craighead County, Arkansas, or particularly described as follows:

Part of the northeast quarter of Section 19, T14N, R4E, Craighead County, Arkansas, and being part of Lot 10 Block A of E. Steele's Addition to the City of Jonesboro, Arkansas, being more particularly described as follows:

Permanent Right-of-Way

Beginning at the southeast corner of Lot 10 Block A of E. Steele's Addition to the City of Jonesboro, Arkansas, the point of beginning proper; thence S 89° 11' 27" W, 117.05 feet to a point; thence N 00° 30' 39" E, 12.21 feet to a point; thence N 89° 29' 18" E, 117.06 feet to a point; thence S 00° 35' 05" W, 11.60 feet to the point of beginning and containing 0.0319 acres (1392.0 sq. ft.).

Temporary Construction Easement

Commencing at the southeast corner of Lot 10 Block A of E. Steele's Addition to the City of Jonesboro, Arkansas; thence S 89° 11' 27" W, 117.05 feet to a point; thence N 00° 30' 39" E, 12.21 feet to the point of beginning proper; thence N 00° 30' 39" E, 9.00 feet to a point; thence N 89° 29' 18" E, 14.42 feet to a point; thence S 40° 29' 33" E, 11.75 feet to a point; thence S 89° 29' 18" W, 22.13 feet to the point of beginning and containing 0.0037 acres (164.0 sq. ft.).

2. **Jimmy R. Burton and Gerry Ann Burton**, 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 Jimmy R. Burton and Gerry Ann Burton.

Jimmy R. Burton *Gerry Ann Burton*
Jimmy R. Burton and Gerry Ann Burton

STATE OF ARKANSAS
COUNTY OF Craighead

ACKNOWLEDGMENT

On this day before me, the undersigned officer, personally appeared Jimmy R. Burton and Gerry Ann Burton, to me well known to be the person whose name is subscribed to the foregoing instrument, and acknowledged that she had executed the same for the purposes therein stated and set forth.

WITNESS my hand and seal this 24th day of May, 1999. 2000



Wynetta D. Smith
NOTARY PUBLIC

DEED BOOK 592 PAGE 138 - 139
DATE 06/01/2000
TIME 08:15:46 AM
RECORDED IN,
OFFICIAL RECORDS OF
CRAIGHEAD COUNTY
ANN HUDSON
CIRCUIT CLERK
Shannon Vickers, D.C.
RECEIPT# 46346