

AGREEMENT TO CLOSE AND ABANDON ALLEY

WHEREAS, it has been found and determined by the City Council of Jonesboro, Arkansas, a City of the first class, that the South 90 feet of the alley running North and South across Block "F" of the Original Survey of the City of Jonesboro, Arkansas, is not needed for highway purposes and that the welfare of the City of Jonesboro will be enhanced and promoted by the closing and abandoning of said portion of such alley, according to a Resolution of the City Council of the City of Jonesboro, and:

WHEREAS, all adjacent property owners have agreed to the closing and abandoning of such portion of the alley, as well as the several utility companies which have utility lines or facilities in such portion of such alley are agreeable to the closing of such alley subject to the retention of their easement rights:

NOW, THEREFORE, it is hereby agreed and declared by R. H. Wall, Executor of the Estate of Pearl Wall, deceased, and the Washington Land Company (such parties being all of the owners of the property adjacent to the portion of the alley being closed), the Southwestern Bell Telephone Company and the City Water and Light Plant of Jonesboro, Arkansas, a municipal improvement district, and the City of Jonesboro, Arkansas, acting by its Mayor and City Clerk, pursuant to the aforementioned Resolution of the City Council of the City of Jonesboro, that the South 90 feet of the alley which runs North and South across Block "F" of the Original Survey of the City of Jonesboro, Craighead County, Arkansas, is hereby forever closed and abandoned, pursuant to the provisions of Section 19-3817 of the Arkansas Statutes Annotated, subject only to the

retention of utility easements by the Southwestern Bell Telephone Company and the City Water and Light Plant of Jonesboro, Arkansas, and that as a result of such portion of such alley being closed and abandoned legal title to such portion of such alley so closed has vested in the owners of the property adjacent thereto in accordance with the provisions of Section 19-3817 of the Arkansas Statutes Annotated.

IN WITNESS WHEREOF, this Agreement has been executed, in counterparts, by all parties hereto as of September 2, 1969.

/s/ R. H. Wall

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R. H. Wall, Executor of the  
Estate of Pearl Wall, deceased

WASHINGTON LAND COMPANY

By: /s/H. H. McAdams

SOUTHWESTERN BELL TELEPHONE COMPANY

By: /s/ Warren Bray

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Warren Bray  
Vice President for Arkansas

CITY WATER AND LIGHT PLANT OF  
JONESBORO, ARKANSAS

By: /s/ Neal B. Thayer

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Neal Thayer, Manager

CITY OF JONESBORO, ARKANSAS

By: /s/ Neil J. Stallings

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Neil J. Stallings, Mayor

ATTEST:

By: /s/ Phyllis Stringer

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Phyllis Stringer  
City Clerk

ACKNOWLEDGMENT

STATE OF ARKANSAS /  
COUNTY OF CRAIGHEAD /

On this the 8th day of September, 1969, before me, a Notary Public, the undersigned officer, personally appeared R. H. Wall, Executor of the Estate of Pearl Wall, deceased, known to me to be the person described in the foregoing instrument, and acknowledged that he executed the same in the capacity therein stated and for the purposes therein contained.

IN WITNESS WHEREOF, I hereunto set my hand and official seal

(SEAL)  
My Commission Expires:  
Dec. 5, 1970

/s/ Hazel Crider  
Notary Public

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ACKNOWLEDGMENT

STATE OF ARKANSAS, /  
COUNTY OF CRAIGHEAD /

On this the 8th day of September, 1969, before me, a Notary Public, the undersigned officer, personally appeared H. H. McAdams, known to me to be the person whose name is subscribed as Attorney in Fact for Washington Land Company, and acknowledged that he executed the same as the act of his principal for the purposes therein contained.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

(SEAL)  
My Commission Expires:  
Dec. 5, 1970

/s/ Hazel Crider  
Notary Public

ACKNOWLEDGMENT

STATE OF ARKANSAS /  
COUNTY OF PULASKI /

On this the 2nd day of September, 1969, before me, a Notary Public, the undersigned officer, personally appeared Warren Bray, who acknowledged himself to be the Vice President of Arkansas of Southwestern Bell Telephone Company, a corporation, and that he, as such Vice President of Arkansas, being authorized so to do, executed the foregoing instrument for the purposes therein contained, by signing the name of the corporation by himself as Vice President of Arkansas.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

(SEAL)

/s/ Rosetta Chapman  
Notary Public

My Commission Expires:  
4-25-72

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ACKNOWLEDGMENT

STATE OF ARKANSAS /  
COUNTY OF CRAIGHEAD /

On this the 5th day of September, 1969, before me, a Notary Public, the undersigned officer, personally appeared Neal Thayer, who acknowledged himself to be the Manager of City Water and Light Plant of Jonesboro, Arkansas, and that he, as such Manager, being authorized so to do, executed the foregoing instrument for the purposes therein contained, by signing the name of the corporation by himself as Manager.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

/s/ Bessie B. Hodges

Notary Public

(SEAL)

My Commission Expires:

Jan. 5, 1973

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ACKNOWLEDGMENT

STATE OF ARKANSAS /  
COUNTY OF CRAIGHEAD /

On this the 15th day of September, 1969,

before me, a Notary Public, the undersigned officer, personally appeared Neil J. Stallings, Mayor of the City of Jonesboro, Arkansas, known to me to be the person described in the foregoing instrument, and acknowledged that he executed the same in the capacity therein stated and for the purposes therein contained.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

/s/ Hazel Crider

Notary Public

(SEAL)

My Commission Expires:

Dec. 5, 1970

**CERTIFICATE OF RECORD**

**CERTIFIED COPY**

STATE OF ARKANSAS, }  
County of Craighead, } ss.

OPIE CHAMBERS

I, \_\_\_\_\_  
Circuit Court clerk and Ex-Officio Chancery Clerk  
and Recorder, within and for the State and County  
aforesaid, duly commissioned, qualified and acting  
do hereby certify that the foregoing instrument of  
writing is a true and correct and compared copy of  
the original instrument as the same appears of record

in Deed Record Book 176, at page 36

IN WITNESS WHEREOF I hereunto set my hand  
and affix the seal of the said court this 16

day of Sept 19 69.

OPIE CHAMBERS, Clerk

Michael Bennett, D. C.