

AGREEMENT

This agreement is entered into on this date by and between Esther Lea Kitterman 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 315 East Nettleton, Jonesboro, Arkansas, Parcel Number 101.

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. To be compensated in the amount of \$3,566.00
2. To be compensated in the amount of \$900.00 for playground equipment relocation (party of the first part to be responsible for this relocation).
3. Reconstruct existing steps.
4. Reconstruct existing fence with gate.
5. Construct retaining wall of the party of the first parts choice in the following criteria; modular retaining wall, reinforced concrete retaining wall, concrete block retaining wall.
6. Construct driveways in the locations outlined by party of the first part with the following guidelines; maximum driveway width 40 feet with minimum of 17 feet between any two driveways.

This agreement is executed on this the 2 day of March, 2000.

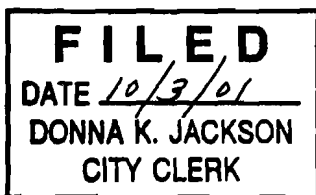
Esther Lea Kitterman
Esther Lea Kitterman



J. Harry Hardwick

CITY OF JONESBORO, MATA DEPT.

BY: *D. Scott*
DIRECTOR - MATA



MISC BOOK 43 PAGE 614
DATE 10/12/2001
TIME 04:48:57 PM
RECORDED IN
OFFICIAL RECORDS OF
CRAIGHEAD COUNTY
ANN HUDSON
CIRCUIT CLERK
Deborah Weaver, D.C.
RECEIPT# 72471

315 Kitterman

RIGHT OF WAY

Whereas, **Esther Lea Kitterman**, 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, **Esther Lea Kitterman**, and city have agreed upon a right-of-way for construction and maintenance of a street across the land of **Esther Lea Kitterman**, in favor of city and in favor of the land of city;

Now, Therefore, be it agreed between **Esther Lea Kitterman**, and city on 2nd day of March, 2000

1. **Esther Lea Kitterman**, 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 **Esther Lea Kitterman**, in City of Jonesboro, Craighead County, Arkansas, or particularly described as follows:

Part of the southeast quarter of Section 19, T14N, R4E, Craighead County, Arkansas, and being part of Lot 3 of Senter & Company's Addition to the City of Jonesboro, Arkansas, being more particularly described as follows:

Permanent Right-of-Way

Beginning at the northwest corner of Lot 3 of Senter & Company's Addition to the City of Jonesboro, Arkansas, the point of beginning proper; thence N 89° 27' 54" E, 176.00 feet to a point; thence S 01° 02' 27" W, 13.51 feet to a point; thence S 89° 29' 18" W, 149.56 feet to a point; thence S 88° 24' 33" W, 26.45 feet to a point; thence N 01° 02' 27" E, 13.94 feet to the point of beginning and containing 0.0545 acres (2377.0 sq. ft.).

2. **Esther Lea Kitterman**, 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 **Esther Lea Kitterman**.

Esther Lea Kitterman
Esther Lea Kitterman

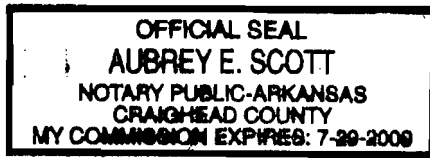
STATE OF ARKANSAS
COUNTY OF CRAIGHEAD

ACKNOWLEDGMENT

On this day before me, the undersigned officer, personally appeared **Esther Lea Kitterman**, 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 2ND day of MARCH, 2000

Aubrey E. Scott
NOTARY PUBLIC



DEED BOOK 588 PAGE 856 - 857
DATE 03/14/2000
TIME 01:56:28 PM
RECORDED IN,
OFFICIAL RECORDS OF
CRAIGHEAD COUNTY
ANN HUDSON
CIRCUIT CLERK
Shanna Vibbers, D.C.
RECEIPT# 42026