



City of Jonesboro

Signature Copy

Resolution: R-EN-106-2019

2019R-018271

FILED

JONESBORO DISTRICT

CRAIGHEAD COUNTY, ARKANSAS

CANDACE EDWARDS, CLERK & RECORDER

09/05/2019 02:41:44 PM

FEE: 30.00

PAGES: 4

JAMIE HUNNICUTT

File Number: RES-19:104

Enactment Number: R-EN-106-2019

A RESOLUTION TO THE CITY COUNCIL OF JONESBORO, ARKANSAS AUTHORIZING THE OFFER AND ACCEPTANCE TO PURCHASE A PERMANENT CONSTRUCTION EASEMENT FROM BERL MCCLUEY FOR THE PURPOSE OF THE CONSTRUCTING AND MAINTAINING A CITY SIDEWALK

WHEREAS, the City of Jonesboro, Arkansas desires to purchase the following described easement for the purpose of constructing and maintaining a city sidewalk:

PART OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 07, TOWNSHIP 14 NORTH, RANGE 04 EAST, JONESBORO, CRAIGHEAD COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF SECTION 07, TOWNSHIP 14 NORTH, RANGE 04 EAST, JONESBORO, CRAIGHEAD COUNTY, ARKANSAS; THENCE NORTH 00°57'39" EAST, ALONG THE WEST LINE OF SAID SECTION 07, 399.00 FEET; THENCE SOUTH 89°40'39" WEST, LEAVING SAID WEST LINE, 15.00 FEET TO THE POINT OF BEGINNING PROPER; THENCE CONTINUE SOUTH 89°40'39" WEST, 15.00 FEET; THENCE NORTH 00°57'39" EAST, 100.00 FEET; THENCE NORTH 89°40'39" EAST, 15.00 FEET; THENCE SOUTH 00°57'39" WEST, 100.00 FEET, CONTAINING 0.03 ACRES (1,500 SQ. FT.), MORE OR LESS, SUBJECT TO ALL RIGHTS-OF-WAY AND EASEMENTS OF RECORD.

WHEREAS, an Offer has been made and accepted by Berl McCluey to the sell the above described easement for the price of \$1,700.00.

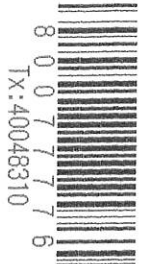
WHEREAS, the attached easement will be executed upon passage of this resolution.

WHEREAS, the funding for this purchase shall come from the Capital Improvement budget.

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF JONESBORO THAT:

Section 1: The Mayor and City Clerk are hereby authorized to execute the documents necessary to effectuate this transaction.

PASSED AND APPROVED, this 20th day of August, 2019.



Return recorded document to:
CITY OF JONESBORO
300 South Church Street
Jonesboro, AR 72401

The above space is reserved for Craighead County recording information

PERMANENT CONSTRUCTION EASEMENT

KNOW ALL MEN BY THESE PRESENTS:

That BERL MCCLUEY, hereinafter referred to as Grantor (whether one or more), does hereby dedicate, grant and convey unto the Public, and that the **CITY OF JONESBORO**, a Municipal Corporation of the State of Arkansas, hereinafter referred to as Grantee, does hereby accept on behalf of the public, for use as a permanent construction easement across the following described real property in Craighead County, State of Arkansas, to-wit:

PART OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 07, TOWNSHIP 14 NORTH, RANGE 04 EAST, JONESBORO, CRAIGHEAD COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF SECTION 07, TOWNSHIP 14 NORTH, RANGE 04 EAST, JONESBORO, CRAIGHEAD COUNTY, ARKANSAS; THENCE NORTH 00°57'39" EAST, ALONG THE EAST LINE OF SAID SECTION 07, 399.00 FEET; THENCE SOUTH 89°40'39" WEST, LEAVING SAID EAST LINE, 15.00 FEET TO THE POINT OF BEGINNING PROPER; THENCE CONTINUE SOUTH 89°40'39" WEST, 15.00 FEET; THENCE NORTH 00°57'39" EAST, 100.00 FEET; THENCE NORTH 89°40'39" EAST, 15.00 FEET; THENCE SOUTH 00°57'39" WEST, 100.00 FEET, CONTAINING 0.03 ACRES (1,500 SQ. FT.), MORE OR LESS, SUBJECT TO ALL RIGHTS-OF-WAY AND EASEMENTS OF RECORD.

SUBJECT TO EASEMENTS, RESTRICTIONS, RESERVATIONS AND RIGHTS-OF-WAY OF RECORD.

IN ACCORDANCE with Public Law 91-646, Uniform Relocation Assistance and Real Property Acquisition Policies Act, the Grantor has the right to receive just compensation for the subject property. Also, the Grantor is entitled to an appraisal of the subject property. The Grantor accepts one thousand seven hundred dollars (\$1,700.00) from the City as just compensation for execution of this Permanent Easement and hereby releases the City from the obligation of providing an appraisal.

This easement and right of way is for the purpose of constructing and maintaining a city street with associated amenities including utilities. Any other use of this area, other than by record owners, shall only be granted by record owners, but they are not precluded from using or granting other use, so long as same does not interfere unreasonably with the express purpose intended.

This grant of easement and right of way shall be binding upon the heirs, successors, administrators and assigns of the grantors.

IN WITNESS WHEREOF, the grantors have executed this instrument on the 22 day of August, 2019.

Owner Info
BY:

Name Berl McCluey

Signature Berl McCluey

ACKNOWLEDGMENT

STATE OF Arkansas.

COUNTY OF Craighead.

On this day before me, the undersigned officer, personally appeared Berl McCluey, 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 purpose therein stated and set forth.

WITNESS my hand and seal this 22nd day of August, 2019.

Notary Public (Signature): Laurie Denise Hester

My Commission Expires: 11-13-2027.





City of Jonesboro

300 S. Church Street
Jonesboro, AR 72401

Signature Copy

Resolution: R-EN-056-2019

File Number: RES-19:039

Enactment Number: R-EN-056-2019

A RESOLUTION TO THE CITY COUNCIL OF JONESBORO, ARKANSAS AUTHORIZING THE OFFER AND ACCEPTANCE TO PURCHASE ADDITIONAL RIGHT-OF-WAY LOCATED AT 605 N PATRICK STREET (TRACT 5), JONESBORO, ARKANSAS FOR THE PURPOSE OF CONSTRUCTING AND MAINTAINING A CITY SIDEWALK

WHEREAS, the City of Jonesboro, Arkansas desires to purchase the following described right-of-way for the purpose of constructing and maintaining a city sidewalk:

PART OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 07, TOWNSHIP 14 NORTH, RANGE 04 EAST, JONESBORO, CRAIGHEAD COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF SECTION 07, TOWNSHIP 14 NORTH, RANGE 04 EAST, JONESBORO, CRAIGHEAD COUNTY, ARKANSAS; THENCE NORTH 00°57'39" EAST, ALONG THE WEST LINE OF SAID SECTION 07, 399.00 FEET; THENCE SOUTH 89°40'39" WEST, LEAVING SAID WEST LINE, 15.00 FEET TO THE POINT OF BEGINNING PROPER; THENCE CONTINUE SOUTH 89°40'39" WEST, 15.00 FEET; THENCE NORTH 00°57'39" EAST, 100.00 FEET; THENCE NORTH 89°40'39" EAST, 15.00 FEET; THENCE SOUTH 00°57'39" WEST, 100.00 FEET, CONTAINING 0.03 ACRES (1,500 SQ. FT.), MORE OR LESS, SUBJECT TO ALL RIGHTS-OF-WAY AND EASEMENTS OF RECORD.

WHEREAS, an Offer has been made and accepted to the sell the above described right-of-way for the price of \$1,700.00.

WHEREAS, the attached Offer and Acceptance will be executed upon passage of this resolution.

WHEREAS, the funding for this purchase shall come from the Capital Improvement budget.

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF JONESBORO, ARKANSAS THAT:

Section 1: The Mayor and City Clerk are hereby authorized to execute the documents necessary to effectuate this transaction.

PASSED AND APPROVED this 21st day of May, 2019.

**REAL ESTATE CONTRACT FOR CITY OF JONESBORO
OFFER AND ACCEPTANCE**

1. **BUYERS:** The Buyers, **CITY OF JONESBORO, A MUNICIPAL CORPORATION** offer to buy, subject to the terms set forth herein, the following

2. **PROPERTY DESCRIPTION:**

PART OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 07, TOWNSHIP 14 NORTH, RANGE 04 EAST, JONESBORO, CRAIGHEAD COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF SECTION 07, TOWNSHIP 14 NORTH, RANGE 04 EAST, JONESBORO, CRAIGHEAD COUNTY, ARKANSAS; THENCE NORTH 00°57'39" EAST, ALONG THE WEST LINE OF SAID SECTION 07, 399.00 FEET; THENCE SOUTH 89°40'39" WEST, LEAVING SAID WEST LINE, 15.00 FEET TO THE POINT OF BEGINNING PROPER; THENCE CONTINUE SOUTH 89°40'39" WEST, 15.00 FEET; THENCE NORTH 00°57'39" EAST, 100.00 FEET; THENCE NORTH 89°40'39" EAST, 15.00 FEET; THENCE SOUTH 00°57'39" WEST, 100.00 FEET, CONTAINING 0.03 ACRES (1,500 SQ. FT.), MORE OR LESS, SUBJECT TO ALL RIGHTS-OF-WAY AND EASEMENTS OF RECORD.

3. **PURCHASE PRICE:** The Buyers will pay as total purchase price for said property, the sum of one thousand seven hundred dollars (**\$1,700.00**).

4. **CONVEYANCE:** Conveyance shall be made to Buyers or as directed by Buyers, by Dedication Deed, except it shall be subject to recorded restrictions and easements, if any, which do not materially affect the value of the property. Unless expressly reserved herein, such conveyance shall include mineral rights owned by Seller.

5. **PRO-RATIONS:** Taxes and special assessments, and allowable expenses due on or before closing shall be paid at closing from the proceeds of the sale.

6. **CLOSING:** The closing date will be immediate upon receipt of purchase price.

7. **POSSESSION:** Possession shall be delivered to Buyers: Upon Buyers Closing

THIS IS A LEGALLY BINDING CONTRACT WHEN SIGNED BY BOTH BUYER AND SELLER.

BUYER

SELLER

Name: Bert J McClary

Date: 4-4-19

Name: Laura L. McClary

Date: 4-4-2019



ARKANSAS DEPARTMENT OF FINANCE AND ADMINISTRATION
Real Property Transfer Tax Affidavit of Compliance Form

Grantee (Purchaser) Name City of Jonesboro			Grantor (Seller) Name Berl McCluey and Laura McCluey		
Address 300 S Church Street			Address 605 N Patrick Street		
City Jonesboro	State AR	Zip Code 72401	City Jonesboro	State AR	Zip Code 72401

Date of real property transfer (as reflected on the transfer instrument): _____

Name of the county where the property is located: Craighead County

Amount of the full consideration for the transaction: \$1,700.00

Please select the appropriate exemption below:

- A transfer to or from the United States, the State of Arkansas, or any of the instrumentalities, agencies, or political subdivisions of the United States or the State of Arkansas.
- Any instrument or writing given solely to secure a debt.
- Any instrument solely for the purpose of correcting or replacing an instrument that has been previously recorded with full payment of the tax having been paid at the time of the previous recordation.
- An instrument conveying land sold for delinquent taxes.
- An instrument conveying leasehold interest in land only.
- An instrument, including a timber deed, that conveys or grants the right to remove timber from land if the instrument grants or conveys the right to remove timber for a period of not to exceed twenty-four (24) months.
- An instrument given by one (1) party in a divorce action to other party to the divorce action as a division of marital property whether by agreement or order of the court.
- An instrument given in any judicial proceeding to enforce any security interest in real estate when the instrument transfers the property to the same person who is seeking to enforce the security interest.
- An instrument given to a secured party in lieu of or to avoid a judicial proceeding to enforce a security interest in real estate.
- An instrument conveying a home financed by the Federal Housing Administration, the United States Department of Veterans Affairs, or the United States Department of Agriculture Rural Development, if the sale price of the home is sixty thousand dollars (\$60,000) or less and the seller files with the county recorder of deeds a sworn statement by the buyer stating that neither the buyer nor the spouse of the buyer has owned a home within three (3) years of the date of closing and also stating the sale price of the home.
- An instrument conveying land between corporations, partnerships, limited liability companies, or other business entities or between a business entity and its shareholder, partner or member incident to the organization, reorganization, merger, consolidation, capitalization, asset distribution, or liquidation of a corporation, partnership, limited liability company, or other business entity.
- A beneficiary deed under ACA 18-12-608.
- Consideration of \$100 or less
- Other (Explain): _____

I certify under penalty of false swearing that documentary stamps or a documentary symbol in the legally correct amount has been placed on this instrument.

(Print Name)

(Signature of Requestor)

(Date)