

Agreement

This agreement is entered into on this date by and between John Hill 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 the certain property at 4407 South Caraway Road Jonesboro, Arkansas, Parcel Number A

The party of the second part is in the process of improving South Caraway Road.

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

- #1. To be paid the sum of \$7500.00 for tree damage R.O.W and permanent drainage easment.
- #2. All fence and trees to be removed from R.O.W
- #3. Construct new driveway to back of new R.O.W.
- #4. Landscape and seed all area distributed by street and drainage construction.

The above said agreed amount to be paid shall be free and clear of any and all encumbrance with the exception of none.

This agreement is executed on this the 8th day of December, 2004.

John Hill

CITY OF JONESBORO, MATA DEPT

BY: [Signature]
DIRECTOR-MATA

4407 S Caraway Rd
Jonesboro, AR 72404
Parcel #A

OF THE NORTHEAST QUARTER OF Right-of-Way

Whereas, John Hill, are the owners 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, John Hill, and city have agreed upon a right-of-way and a drainage easement for construction and maintenance of a street across the land of John Hill, in favor of city and in favor of the land of city.

Now, therefore, be it agreed between John Hill, and city on 8th day of December, 2004.

1. John Hill, in consideration of the agreement hereinafter made by city, grants to city a right-of-way and a drainage easements for construction and maintenance of a street over the land John Hill, in City of Jonesboro, Craighead County, Arkansas, or particularly described as follows:

RIGHT-OF-WAY ACQUISITION

A PART OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 5, TOWNSHIP 13 NORTH, RANGE 4 EAST, CRAIGHEAD COUNTY, ARKANSAS AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;

COMMENCING AT THE SOUTHEAST CORNER SAID SECTION 5; THENCE N00°01'E 1165.04 FEET ALONG THE SECTION LINE TO A POINT; THENCE S89°59'W 29.62 FEET TO THE POINT OF BEGINNING

THENCE S89°46'W 2.24 FEET; THENCE N00°06'W 413.13 FEET; THENCE N89°07'E 3.24 FEET; THENCE S00°02'W 413.07 FEET TO THE POINT OF BEGINNING; CONTAINING (1139.7 SQ. FT.) 0.0261 ACRES, MORE OR LESS, AND BEING SUBJECT TO ANY EASEMENT OF RECORD.

5.0 FEET PERMANENT DRAINAGE EASEMENT

A 5.0 FOOT WIDE STRIP OF LAND PARALLEL AND ADJACENT TO THE WEST LINE OF THE SOUTH 150 FEET OF THE DESCRIBED RIGHT OF WAY ACQUISITION AS SHOWN BY PLAT OF SURVEY ATTACHMENT.

5.0 FEET TEMPORARY CONSTRUCTION EASEMENT

A 5.0 FOOT WIDE STRIP OF LAND PARALLEL AND ADJACENT TO THE WEST LINE OF THE SOUTH 150 FEET OF THE DESCRIBED 5.0 FOOT PERMANENT DRAINAGE EASEMENT AS SHOWN BY PLAT OF SURVEY ATTACHMENT. TO BE RELINQUISHED UPON COMPLETION AND ACCEPTANCE OF THE CONSTRUCTION IMPROVEMENTS BY THE CITY OF JONESBORO, ARKANSAS.

10.0 FEET TEMPORARY CONSTRUCTION EASEMENT

A 10.0 FEET WIDE STRIP OF LAND PARALLEL AND ADJACENT TO THE WEST LINE OF THE NORTH 263.13 FEET OF DESCRIBED RIGHT OF WAY ACQUISITION AS SHOWN BY PLAT HEREON. TO BE RELINQUISHED UPON COMPLETION AND ACCEPTANCE OF THE CONSTRUCTION IMPROVEMENTS BY THE CITY OF JONESBORO, ARKANSAS.

2. John Hill, warrants the right of way and a drainage easement against anyone claiming it or in any manner preventing free and unobstructing use of it by city.

3. City, in consideration of the grant of right of way and a drainage easement 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 John Hill.

John Hill
John Hill

STATE OF ARKANSAS
COUNTY OF Craighead

ACKNOWLEDGMENT

On this day before me, the undersigned officer, personally appeared John Hill, 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 purposes therein stated and set forth.

WITNESS my hand and seal this 8th day of December, 2004.

J. Harry Hardwick
NOTARY PUBLIC OFFICIAL SEAL
J. HARRY HARDWICK
NOTARY PUBLIC-ARKANSAS
CRAIGHEAD COUNTY
MY COMMISSION EXPIRES 12-14-2010