

PETITION FOR ABANDONMENT OF PUBLIC EASEMENT

TO THE CITY COUNCIL OF JONESBORO, ARKANSAS;

1. The undersigned are the owners of all property abutting upon the portion of a public easement (the "Easement") described as follows:

Part of the Northerly 5 ft. of Lot 8, Melton Manor Addition to Jonesboro, Arkansas to wit: Begin at the Northeast corner of said Lot 8 on Southwest Drive, run South 43°55' West along Southwest Drive 5.00 ft.; then run North 46°05' West 212 ft. to the East edge of a 40 ft. Easement line; then North along said Easement line 8 ft. to the Northerly line said Lot 8, then run South 46°05' East 218 ft. to the point of beginning.

2. The Easement was dedicated to the City of Jonesboro by virtue of the Dedication Deed recorded in Deed Record Book 162 at Page 508 of the Records of the Jonesboro District of Craighead County, Arkansas and by virtue of the Plat of Melton Manor Addition to the City of Jonesboro, Arkansas recorded in Plat Deed Record Book 158 at Page 5 of the Records of the Jonesboro District of Craighead County, Arkansas. True and correct copies of said Dedication Deed and Plat are attached hereto as Exhibits "A" and "B", respectively.

3. The public has not made actual use of the Easement within the past five (5) years. No public utilities are currently making actual use of the Easement.

4. The vacation or abandonment of the Easement will not be against the public interest or welfare.

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5. The undersigned hereby request that the City Council of Jonesboro, Arkansas fix by resolution a day for the public hearing of this Petition and that the City Clerk give notice of such public hearing as provided by law; and that after such notice is given and upon the hearing of this Petition, that the City Council pass an ordinance vacating and abandoning the Easement.

Respectfully submitted,

BEVERLY ENTERPRISES-ARKANSAS,  
INC.

GERIATRICS NURSING CENTERS,  
INC. (Now Known as BEVERLY  
CALIFORNIA CORPORATION by  
virtue of merger and name  
change.)

By: Stephen N. Joines  
Stephen N. Joines  
ROSE LAW FIRM  
A Professional Association  
120 East Fourth Street  
Little Rock, Arkansas 72201  
(501) 376-6300

DEDICATION DEED

KNOW ALL MEN BY THESE PRESENTS:

THAT WE, Marvin W. Melton and Loree Melton, his wife; Oscar J. Melton and Catherine Melton, his wife and W.O. Melton and Mary Melton, his wife, being owners of a part of the following described real estate, situated in the Jonesboro District of Craighead County, Arkansas, to-wit:

Part of the Northeast Quarter of the Southeast Quarter of Section 25, Township 14 North, Range 3 East, more particularly described as follows: Begin at the East 1/4 corner of said Section 25; thence South 88° 31' West along the quarter section line 40.0 feet to the point of beginning proper; thence continue South 88° 31' West along the quarter section line 1057.5 feet; thence South parallel to the West line of the Northeast Quarter of the Southeast Quarter of said Section 25 a distance of 208.7 feet; thence South 88° 31' West parallel to the quarter section line 208.7 feet to the West line of said Northeast Quarter of the Southeast Quarter; thence South along the West line of said Northeast Quarter of the Southeast Quarter 1103.0 feet to the Northwesterly right-of-way line of Arkansas State Highway No. 39; thence North 43° 55' East along said right-of-way line 1822.4 feet; thence North parallel to the East line of said Northeast Quarter of the Southeast Quarter 37.8 feet to the point of beginning proper,

do hereby plat and lay out the same into an addition to the City of Jonesboro composed of 8 lots, numbered from 1 to 8, inclusive, and more particularly set out in detail on the survey and plat of said addition attached hereto and made a part hereof as fully and effectually as though incorporated herein word for word.

Said Addition shall be known, designated and hereafter referred to as "MELTON MANOR ADDITION, JONESBORO, ARKANSAS"

And we, being the owners of all of the real estate on said plat designated for streets and easements, for and in consideration of the benefits to accrue to us, do hereby dedicate said streets of the width, length, and location as set out on said plat to the public use forever.

And I, Loree Melton, wife of the said Marvin W. Melton; and I, Catherine Melton, wife of the said Oscar J. Melton; and I, Mary Melton, wife of the said W. O. Melton, for the purposes and considerations hereinabove contained and expressed, do hereby join in this dedication for the purpose of releasing any right or possibility of dower and homestead I might have or claim to have inconsistent with said dedication.

WITNESS our hands and seals on this the 21st day of June, 1965.

W.O. Melton  
W.O. Melton

Mary Melton  
Mary Melton

Marvin W. Melton  
Marvin W. Melton

Loree Melton  
Loree Melton

Oscar J. Melton  
Oscar J. Melton

Catherine Melton  
Catherine Melton

ACKNOWLEDGMENT

STATE OF ARKANSAS }  
COUNTY OF CRAIGHEAD } SS

BE IT REMEMBERED that on this day came before me the undersigned, a Notary Public within and for the county aforesaid, duly commissioned and acting, Marvin W. Melton and Loree Melton, his wife; Oscar J. Melton and Catherine Melton, his wife; and W.O. Melton and Mary Melton, his wife, to me well known as the grantors in the foregoing Dedication Deed and stated that they had executed the same for the consideration and purpose therein mentioned and set forth.

And on the same day also voluntarily appeared before me the said Loree Melton, wife of the said Marvin W. Melton; Catherine Melton, wife of the said Oscar J. Melton; and Mary Melton, wife of the said W.O. Melton, to me well known, and each in the absence of her said husband declared that she had of her own free will executed said Dedication Deed and signed and sealed the relinquishment of dower and homestead in the said Deed, for the consideration and purpose therein contained and set forth, without compulsion or undue influence of her said husband.

WITNESS my hand and seal as such Notary Public on this the 21st day of June, 1965.

(SEAL)  
My Commission expires: June 15, 1967

Constance Robinson  
Notary Public

Prepared by Murkle Abstract Company, Jonesboro, Arkansas.

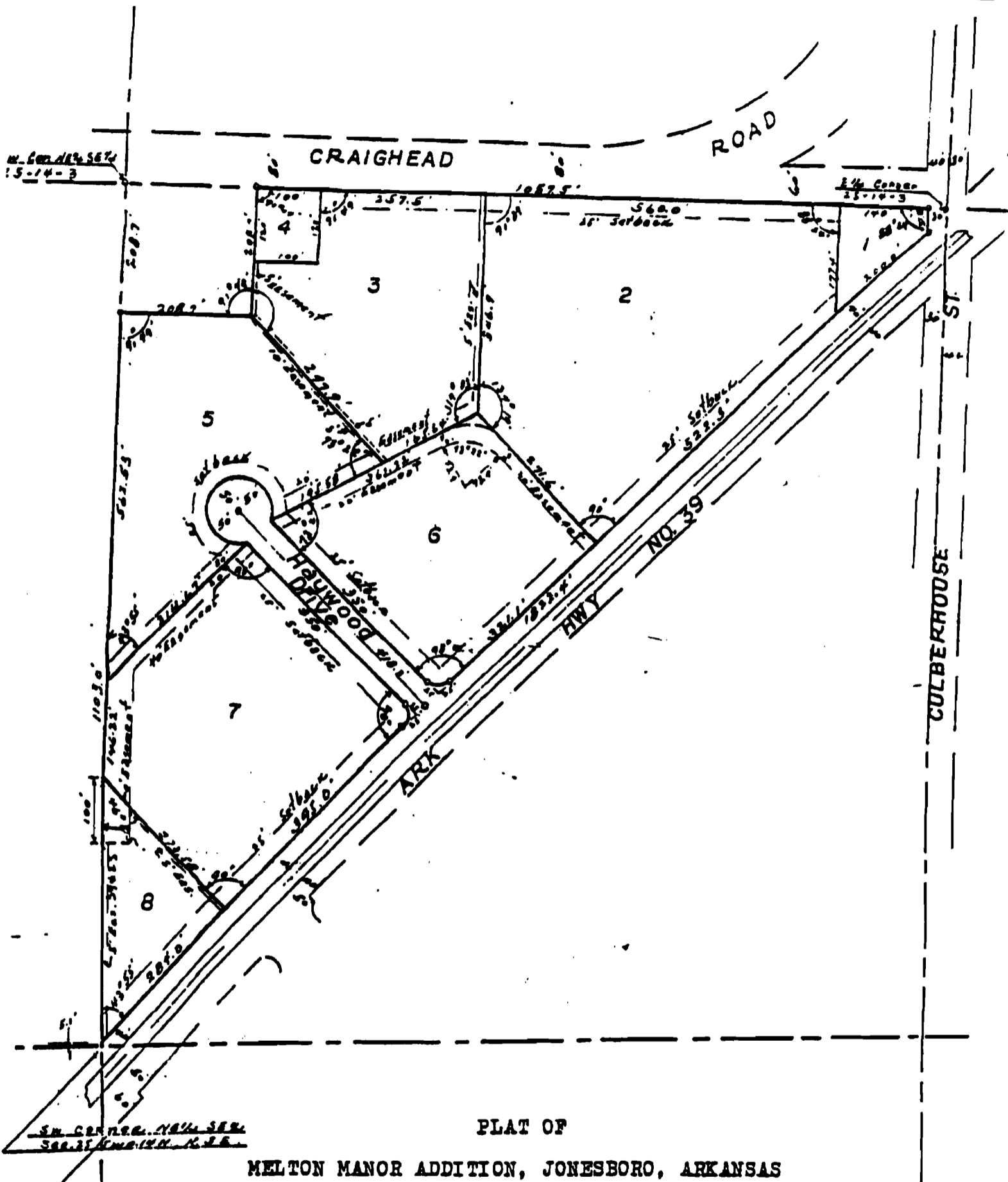
A true copy of the original as filed for record this 17 day of Sept., 1965, at 8:10 A.M.

EXHIBIT  
A

SEANCY TAYLOR, CLERK  
BY \_\_\_\_\_ D.C.

REF.

DEED RECORD 158 PAGE 5 OF THE RECORDS IN THE JONESBORO DISTRICT OF CRAIGHEAD COUNTY, ARKANSAS.



Scale: 1" = 200'.

Filed for record June 21, 1965 at 8:15 A. M. and recorded in Plat Deed Record Book 158 Page 5.

SEARCY TAYLOR, CLERK BY: Alice Taylor, D. C.

*Abstracts* INC

EXHIBIT  
B