

**MEMORANDUM
ACKNOWLEDGING AGREEMENT
REGARDING EASEMENT**

IT IS HEREBY ACKNOWLEDGED, by the City of Jonesboro, acting by and through it's undersigned agent, duly authorized to so act, that as consideration for the granting of an easement for the purpose of permitting the construction and maintenance of a drainage structure or channel upon land owned by Mitchell and Ruth Lawson alongside Casey Springs road as hereunder described, said City of Jonesboro at the sole expense of said City, agrees to perform as follows in conjunction with the construction of said drainage structure or channel:

1. The existing fence alongside the roadway, which must be removed to accomplish the work there, will be replaced with a comparable fence after the work is completed.
2. The existing driveway and culvert, which must also be removed to accomplish the work there, will be relocated and replaced as nearly as is practical, near the center of the parcel, rather than being near the western end of it, and the culvert installed will be of suitable size, and set at the proper depth for the flow anticipated.
3. All ruts, etc. or other damage caused by the equipment the city uses will be filled, and/or repaired, leaving the adjoining land as smooth as reasonably practical.
4. The dirt removed in the process of improving the ditch (but not the concrete or other such debris) should be deposited or spread alongside the western boundary of the property.

The legal description of the **property** affected by the easement is as follows:

The West 330 feet of the North Half of the Northeast Quarter of the Northeast Quarter of section 28, Township 14 North, Range 3 East, subject to rights of way and easements of record.

The legal description of the **easement** itself is as follows:

An easement ten feet (10') in width for drainage purposes:

A part of the Northeast Quarter (NE ¼) of the of Section 28, Township 14 North, Range 3 East of the Fifth Principal Meridian, Craighead County, Arkansas, being more particularly described as follows:

From the Northeast Corner of said Section 28, thence S88°34'57"W 1311.16 feet along the North Line of said Section 28 to a point, thence S00°07'18"W 26.41 feet to a point on the southerly right of way of Casey Springs Road, the Point of Beginning;

Thence N88°34'57"E 330.12 feet along the southerly right of way of Casey Springs Road to a point, thence S00°07'18"W 10.00 feet to a point, thence S88°34'57"W 330.12 feet to a point, thence N00°07'18"E 10.00 feet to the Point of Beginning, containing some 3,301 sq. ft. (0.08 acres), more or less,

Subject to easement, restrictions, reservations and rights of way of record.

IT IS, HEREBY, SO ACKNOLWEDGED AND AGREED, by the City of Jonesboro, acting by and through the undersigned agent, duly authorized to so act.

The City of Jonesboro, Craighead County, Arkansas

By: Teddy R. Dooten

Title: Street Superintendent

Date: 10-5-06