

AGREEMENT

This agreement is entered into on this date by and between **St. Bernard's Hospital, Inc.** 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 800 South Church Street, Jonesboro, Arkansas, Parcel Number 34.


The party of the second part is in the process of improving East Matthews Avenue.

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

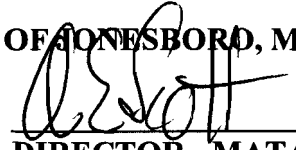
1. To be paid the sum of \$ 2,312.95 *AS COMPENSATION FOR THE ABOVE REFERENCED RIGHT OF WAY.*

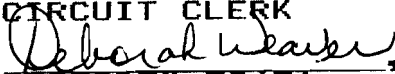
This agreement is executed on this the 17 day of May, 2001


St. Bernard's Hospital, Inc.


OFFICIAL SEAL
J. HARRY HARDWICK
NOTARY PUBLIC-ARKANSAS
CRAIGHEAD COUNTY
MY COMMISSION EXPIRES: 02-14-2010

FILED
DATE 10/3/01
DONNA K. JACKSON
CITY CLERK

CITY OF JONESBORO, MATA DEPT.
BY: 
DIRECTOR - MATA

MISC BOOK 43 PAGE 642
DATE 10/12/2001
TIME 04:49:25 PM
RECORDED IN,
OFFICIAL RECORDS OF
CRAIGHEAD COUNTY
ANN HUDSON
CIRCUIT CLERK
, D.C.
RECEIPT# 72471

RIGHT-OF-WAY

Whereas, **St. Bernard's Hospital, Inc.** 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, **St. Bernard's Hospital, Inc.**, and city have agreed upon a right-of-way for construction and maintenance of a street across the land of **St. Bernard's Hospital, Inc.**, in favor of city and in favor of the land of the city;

Now, Therefore, be it agreed between **St. Bernard's Hospital, Inc.**, and city on this 16th day of May, 2001.

1. **St. Bernard's Hospital, Inc.**, 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 **St. Bernard's Hospital, Inc.**, in City of Jonesboro, Craighead County, Arkansas, more particularly described as follows:

PART OF THE NORTHWEST QUARTER (N.W. 1/4) OF THE NORTHEAST QUARTER (N.E. 1/4) OF SECTION 19, TOWNSHIP 14 NORTH, RANGE 4 EAST, CRAIGHEAD COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

PERMANENT RIGHT-OF-WAY

BEGINNING AT THE NORTHWEST CORNER OF LOT 1, ACCORDING TO THE PLAT OF MEDICAL ARTS PROFESSIONAL BUILDING ADDITION AS RECORDED IN PLAT CABINET "B", AT PAGE 76, IN AND FOR THE PUBLIC RECORDS OF CRAIGHEAD COUNTY, AT JONESBORO, ARKANSAS: THENCE NORTH 89°27'42" EAST, ALONG THE NORTH LINE OF SAID LOT 1, A DISTANCE OF 22.01 FEET TO A POINT: THENCE SOUTH 05°32'36" EAST, DEPARTING FROM THE NORTH LINE OF SAID LOT 1, A DISTANCE OF 4.72 FEET TO A POINT: THENCE SOUTH 84°27'24" WEST, A DISTANCE OF 4.00 FEET TO A POINT: THENCE NORTH 5°32'36" WEST, A DISTANCE OF 3.39 FEET TO A POINT LYING ON THE ARC OF A CURVE CONCAVE SOUTHEASTERLY, HAVING A RADIUS OF 20.00 FEET AND WHOSE RADIUS POINT BEARS SOUTH 11°16'57" EAST: THENCE SOUTHWESTERLY, ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 75°04'39", A DISTANCE OF 26.21 FEET TO THE END OF SAID CURVE: THENCE NORTH 86°21'36" WEST, A DISTANCE OF 2.30 FEET TO A POINT LYING ON THE WEST LINE OF SAID LOT 1: THENCE NORTH 00°31'37" EAST, ALONG THE WEST LINE OF SAID LOT 1, A DISTANCE OF 19.70 FEET TO THE POINT OF BEGINNING.

CONTAINING IN ALL 167 SQ. FT. OR .004 ACRES, MORE OR LESS.

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

2. Grantor hereby covenants with Grantee that it is the owner in fee simple of the lands the subject of this right of way and will defend the Grantee's right of way to said lands against all claims done or suffered by, through or under Grantor, but against none other.

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 St. Bernard's Hospital, Inc.

St. Bernard's Hospital, Inc.

By: Bennet

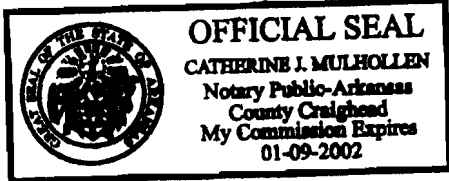
Title: President

STATE OF ARKANSAS
COUNTY OF Craighead

DEED BOOK 607 PAGE 412 - 413
DATE 06/07/2001
TIME 08:23:25 AM
RECORDED IN
OFFICIAL RECORDS OF
CRAIGHEAD COUNTY
ANN HUDSON
CIRCUIT CLERK
Sherry W. [Signature], D.C.
RECEIPT # 62758

ACKNOWLEDGMENT

On this day before me, the undersigned officer, personally appeared St. Bernard's Hospital, Inc., by: Bennet, Title: President to me well known to be the persons whose names are subscribed to the foregoing instrument, and acknowledged that they had executed the same for the purposes therein stated and set forth.
WITNESS my hand and seal this 16th day of May, 2001.



Catherine J. Mulhollen
NOTARY PUBLIC