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May 21, 2004

*Provided  
By  
Brisin  
Wadley  
5/2/06*

THIS INSTRUMENT PREPARED BY:  
MOONEY LAW FIRM, P.A., ATTORNEYS  
JONESBORO, AR 72401

DONATION DEED

KNOW ALL MEN BY THESE PRESENTS:

That we, KENNETH A. YARBROUGH A/K/A KEN YARBROUGH and CORILSS LYNN YARBROUGH A/K/A LYNN YARBROUGH, husband and wife, for and in consideration of the sum of Ten Dollars (\$10.00) and other good and valuable considerations, cash in hand paid, the receipt of which is hereby acknowledged, hereby grant, bargain, donate, and convey to the CITY OF JONESBORO, and unto its successors and assigns forever, the following described real property located in Craighead County, Arkansas, to-wit:

From the Southeast Corner of Section 2 Township 13 North, Range 3 East; thence run North 0° 45' 45" West a distance of 199.04 feet to a point, said point being the Point of Beginning; thence run South 60° 52' 00" West a distance of 42.03 feet to a point; thence along a curve to the right, said curve having a radius of 450 feet, an arc of 533.12 feet, a chord of 502.48 feet and a chord bearing of North 84° 52' 02" West to a point; thence run North 50° 55' 40" West a distance of 156.85 feet to a point; thence along a curve to the right, said curve having a

radius of 450 feet, an arc of 181.45 feet, a chord of 180.22 feet and a chord bearing of North 39° 36' 32" West to a point; thence run North 0° 45' 45" West a distance of 473.28 feet to a point; thence along a curve to the right, said curve having a radius of 450 feet, an arc of 250.40 feet, a chord of 247.18 feet and a chord bearing of South 12° 36' 22" East to a point; thence along a curve to the left, said curve having a radius of 350 feet, an arc of 332.89 feet, a chord of 320.48 feet and a chord bearing of South 23° 54' 47" East to a point; thence run South 50° 55' 40" East a distance of 155.85 feet to a point; thence along a curve to the left, said curve having a radius of 350 feet, an arc of 425.57 feet, a chord of 399.84 feet and a chord bearing of South 85° 45' 41" East to a point; thence run North 60° 52' 00" East a distance of 84.60 feet to a point; thence run South 0° 45' 45" East a distance of 113.77 feet to a point, said point being the Point of Beginning, containing 2.49 acres,

AND

From the Southeast Corner of Section 2, Township 13 North, Range 3 East; thence run South 90° 00' 00" West a distance of 770 feet to a point; thence run North 0° 45' 45" West a distance of 1,122.46 feet to a point; thence run North 89° 26' 24" West a distance of 75.58 feet to a point, said point being the Point of Beginning; thence continue North 89° 26' 24" West a distance of 101.03 feet to a point; thence along a curve to the right, said curve having a radius of 450 feet, an arc of 42.13 feet, a chord of 42.11 feet and a chord bearing of North 03° 58' 37" West to a point; thence run North 01° 17' 54" West a distance of 267.03 feet to a point; thence along a curve to the left said curve having a radius of 700 feet, an arc of 713.60 feet, a chord of 683.10 feet and a chord bearing of North 30° 30' 29" West to a point; thence run

North 59° 42' 45" West a distance of 11.44 feet to a point; thence run North 00° 12' 45" West a distance of 116.06 feet to a point; thence run South 59° 42' 45" East a distance of 70.35 feet to a point; thence along a curve to the right, said curve having a radius of 800 feet, an arc of 815.58 feet, a chord of 780.72 feet and a chord bearing of South 30° 30' 24" East to a point; thence run South 01° 17' 54" East a distance of 267 feet to a point on a curve; thence along a curve to the left, said curve having a radius of 350 feet, an arc of 45.46 feet, a chord of 45.43 feet and a chord bearing of South 05° 00' 58" East to a point, said point being the Point of Beginning, containing 2.56 acres,

as a permanent right of way and easement for road and utility easements.

Upon acceptance and recording of this Donation Deed, the Grantee agrees:

1. To obtain all other right of way required to complete the five lane highway to connect to Highway 49;
2. To acquire sewer right of way to Grantor's property;
3. To furnish Grantor a letter acknowledging this donation of land at the value of \$15,000 per acre
4. To have highway constructed in such a way as to cause a "dry sewer" to be constructed to allow Grantor to cross the new highway with their sewer lines;
5. Grantor to retain all dirt removed from Grantor's property in connection with the construction of the roadway and Grantee to

have same placed back on Grantor's property at locations of Grantor's choice;

6. Grantor to have access across their drive to their residence at all times during construction of the new roadway;
7. To pay to Grantor the sum of \$5,000 to reimburse Grantor's expenses.

In the event, the said CITY OF JONESBORO fails to have a contract for the construction of said roadway by June 1, 2005, then this deed shall be null and void and said property shall revert to the Grantors.

To have and to hold the same unto the said CITY OF JONESBORO and to its successors and assigns forever.

And we, KENNETH A. YARBROUGH A/K/A KEN YARBROUGH and CORILSS LYNN YARBROUGH A/K/A LYNN YARBROUGH, hereby covenant with the said CITY OF JONESBORO that we will forever warrant and defend the title to said lands and property against the lawful claims of any and all persons whatsoever.

WITNESS our hands and seals on this May 25, 2004.

STATE OF ARKANSAS  
COUNTY OF CRAIGHEAD

On this day personally appeared before me, a Notary Public within and for the county and state aforesaid, duly commissioned, qualified and acting, the within named KENNETH A. YARBROUGH A/K/A KEN YARBROUGH and CORILSS LYNN YARBROUGH A/K/A LYNN YARBROUGH, who stated to me that they had executed the foregoing instrument for the considerations and purposes therein mentioned and set forth.

WITNESS my hand and seal as such Notary Public on this May 25, 2004.



*Bridget Downs*  
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Notary Public