

## RIGHT-OF-WAY

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

Now, Therefore, be it agreed between St. Bernards Hospital, Inc., and city on this 27 day of January, ~~2008~~, 2009

1. St. Bernards 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. Bernards Hospital, Inc., in City of Jonesboro, Craighead County, Arkansas, more particularly described as follows:

PART OF LOT 29 OF COBB'S SURVEY OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 18, TOWNSHIP 14 NORTH, RANGE 4 EAST, CRAIGHEAD COUNTY, ARKANSAS AS RECORDED IN THE PUBLIC RECORDS IN JONESBORO, CRAIGHEAD COUNTY, ARKANSAS, TOGETHER WITH PART OF LOT 1 OF COBB'S SURVEY OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 18, TOWNSHIP 14 NORTH, RANGE 4 EAST, CRAIGHEAD COUNTY, ARKANSAS AS RECORDED IN THE PUBLIC RECORDS IN JONESBORO, CRAIGHEAD COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF LOT 29 OF COBB'S SURVEY OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 18, TOWNSHIP 14 NORTH, RANGE 4 EAST, CRAIGHEAD COUNTY, ARKANSAS AS RECORDED IN THE PUBLIC RECORDS IN JONESBORO, CRAIGHEAD COUNTY, ARKANSAS: THENCE NORTH 89°02'36" EAST ALONG THE NORTH LINE OF SAID LOT 29 AND THE SOUTHERLY RIGHT OF WAY LINE OF WASHINGTON AVENUE, 100.00 FEET TO THE POINT OF BEGINNING: THENCE CONTINUE NORTH 89°02'36" EAST 187.75 FEET TO THE INTERSECTION OF THE SOUTHERLY RIGHT OF WAY LINE OF WASHINGTON AVENUE AND THE WESTERLY RIGHT OF WAY LINE OF BRIDGE STREET: THENCE ALONG THE WESTERLY RIGHT OF WAY LINE OF BRIDGE STREET AS FOLLOWS, SOUTH 30°57'31" EAST 119.62 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE NORTHEASTERLY, HAVING A RADIUS OF 506.80 FEET, SOUTHEASTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 09°30'03", A DISTANCE OF 84.04 FEET TO A POINT ON A CURVE CONCAVE NORTHEASTERLY, HAVING A RADIUS OF 1291. FEET AND WHOSE RADIUS POINT BEARS NORTH 34°33'01" EAST: THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE AND DEPARTING SAID WESTERLY RIGHT OF WAY LINE, THROUGH A CENTRAL ANGLE OF 01°13'21", A DISTANCE OF 27.56 FEET TO THE POINT OF COMPOUND CURVATURE OF A CURVE CONCAVE NORTHEASTERLY, HAVING A RADIUS OF 205.00 FEET: THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 43°55'54", A DISTANCE OF 157.18 FEET: THENCE NORTH 10°17'43" WEST 5.35 FEET: THENCE SOUTH 89°06'36" WEST 5.07 FEET: THENCE NORTH 10°17'43" WEST 5.07 FEET: THENCE SOUTH 89°06'36" WEST 186.92 FEET: THENCE NORTH 00°07'24" WEST 14.78 FEET TO THE POINT OF BEGINNING.

CONTAINING IN ALL 5,544 SQ. FT. OR 0.13 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. Bernards Hospital, Inc.

St. Bernards Hospital, Inc.

By: Ben E. Owens

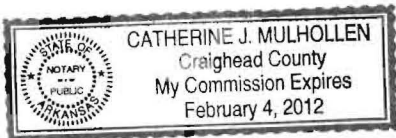
Title: President / CEO

STATE OF ARKANSAS  
COUNTY OF Craighead

**ACKNOWLEDGMENT**

On this day before me, the undersigned officer, personally appeared Ben E. Owens by: \_\_\_\_\_ Title: President / CEO  
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 27<sup>th</sup> day of January, ~~2008~~ 2009.



Catherine J. Mulhollen  
NOTARY PUBLIC

MEMORANDUM OF GOVERNING BOARD OF

OF ST. BERNARD'S HOSPITAL, INC.

Date: January 27, 2009

The undersigned directors of the Governing Board of St. Bernard's Hospital, Inc. (the "Corporation") make this memorandum of action to be placed in the corporate minute book in lieu of a formal meeting.

The Corporation is the owner of certain real estate located at the corner of Bridge Street and Washington Avenue. The City of Jonesboro has requested a right of way over a .13 acre parcel of such property to construct, widen and maintain a street. Copies of the right of way agreement and plat are attached to this memorandum as Exhibit A. The construction and maintenance of the street will benefit the property owned by the Corporation and it is the recommendation of management that the Corporation grant the right of way to the City of Jonesboro as requested..

RESOLVED, by signature below, each member of the Governing Board consents to acting informally in respect to this matter and approves the granting of the right of way to the City of Jonesboro as stated herein.

BE IT FURTHER RESOLVED, by signature below, each member of the Governing Board hereby authorizes, empowers and directs the President of the Corporation to execute the right of way agreement and any other documents deemed necessary by him to complete the grant of the right of way.

Sr. Mary Anne Nace  
Chairperson

Wanda Bluel  
Member

Sister Monica Swinyski  
Secretary to Board

Sister Henrietta Hochle  
Board member

Sister Eileen Schneider  
Board Member

Sister Lisa O'Connell  
Board Member



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Neil Crowson  
Board Member

Stephen S. [Signature]  
Board Member

W. H. Patterson  
BD. MEMBER

Alan Patterson, Jr.  
Board Member

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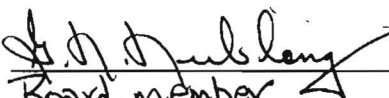
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Board member

  
Board member

  
Board member

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