

AGREEMENT

This agreement is entered into on this date by and between Lone Star Co., 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 1325 S. Caraway Road, Jonesboro, Arkansas, Parcel Number 4.

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

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

- 1. Permanent Right-of-Way and Temporary Construction Easement - \$ 7,302.00  
     376 S.F. x \$10.00 / S.F. = \$ 3,760.00  
     3,542 S.F. x \$1.00 / S.F. = \$ 3,542.00
- 2. Removal of Tri-Action sign - \$ 1,241.12
- 3. Compensate for landscaping - \$ 3,795.58
- 4. Compensate for loss of Tri-Action sign - \$ 18,000.00
- 5. Total Compensation - \$ 30,338.70

The party of the second part will endeavor to expedite construction and keep the property accessible by the assignment of a MATA construction inspector.

This agreement is executed on this the 5<sup>th</sup> day of December

MISC BOOK 43 PAGE 619  
DATE 10/12/2001  
TIME 04:49:02 PM  
RECORDED IN  
OFFICIAL RECORDS OF  
CRAIGHEAD COUNTY  
ANN. HUDSON  
CIRCUIT CLERK

*[Signature]*  
Lone Star Co., Inc.

*[Signature]* D.C.  
*[Signature]*

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

OFFICIAL SEAL  
J. HARRY HARDWICK  
NOTARY PUBLIC-ARKANSAS  
CRAIGHEAD COUNTY  
MY COMMISSION EXPIRES: 02-14-2010  
CITY OF JONESBORO, MATA DEPT.

BY: *[Signature]*  
DIRECTOR - MATA

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Lone Star Co., Inc.

R.O.W. Revised 11/29/00

## RIGHT OF WAY

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

Now, Therefore, be it agreed between Lone Star Co., Inc., and city on 5th day of Dec, 2000.

1. Lone Star Co., 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 Lone Star Co., Inc., in City of Jonesboro, Craighead County, Arkansas, or particularly described as follows:

Part of the southeast quarter of the northeast quarter of Section 20, T14N, R4E, and being part of the Tract of Land as described in the Deed of Record as recorded in Deed Book 404, Page 611 of the official records of Craighead County, Arkansas, and being more particularly described as follows:

**Permanent Right-of-Way**

Commencing at the southeast corner of the northeast quarter of Section 20-T14N-R4E as shown on the Record Plat as recorded in Book A Page 39 of the Official Records of Craighead County, Arkansas; thence S 89°18'00" W, 82.37 feet to a point; thence N 00°42'00" W, 64.06 feet to the point of beginning proper; thence N 45°58'28" E, 35.26 feet to a point; thence N 08°10'00" E, 11.32 feet to a point; thence N 00°08'05" E, 39.66 feet to a point; thence S 00°18'55" E, 75.15 feet to a point; thence S 89°32'34" W, 27.47 feet to the point of beginning proper and containing 0.008 acres (376 square feet).

**Temporary Construction Easement**

Commencing at the southeast corner of the northeast quarter at Section 20-T14N-R4E, as shown on the Record Plat as recorded in Book A, Page 39 of the Official Records of Craighead County, Arkansas; thence S 89°18'00" W, 82.37 feet to a point; thence N 00°42'00" W, 64.06 feet to the point of beginning proper; thence S 89°32'34" W, 133.29 feet to a point; thence N 00°01'40" W, 10.21 feet to a point; thence N 89°26'47" E, 104.02 feet to a point; thence S 00°35'38" E, 4.99 feet to a point; thence N 89°26'22" E, 20.39 feet to a point; thence N 45°58'28" E, 35.92 feet to a point; thence N 00°06'57" E, 13.86 feet to a point; thence N 89°53'03" W, 5.03 feet to a point; thence N 00°08'05" E, 102.16 feet to a point; thence N 06°44'49" E, 24.60 feet to a point; thence S 89°31'56" E, 11.42 feet to a point; thence S 00°18'55" E, 95.33 feet to a point; thence S 00°08'05" W, 39.66 feet to a point; thence S 08°10'00" W, 11.32 feet to a point; thence S 45°58'28" W,

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35.26 feet to the point of beginning proper and containing 0.082 acres (3,552 square feet).

2. Lone Star Co., Inc. warrants the right-of-way against anyone claiming it or in any manner preventing free and unobstructed use of it by city.

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 Lone Star Co., Inc..

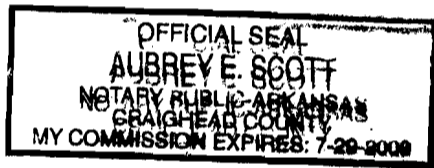
*[Handwritten Signature]*  
Lone Star Co., Inc.

STATE OF ARKANSAS  
COUNTY OF CRAIGHEAD

ACKNOWLEDGMENT

On this day before me, the undersigned officer, personally appeared Lone Star Co., Inc. to me well known to be the person whose name is subscribed to the foregoing instrument, and acknowledged that she had executed the same for the purposes therein stated and set forth.

WITNESS my hand and seal this 5TH Day of DECEMBER 2000.



*[Handwritten Signature]*  
NOTARY PUBLIC