

AGREEMENT

This agreement is entered into on this date by and between James D. Johnston 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 327 East Nettleton, Jonesboro, Arkansas, Parcel Number 104.

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. Reconstruct driveway.
2. To be paid \$500.00 for tree on west property line.
3. Terrace yard to back of sidewalk and place sod on disturbed yard.
4. Remove and replace railroad ties.
5. To be paid \$1,668.00

This agreement is executed on this the 7 day of ~~December, 1999~~ <sup>JAN, 2000</sup>

James D. Johnston  
James D. Johnston

OFFICIAL SEAL  
 J. HARRY HARDWICK  
 NOTARY PUBLIC-ARKANSAS  
 CRAIGHEAD COUNTY  
 MY COMMISSION EXPIRES 12/31/2001

*J. Harry Hardwick*

CITY OF JONESBORO, MATA DEPT.

BY: *[Signature]*  
DIRECTOR - MATA

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

MISC BOOK 43 PAGE 604  
 DATE 10/12/2001  
 TIME 04:48:47 PM  
 RECORDED IN  
 OFFICIAL RECORDS OF  
 CRAIGHEAD COUNTY  
 ANN HUDSON  
 CIRCUIT CLERK  
*Deborah Weader, D.C.*  
 RECEIPT# 72471

327 E Nettleton

104

## RIGHT OF WAY

Whereas, **James D. Johnston**, 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, **James D. Johnston**, and city have agreed upon a right-of-way for construction and maintenance of a street across the land of **James D. Johnston**, in favor of city and in favor of the land of city;

Now, Therefore, be it agreed between **James D. Johnston**, and city on 12 day of JAN, ~~1999~~ 2000

1. **James D. Johnston**, 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 **James D. Johnston**, in City of Jonesboro, Craighead County, Arkansas, or particularly described as follows:

Part of the southeast quarter of Section 19, T14N, R4E, Craighead County, Arkansas, and being part of Lot 3 of Senter & Company's Addition to the City of Jonesboro, Arkansas, being more particularly described as follows:

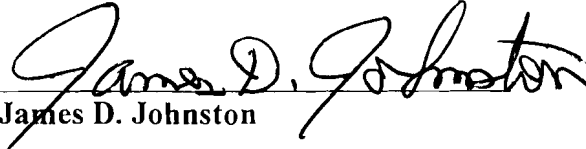
## Permanent Right-of-Way

Commencing at the northeast corner of Lot 3 of Senter & Company's Addition to the City of Jonesboro, Arkansas; thence S 89° 14' 32" W, 132.01 feet to a point; thence S 00° 02' 02" E, 2.81 feet to the point of beginning proper; thence S 89° 29' 18" W, 131.06 feet to a point; thence N 01° 02' 27" E, 8.50 feet to a point; thence N 89° 29' 54" E, 130.90 feet to a point; thence S 00° 02' 02" E, 8.49 feet to the point of beginning and containing 0.0255 acres (1112.0 sq. ft.).

2. **James D. Johnston**, 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 **James D. Johnston**.

  
James D. Johnston

STATE OF ARKANSAS  
COUNTY OF CRAIGHEAD

ACKNOWLEDGMENT

On this day before me, the undersigned officer, personally appeared **James D. Johnston**, 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 12<sup>th</sup> day of January, ~~1999~~ 2000



*Jane McAnally*  
NOTARY PUBLIC

DEED BOOK 587 PAGE 148 - 149  
DATE 01/25/2000  
TIME 04:15:38 PM  
RECORDED IN  
OFFICIAL RECORDS OF  
CRAIGHEAD COUNTY  
ANN HUDSON  
CIRCUIT CLERK  
*Shanna Kiker*, D.C.  
RECEIPT# 39336