

AGREEMENT

This agreement is entered into on this date by and between **Tim Ellis and Andrea Ellis** 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 1104 West Nettleton Avenue, Jonesboro, Arkansas, Parcel Number 60.

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

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

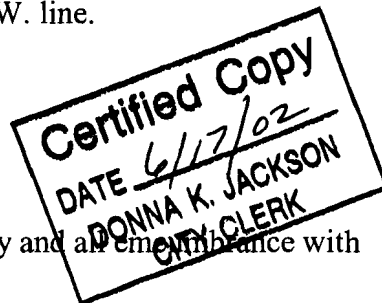
1. To be paid the sum of \$ 1,330.00
2. Remove existing concrete driveway back to new R.O.W. line.
3. Provide cut in new curb and gutter for driveway.
4. Construct concrete drive to new R.O.W. line.
5. Solid sod new area disturbed by construction.
6. Construct 5' sidewalk width of property.

The above said agreed amount to be paid shall be free and clear of any and all encumbrances with the exception of Simmons First Bank

This agreement is executed on this the 7th day of June, 2002

Tim Ellis
Tim Ellis

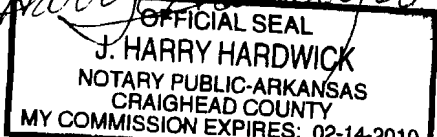
Andrea Ellis
Andrea Ellis



CITY OF JONESBORO, MATA DEPT.

BY:

[Signature]
DIRECTOR - MATA



1104 West Nettleton Avenue
Parcel #60

2014

Right-of-Way

Whereas, Tim Ellis and Andrea Ellis, 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, Tim Ellis and Andrea Ellis, and city have agreed upon a right-of-way for construction and maintenance of a street across the land of Tim Ellis and Andrea Ellis, in favor of city and in favor of the land of city.

Now, Therefore, be it agreed between Tim Ellis and Andrea Ellis, and city on 7th day of June, 2002.

1. Tim Ellis and Andrea Ellis, 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 Tim Ellis and Andrea Ellis, in City of Jonesboro, Craighead County, Arkansas, or particularly described as follows:

DESCRIPTION OF PERMANENT RIGHT-OF-WAY

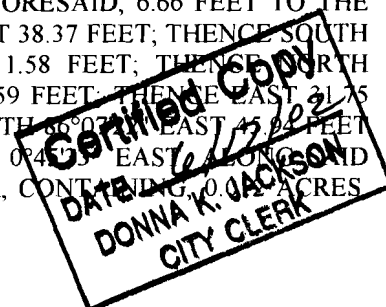
PART OF LOTS 15 AND 16 OF CHARLES A. STUCK SECOND ADDITION TO THE CITY OF JONESBORO, CRAIGHEAD COUNTY, ARKANSAS, AS RECORDED IN DEED BOOK #48, PAGE #208 IN THE OFFICE OF THE CIRCUIT COURT CLERK AND EX-OFFICIO RECORDER, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE SOUTHEAST CORNER OF LOT 15 OF CHARLES A. STUCK SECOND ADDITION TO THE CITY OF JONESBORO, CRAIGHEAD COUNTY, ARKANSAS; THENCE SOUTH 89°14'27" WEST ALONG THE SOUTH LINE OF LOTS 15 AND 16 AFORESAID, 112.50 FEET; THENCE NORTH 0°28'27" EAST 6.47 FEET; THENCE NORTH 89°09'18" EAST 73.99 FEET; THENCE NORTH 89°07'13" EAST 38.37 FEET TO THE EAST LINE OF LOT 15 AFORESAID; THENCE SOUTH 0°45'33" EAST 6.66 FEET TO THE POINT OF BEGINNING, CONTAINING, 0.017 ACRES, (737.34 SQUARE FEET).

DESCRIPTION OF TEMPORARY CONSTRUCTION EASEMENT

PART OF LOTS 15 AND 16 OF CHARLES A. STUCK SECOND ADDITION TO THE CITY OF JONESBORO, CRAIGHEAD COUNTY, ARKANSAS, AS RECORDED IN DEED BOOK #48, PAGE #208 IN THE OFFICE OF THE CIRCUIT COURT CLERK AND EX-OFFICIO RECORDER, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE SOUTHEAST CORNER OF LOT 15 OF CHARLES A. STUCK SECOND ADDITION TO THE CITY OF JONESBORO, CRAIGHEAD COUNTY, ARKANSAS; THENCE NORTH 0°45'33" WEST, ALONG THE EAST LINE OF LOT 15 AFORESAID, 6.66 FEET TO THE POINT OF BEGINNING PROPER; THENCE SOUTH 89°07'13" WEST 38.37 FEET; THENCE SOUTH 89°09'18" WEST 73.99 FEET; THENCE NORTH 0°28'27" EAST 1.58 FEET; THENCE NORTH 84°12'59" EAST 24.98 FEET; THENCE NORTH 53°38'34" EAST 5.59 FEET; THENCE SOUTH 86°07'13" EAST 31.75 FEET; THENCE SOUTH 82°42'40" EAST 5.42 FEET; THENCE SOUTH 0°45'33" EAST 1.93 FEET TO THE EAST LINE OF LOT 15 AFORESAID; THENCE SOUTH 0°45'33" EAST 1.93 FEET TO THE POINT OF BEGINNING PROPER, CONTAINING, 0.017 ACRES, (512.47 SQUARE FEET).



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2. Tim Ellis and Andrea Ellis, 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 Tim Ellis and Andrea Ellis.

Tim Ellis *Andrea Ellis*
Tim Ellis and Andrea Ellis

STATE OF ARKANSAS
COUNTY OF

Craighead

ACKNOWLEDGEMENT

On this day before me, the undersigned officer, personally appeared Tim Ellis and Andrea Ellis, 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 7th day of June, 2002.

J. Harry Hardwick
NOTARY PUBLIC
OFFICIAL SEAL
J. HARRY HARDWICK
NOTARY PUBLIC-ARKANSAS
CRAIGHEAD COUNTY
MY COMMISSION EXPIRES 02-14-2010
Certified Copy
DATE 6/17/02
DONNA K. JACKSON
CITY CLERK