

RESOLUTION 2013-08-437R

**A RESOLUTION ACCEPTING THE DEDICATION OF A CERTAIN
EASEMENT FROM FIRST SECURITY BANK**

WHEREAS, pursuant to city utility requirements, First Security Bank has, as evidenced by the attached document, granted a 30-foot easement to the City of Tontitown on land described in File 2011-00028758 in the Washington County Circuit Clerk's Office (Tract 1: 1395 Henri de Tonti Blvd.- Parcel #830-37592-000); and

WHEREAS, it is the desire of the City Council of the City of Tontitown that the utility easement dedication be formally accepted.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF TONTITOWN, ARKANSAS:

SECTION 1. The attached utility easement document, executed by a duly authorized representative of First Security Bank, dedicating a certain easement to the City of Tontitown, is hereby accepted.

SECTION 2. The Recorder-Treasurer shall cause an executed copy of the Utility Easement document, and a certified copy of this Resolution to be filed in the Office of the Washington County Circuit Clerk.

PASSED AND APPROVED THIS 6 DAY OF August, 2013.

Alicia

Recorder-Treasurer

[Signature]
Mayor


Doc ID: 015319050012 Type: REL
Kind: EASEMENT
Recorded: 07/30/2013 at 03:27:41 PM
Fee Amt: \$70.00 Page 1 of 12
Washington County, AR
Kyle Sylvester Circuit Clerk
File **2013-00025994**

UTILITY EASEMENT

PARCEL NO. 830-37592-000
STATE OF ARKANSAS
COUNTY OF WASHINGTON

KNOW ALL MEN BY THESE PRESENTS:

That for and in consideration of \$1.00 and other valuable considerations to the undersigned **First Security Bank**, paid, the receipt of which is hereby acknowledged, the said Grantor does hereby GRANT, SELL AND CONVEY unto the City of Tontitown, (herein styled Grantee), its successors and assigns, the right of way and easement to construct, lay, remove, relay, enlarge, maintain, inspect, repair, and operate all utility lines, manholes, and appurtenances thereto, with rights of ingress and egress to and from the same, on, over, across and under the following described real estate, to-wit:

Property Description

Per file No. 2011-00028758, Tract 1: 1395 Henri de Tonti, Tontitown, Arkansas 72764 (see attachment, Exhibit - B) of the official records of Washington County, Arkansas.

Easement Description

A 30 foot Utility Easement, being a portion of the tract of land described by File 2011-00028758 of the Official Records of Washington County, Arkansas, and lying in the Northeast Quarter (NE1/4), Southeast Quarter (SE1/4), Section Six (6), Township Seventeen North (T17N), Range Thirty West (R30W), Fifth Principal Meridian, Washington County, Arkansas, being described more particularly by metes and bounds as follows:

COMMENCING at a found 1/2" rebar with cap (LS1005) at the Northwest corner of said tract; Thence along the West line of said tract South 03°16'28" West, a distance of 440.78 feet to the **POINT OF BEGINNING**;

Thence leaving said West line South 87°08'00" East, a distance of 592.23 feet to the East line of said Tract;

Thence along said East line South 02°35'49" West, a distance of 30.00 feet;

Thence leaving said East line North 87°08'00" West, a distance of 592.59 feet to said West line;

Thence along said West line North 03°16'28" East, a distance of 30.00 feet to the **POINT OF BEGINNING**, containing 17,772 Square Feet or 0.41 Acres, more or less.

The Grantor agrees not to erect any building or structures in said right of way other than fences and said fences shall not exceed six (6) feet in height. No trees shall be planted or permitted by Grantor on said right of way. Grantor shall not be entitled to any compensation for fences or growing crops removed or disturbed within this permanent easement by virtue of Grantee's exercise of the rights under this agreement

The consideration recited herein is in full satisfaction of every right hereby granted. All covenants and agreements herein contained shall extend to and be binding upon the respective heirs, legal representatives, successors and assigns of the parties, herto.

It is hereby understood and agreed that the party securing this grant in behalf of the Grantee is without authority to make any covenant or agreement not herein expressed.

WITNESS the execution there of this 19th day of July, 2013.

Grantor:

First Security Bank

By:


James K. Taylor

ACKNOWLEDGEMENT

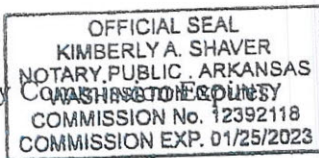
STATE OF ARKANSAS
COUNTY OF WASHINGTON

BE IT REMEMBERED, that on this date, before me a Notary Public within and for said County and State, duly commissioned and personally appeared James K. Taylor, authorized representative of First Security Bank, to me well known as the person (s) who executed the foregoing UTILITY EASEMENT and that had executed the same for consideration and purpose therein mentioned and set forth.

WITNESS my hand and seal on this 19th day of July, 2013.

Kimberly A. Shaver
Notary Public

My



NOTE:

It is to be understood that this sketch is descriptive only of the size, shape and location of the easement and does not constitute a plat or survey of the Grantors' property.

Hwy. 412

P.O.C.

8" Steel Post

1/2" Rebar (LS#1005)

1/2" Rebar

LEGEND

Property Line

Centerline

Easement Line

Right-of-Way Line

Monument Found as Noted

Monument Found as Noted

Larry Don Morgan
and Karen Sue Morgan
Parcel 830-37591-000
Tract III
File 2003-00055249
4.83 Acres ±

First Security Bank
Parcel 830-37592-000
File 2011-00028758
37.77 Acres ±

P.O.B.

30' Utility Easement

N3°16'28"E
30.00'

N87°08'00"W 592.59'

S87°08'00"E 592.23'

S2°35'49"W
30.00'

30' Utility Easement

17,772 Sq. Ft. ±
or 0.41 Ac. ±

1/2" Rebar (LS#1005)

Exhibit "A"

Scale: 1" = 100'

07-12-13	RSK	TLP		
DATE	PLS	DWR		

First Security Bank



**ENGINEERING
ASSOCIATES, INC**

ENGINEERS PLANNERS SURVEYORS

3108 SW Regency Parkway, Suite 2 (479) 273-9472
Bentonville, AR 72712 (470) 254-8324

JOB NO.: 27245
DWG NAME: Utility Ease

30' Utility Easement
Highway 412

DATE
07/12/12
12:50
SHEET NO.
1
OF
1

Tontitown,

Arkansas

Rev-0

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GRAPHIC SCALE



(IN FEET)

1 inch = 100 ft.



EXHIBIT - B



Doc ID: 014252890008 Type: REL
Kind: COMMISSIONER DEED
Recorded: 10/13/2011 at 03:45:03 PM
Fee Amt: \$50.00 Page 1 of 8
Washington County, AR
Bette Stamps Circuit Clerk

File **2011-00028758**

COMMISSIONER'S DEED

BETTE STAMPS, COMMISSIONER

GRANTOR

TO

FIRST SECURITY BANK

GRANTEE

I, Bette Stamps, Commissioner, duly qualified and acting, do certify as follows:

That the Circuit Court of Washington County, Arkansas, on the 12 day of July, 2010, in Washington County, Arkansas, Circuit Court Case No. CV2010-712-2, appointed me the Commissioner of the Court to advertise for sale the hereinafter described lands. Having published notice of said sale in the manner provided by said Decree and pursuant to the laws of the State of Arkansas, said sale was held on the 12th day of October, 2011, and offered to the highest bidder and at such sale, First Security Bank, bid and offered the highest sum at the sale with the bid being the highest and best bid, and the same was struck off and sold to First Security Bank for the sum bid.

That said sale was duly reported to me to said Court on the 13 day of October, 2011, and was duly approved by said Court on the 13 day of October, 2011, and I was by the Court directed to make and execute a Commissioner's Deed to the purchaser of said lands, to-wit:

TRACT 1: 1395 HENRI DE TONTI, TONTITOWN, ARKANSAS, 72764

PART OF THE EAST HALF OF THE SOUTHEAST QUARTER OF SECTION SIX (6), TOWNSHIP SEVENTEEN (17) NORTH, RANGE THIRTY (30) WEST, DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHEAST CORNER OF SAID 80 ACRE TRACT AND RUNNING THENCE WEST 40.44 RODS; THENCE NORTH 88 RODS; THENCE EAST 4.89 RODS; THENCE NORTH 72 RODS; THENCE EAST 35.55 RODS; THENCE SOUTH 160 RODS TO THE PLACE OF BEGINNING, CONTAINING 40.00 ACRES, MORE OR LESS. LESS AND EXCEPT: PART OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 6, TOWNSHIP 17 NORTH, RANGE 30 WEST, MORE PARTICULARLY DESCRIBED AS STARTING AT THE SOUTHWEST

CORNER OF THE NE 1/4 OF THE SE 1/4 OF SECTION 6; THENCE NORTH 03°38'00" EAST, ALONG THE WEST LINE THEREOF, A DISTANCE OF 1153.30 FEET TO A POINT ON THE SOUTHERLY EXISTING RIGHT-OF-WAY LINE OF STATE HIGHWAY 68; THENCE SOUTH 87°30'11" EAST, ALONG SAID EXISTING RIGHT-OF-WAY LINE, A DISTANCE OF 352.51 FEET TO A POINT; THENCE SOUTH 87°33'11" EAST, ALONG SAID EXISTING RIGHT-OF-WAY LINE, A DISTANCE OF 380.93 FEET, FOR THE POINT OF BEGINNING; THENCE CONTINUING SOUTH 87°33'11" EAST ALONG SAID RIGHT-OF-WAY LINE, A DISTANCE OF 579.42 FEET TO A POINT ON THE EAST LINE OF THE NE 1/4 OF THE SE 1/4 OF SECTION 6; THENCE SOUTH 02°06'00" WEST, ALONG SAID EAST LINE, A DISTANCE OF 5.0 FEET TO A POINT ON THE SOUTHERLY PROPOSED RIGHT-OF-WAY LINE OF STATE HIGHWAY 68; THENCE NORTH 87°33'11" WEST, ALONG SAID PROPOSED RIGHT-OF-WAY LINE, A DISTANCE OF 194.24 FEET TO A POINT; THENCE SOUTH 86°44'10" WEST, ALONG SAID PROPOSED RIGHT-OF-WAY LINE, A DISTANCE OF 150.75 FEET TO A POINT; THENCE NORTH 84°07'09" WEST, ALONG SAID PROPOSED RIGHT-OF-WAY LINE, A DISTANCE OF 235.83 FEET TO A POINT; THENCE NORTH 03°38'00" EAST, A DISTANCE OF 5.88 FEET TO THE POINT OF BEGINNING, CONTAINING 0.14 ACRES, MORE OR LESS.

TRACT 2: 2325 N. COLLEGE AVE., FAYETTEVILLE, ARKANSAS

A PARCEL OF LAND SITUATED IN THE FRACTIONAL W 1/2 OF THE FRACTIONAL NW 1/4 OF SECTION 3, TOWNSHIP 16 NORTH, RANGE 30 WEST, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT A POINT WHICH IS 412.6 FEET WEST AND 564.0 FEET NORTH OF THE SE CORNER OF THE FRACTIONAL W 1/2 OF THE FRACTIONAL NW 1/4 OF SECTION 3, TOWNSHIP 16 NORTH, RANGE 30 WEST, THENCE NORTH 100.00 FEET; THENCE EAST 220.5 FEET TO THE WEST RIGHT-OF-WAY LINE OF U.S. HIGHWAY 71; THENCE SOUTH 11°30' WEST, ALONG SAID RIGHT-OF-WAY LINE, 101.70 FEET TO THE NE CORNER OF THE A & W DRIVE-IN TRACT; THENCE WEST 199.6 FEET, ALONG THE NORTH LINE OF SAID TRACT, TO THE POINT OF BEGINNING.

TRACK 4: 57 N. ALLEN STREET (ACROSS FROM DRAKE FIELD)

PART OF THE SW 1/4 OF THE NW 1/4 OF SECTION 4, TOWNSHIP 15 NORTH, RANGE 30 WEST, WASHINGTON COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT: BEGINNING AT A POINT 660 FEET SOUTH AND 264 FEET EAST OF THE NW CORNER OF SAID 40 ACRE TRACT, AND RUNNING THENCE NORTH

660 FEET, THENCE EAST 661 FEET TO THE WEST RIGHT OF WAY LINE OF THE ST. LOUIS-SAN FRANCISCO RAILROAD; THENCE WITH SAID RIGHT OF WAY SOUTH BEARING EAST TO A POINT 660 FEET SOUTH OF THE NORTH LINE OF SAID 40 ACRE TRACT; THENCE WEST 733 FEET, MORE OR LESS, TO THE POINT OF BEGINNING, CONTAINING 10.56 ACRES, MORE OR LESS. SUBJECT TO A ROADWAY ON THE NORTH SIDE THEREOF. LESS AND EXCEPT: 50 FEET OF EQUAL AND UNIFORM WIDTH ACROSS THE EAST SIDE THEREOF.

TRACT 5: 2134 N. GARLAND AVE, FAYETTEVILLE, ARKANSAS

UNIT NUMBERED 2134, BRADFORD PLACE CONDOMINIUM, HORIZONTAL PROPERTY REGIME, AS SET FORTH IN THE MASTER DEED ON FILE IN BOOK 1152 AT PAGE 617, WASHINGTON COUNTY, ARKANSAS.

TRACT 6: 509 E. HUNTSVILLE, FAYETTEVILLE, ARKANSAS

A PART OF LOTS 1 AND 2 IN THE AUMICK'S SUBDIVISION TO THE CITY OF FAYETTEVILLE, WASHINGTON COUNTY, ARKANSAS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT: BEGINNING AT THE INTERSECTION ON THE EASTERLY RIGHT OF WAY OF WOOD AVENUE AND THE SOUTHERLY RIGHT OF WAY OF HUNTSVILLE ROAD, WHICH IS THE NW CORNER OF LOT 1; THENCE ALONG THE SOUTHERLY RIGHT OF WAY OF SAID HUNTSVILLE ROAD, SOUTHEASTERLY TO THE NE CORNER OF SAID LOT 1; THENCE SOUTH ALONG THE EAST LINE OF LOTS 1 AND 2 TO A POINT WHICH IS 34 FEET SOUTH OF THE NE CORNER OF LOT 2; THENCE NORTH 71 DEGREES 55' WEST 302.96 FEET TO A POINT WHICH IS 60 FEET NORTH OF THE SW CORNER OF LOT 1; THENCE NORTHERLY ALONG THE WEST LINE OF LOT 1 AND THE EASTERLY RIGHT OF WAY OF WOOD AVENUE TO THE POINT OF BEGINNING.

LESS AND EXCEPT: A PART OF LOTS 1 AND 2 IN THE AUMICK'S ADDITION TO THE CITY OF FAYETTEVILLE, WASHINGTON COUNTY, ARKANSAS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT: BEGINNING AT A POINT ON THE EAST RIGHT-OF-WAY OF WOOD AVENUE AT A POINT WHICH IS 60 FEET NORTH OF THE SW CORNER OF SAID LOT 1 OF SAID AUMICK'S ADDITION AND SAID POINT BEING IN AN EXISTING BOARD FENCE LINE; THENCE RUNNING ALONG SAID BOARD FENCE SOUTH 71°55' EAST 54.06 FEET TO THE INTERSECTION OF SAID BOARD FENCE AND THE EAST EDGE OF AN EXISTING ROCK WALL FOR THE TRUE POINT OF BEGINNING;

THENCE ALONG SAID EAST EDGE OF WALL NORTH 28°36'30" EAST 108.67 FEET; THENCE CONTINUE ALONG SAID EAST EDGE OF ROCK WALL NORTH 28°01'28" EAST 70.18 FEET TO THE POINT OF CURVE OF SAID ROCK WALL HAVING A RADIUS OF 24.472 FEET AND A DELTA ANGLE OF 78°30'58"; THENCE CURVING TO THE LEFT ALONG SAID EASTERLY EDGE OF ROCK WALL AN ARC DISTANCE OF 33.535 FEET TO THE POINT OF TANGENT OF SAID CURVE AND IN THE INTERSECTION OF THE SOUTHERLY RIGHT-OF-WAY OF HUNTSVILLE ROAD (HIGHWAY 16 EAST); THENCE ALONG SAID EXISTING RIGHT-OF-WAY SOUTH 50°29'30" EAST 203.58 FEET TO THE INTERSECTION OF A FENCE LINE ON THE EAST EDGE OF LOT NO. 1 OF SAID ADDITION; THENCE ALONG SAID LINE SOUTH 00°14'18" EAST 135.47 FEET TO THE INTERSECTION OF THE FIRST MENTIONED BOARD FENCE; THENCE ALONG SAID BOARD FENCE NORTH 71°55' WEST 248.90 FEET TO THE POINT OF BEGINNING AND CONTAINING IN ALL 0.779 ACRES, MORE OR LESS.

TRACT 7: N. GREGG

A PART OF THE NE 1/4 OF THE NE 1/4 AND A PART OF THE SE 1/4 OF THE NE 1/4 OF SECTION 27, TOWNSHIP 17 NORTH, RANGE 30 WEST, WASHINGTON COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT: BEGINNING AT A POINT WHICH IS SOUTH 00°46'51" EAST 692.13 FEET FROM THE NE CORNER OF SAID SECTION 27, AND RUNNING THENCE SOUTH 00°46'51" EAST 837.97 FEET; THENCE SOUTH 89°57'53" WEST 714.72 FEET TO THE CENTERLINE OF FRYECHLAG BRANCH; THENCE ALONG SAID BRANCH CENTERLINE THE FOLLOWING BEARINGS AND DISTANCES: NORTH 10°39'51" WEST 208.28 FEET, NORTH 49°02'51" WEST 82.10 FEET, NORTH 11°08'09" WEST 220.42 FEET, NORTH 06°32'51" WEST 89.12 FEET, NORTH 51°26'51" WEST 113.40 FEET, NORTH 67°54'32" WEST 318.37 FEET, NORTH 40°38'29" WEST 190.44 FEET TO THE CENTERLINE OF THE JOHNSON ROAD; THENCE NORTH 52°49'31" EAST, ALONG ROAD CENTERLINE, 127.72 FEET; THENCE NORTH 34°30'31" EAST, ALONG ROAD CENTERLINE, 70.81 FEET; THENCE NORTH 13°24'31" EAST, ALONG ROAD CENTERLINE 67.35 FEET; THENCE NORTH 85°54'00" EAST 249.80 FEET; THENCE SOUTH 25°25'20" EAST 363.91 FEET; THENCE NORTH 84°29'40" EAST 710.80 FEET TO THE POINT OF BEGINNING, CONTAINING 17.86 ACRES, MORE OR LESS. LESS AND EXCEPT: THAT PART THAT IS WITHIN A WARRANTY DEED IN FAVOR OF THE CITY OF FAYETTEVILLE, ARKANSAS, A MUNICIPAL CORPORATION, RECORDED AS LAND DOCUMENT NUMBER 98039314 AND A QUIT CLAIM DEED IN FAVOR OF

THE CITY OF FAYETTEVILLE, ARKANSAS, A MUNICIPAL CORPORATION, RECORDED AS LAND DOCUMENT NUMBER 98039316 OF THE RECORDS OF WASHINGTON COUNTY, ARKANSAS.

AND,

A PART OF SECTIONS 22 AND 27, TOWNSHIP 17 NORTH, RANGE 30 WEST, WASHINGTON COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT: BEGINNING AT THE SE CORNER OF SAID SECTION 22 AND RUNNING THENCE NORTH 0°40'30" WEST 252.79 FEET TO THE SE CORNER OF LOT 4, HENDRIX HEIGHTS SUBDIVISION; THENCE NORTH 88°00'29" FEET; THENCE NORTH 88°03'56" WEST 275.12 FEET; THENCE NORTH 83°55'10" WEST 199.52 FEET; THENCE SOUTH 88°51'20" WEST 226.21 FEET; THENCE NORTH 84°39'19" WEST 246.21 FEET TO THE CENTERLINE OF JOHNSON ROAD; THENCE SOUTH 05°25'46" EAST, ALONG ROAD CENTERLINE, 330.39 FEET; THENCE SOUTH 04°47'51" EAST, ALONG ROAD CENTERLINE, 435.35 FEET; THENCE NORTH 85°54'06" EAST 249.80 FEET; THENCE SOUTH 25°25'20" EAST 363.91 FEET; THENCE NORTH 84°29'40" EAST 740.80 FEET; THENCE NORTH 00°46'51" WEST 692.12 FEET TO THE POINT OF BEGINNING, CONTAINING 24.27 ACRES, MORE OR LESS. LESS AND EXCEPT: THAT PART THAT IS WITHIN A WARRANTY DEED IN FAVOR OF THE CITY OF FAYETTEVILLE, ARKANSAS, A MUNICIPAL CORPORATION, RECORDED AS LAND DOCUMENT NUMBER 98039314, AND A QUIT CLAIM DEED IN FAVOR OF THE CITY OF FAYETTEVILLE, ARKANSAS, A MUNICIPAL CORPORATION, RECORDED AS LAND DOCUMENT NUMBER 98039316 OF THE RECORDS OF WASHINGTON COUNTY, ARKANSAS. LESS AND EXCEPT: A PART OF SECTIONS 22 AND 27, TOWNSHIP 17 NORTH, RANGE 30 WEST, WASHINGTON COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT: BEGINNING AT THE SE CORNER OF SAID SECTION 22 AND RUNNING THENCE NORTH 00°49'39" WEST 252.61 FEET TO THE SE CORNER OF LOT 4, HENDRIX HEIGHTS SUBDIVISION; THENCE NORTH 87°57'33" WEST 252.86 FEET; THENCE NORTH 88°03'56" WEST 275.12 FEET; THENCE NORTH 83°50'09" WEST 199.59 FEET; THENCE SOUTH 88°46'48" WEST 226.18 FEET; THENCE NORTH 84°38'53" WEST 246.32 FEET TO THE CENTERLINE OF JOHNSON ROAD; THENCE SOUTH 05°26'17" EAST ALONG ROAD CENTERLINE 253.11 FEET; THENCE SOUTH 04°54'10" EAST, ALONG ROAD CENTERLINE, 512.67 FEET; THENCE NORTH 85°54'10" EAST 244.00 FEET; THENCE SOUTH 88°02'17" EAST 71.18 FEET; THENCE SOUTH 32°37'24" EAST 83.08 FEET; THENCE SOUTH 88°02'17" EAST 71.11 FEET; THENCE SOUTH 01°48'20" WEST 104.75 FEET; THENCE SOUTH 39°31'03" EAST 152.06 FEET; THENCE SOUTH

88°03'01" EAST 152.06 FEET; THENCE NORTH 43°25'01" EAST 152.06 FEET; THENCE NORTH 03°44'50" EAST 104.72 FEET; THENCE SOUTH 88°02'17" EAST 353.42 FEET; THENCE NORTH 00°44'23" WEST 534.08 FEET TO THE POINT OF BEGINNING, CONTAINING 22.23 ACRES, MORE OR LESS, BEING ALL OF LENHAM HEIGHTS SUBDIVISION.

TRACT 8: 818 N. CENTER STREET

A PART OF THE S ½ OF THE SE ¼ OF SECTION THIRTY-SIX, TOWNSHIP SIXTEEN NORTH, RANGE TWENTY-NINE WEST, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT A POINT THAT IS SOUTH 00°31'16" WEST 703.26 FEET FROM THE NW CORNER OF THE S ½ OF THE SE ¼ OF SAID SECTION THIRTY-SIX, SAID POINT OF BEGINNING BEING ON THE WEST LINE OF SAID 80 ACRE TRACT, AND RUNNING THENCE NORTH 88°01'12" EAST, 2482.20 FEET TO THE CENTER OF THE MAIN CHANNEL OF THE WHITE RIVER; THENCE SOUTHWESTERLY ALONG SAID CENTERLINE THE FOLLOWING: SOUTH 56°38'28" WEST 167.80 FEET, SOUTH 140.00 FEET, SOUTH 50°55'30" WEST 294.20 FEET, SOUTH 33°01' WEST 360.40 FEET, THENCE LEAVING SAID CENTERLINE SOUTH 89°56'12" WEST 1921.60 FEET TO THE SW CORNER OF THE SE ¼ OF SAID SECTION THIRTY-SIX: THENCE NORTH 00°31'16" EAST 636.29 FEET TO THE POINT OF BEGINNING, CONTAINING 33.73 ACRES, MORE OR LESS, CITY OF ELKINS, WASHINGTON COUNTY, ARKANSAS. SUBJECT TO THE ARKANSAS STATE HIGHWAY RIGHT-OF-WAY ALONG THE WEST SIDE AND THE WHITE RIVER CHANNEL ALONG THE EAST LINE.

TRACT 9: HASKELL CARNES RD.

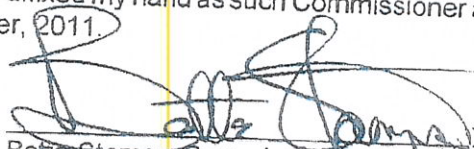
PART OF THE NE ¼ OF THE SE ¼ OF SECTION 33, AND PART OF THE NW ¼ OF THE SW ¼ OF SECTION 34, ALL LOCATED IN TOWNSHIP 16 NORTH, RANGE 31 WEST, MORE PARTICULARLY DESCRIBED AS COMMENCING AT THE NE CORNER OF THE NE ¼ OF THE SE ¼ OF SECTION 33, AND CONTINUING THENCE SOUTH 89°45'29" WEST 320.00 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 00°12'20" WEST 530.58 FEET; THENCE SOUTH 89°28'46" EAST 1046.00 FEET TO THE CENTERLINE OF COUNTY ROAD NO. 264; THENCE ALONG SAID CENTERLINE SOUTH 00°04'21" WEST 60.00 FEET; THENCE LEAVING SAID CENTERLINE SOUTH 89°47'15" WEST 166.40 FEET; THENCE SOUTH 00°25'40" EAST 715.19 FEET; THENCE SOUTH 89°49'17" WEST 1221.16 FEET; THENCE NORTH 00°08'42" WEST 496.26 FEET; THENCE SOUTH 89°45'29" WEST 178.77 FEET; THENCE NORTH 21°43'23" EAST 393.16 FEET; THENCE NORTH

10°46'45" EAST 465.89 FEET; THENCE NORTH 89°45'29" EAST 285.59 FEET TO THE POINT OF BEGINNING, CONTAINING 27.09 ACRES, MORE OR LESS, WASHINGTON COUNTY, ARKANSAS.

I, Bette Stamps, Commissioner as aforesaid, in order to conclude the sale had as aforesaid and to comply with the orders and directions of said Court, in consideration of the premises and the sum of Ten and No/100 Dollars (\$10.00) and other good and valuable consideration, do hereby grant, bargain, sell and convey unto said First Security Bank, all the right, title, interest, equity and estate, either at law or in equity, of the parties to said cause, in and to the lands hereinabove described.

To have and to hold unto First Security Bank, together with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in any wise appertaining.

IN WITNESS WHEREOF, I have hereunto affixed my hand as such Commissioner and the seal of said Court, this 13 day of October, 2011.


Bette Stamps, Commissioner

ACKNOWLEDGMENT

STATE OF ARKANSAS)

COUNTY OF WASHINGTON)

) ss.
)

On this day personally appeared before me, Bette Stamps, Commissioner, known to me to be the person whose name is subscribed in the within instrument and acknowledged that she, being duly authorized to do so, executed the same for the purposes therein contained.

WITNESS my hand and official seal this 13 day of October, 2011.


NOTARY PUBLIC

My Commission Expires:

term of Office

AFTER RECORDING RETURN TO:

Gary D. Jiles, Esq.
MILLAR JILES CULLIPHER, LLP
The Frauenthal Building
904 Front Street
Conway, Arkansas 72032
(501) 329 - 1133

REMIT TAX STATEMENTS TO:

First Security Bank
1219 E. Joyce Avenue
Fayetteville, Arkansas 72703