

L BK 11 PG 323

IN THE SPECIAL COURT OF EMINENT DOMAIN
DESOTO COUNTY, MISSISSIPPI

MISSISSIPPI VALLEY GAS, A DIVISION
OF ATMOS ENERGY CORPORATION

PETITIONER

VS.

NO. CO2004-0681

HERBERT J. SMITH AND HIS WIFE
CATHY J. SMITH,
FEE SIMPLE OWNERS

STATE MS.-DESOTO CO.
FILED

ENTERGY MISSISSIPPI, INC.,
OWNER OF AN UTILITY EASEMENT

JUL 1 2 56 PM '04

BELLSOUTH TELECOMMUNICATIONS, INC.,
OPERATOR OF A COMMUNICATION FACILITY

BK 11 PG 323
WE DAVIS CH CLK

NORTH MISSISSIPPI UTILITY COMPANY, INC.
OPERATOR OF A WATER LINE FACILITY

RESPONDENTS

LIS PENDENS NOTICE

TO THE CHANCERY CLERK OF DESOTO COUNTY:

You are hereby notified that Mississippi Valley Gas has filed a Petition in the Special Court of Eminent Domain of DeSoto County, Mississippi, for an eminent domain proceeding to be established on certain lands described in EXHIBIT "A", attached hereto and incorporated herein.

The interested Parties are:

MISSISSIPPI VALLEY GAS, A DIVISION
OF ATMOS ENERGY CORPORATION

PETITIONER

HERBERT J. SMITH AND HIS WIFE
CATHY J. SMITH,
FEE SIMPLE OWNERS

RESPONDENT

ENTERGY MISSISSIPPI, INC.,
OWNER OF AN UTILITY EASEMENT

RESPONDENT

BELLSOUTH TELECOMMUNICATION, INC.,
OPERATOR OF A COMMUNICATION FACILITY

RESPONDENT

NORTH MISSISSIPPI UTILITY COMPANY, INC.
OPERATOR OF A WATER LINE FACILITY

RESPONDENT

FILED 1 DAY OF July 2004
Deale H. Thompson
CIRCUIT COURT CLERK, DESOTO COUNTY, MISS.

You are further requested to include this Notice and Exhibit "A" hereof in the Lis Pendens records of said County as provided by law.

WITNESS the signature of the Petitioner by their attorney on this the 1st day of July, 2004.

Petitioner

MISSISSIPPI VALLEY GAS, A DIVISION
OF ATMOS ENERGY CORPORATION



By its Attorney Stephen Platt

Stephen Platt
Attorney at Law
217 West Capitol Street
Suite 105
Jackson, Mississippi 39201
Mississippi Bar No. 4410
Telephone No. (601) 352-9111

**RE: MISSISSIPPI VALLEY GAS
PIPELINE EASEMENT
HERBERT J. SMITH & WIFE,
CATHY J. SMITH
SECTIONS 35 & 36, T 2 S - R 9 W
DESOTO COUNTY, MISSISSIPPI**

DESCRIPTION

A certain permanent pipeline easement containing 0.03 acres, more or less, crossing the lands of Herbert J. Smith and wife, Cathy J. Smith, situated in the Northeast Quarter of the Northeast Quarter of Section 35, and in the Northwest Quarter of the Northwest Quarter of Section 36, Township 2 South, Range 9 West, Desoto County, Mississippi, being 30.0 feet in width and 15.0 feet right and left of a centerline described as follows:

Commencing at a PK nail set in the centerline of Dean Road, said nail marking the Northeast corner of Section 35, Township 2 South, Range 9 West, Desoto County, Mississippi; run thence South 24° 55' 51" West for 43.65 feet to a point on the South line of Dean Road, said point being the Point of Beginning of said 30.0 foot permanent easement; thence along the centerline of said easement, the following courses and distances:

**South 00° 14' 10" East for 15.00 feet;
South 89° 44' 29" East for 32.88 feet to a point in a fence marking
the East line of said Smith Property.**

ALSO, a temporary easement containing 0.15 acres, more or less, being 15.0 feet in width and lying and adjoining the West side of said 30.0 foot permanent easement and being 100.0 feet in width and lying and adjoining the South side of said 30.0 foot permanent easement.

Totaling 0.18 acres, more or less.

INDEXING INSTRUCTIONS: Index this instrument as Lot No. 1 of Spencer Place Subdivision according to the Plat filed in Plat Book 66, at Page 01, and in the Northeast Quarter (NE/4) of Section 35, and the Northwest Quarter (NW/4) of Section 36, Township 2 South, Range 9 West, DeSoto County, Mississippi

