

IN THE SPECIAL COURT OF EMINENT DOMAIN  
DESOTO COUNTY, MISSISSIPPI

DESOTO COUNTY REGIONAL UTILITY AUTHORITY

. PETITIONER

VS.

CIVIL ACTION NO. CO-2007-0124

BRAYBOURNE HOMEOWNER'S ASSOCIATION, INC.

DEFENDANT

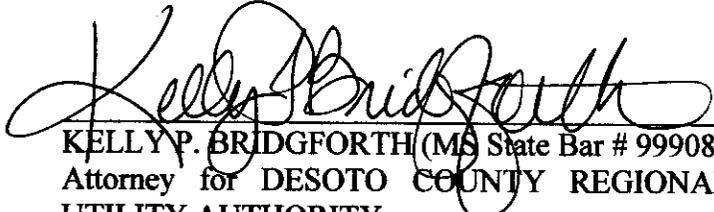
AMENDED LIS PENDENS NOTICE

TO THE CHANCERY CLERK OF DESOTO COUNTY:

You are hereby notified that DeSoto County, Mississippi is seeking to acquire by eminent domain and has this day filed an Amended Petition to acquire fee ownership in the lands described in Exhibit "A" attached hereto and incorporated herein. The original Lis Pendens Notice is amended to reflect additional property of the interested party to be acquired.

The interested party is Braybourne Homeowner's Association, Inc.

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

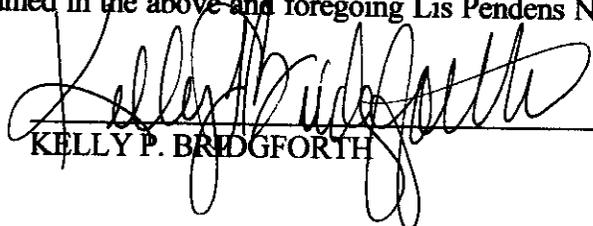
  
KELLY P. BRIDGFORTH (MS State Bar # 99908)  
Attorney for DESOTO COUNTY REGIONAL  
UTILITY AUTHORITY

OF COUNSEL:

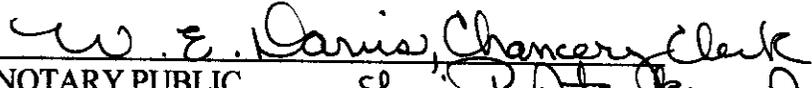
Butler Snow O'Mara Stevens & Cannada, PLLC  
6075 Poplar Avenue  
Suite 500  
Memphis, Tennessee 38119  
Telephone: (901) 680-7200

STATE OF MISSISSIPPI  
COUNTY OF DESOTO

This day personally appeared before me, the undersigned authority in and for said County and State, the within named, Kelly P. Bridgforth, who being by me first duly sworn, states on his oath that the matters, facts and things contained in the above and foregoing Lis Pendens Notice are true and correct as therein stated.

  
KELLY P. BRIDGFORTH

Sworn to and subscribed before me, this the 5th day of March 2007.

  
NOTARY PUBLIC *by: D. Stanley, D.C.*

My Commission Expires  
My Commission Expires Jan. 7, 2008



MEMPHIS 173050v1

December 11, 2006

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**LEGAL DESCRIPTION**  
**BRAYBOURNE HOMEOWNER' ASSOCIATION**  
**(DEED BOOK 408, PAGE 367)**

**A PROPOSED TWENTY (20) FOOT WIDE PERMANENT UTILITY EASEMENT  
AND A TWENTY (20) FOOT WIDE TEMPORARY CONSTRUCTION EASEMENT  
FOR THE BRAYBOURNE WASTEWATER TREATMENT FACILITY  
DESOTO COUNTY, MISSISSIPPI**

Being a twenty (20) foot wide permanent utility easement and a twenty (20) foot wide temporary construction easement situated in the Southwest Quarter (SW 1/4) of Section 32, Township 1 South, Range 5 West, DeSoto County, Mississippi and being out of and a part of that certain parcel of land conveyed to Braybourne Homeowner's Association as shown on plat of survey in Plat Book 72, Page 6 and described in Deed Book 408 Page 367 in the Chancery Clerk's Office of DeSoto County, Mississippi, and being more particulary described as follows:

**PROPOSED TWENTY (20) FOOT WIDE PERMANENT UTILITY EASEMENT**

COMMENCING for reference at the Southwest corner of Section 32, Township 1 South, Range 5 West, DeSoto County, Mississippi;

THENCE run North  $87^{\circ} 41' 44''$  East, for a distance of 150.04 feet to a point;

THENCE run North  $01^{\circ} 03' 15''$  West, for a distance of 150.04 feet to the Southwest corner of a tract of land conveyed to Desoto County Regional Utility Authority as described in Deed Book 534, Page 359 in the Chancery Clerk's Office of DeSoto County, Mississippi;

THENCE along the West line of "Desoto County Regional Utility Authority" tract, run North  $01^{\circ} 03' 15''$  West, for a distance of 245.26 feet to the Northwest corner of said tract, same being the **POINT OF BEGINNING**, of the herein described parcel;

THENCE along the North line extended of said "Desoto County Regional Utility Authority" tract, run North  $74^{\circ} 58' 10''$  West, for a distance of 12.10 feet to a point;

THENCE run North  $13^{\circ} 12' 42''$  East, for a distance of 20.01 feet to a point;

THENCE run South  $74^{\circ} 58' 10''$  East, for a distance of 262.68 feet to a point;

THENCE run South, for a distance of 20.71 feet to a point on the North line of the aforementioned "Desoto County Regional Utility Authority" tract;

Exhibit "A"

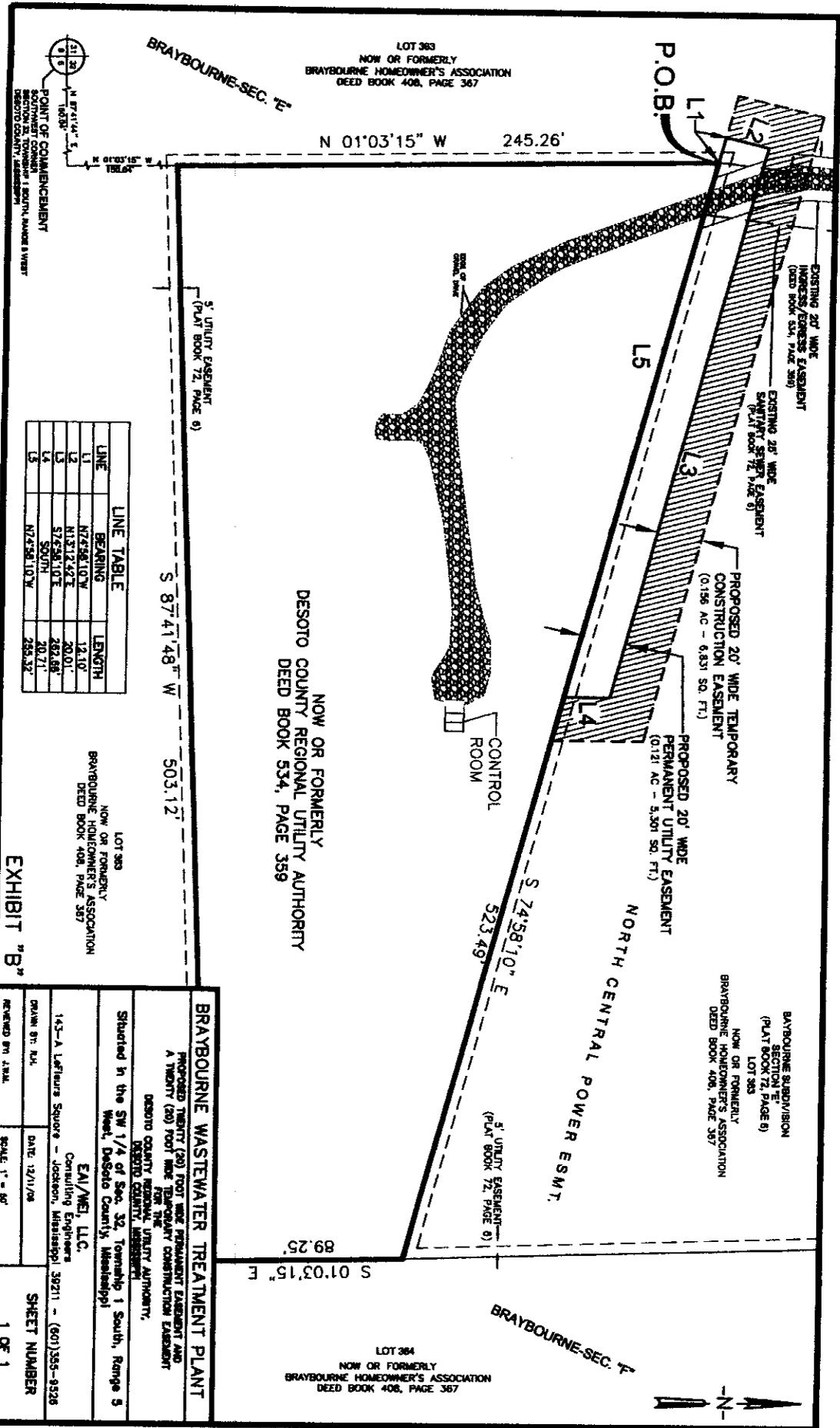
December 11, 2006

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THENCE along said North line of "Desoto County Regional Utility Authority" tract, run North 74°58'10" West, run for a distance of 255.32 feet to the POINT OF BEGINNING, containing 0.121 acres (5,301 sq. ft.), more or less.

**A TWENTY (20) FOOT WIDE TEMPORARY CONSTRUCTION EASEMENT**

Being a proposed twenty (20) foot wide temporary construction easement lying adjacent to and parallel with the West, North and East lines of the above described proposed twenty (20) foot wide permanent utility easement, containing 0.156 Acres, (6,831 Square Feet), more or less.



LINE	BEARING	LENGTH
L1	N72°56'10"W	12.10'
L2	N13°12'42"E	20.01'
L3	S72°58'10"E	282.88'
L4	SOUTH	20.71'
L5	N74°58'10"W	255.32'

EXHIBIT 'B'

PLAT: R:\088-248\DWG\WG EASMENT.DWG

**LEGAL IDENTIFICATION**

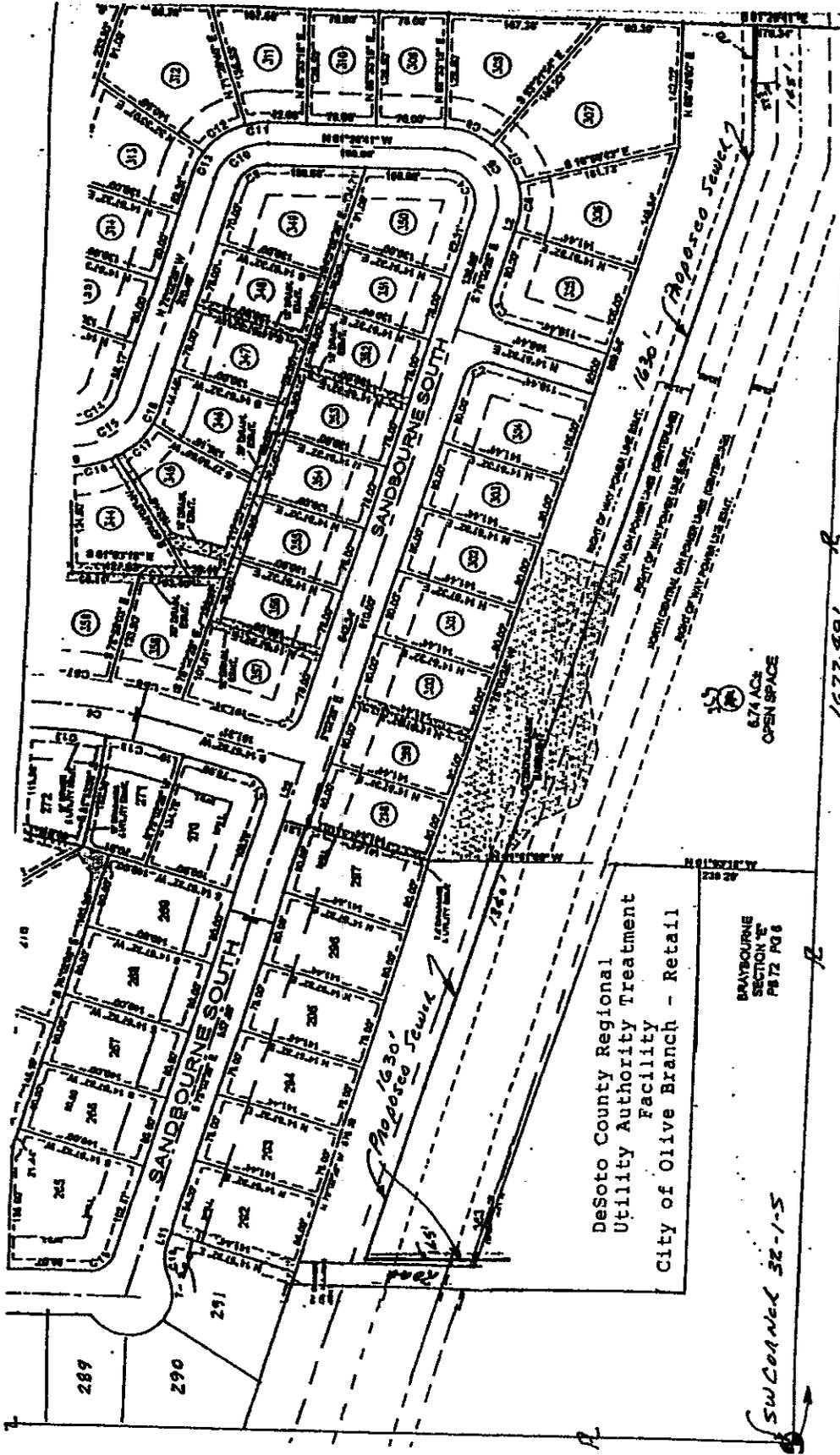
The subject property is legally described as follows:

DESCRIPTION OF A 0.38 ACRE PARCEL FOR A UTILITY EASEMENT AS PART OF THE BRAYBOURNE HOMEOWNERS ASSOCIATION TRACT IN THE SOUTHWEST QUARTER OF SECTION 32; TOWNSHIP 1 SOUTH; RANGE 5 WEST; DESOTO COUNTY, MISSISSIPPI.

Beginning at the southwest corner of Section 32; Township 1 South; Range 5 West; thence east 1677.49 feet along the south line of said section to the southeast corner of the Braybourne Subdivision tract; thence north 110 feet along the east line of said subdivision tract to the point of beginning of the following parcel: thence west 145 feet along a line parallel to and being 27.5 feet north of the centerline of the TVA Electric Power Line Easement to a point, with this utility easement being five feet on either side of the parallel line; thence westward 1340 feet along a line parallel to and being 27.5 feet north of the centerline of the TVA Electric Power Line Easement to a point on the east line of the existing road easement to serve the Braybourne Wastewater Treatment Plant, with this utility easement being five feet on either side of the said parallel line; thence south 145 feet along a line on the east line of the said road to the north line of the Treatment plant property, with the utility being five feet either said of the described line. Said area contained in the easement area being 0.38 acres more or less.

Randolph Word, Associate  
Jeff Norwood, Associate  
Allen Sledge, Associate

Rip Walker & Associates



**BRAYBOURNE  
SUBDIVISION  
SECTION E-F**

PLAT OF PROPOSED SEWER MAIN EASEMENT FOR A CONNECTION  
TO THE DCRUA TREATMENT FACILITY AT BRAYBOURNE SUBDIVISION  
IN THE SOUTHWEST QUARTER OF SECTION 32; TOWNSHIP 1 SOUTH;  
RANGE 5 WEST; DESOTO COUNTY, MISSISSIPPI.

DEVELOPER: KEYSTONE, L.L.C.  
LOCATED IN SECTIONS 32 TOWNSHIP  
1 SOUTH RANGE 5 WEST  
DESOTO COUNTY, MISSISSIPPI

October 2, 2006 Scale 1" = 150'  
Prepared by: Joseph F. Lauderdale P.E. I. S.