

STATE MS. - DESOTO CO. *mc*
FILED *mc*

SEP 11 2 45 PM '03

Prepared by:
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BK 1822 PG 479
W.E. DAVIS CH. CLK.

To the Chancery Clerk of Desoto County, Mississippi: The real property described herein is situated in the NE ¼ and the NW ¼ of Section 13, Township 3 South, Range 7 West of DeSoto County.

PARTIAL RELEASE

THIS PARTIAL RELEASE is hereby executed by First Security Bank (hereinafter "Lender").

WHEREAS, Lender holds a deed of trust given by Sandra Scott Childers, Latracia Scott McCullar, Dona Scott Embrey, and Mavis Scott (collectively, the "Borrower") and recorded in the land records of DeSoto County, Mississippi in Book 1438 at Page 0609 (the "Deed of Trust") in certain real property owned by the Borrower (hereinafter "Borrower");

WHEREAS, Borrower has agreed to grant unto the DeSoto County Regional Utility Authority a fifty foot (50') permanent utility easement and a twenty-five foot (25') temporary construction easement over and across a portion of the property subject to the lien of the Deed of Trust, said property being encumbered by such easements being more particularly described on Exhibit A attached hereto (the "Property");

WHEREAS, Lender has agreed to release the Property from the Deed of Trust.

NOW, THEREFORE, FOR AND IN CONSIDERATION of Ten Dollars (\$10.00) and other good and valuable consideration, the receipt, adequacy and sufficiency of which is hereby acknowledged, the Lender, by its duly authorized officer, does hereby release the Property from the Deed of Trust, (the "Released Parcel").

This Partial Release constitutes cancellation and release of the lien of the Deed of Trust as to the Released Parcel only, the remainder of the property described in the Deed of Trust to remain subject to the lien thereof.

The Chancery Clerk of DeSoto County, Mississippi, is hereby named the agent and attorney of the Beneficiary to make a notation of this Partial Release on the margin of the Deed of Trust and upon the appropriate sectional/subdivision indices.

IN WITNESS WHEREOF, the Lender has executed this Partial Release as of this the 7th day of August, 2003.

LENDER:

First Security Bank

By: *Jim Davis*
Title: *Sr. Vice President*

PARCEL NO. LCC5 Parcel # 3076-1360.0-00001.00

**A FIFTY (50) FOOT WIDE PERMANENT UTILITY EASEMENT
AND A TWENTY-FIVE (25) FOOT WIDE TEMPORARY
CONSTRUCTION EASEMENT
FOR THE
DESOTO COUNTY REGIONAL UTILITY AUTHORITY
DESOTO COUNTY, MISSISSIPPI**

**SANDRA SCOTT CHILDERS, et al
(DB. 405, PG. 70)**

A FIFTY (50) FOOT WIDE PERMANENT UTILITY EASEMENT

Being a fifty (50) foot wide permanent utility easement lying in the Northeast Quarter (NE1/4) of Section 13, Township 3 South, Range 7 West, DeSoto County, Mississippi and being out of and a part of that certain tract of land conveyed to Sandra Scott Childers, et al as described in Deed Book 405, Page 70 in the Chancery Clerk's Office of DeSoto County, Mississippi. Said fifty (50) foot wide utility easement, being measured twenty-five (25) feet perpendicular, left of and right of the following described centerline:

COMMENCING for reference at a found 5/8" iron pin marking the Southwest corner of Section 24, Township 3 South, Range 7 West, DeSoto County, Mississippi;

THENCE run North for a distance of 2,516.50 feet to a point;

THENCE run East for a distance of 2,529.21 feet to a point;

THENCE run North 88° 51' 00" East, for a distance of 1,096.88 feet to a point;

THENCE run North 07° 19' 38" East, for a distance of 6,831.39 feet to a point on the South property line of the above referenced "Childers" tract and being the POINT OF BEGINNING of the herein described centerline;

THENCE run North 07° 19' 38" East, for a distance of 674.42 feet to a point on the North property line of the above referenced "Childers" tract. Said point being the POINT OF TERMINUS of the herein described centerline, containing 0.773 acres (33,692 Square Feet), more or less.

A TWENTY-FIVE (25) FOOT WIDE TEMPORARY CONSTRUCTION EASEMENT

Being a twenty-five (25) foot wide temporary construction easement running parallel to, adjacent to and along the East side of the above described 50 wide permanent utility easement, containing 0.388 acres (16,892 Square Feet), more or less.

Exhibit A

STATE OF MISSISSIPPI

COUNTY OF DESOTO

Personally appeared before me, the undersigned authority in and for the said county and state on this the 7TH day of AUGUST, 2003, within my jurisdiction, the within named JIM DAVIS who acknowledged that he is SR VP of First Security Bank, a state chartered bank, and that for and on behalf of the said bank, and as its act and deed, he executed the above and foregoing instrument, after first having been duly authorized by said bank so to do.


NOTARY PUBLIC

My Commission Expires:

My Commission Expires March 24, 2007.

[AFFIX NOTARIAL SEAL]

JACKSON 782603v1