

711

TEMPORARY CONSTRUCTION EASEMENT

FOR AND IN CONSIDERATION of the sum of Ten Dollars (\$10.00) cash in hand paid, and other good and valuable consideration, the receipt of which is hereby acknowledged, KNOLLWOOD ASSOCIATES, a Missouri Limited Partnership

Grantor(s), do(es) hereby grant and convey to THE CITY OF SOUTHAVEN, a Municipal Corporation, State of Mississippi, its assigns or successors in title, a temporary construction easement being described as follows:

A strip of land being 50 feet in width off the south side of the Grantors property beginning at the southeast corner of said property as per plat, Exhibit "A" recorded in Deed Book 172, Page 533, from said southeast corner extending north 50 feet and running in a westwardly direction terminating at the west property line of the Grantors property.

The above temporary easement is across the following described premises, belonging to the said Grantor(s) for the purpose of improvements of the drainage facilities of said property situated in DeSoto County, State of Mississippi, to-wit:

SEE EXHIBIT "A" ATTACHED HERETO

The said Grantee, its successors and assigns or any person, corporation or utility so authorized by it, shall have free ingress and egress in, from, and over said easement, walks, cross walks, and paths for the purpose of said construction and said Grantee or its contractor requests the right to remove any vegetation, fences, tress or any other obstruction to construction site. The City or its contractor will not be responsible for replacing fences.

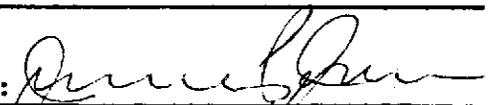
The temporary easement on the premises being granted hereby shall not affect the Grantor's right to the use of the property and the rantee shall hold harmless the Grantor(s) from any liability with reference to any injury that might occur while the Grantee or its contractor are in construction of said improvements on the property and shall indemnify the Grantor(s) from all liability for injury to any party or person or damage that shall result from, arise out of, or be attributed to any maintenance or repair or construction undertaken pursuant to Easement.

This temporary easement shall terminate upon finalization of the completion of said construction.

The undersigned Grantor(s) hereby warrant the above described temporary easement and the right unto the said grantee, its successors and assigns the lawful claims for demand of any or all persons claiming by, through or under the undersigned.

EXECUTED and delivered this 20th day of August, 1987.

KNOLLWOOD ASSOCIATES,
a Missouri Limited Partnership

By: 

James P. Jouras
General Partner

EXHIBIT "A"

LEGAL DESCRIPTION

The following described property is located on the North side of State Line Road west of Airways Boulevard in DeSoto County, Mississippi. It is part of the southeast quarter of Section 13, Township 1 South, Range 8 West, LESS AND EXCEPT the right-of-way for State Line Rd. as shown on attached survey, Exhibit "A". BEGINNING at a point in the center line of State Line Road 600.90 feet (called 621.72 feet) west of the center line of Airways Boulevard, 40.03 feet South of an iron pin found; Thence along said center line in a westwardly direction 120.0 feet to a point; Thence northwestwardly at an internal angle of 92 degrees 13 minutes 56 seconds a distance of 325.0 feet to a point; thence eastwardly at an internal angle of 87 degrees 46 minutes 04 seconds a distance of 120.0 feet to a point; Thence southeastwardly at an internal angle of 92 degrees 13 minutes 56 seconds a distance of 325.0 feet to the point of beginning.

Filed @ 3:00 p M. 21 Sept, 1987
Recorded in book 198 Page 710
H. G. Ferguson, Chancery Clerk