

H. R. GARNER )  
 283 LOSHER STREET )  
 HERNANDO, MISSISSIPPI 38632 )  
 TELEPHONE NO. 601-429-4411 BUSINESS )  
 TELEPHONE NO. 601-429-0361 Hn )  
 ) GRANTOR

TO ) FLOOD OR FLOWAGE EASEMENT  
 DEED WITH RESERVATIONS

J. MALCOLM HARRIS )  
 3410 OLD HIGHWAY 51, SOUTH )  
 HERNANDO, MISSISSIPPI 38632 )  
 TELEPHONE NO. 601-429-6693 Hn )  
 NO BUSINESS PHONE LISTED IN INDIVIDUAL )  
 NAME OF GRANTEE )  
 ) GRANTEE

For and in consideration of the sum of One Dollar (\$1.00) cash in hand paid and other good and valuable considerations, the receipt and sufficiency of all of which is hereby acknowledged, I, H. R. GARNER, Grantor, do hereby grant, bargain, sell, transfer, and convey unto J. MALCOLM HARRIS, Grantee, as long as he owns all the property south of the Garner Tract and maintains the pond, and/or for his lifetime, whichever event transpires first, a permanent flowage or flood easement right in and over the portion of the real property hereinafter described located in the County of DeSoto, State of Mississippi, described as follows, to- wit:

One-half (1/2) acre, more or less, located in the northwest quarter of section nineteen (19), Township Three (3), Range Seven (7) west being described more particularly as follows:

Begin at a point on the southwest corner of the H. R. Garner and J. Malcolm Harris property running parallel to Old Highway 51 South in a southerly direction two hundred ten (210) feet, more or less, to a point from the east side of Old Highway 51 South,; thence going east eight hundred fifty (850) feet, more or less to a point in the levee of the Harris pond which runs parallel with the Garner property line, said point being the point of beginning. Thence due east with the Garner/Harris property line one hundred ten feet (110), more or less; thence running at a 45 degree angle, one hundred feet (100) northwestwardly on the Garner property to a point; thence running south westwardly at a 45 degree angle one hundred feet (100) on the Garner property southwardly to a point on the Garner/Harris line, said point being said point of beginning. Said property being shaped in the form of a triangle and containing one-half (1/2) acre, more or less, subject to an accurate, up-to-date survey by a licensed Mississippi Civil Engineer.

The right permanently to overflow, flood and cover such real property with the flood water, slack water, or back water created by the erection and operation of a stock pond on the Harris property.

By way of explanation, this conveyance of a flood or flowage easement, to the Grantee, may remain in full force and effect as long as he owns the property and maintains the pond at said location on said property, and/or during his lifetime, whichever event would transpire first. Upon sale of the property, or him ceasing to maintain a pond, or upon his death, the above flood and flowage easement shall revert back to the Grantor, H. R. Garner.

It being the specific intent of the Grantor, H. R. Garner, by the execution of this deed and conveyance unto Grantee, J. Malcolm Harris, that he will be permitted to use a portion of H. R. Garner's property for the back-up or flood or flowage easement from his stock pond on his property as long as he owns the property, and maintains the pond, or during his lifetime. In the event the transpirance of any of the aforementioned events, meaning whichever event transpires first, this flood and flowage easement shall immediately revert back to Grantor, his heirs and assigns.

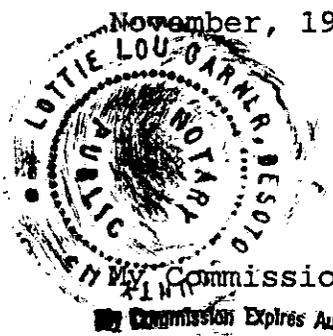
WITNESS THE SIGNATURE OF THE GRANTOR, this the 18<sup>th</sup> day of November, 1991.

H.R. Garner  
H. R. Garner, Grantor

STATE OF MISSISSIPPI  
COUNTY OF DESOTO

Personally appeared before me, the undersigned authority of Law in and for said County and State, the within name H. R. Garner, also known as Harry Randolph Garner, Grantor, who acknowledged that he signed and delivered the above and foregoing Deed of Flowage or Flood Easement for the purposes therein expressed as his free and voluntary act and deed on the day and year therein mentioned.

GIVEN UNDER MY HAND AND OFFICIAL SEAL, this the 18<sup>th</sup> day of November, 1991.



My Commission Expires: August 28, 1998.

Lottie Lou Garner  
Notary Public  
37 STATE MS.-DE OTIC FILED  
Nov 18 11 23 AM '91  
RECORDED 11-19-91  
DEED BOOK 240  
PAGE 145  
W.E. DAVIS CH. CLK.