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9-27-95 ds

Town of Olive Branch, Mississippi 38703

011-0-00-T

Do not record above this line

Oct 24 12 32 PM '95

TEMPORARY EASEMENT

BK 292 PG 129  
W.E. DAVIS OR CLK.  
by B Cleveland &

THE STATE OF MISSISSIPPI

County of DeSoto

For and in consideration of one hundred dollars  
100/100 /100 Dollars (\$ 100<sup>00</sup>/100 )  
the receipt and sufficiency of which is hereby acknowledged, I/or we,  
the undersigned hereby grant, sell, convey and warrant unto the  
Mississippi Transportation Commission for public improvements,  
grading, sodding, and other construction purposes on State Project  
No. 97-0021-01-014-10, a temporary easement through, over, on and  
across the following described land:

TOWNSHIP 1 SOUTH, RANGE 6 WEST, DESOTO COUNTY,  
MISSISSIPPI

Section 28: City of Olive Branch

PARCEL NO. 1

Begin at a point on the proposed Northwesterly right-of-way  
line of Mississippi Highway No. 302 that is 38.0 meters  
(124.67 feet) Northwesterly of and perpendicular to the  
centerline of survey as shown on the plats for State  
Project No. 97-0021-01-014-10 at highway Survey Station 146  
+ 00; from said point of beginning run thence South 65° 45'  
West along the proposed Northwesterly right-of-way line of  
Mississippi Highway No. 302, a distance of 131.650 meters  
(431.92 feet); thence run North 54° 28' West, a distance of  
16.486 meters (54.09 feet); thence run North 00° 11' East,  
a distance of 116.205 meters (381.25 feet) to the center of  
Camp Creek; thence run Easterly along the center of said  
creek, a distance of 197.350 meters (647.47 feet); thence  
run South 13° 33' East, a distance of 49.827 meters (163.48  
feet) to the proposed Northwesterly right-of-way line of

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Mississippi Highway No. 302; thence run South 62° 01' West along said proposed Northwesterly right-of-way line, a distance of 79.502 meters (260.83 feet) to the point of beginning, and containing 218,289.595 square feet 2.028 hectares, (5.01 acres, more or less).

PARCEL NO. 2

Begin at a point of the proposed Southeasterly right-of-way line of Mississippi Highway No. 302 as shown on the plats for State Project No. 97-0021-01-014-10; from said point of beginning run thence North 82° 27' East along said proposed Southeasterly right-of-way line, a distance of 42.583 meters (139.71 feet); thence run South 02° 57' West, a distance of 34.522 meters (113.26 feet); thence run North 54° 28' West, a distance of 49.690 meters (163.02 feet) to the point of beginning and containing 7,779.139 square feet, 0.072 hectares (0.18 acres, more or less).

Parcels No. 1 and No. 2 contain in the aggregate of 226,068.734 square feet, 2.10 hectares, (5.19 acres, more or less).

All of the above parcels being situated in and a part of the Southwest 1/4 of the Southeast 1/4 and the Northwest 1/4 of the Southeast 1/4, City of Olive Branch.

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It is understood and agreed, and it is the intention of the parties hereto, that the grantee shall have the right to use, occupy, improve, grade, sod, ditch, drain, construct levees, deposit sludge and otherwise use for construction purposes the above described land only so long as is necessary to complete the construction of said Project No. 97-0021-01-014-10, in accordance with the plans and specifications for said project, said plans and specifications however, being subject to change by the Federal Highway Administration. Upon the completion of the said work of construction the said temporary easement shall terminate and all right, title and interest in and to the above described land shall revert to the grantors herein, their heirs, assigns, legal representatives or grantees.

The grantor herein further warrants that the above described property is no part of his/or her homestead.

It is further understood and agreed that the consideration herein named is in full payment and settlement of any and all claims or demands for damage accrued, accruing, or to accrue to the grantors herein, their heirs, assigns, or legal representatives, for or on account of the construction of the proposed highway, change of grade, water damage, and/or any other damage, right or claim whatsoever.

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It is further understood and agreed that this instrument constitutes the entire agreement between the grantor and the grantee, there being no oral agreements or representations of any kind.

Witness his signature / the 28 Day of September, A.D., 19 95.

*Town of Olive Branch*  
*W.M. Nichols Mayor*

Grantee, Prepared by and return to:  
Miss. Department of Transportation  
Right of Way Division  
P. O. Box 1850  
Jackson, Mississippi 39215-1850  
Phone Number: (601)-359-7559  
Account No. 97-0021-01-014-10

Grantor Address:  
9189 E. Pigeon Roost  
Olive Branch, MS  
38654  
Phone Number: 601-395-3166  
Business Number: 601-395-4000

In the case of persons acting in representative capacities:

STATE OF Mississippi  
COUNTY OF DeSoto

Personally appeared before me, the undersigned authority in and for the said county and state, on this 28<sup>th</sup> day of September, 1995, within my jurisdiction, the within named D. M. Nichols

who acknowledged that (he)(she) is Mayer of City of Olive Branch

and that in said representative capacity (he)(~~she~~) executed the above and foregoing instrument, after first having been duly authorized so to do.

Sybil Barry (NOTARY PUBLIC)

My commission expires:

My Commission Expires April 13, 1996

