

**PERPETUAL EASEMENT FOR
DISCHARGE OF EFFLUENT**

LOTS 10, 11 AND 12, VILLAGES OF CEDARVIEW SUBDIVISION

WHEREAS, Benjamin N. Evans, Jr. and wife, Cynthia F. Evans are the owners of Lot 11, Villages of Cedarview Subdivision, in Section 21, Township 2 South, Range 6 West, DeSoto County, Mississippi, as shown by plat of record in Plat Book 27, Pages 30-31, in the office of the Chancery Clerk of DeSoto County, Mississippi; and

WHEREAS, Payne-Robertson Development, Inc. is the owner of Lot 12, Villages of Cedarview Subdivision, in Section 21, Township 2 South, Range 6 West, Desoto County, Mississippi, as shown by plat of record in Plat Book 27, Pages 30-31, in the office of the Chancery Clerk of DeSoto County, Mississippi; and

WHEREAS, Randal S. Reigelsperger is the owner of Lot 10, Villages of Cedarview Subdivision, in Section 21, Township 2 South, Range 6 West, DeSoto County, Mississippi, as shown by plat of record in Plat Book 27, Pages 30-31, in the office of the Chancery Clerk of DeSoto County, Mississippi; and

WHEREAS, there is a lake constructed partially on Lots 10, 11 and 12, of Villages of Cedarview Subdivision, in Section 21, Township 2 South, Range 6 West, DeSoto County, Mississippi; and

WHEREAS, the owners of Lots 10, 11 and 12, Villages of Cedarview Subdivision desire to discharge effluent from a treatment plant to be owned and operated by each of them on their respective lots into the lake jointly owned by them; and

STATE MS.-DESOTO CO.
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BK 303 PG 169
W.E. DAVIS CH. CLK.

WHEREAS, the parties now desire to enter into a perpetual easement for the discharge of effluent into said lake and which easement shall be binding upon the parties hereto, their successors, assigns and transferees; and

WHEREAS, the parties desire to reduce their agreement to writing and to record the same in the office of the Chancery Clerk of DeSoto County, Mississippi;

NOW, THEREFORE, PREMISES CONSIDERED, Benjamin N. Evans, Jr. and wife, Cynthia N. Evans, Payne-Robertson Development, Inc., a Mississippi Corporation, and Randal S. Reigelsperger do hereby and by these presents enter into this PERPETUAL EASEMENT and do hereby give and grant one to the other the right to discharge effluent from a treatment plant to be owned and operated by each of the parties hereto on their respective lots and to discharge the effluent into the lake which is owned jointly by them and located on a part or portion of Lots 10, 11 and 12, of Villages of Cedarview Subdivision, in Section 21, Township 2 South, Range 6 West, DeSoto County, Mississippi, as shown by the plat of record in Plat Book 27, Pages 30-31, in the office of the Chancery Clerk of DeSoto County, Mississippi.

The parties hereto do hereby mutually covenant and agree that this easement shall be binding upon themselves, their heirs, assigns, successors and transferees, and that each party shall be fully responsible for the operation of their residential sewage treatment plant located on their respective lot and that it shall

be their duty and responsibility to operate the treatment plants in such a manner as to comply with the rules and regulations of the DeSoto County, Mississippi Health Department.

The parties hereto do hereby authorize the Chancery Clerk of DeSoto County, Mississippi, to record this PERPETUAL EASEMENT in the land records of DeSoto County, Mississippi, maintained for Lots 10, 11 and 12, of Villages of Cedarview Subdivision, in Section 21, Township 2 South, Range 6 West.

WITNESS the signatures of the parties hereto on this the 13TH day of June, 1996.

PAYNE-ROBERTSON DEVELOPMENT, INC.

BY Valeria B. Robertson President 6-13-96
VALERIA B. ROBERTSON, PRESIDENT

Benjamin N. Evans, Jr.
BENJAMIN N. EVANS, JR.

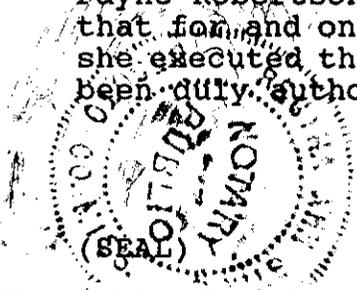
Cynthia F. Evans
CYNTHIA F. EVANS

Randal S. Reigelsperger
RANDAL S. REIGELSPERGER

STATE OF MISSISSIPPI
COUNTY OF DESOTO

PERSONALLY APPEARED BEFORE ME, the undersigned authority in and for the said county and state, on this the 13th day of June, 1996, within my jurisdiction, the within named Valeria B. Robertson, who acknowledged that she is the President of Payne-Robertson Development, Inc., a Mississippi corporation, and that for and on behalf of said corporation, and as its act and deed she executed the above and foregoing instrument, after first having been duly authorized by said corporation so to do.

Regina L. Stoltz
Notary Public

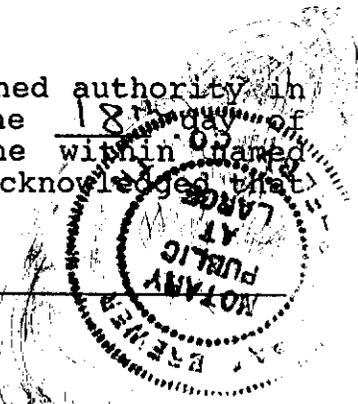


My Commission Expires:
07-17-1999

STATE OF MISSISSIPPI
COUNTY OF DESOTO

PERSONALLY APPEARED BEFORE ME, the undersigned authority in and for the said county and state, on this the 18th day of June, 1996, within my jurisdiction, the within named Benjamin N. Evans, Jr. and Cynthia F. Evans, who acknowledged that they executed the above and foregoing instrument.

Bob Brown
Notary Public



(SEAL)

My Commission Expires:
12-7-98

STATE OF MISSISSIPPI
COUNTY OF DESOTO

PERSONALLY APPEARED BEFORE ME, the undersigned authority in and for the said county and state, on this the 26th day of June, 1996, within my jurisdiction, the within named Randal S. Reigelsperger, who acknowledged that he executed the above and foregoing instrument.

Carole Crowder
Notary Public



My Commission Expires:

7-14-98

PREPARED BY: Law Offices of A. Cinclair May
2565 Caffey Street - Suite 100
Hernando, MS 38632
601-429-5038

Indexing Instructions: Record in Lots 10, 11 and 12, Villages of Cedarview Subdivision.

ADDRESSES:

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Cynthia F. Evans
8930 Robertson Lane
Olive Branch, MS 38654
Home Tel. No.: 601-893-2848
Work Tel. No.: 901-682-5151

Payne-Robertson Development, Inc.
Mrs. Valeria B. Robertson, President
8570 Jones Road
Olive Branch, MS 38654
Home Tel. No.: 601-895-6867
Work Tel. No.: 601-895-6867

Randal S. Reigelsperger
8980 Robertson Lane
Olive Branch, MS 38654
Home Tel. No.: 601-893-2240
Work Tel. No.: 601-895-8283