

B. Bridgforth

IN THE CHANCERY COURT OF DESOTO COUNTY, MISSISSIPPI

BRIDGFORTH PROPERTIES, INC.

PETITIONER

STATE MS.-DESOTO CO. FILED *PK*

VS.

Nov 20 3 29 PM '96 CAUSE NO. 96-10-1246

EX PARTE

BK 309 PG 146
W.E. DAVIS CH. CLK.

DEFENDANT

DECREE APPROVING REVISION OF SUBDIVISION PLAT

THIS CAUSE CAME on to be heard upon the sworn Complaint filed herein by Bridgforth Properties, Inc., and the Court having been fully advised in the premises, finds as follows, to-wit:

1. That Petitioner herein, Bridgforth Properties, Inc., is the owner and developer of Oak Woods Creek Subdivision. The legal description of the subdivision is as follows, to-wit:

Oak Woods Creek Subdivision in Section 16, Township 3 South, Range 7 West, DeSoto County, Mississippi as shown by plat appearing of record in Plat Book 52, Page 50-52, in the office of the Chancery Clerk of DeSoto County, Mississippi.

Said subdivision contains 49 residential lots situated on 86.33 acres, as is shown on the recorded plat.

2. Subsequent to the recording of said plat, it was determined that an engineering error had been made and that several lots within the subdivision had

FILED

NOV 05 1996

W E DAVIS, CLERK

A. Muham

not been developed as they were platted, and it was determined that it is necessary to revise the plat so as to conform the plat to the actual construction and development of that portion of the subdivision. The lots affected are Lots 29 through 64. Original plat will be vacated as to Lot 29 and the acreage contained in Lot 29 will be shown as "future development".

Petitioner is the owner of all of the lots within the subdivision, and further, that the subdivision is being revised in such a way as to cause only slight relocations of the utility easements created by the original plat, and by virtue of such, the utility easements granted in the original plat shall be extinguished by the recording of the revised plat.

3. Under and by virtue of Mississippi Code Annotated § 19-27-31, it is necessary to obtain this Court's approval of the revision of the subdivision plat and publication has been made in accordance therewith. Further, the Bank of Mississippi, as mortgage holder on said property, has filed a Joinder and Waiver in said cause.

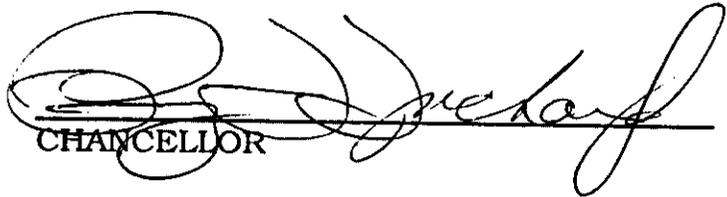
4. A true and exact copy of the original subdivision plat and the proposed First Revision thereof are attached to the Complaint on file in this cause.

IT IS, THEREFORE, ORDERED, ADJUDGED, AND DECREED that the original plat of Oak Woods Creek Subdivision appearing of record in Plat Book 52, Page 50-52, in the office of the Chancery Clerk of DeSoto County, Mississippi be vacated, with any and all utility easements under said original plat extinguished,

and the First Revision attached to the Complaint on file in this cause is hereby approved for recording and shall be recorded in the office of the Chancery Court Clerk of DeSoto County, Mississippi.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the Chancery Clerk is hereby authorized and requested to make a marginal notation on the face of the vacated original plat as to the entry of this Decree.

SO ORDERED, ADJUDGED, AND DECREED this the 7th day of November, 1996.


CHANCELLOR

