

Prepared by and return to:

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TVA Tract No. FRM-21A

STATE MS. - DESOTO CO.
FILED *mc*MAY 22 9 41 AM '97 *mc*BK 316 PG 527
W.E. DAVIS CH. CLK.**GRANT OF TRANSMISSION LINE EASEMENT**

FOR AND IN CONSIDERATION of the sum of FOUR THOUSAND SEVEN HUNDRED AND NO/100 DOLLARS (\$4,700.00), cash in hand paid, receipt whereof is hereby acknowledged, we, the undersigned,

CHARLES FAULKNER

have this day bargained and sold, and by these presents do hereby grant, bargain, sell, transfer, and convey unto the UNITED STATES OF AMERICA a permanent easement and right-of-way for the following purposes, namely: the perpetual right to enter at any time and from time to time and to erect, maintain, repair, rebuild, operate, and patrol one line of poles or transmission line structures with sufficient wires and cables for electric power circuits and communication circuits, and all necessary appurtenances, in, on, over, and across said right-of-way, together with the right to clear said right-of-way and keep the same clear of brush, trees, buildings, and fire hazards; to destroy or otherwise dispose of such trees and brush; and to remove, destroy, or otherwise dispose of any trees located beyond the limits of said right-of-way which in falling could come within 5 feet of any transmission line structure or conductor; all over, upon, across, and under the land described in Exhibit A hereto attached and by this reference hereby incorporated in and made a part of this instrument as fully as if here written.

The previous and last conveyances of the property affected by the easement rights described herein are the deed of record in Deed Book 231, page 666, in the office of the Chancery Court Clerk of DeSoto County, Mississippi, and the Order filed January 21, 1997, in Cause No. 93-6-709, in said Clerk's office.

The Grantor covenants that the described property constitutes no part of his homestead.

The undersigned hereby ratifies, approves, and consents to the Order filed January 21, 1997, in Cause No. 93-6-709 in the Chancery Court of DeSoto County, Mississippi, insofar as it affects the title to the property described therein.

TO HAVE AND TO HOLD the said easement and right-of-way to the UNITED STATES OF AMERICA and its assigns forever.

We covenant with the said UNITED STATES OF AMERICA that we are lawfully seized and possessed of said real estate, have a good and lawful right to convey the easement rights hereinabove described, that said property is free of all encumbrances, and that we will forever warrant and defend the title thereto against the lawful claims of all persons whomsoever.

We agree that the payment of the purchase price above stated is accepted by us as full compensation for all damage caused by the exercise of any of the rights above described; except that the UNITED STATES OF AMERICA shall remain liable for any damage to growing crops and any direct physical damage caused to the property of the undersigned by its construction forces or by the construction forces of its agents and employees in the erection and maintenance of or in exercising a right of ingress and egress to said line.

We, for ourselves, our heirs, personal representatives, successors, and assigns, covenant with the UNITED STATES OF AMERICA that no buildings or fire hazards will be erected or maintained within the limits of the right-of-way, and agree that this shall be a real covenant which shall attach to and run with the land affected by the easement rights and shall be binding upon everyone who may hereafter come into ownership of said land, whether by purchase, devise, descent, or succession.

EXHIBIT A

FREEPORT - MILLER

Charles Faulkner

A permanent easement for transmission line purposes on, over, and across a parcel of land located in Section 29, Township 1 South, Range 8 West of Desoto County, State of Mississippi, as shown on sheet 2 of US-TVA drawing LW-8034, Revision 2, the said parcel being more particularly described as follows:

Commencing at the northeast corner of Section 29, Township 1 South, Range 8 West and the northwest corner of Section 28, Township 1 South, Range 8 West; thence S. 0° 11' 05" E., 1591 feet along the east line of Section 29 and the west line of Section 28 to a point, said point being in the centerline of the location at survey station 112 + 90.00, said section line being the centerline of Horn Lake Road; thence leaving said point and with the centerline of the said location S. 29° 35' 25" W., 148.78 feet to a point of intersection at survey station 114 + 38.78; thence continuing with the said centerline S. 0° 05' 20" E., crossing the east-west 1/4 section line of Section 29 at survey station 123 + 70.90, 2075.42 feet to a point, said point being in the north property line of the land of Charles Faulkner and in the south property line of the land of John R. Flora et ux at survey station 135 + 14.20, said point being the point of beginning.

Thence from the point of beginning and with the said property line N. 89° 54' 40" E., 15.00 feet to a property corner common between the lands of Charles Faulkner and John R. Flora et ux, said property corner being in the east right-of-way line of the said location and in the west right-of-way line of Horn Lake Road, said corner being 15.00 feet left of survey station 135 + 14.23; thence leaving said corner and with the said right-of-way lines S. 0° 05' 20" E., 85.79 feet to a point; thence continuing with the right-of-way line of the said location S. 57° 54' 40" W., 107.08 feet to a point, said point being in the south property line of the land of Charles Faulkner and in the north property line of the land of Jimmie J. Crossen et ux; thence leaving said point and with the said property line S. 89° 54' 40" W., 94.35 feet to a point, said point being in the centerline of the said location at survey station 137 + 51.10, said point being S. 89° 54' 40" W., 185 feet from a property corner common between the lands of Charles Faulkner and Jimmie J. Crossen et ux; thence continuing with the said property line S. 89° 54' 40" W., 94.36 feet to a point, said point being in the northwest right-of-way line of the said location; thence leaving said point and with the said right-of-way line N. 57° 54' 40" E., 268.97 feet to a point; said point being in the said property line common between the lands of Charles Faulkner and John R. Flora et ux; thence leaving said point and with the said property line N. 89° 54' 40" E., 36.42 feet to the point of beginning and containing 0.5 acres, more or less.

The above described parcel of land is lying entirely in the northeast 1/4 of the southeast 1/4 of Section 29, Township 1 South, Range 8 West.

4/2/97

date received 4/9/97