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TVA Tract No. FRM-95

STATE MS.-DESOTO CO. FILED
 JUN 5 8 38 AM '97

GRANT OF TRANSMISSION LINE EASEMENT

BK 317 PG 184
 W.E. DAVIS CH. CLK.

FOR AND IN CONSIDERATION of the sum of THREE THOUSAND AND NO/100 DOLLARS (\$3,000.00), cash in hand paid, receipt whereof is hereby acknowledged, we, the undersigned,

WILLIAM H. AUSTIN, JR., and JOSEPH G. AUSTIN

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 subject property are deeds of record in Deed Books 9, 246, and 281, at respective pages 47, 375 and 47, all in the office of the Clerk of Chancery Court Clerk of DeSoto County, Mississippi. See also wills of record in Will Books 5, 13 and 15, at respective pages 333, 448 and 455, all in said Clerk's office.

The Grantors covenant that the above described property constitutes no part of their homestead.

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.

Wherever the context requires, the plural number as used herein shall be read as singular.

EXHIBIT A

FREEPORT - MILLER

Joseph G. Austin et al

A permanent easement for transmission line purposes on, over, and across a parcel of land located in Section 14, Township 2 South, Range 8 West of DeSoto County, State of Mississippi, as shown on sheet 5, of US-TVA drawing LW-8034, Revision 0, the said parcel being more particularly described as follows:

Commencing at the southwest corner of Section 14, Township 2 South, Range 8 West and the southeast corner of Section 15, Township 2 South, Range 8 West; thence leaving said corner and with the west line of Section 14 and the east line of Section 15, N. 0° 54' 13" E., 2641 feet to a point, said point being in the centerline of the location at survey station 484 + 50.30 and said point being in the west property line of the land of Charlie M. Billingsley and in the east property line of the land of Luke Bullard, Jr., said property line and section line being the centerline line of a 21 foot bituminous road (Robinson Gin Road North); thence leaving said point and with the centerline of the said location S. 89° 32' 02" E., 2291.02 feet to a point, said point being a point of intersection at survey station 507 + 41.32; thence continuing with the said centerline S. 89° 49' 02" E., crossing the north - south 1/4 section line of Section 14 at survey station 511 + 19.10, 377.86 feet to a point, said point being in the centerline of the said location at survey station 511 + 19.18, said point being located 28.70 feet left of a property corner common between the lands of Joseph G. Austin et al and John H. Keesee et al, said corner being the point of beginning.

Thence from the point of beginning and with the north property line of the land of Joseph G. Austin et al and the south property line of the land of John H. Keesee et al and with the said east - west 1/4 section line S. 89° 13' 29" E., 2060.29 feet to a point, said point being in the south right-of-way line of the said location and being 50.00 feet right of survey station 531 + 79.36; thence leaving said point and with the said right-of-way line N. 89° 49' 02" W., 2060.12 feet to a point, said point being in the west property line of the land of Joseph G. Austin et al and in the east property line of the land of John H. Keesee et al, said property line being the said north - south 1/4 section line; thence leaving said point and with the said property line and said 1/4 section line North, 21.30 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 north 1/2 of the southeast 1/4 of Section 14, Township 2 South, Range 8 West.

01/31/97

date received 3/20/97