

**RETURN TO:  
TAYLOR LAW FIRM**

P.O. BOX 188  
961 STATELINE RD. W.  
SOUTHAVEN, MS 38671  
(601) 342-1300

--SEWER EASEMENT--

BOOK 317 PAGE 223

STATE MS.-DESOTO CO. *W*  
FILED *W*

JUN 5 4 43 PM '97

DANIEL L. DENNING ETUX

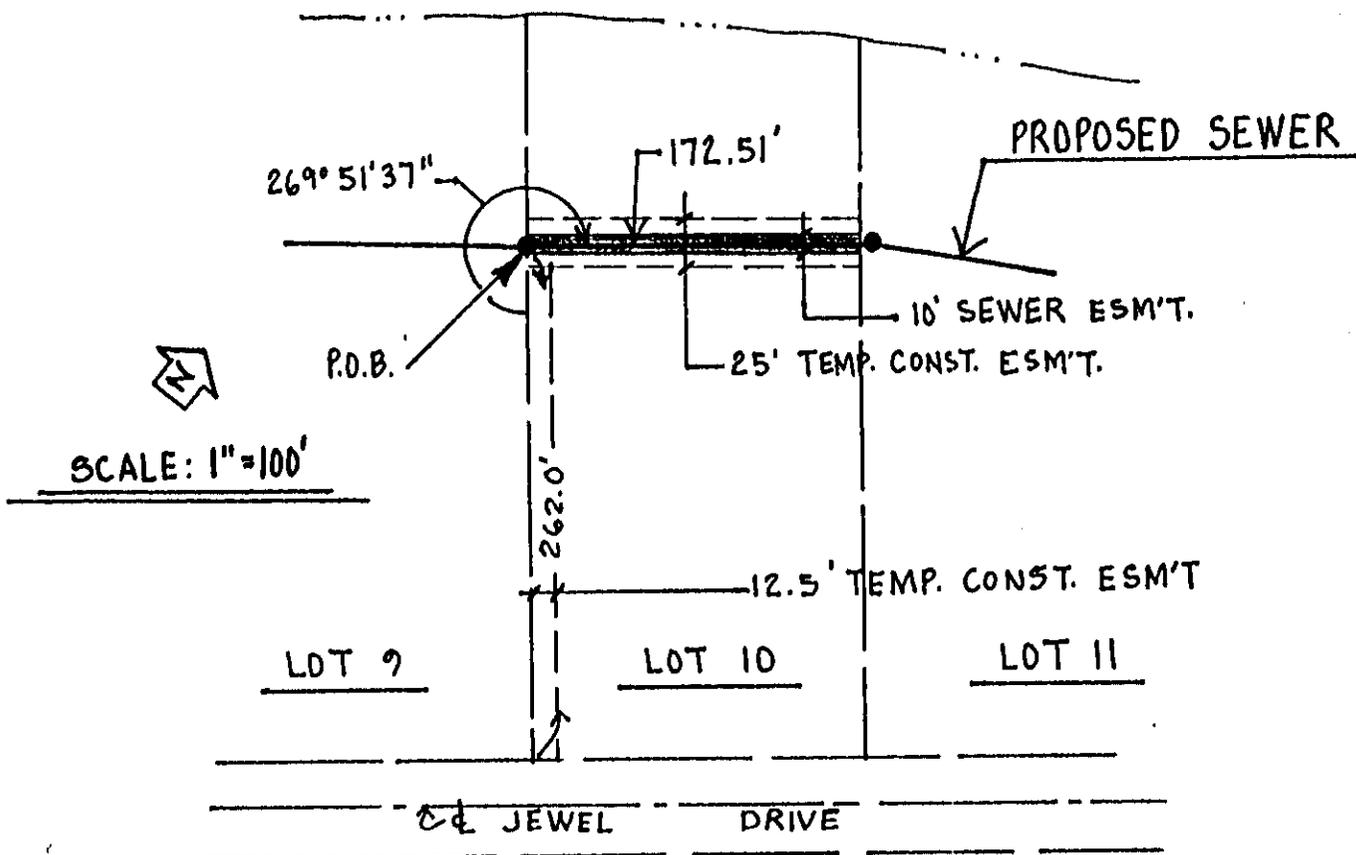
TO

BK 317 PG 223  
W.E. DAVIS CH. CLK.

CITY OF SOUTHAVEN  
A MUNICIPAL CORPORATION

FOR AND IN CONSIDERATION OF ONE DOLLAR (\$1.00), AND OTHER GOOD AND VALUABLE CONSIDERATION, WE, DANIEL L. DENNING ETUX, DO HEREBY CONVEY AND WARRANT UNTO THE CITY OF SOUTHAVEN, ITS SUCCESSORS AND ASSIGNS, A PERPETUAL EASEMENT WITH THE RIGHT TO CONSTRUCT, INSTALL, LAY AND THEREAFTER USE, OPERATE, INSPECT, REPAIR, MAINTAIN, REPLACE AND REMOVE UNDERGROUND SEWER MAINS AND CONNECTIONS AND NECESSARY APPURTENANCES THERETO, ACROSS THE FOLLOWING DESCRIBED PROPERTY SITUATED IN DESOTO COUNTY, MISSISSIPPI, TO WIT:

A PART OR PARCEL OF LOT 10 OF THE TALL OAKS SUBDIVISION, LOCATED IN THE N 1/2 OF THE SW 1/4 OF SECTION 32, TOWNSHIP 1 SOUTH, RANGE 7 WEST, DESOTO COUNTY, MISSISSIPPI AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: RECORDED IN PLAT BOOK 6 , PAGES 36, 38-CHANCERY CLERK'S OFFICE OF DESOTO COUNTY, MISSISSIPPI.



**DESCRIPTION**

BEGIN AT A POINT ON THE WEST LINE OF LOT 10 OF THE TALL OAKS SUBDIVISION, SAID POINT LOCATED 262.0 FEET NORTHWEST FROM THE SOUTHWEST CORNER OF SAID LOT; THENCE EXTEND RIGHT AND LEFT FIVE (5) FEET COMMENCING AT THE GRANTORS PROPERTY LINE AND RUN WITH AN ANGLE 269° 51' 37" RIGHT FROM SAID SOUTHWEST LOT CORNER FOR A DISTANCE OF 172.51 FEET TO A POINT TERMINATING AT THE GRANTORS EAST PROPERTY LINE.

AND:

A TEMPORARY CONSTRUCTION EASEMENT (25' WIDE) RUNNING CONCENTRICALLY AND CONCURRENTLY WITH THE ABOVE DESCRIBED PERPETUAL EASEMENT. THIS IS FOR THE PURPOSE OF PROVIDING WORK AREAS DURING INSTALLATION OF THE SEWER SYSTEM. THIS TEMPORARY CONSTRUCTION EASEMENT WILL BECOME NULL AND VOID WHEN THE PROJECT IS COMPLETED.

TOGETHER WITH THE RIGHT OF INGRESS AND EGRESS OVER GRANTOR'S ADJACENT LANDS FOR THE PURPOSE FOR WHICH THE ABOVE MENTIONED RIGHTS ARE GRANTED.

AS FURTHER CONSIDERATION BY GRANTEE FOR VALUE RECIEVED FROM GRANTOR FOR THE DEDICATION OF THE ABOVE DESCRIBED SEWER EASEMENT, THE GRANTEE WAIVES THE CITY SEWER TAP FEE REQUIREMENT OF \$ 400.00 WITH THE STIPULATION THAT THE CONNECTION TO THE CITY SEWER SYSTEM BE MADE WITHIN ONE YEAR AFTER COMPLETION OF THE CITY SEWER EXTENSION PROJECT.

THE CONSIDERATION RECITED HEREIN SHALL CONSTITUTE PAYMENT IN FULL FOR ALL DAMAGES SUSTAINED BY GRANTORS BY REASON FOR THE INSTALLATION OF THE STRUCTURES REFERRED TO HEREIN AND GRANTEE WILL MAINTAIN SUCH EASEMENT IN A STATE OF GOOD REPAIR AND EFFICIENCY SO THAT NO UNREASONABLE DAMAGE WILL RESULT FROM ITS USE OF GRANTOR'S PREMISES. THIS AGREEMENT TOGETHER WITH OTHER PROVISIONS OF THIS GRANT SHALL CONSTITUTE A COVENANT RUNNING WITH THE LAND FOR THE BENEFIT OF THE GRANTEE, ITS SUCCESSORS AND ASSIGNS. THE GRANTORS DO COVENANT THAT THEY ARE THE OWNERS OF THE ABOVE MENTIONED LAND AND THAT SAID LAND IS FREE AND CLEAR OF ALL ENCUMBRANCES AND LIENS EXCEPT THE FOLLOWING:

WITNESS OUR SIGNATURES ON THIS THE 19 DAY OF DECEMBER, 1996.

Daniel & Denning  
Emily L. Denning

STATE OF Mississippi  
COUNTY OF DeSoto

THIS DAY PERSONALLY APPEARED BEFORE ME, THIS UNDERSIGNED AUTHORITY IN AND FOR SAID COUNTY AND STATE, THE WITHIN NAMED DANIEL AND EMILY DENNING WHO ACKNOWLEDGED THAT they SIGNED AND DELIVERED THE ABOVE AND FORGOING INSTRUMENT ON THE DAY AND YEAR THEREIN MENTIONED AS FREE AND VOLUNTARY ACT AND DEED AND FOR THE PURPOSES THEREIN EXPRESSED.

GIVEN UNDER MY HAND AND OFFICIAL SEAL OF OFFICE THIS 19th DAY OF December, 1996.

Sherry W. Bennett  
NOTARY PUBLIC

SHERRY W. BENNETT, NOTARY PUBLIC  
DeSOTO COUNTY, MISSISSIPPI  
MY COMMISSION EXPIRES: 4/8/97



GRANTOR'S ADDRESS:  
MR. & MRS. DENNING  
1224 JEWEL  
SOUTHAVEN, MS. 38671  
TEL. (601) 349-0683

GRANTEE'S ADDRESS:  
CITY OF SOUTHAVEN  
P.O. BOX 425  
SOUTHAVEN, MS. 38671  
TEL. (601) 393-2991

PREPARED BY:  
CITY ENGINEER'S OFFICE  
P.O. BOX 425  
SOUTHAVEN, MS. 38671  
TEL. (601) 393-2991