

Prepared by and return to:



Angela B. Sims, Attorney  
 Tennessee Valley Authority  
 1101 Market Street, Edney Building 4A  
 Chattanooga, Tennessee 37402-2801  
 (423) 751-2032

TVA Tract No. FRM-15  
 STATE MS.-DESOTO CO. *R*

JUN 12 11 13 AM '97

BK 317 PG 434  
 W.E. DAVIS CH. CLK.

## GRANT OF TRANSMISSION LINE EASEMENT

FOR AND IN CONSIDERATION of the sum of THREE THOUSAND ONE HUNDRED AND NO/100 DOLLARS (\$3,100.00), cash in hand paid, receipt whereof is hereby acknowledged, we, the undersigned,

ROBBY DUPREE and MARY MICHELLE DUPREE

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 conveyance of this property is deed of record in Deed Book 288, page 294, in the office of the Chancery Court Clerk of Desoto County, Mississippi.

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.

The Huntington Mortgage Corporation, declares that it is the lawful owner and holder of the indebtedness secured by the Deed of Trust of Robby Dupree and wife, Mary Michelle Dupree, recorded in Trust Deed Book 772, page 340, and re-recorded in Trust Deed Book 774, page 354, in Desoto County, Mississippi, and for a valuable consideration joins in this instrument and subordinates the lien of said deed of trust to the easement herein granted, but otherwise specifically retains said lien.

IN WITNESS WHEREOF, we have hereunto subscribed our names this 12 day of June, 19 97.

Subscribing Witness

Tommy Halmon

Robby Dupree  
ROBBY DUPREE

Mary Michelle Dupree  
MARY MICHELLE DUPREE

THE HUNTINGTON MORTGAGE COMPANY,  
an Ohio Corporation

By: Irving A. Adler

Title: Senior Vice President

Attest: Bradford C. Northcraft

Title: Vice President

STATE OF MISSISSIPPI )  
 ) SS  
COUNTY OF DESOTO )

Personally appeared before me W.E. Davis, the Chancery Court Clerk in and for said county and state, Tommy Halmon the subscribing witness to the foregoing instrument, who, being first duly sworn, deposeth and saith that he saw the above named GRANTORS whose names are subscribed thereto, sign and deliver the same to the UNITED STATES OF AMERICA; and that he, this affiant, subscribed his name as a witness thereto in the presence of the said GRANTORS.

WITNESS my hand and official seal of office in the state and county aforesaid, this the 12 day of June, 19 97.

W. E. Davis, Chancery Clerk  
Chancery Court Clerk  
By: P. Starkey

MY COMMISSION EXPIRES  
JAN. 3, 2000

STATE OF OHIO )  
 ) SS  
COUNTY OF Franklin )

Before me appeared Irving A. Adler, to me personally known, who, being by me duly sworn, did say that he is the Senior Vice President of THE HUNTINGTON MORTGAGE COMPANY, an Ohio corporation, and the seal affixed to the foregoing instrument is the corporate seal of said corporation, and that said instrument was signed, sealed, and delivered on behalf of said corporation, by authority of its Board of Directors, and he, as such officer, acknowledged said instrument to the free act and deed of said corporation on the day and year therein mentioned.

WITNESS my hand and seal of office this 22nd day of May, 1997.

Jerry Louise Tate  
NOTARY PUBLIC



JERRY LOUISE TATE  
NOTARY PUBLIC, STATE OF OHIO  
MY COMMISSION EXPIRES 07-21-97

My commission expires: 7-21-97

The name and address of the owner of the aforescribed easement is:

EASEMENT OWNER: United States of America [Tax Exempt - Miss. Code  
Tennessee Valley Authority §27-37-301]  
EB 4A  
1101 Market Street  
Chattanooga, Tennessee 37402-2801  
Telephone: 423-751-3542

The name and address of the legal owner is:

OWNER: Robby Dupree et ux (See D.B. 288,  
4055 Rollin Oaks Drive page 294)  
Horn Lake, Mississippi 38637  
(601) 342-0658

INDEXING INFORMATION: The Southeast ¼ of the Northeast ¼ of Sec. 29, T1S, R8W.

## EXHIBIT A

## FREEPORT - MILLER

Robby Dupree et ux

A permanent easement for transmission line purposes on, over, and across a strip 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 1, the said strip being bound on the east side by the existing west right-of-way line of Horn Lake Road, and said strip being 50.0 feet wide, lying 15.0 feet on the east side and 35.0 feet on the west side of the centerline of the transmission line location, the centerline of the location and the end boundaries of the strip 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 said 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., 367.52 feet to a point, said point being in the north property line of the land of Robby Dupree et ux and in the south right-of-way line of a 20 foot bituminous road (Rollin Oak Drive) at survey station 118 + 06.30, said point being S. 89° 54' 40" W., 15.00 feet from a property corner common between the lands of Robby Dupree et ux, Horn Lake Road and Rollin Oak Drive, said corner being 15.00 feet left of survey station 118 + 06.26, said point being the point of beginning.

Thence from the point of beginning, said strip being bound on the north end by said property line and said right-of-way line, and with the said centerline S. 0° 05' 20" E., 265.80 feet to a point, said point being in the south property line of the land of Robby Dupree et ux and in the north property line of the land of A. W. Wade, Jr. et ux at survey station 120 + 72.10, said point being N. 89° 25' 20" W., 15.00 feet from a property corner common between the lands of Robby Dupree et ux and A. W. Wade, Jr. et ux, said corner being 15.00 feet left of survey station 120 + 72.28, said property corner being in the west right-of-way line of the Horn Lake Road, said strip being bound on the south end by said property line.

The strip of land described above includes the centerline of the transmission line location for a net distance of 265.80 feet and contains 0.3 acres, more or less.

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

12/12/96

Date rec'd 2/20/97