

STATE MS. - DE SOTO CO.  
FILED

TVA Tract No. FRM-232

Prepared by and return to:  
 Jeffrie M. McClain, Attorney  
 Tennessee Valley Authority  
 1101 Market Street, Edney Building 4A  
 Chattanooga, Tennessee 37402-2801  
 (423) 751-8125

Nov 4 8 20 AM '98

BK 342 PG 329  
W.E. DAVIS CH. CLK.

**GRANT OF ADDITIONAL EASEMENT RIGHTS WITHIN  
 AN EXISTING EASEMENT AND RIGHT-OF-WAY**

FOR AND IN CONSIDERATION of the sum of ONE THOUSAND EIGHT HUNDRED AND NO/100 DOLLARS (\$1,800.00), cash in hand paid, receipt whereof is hereby acknowledged, we, the undersigned,

BETTYE B. WHITTEN FUNDERBURK, individually, and as Executrix and Trustee  
 under the Last Will and Testament of David Arthur Whitten, deceased; and,  
 ANDREA CAROL WHITTEN WILLIFORD, individually

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 and to erect, maintain, repair, rebuild, operate, and patrol one line of poles or transmission line structures with sufficient wires and cables for two electric power circuits and communication circuits, including the existing Entergy Mississippi, Inc., 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, the right after the date of execution of this agreement to destroy or otherwise dispose of trees and brush within said right-of-way, and to remove danger trees, if any, located beyond the limits of said right of way (danger trees being 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.

Said easement rights are conveyed subject to an easement and right-of-way owned by Entergy Mississippi, Inc. (formerly known as Mississippi Power & Light Company) with respect to all of said right-of-way and danger trees, by virtue of a warranty deed from Northcentral Mississippi Electric Power Association to Mississippi Power & Light Company dated December 30, 1960, and recorded at Deed Book 49, page 11, in the office of the Chancery Court Clerk of DeSoto County, Mississippi, and Grantee's right under an agreement with Entergy Mississippi, Inc., dated March 1, 1998.

The referenced land is a part of the same property acquired by Betty B. Whitten Funderburk, Andrea Carol Whitten Williford, and David Arthur Whitten, by deeds of record in Deed Books 192 and 207, pages 462 and 268, respectively, both in the office of the Clerk of Chancery Court of DeSoto County, Mississippi. The said David Arthur Whitten died on January 28, 1997, having provided for Bettye B. Whitten Funderburk to be his Executrix and Trustee pursuant to the terms of his will, of record in Will Book 23, page 150, in said Clerk's Office. The said Bettye B. Whitten Funderburk covenants that she has power of sale in her capacities as Executrix and Trustee under said will. The parties further covenant that neither of them utilize the said property for their respective homesteads.

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, except existing easement rights, and that we will forever warrant and defend the title thereto against the lawful claims of all persons whomsoever.



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

PROPERTY OWNER: Bettye B. Whitten Funderburk et al. (See D.B. 192, page 462,  
1805 Hawthorne D.B. 207, page 268, and  
Hernando, Mississippi 38632 Will Book 23, page 150)  
Telephone Number: (601) 429-4077

INDEXING INFORMATION: NW 1/4 of the NE 1/4 of Section 24, Township 2 South, Range 7 West

## EXHIBIT A

## FREEPORT - MILLER

Bettye B. Whitten Funderburk et al

A permanent easement for transmission line purposes on, over, and across a strip of land located in Section 24, Township 2 South, Range 7 West of DeSoto County, State of Mississippi, as shown on US-TVA drawing LW-8034, Sheet 8, Revision 2, and sheet 9, Revision 1, the said strip being 75.00 feet wide, lying 37.50 feet on each side of the centerline of the transmission line, the centerline of the location and the end boundaries of the strip being more particularly described as follows:

Commencing at the northwest corner of Section 24, Township 2 South, Range 7 West and the northeast corner of Section 23, Township 2 South, Range 7 West; thence S. 0° 32' 53" E., 308 feet along the west line of Section 24 and the east line of Section 23 to a point, said point being in the centerline of the said location at survey station 872 + 73.00; thence leaving said point and East with the said centerline 2566.60 feet to a point on the centerline of the said location at survey station 899 + 39.60, said point being in the west property line of the land of Bettye B. Whitten Funderburk et al and in the east property line of the land of Marvin P. Watson, said property line being the north - south 1/4 section line of Section 24, said point being S. 0° 32' 53" E., 339 feet from a property corner common to the land of Bettye B. Whitten Funderburk et al, Marvin P. Watson, and others, said point being the point of beginning.

Thence from the point of beginning, said strip being bound on the west end by said property line and 1/4 section line, and with the said centerline East 1388.40 feet to a point, said point being in the east property line of the land of Bettye B. Whitten Funderburk et al and in the west property line of the lands of Bettye B. Whitten Funderburk, Trustee at survey station 912 + 28.00, said property line being in the the center of a 20.00 foot bituminous road, said strip being bound on the east end by said property line and road centerline.

The strip of land described above is lying entirely within the existing Nesbit - Miller - Slayden transmission line location, as shown on sheets 2 and 3 of US-TVA drawing LW-3746, and includes the centerline of the transmission line location for a net distance of 1388.40 feet and contains 2.2 acres, more or less.

The above described strip of land is lying entirely in the northwest 1/4 of the northeast 1/4 of Section 24, Township 2 South, Range 7 West.