

BK 0346 PG 0587

ff STATE MS. - DESOTO CO.
FILED

for JAN 26 4 27 PM '99

BK 346 PG 587
W.E. DAVIS CH. CLK.

EXECUTOR'S DEED

This Deed of Conveyance is this day made by the undersigned CARL BERNHOFT, EXECUTOR OF THE ESTATE OF WILLIAM E. BERNHOFT as found at DeSoto County Chancery Court Cause No. 98-7-925, hereinafter referred to as the GRANTOR, and KEITH M. COLEMAN AND WIFE, LAVON W. COLEMAN, hereinafter referred to as the GRANTEEES, WITNESSETH THAT:

By virtue of the authority conferred on me, Executor of the Estate of William E. Bernhoft, deceased, by Decree of the Chancery Court of DeSoto County, rendered on the 15th day of December, 1998, approving and confirming a sale to made on this the 25th day of January, 1999 in pursuance of a Decree said Court rendered on the aforesaid day, I, as Executor of said estate in consideration of \$571,389.00, do hereby convey, sell and warrant to KEITH M. COLEMAN AND WIFE, LAVON W. COLEMAN, as tenants by the entirety with full rights of survivorship, and not as tenants in common, the purchasers thereof, the following land, to wit:

Tract 1

Part of the Northwest Quarter of Section 34, Township 2 South, Range 7 West, DeSoto County, Mississippi and being more particularly described as follows, to-wit:

Commencing at a point on the centerline of Getwell Road a distance of 3948.81 feet north of the intersection of said centerline with the centerline of Byhalia Road, a point commonly accepted as the Southwest corner of said Section 34; thence run North 89°58'12" East a distance of 40.00 feet to a point on the east right-of-way line of said Getwell Road and the Point of Beginning; thence run North 00°01'48" West a distance of 573.72 feet along said east right-of-way line to a steel fence rail at the southwest corner of the Kenneth Barmer property; thence run North 89°42'48" East a distance of 1729.46 feet along the south line of said Barmer property to a 1/2-inch iron pipe at the southeast corner of said Barmer property, said point being on the west line of the John T. Douglas property; thence run South 00°39'38" East a distance of 574.84 feet along said Douglas west line to a 1/2-inch iron pipe; thence run South 89°44'41" West a distance of 1735.78 feet to the Point of Beginning and containing 22.84 acres. Bearings are based on true north as determined by solar observation. The above

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description was written from a plat of survey by Danny S. Rutherford, P.E.L.S., dated September 16, 1998.

Tract 3

Part of the Northwest Quarter and part of the Southwest Quarter of Section 34, Township 2 South, Range 7 West, DeSoto County, Mississippi and being more particularly described as follows, to-wit:

Commencing at a point on the centerline of Getwell Road a distance of 2297.14 feet north of the intersection of said centerline with the centerline of Byhalia Road, a point commonly accepted as the Southwest corner of said Section 34; thence run North 89°58'12" East a distance of 40.00 feet to a point on the east right-of-way line of said Getwell Road and the Point of Beginning; thence run North 00°01'48" West a distance of 1016.89 feet along said east right-of-way line to a steel fence rail; thence run North 89°41'21" East a distance of 1713.20 feet to a 1-inch iron pipe on the west line of the John T. Douglas property; thence run South 00°04'43" West a distance of 1015.59 feet along said Douglas west line on the North, the west line of the Dudley Snell property and the west line of the J.R. Stribling property on the south to a 5/8-inch iron rod at the northeast corner of the Raymond Muccillo property; thence run South 89°38'42" West a distance of 1711.29 feet along the north line of said Muccillo property to the Point of Beginning and containing 39.95 acres. Bearings are based on true north as determined by solar observation. The above description was written from a plat of survey by Danny S. Rutherford, P.E.L.S. dated September 16, 1998.

The foregoing covenant of warranty is made subject to all existing rights of ways and easements for whatever purpose including public roads and public utilities, including, but not limited to the right of way in favor of DeSoto County, Mississippi as recorded in Book 271, Page 193, and to the subdivision and zoning regulations in effect in DeSoto County, Mississippi; and to any prior reservation or conveyance of minerals of every kind and character, including, but not limited to, oil, gas, sand and gravel in, on and under the subject property; and further subject to any unrecorded rights of way or easements; and any discrepancies, conflicts, encroachments, or shortages in area and boundaries which a correct survey and/or physical inspection of the property would reveal.

That attached hereto for reference is a copy of the survey of Danny S. Rutherford dated September 16, 1998.

Taxes and assessments against said property for the year 1999 shall be as of the date of this Deed and taxes and assessments for the year 2000 and all subsequent years shall be the sole responsibility of the

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GRANTEES, their successors and/or assigns.

Possession shall be given upon delivery of this deed.

WITNESS the signature of the GRANTOR on this the ^{25th January 1999} ~~18th~~ day of ~~December, 1998.~~

Carl Bernhoff
CARL BERNHOFT, EXECUTOR

STATE OF MISSISSIPPI
COUNTY OF DESOTO

^{25th January 1999} Personally appeared before me, the undersigned authority in and for the said county and state, on this ~~18th~~ day of ~~December, 1998~~ within my jurisdiction, the within named CARL BERNHOFT, who acknowledged that he is Executor of Estate of William E. Bernhoff and that in said representative capacity he executed the above and foregoing instrument, after first having been duly authorized so to do.

[Signature]
NOTARY PUBLIC

My Commission Expires:
MISSISSIPPI STATEWIDE NOTARY PUBLIC
MY COMMISSION EXPIRES SEPT. 24, 1999

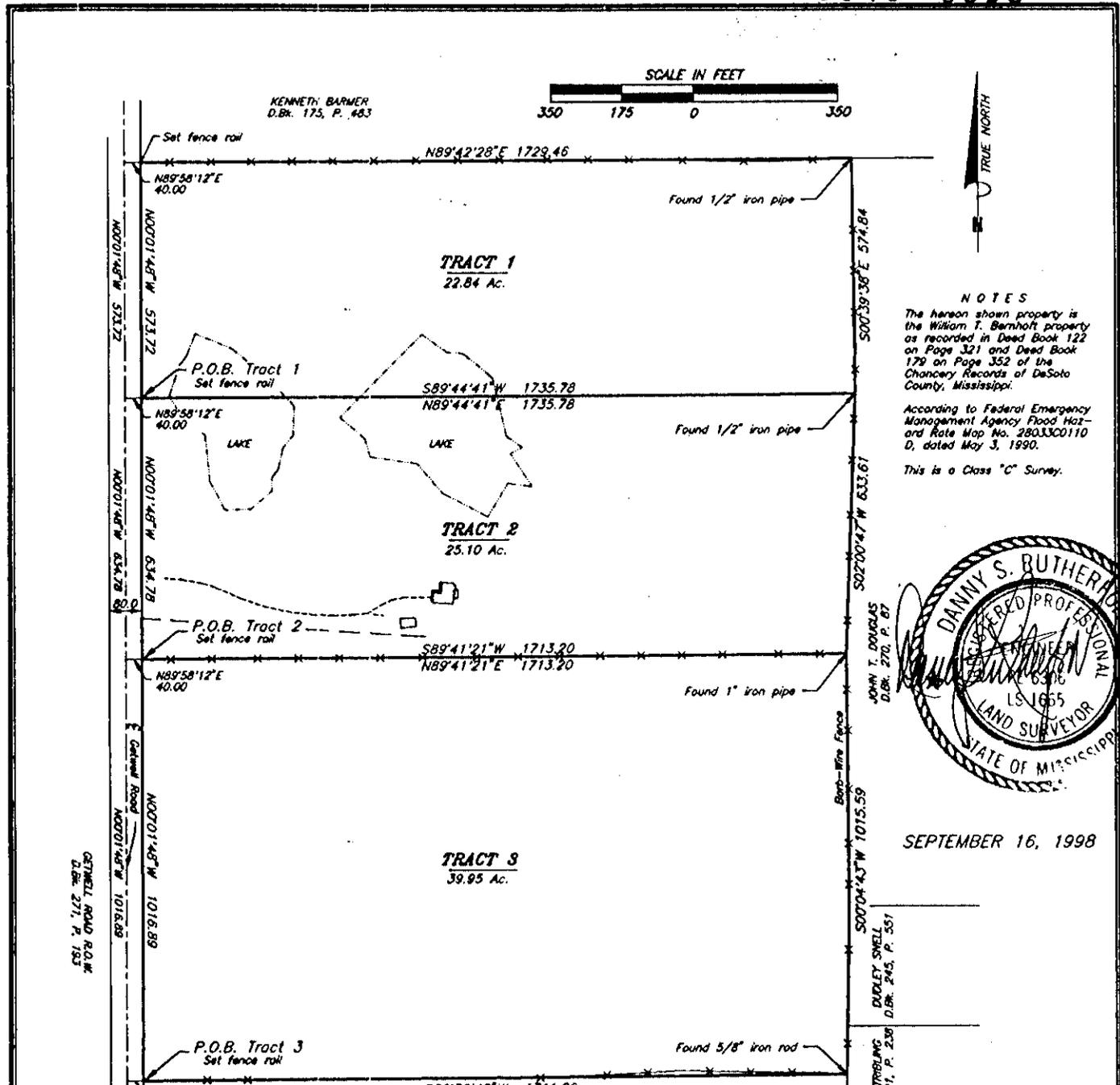
(SEAL)

GRANTORS' ADDRESS:
1154 Broady Road
Nesbit, MS 38651
RES. TEL.: (601) 429-9622
BUS. TEL.: N/A

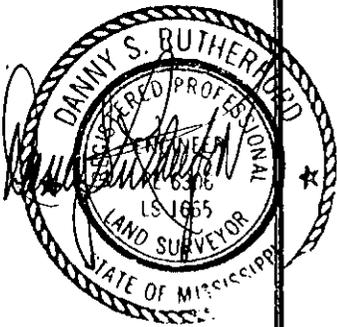
GRANTEES' ADDRESS:
10400 Ridgewood Drive
Olive Branch, MS 38654
RES. TEL.: 601-748-1772
BUS. TEL.: N/A

Prepared by: KENNETH E. STOCKTON
ATTORNEY AT LAW
5 WEST COMMERCE STREET
HERNANDO, MS 38632
601-429-3469





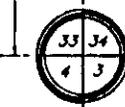
NOTES
 The hereon shown property is the William T. Bernhart property as recorded in Deed Book 122 on Page 321 and Deed Book 179 on Page 352 of the Chancery Records of DeSoto County, Mississippi.
 According to Federal Emergency Management Agency Flood Hazard Rate Map No. 28033C0110 D, dated May 3, 1990.
 This is a Class "C" Survey.



SEPTEMBER 16, 1998

TRACT 1
 22.84 Ac.
 Part of the Northwest Quarter of Section 34, Township 2 South Range 7 West, DeSoto County, Mississippi and being more particularly described as follows, to-wit:

Commencing at a point on the centerline of Getwell Road a distance of 3948.81 feet north of the intersection of said centerline with the centerline of Byhalia Road, a point commonly accepted as the southwest corner of said Section 34; thence run North 89°58'12" East a distance of 40.00 feet to a point on the east right-of-way line of said Getwell Road and the Point of Beginning; thence run North 00°01'48" West a distance of 573.72 feet along said east right-of-way line to a steel fence rail at the southwest corner of the Kenneth Barmer property; thence run North 89°42'28" East a distance of 1729.46 feet along the south line of said Barmer property to a 1/2-inch iron pipe at the southeast corner of said Barmer property, said point being on the west line of the John T. Douglas property; thence run South 00°39'38" East a distance of 574.84 feet along said Douglas west line to a 1/2-inch iron pipe; thence run South 89°44'41" West a distance of 1735.78 feet to the Point of Beginning and containing 22.84 acres. Bearings are based on true north as determined by solar observation. The above description was written from a plat of survey by Danny S. Rutherford, P.E.L.S., dated September 16, 1998.



TRACT 2
 25.10 Ac.
 Part of the Northwest Quarter of Section 34, Township 2 South, Range 7 West, DeSoto County, Mississippi and being more particularly described as follows, to-wit:

Commencing at a point on the centerline of Getwell Road a distance of 3314.03 feet north of the intersection of said centerline with the centerline of Byhalia Road, a point commonly accepted as the southwest corner of said Section 34; thence run North 89°58'12" East a distance of 40.00 feet to a point on the east right-of-way line of said Getwell Road and the Point of Beginning; thence run North 00°01'48" West a distance of 634.78 feet along said east right-of-way line to a steel fence rail; thence run South 89°44'41" East a distance of 1735.78 feet to a point on the west line of the John T. Douglas property; thence run South 02°00'47" West a distance of 633.61 feet along said Douglas west line to a 1-inch iron pipe; thence run South 89°41'21" West a distance of 1713.20 feet to the Point of Beginning and containing 25.10 acres. Bearings are based on true north as determined by solar observation. The above description was written from a plat of survey by Danny S. Rutherford, P.E.L.S., dated September 16, 1998.

TRACT 3
 39.95 Ac.
 Part of the Northwest Quarter and part of the Southwest Quarter of Section 34, Township 2 South, Range 7 West, DeSoto County, Mississippi and being more particularly described as follows, to-wit:

Commencing at a point on the centerline of Getwell Road a distance of 2297.14 feet north of the intersection of said centerline with the centerline of Byhalia Road, a point commonly accepted as the southwest corner of said Section 34; thence run North 89°58'12" East a distance of 40.00 feet to a point on the east right-of-way line of said Getwell Road and the Point of Beginning; thence run North 00°01'48" West a distance of 1016.89 feet along said east right-of-way line to a steel fence rail; thence run North 89°41'21" East a distance of 1713.20 feet to a 1-inch iron pipe on the west line of the John T. Douglas property; thence run South 00°04'43" West a distance of 1015.59 feet along said Douglas west line on the north, the west line of the Dudley Snell property and the west line of the J.R. Strubling property on the south to a 5/8-inch iron rod at the northeast corner of the Raymond Muccillo property; thence run South 89°38'42" West a distance of 1711.29 feet along the north line of said Muccillo property to the Point of Beginning and containing 39.95 acres. Bearings are based on true north as determined by solar observation. The above description was written from a plat of survey by Danny S. Rutherford, P.E.L.S. dated September 16, 1998.

PLAT OF SURVEY OF PART OF THE NORTHWEST QUARTER AND PART OF THE SOUTHWEST QUARTER OF SECTION 34, TOWNSHIP 2 SOUTH, RANGE 7 WEST, DESOTO COUNTY, MISSISSIPPI