

STATE MS. - DESOTO CO.
FILED

FEB 7 9 50 AM '00

WARRANTY DEED

BK 367 PG 75
W.E. DAVIS CH. CLK.

This Deed of Conveyance is this day made by the undersigned WILLIAM MOORE DALEHITE, JR. and KATHERINE BALLARD DALEHITE, hereinafter referred to as the GRANTORS, and JAMES R. SEAY, SR., hereinafter referred to as the GRANTEEES, WITNESSETH THAT:

For and in consideration of the sum of Ten Dollars (\$10.00) cash in hand paid by the GRANTEEES to the GRANTORS, and other good and valuable consideration, the receipt and sufficiency of all of which is hereby acknowledged by the GRANTORS, WILLIAM MOORE DALEHITE, JR. and KATHERINE BALLARD DALEHITE, the GRANTORS do hereby and by these presents sell, convey, and warrant unto JAMES R. SEAY, SR., a single person, the GRANTEE, the hereinafter described real property located in DeSoto County, Mississippi, and being described as follows, to-wit:

SEE ATTACHED EXHIBIT "A"

The foregoing covenant of warranty is made subject to the following: any and all rights of ways and easements for public roads and public utilities, either recorded or unrecorded, including but not limited to those Right of Ways in favor of Mississippi Power and Light Company as recorded at Deed Book 25 Page 508, Deed Book 33 Page 587 and Deed Book 150 Page 702; Right of Way to American Telephone & Telegraph Co. as recorded at Deed Book 33 Page 478 as assigned to South Central Bell Telephone Co. as recorded at Deed Book 160 Page 720; Easement in favor of Belmont Water Association, Inc. as recorded at Deed Book 60 Page 508; Right of Way in favor of

South Central Bell Telephone Co. as recorded at Deed Book 150 Page 401 with all recordings being in the office of the Chancery Clerk of DeSoto County, Mississippi; to all subdivision and zoning regulations in effect in DeSoto County, Mississippi; 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; to any unrecorded rights of way or easements; to any discrepancies, conflicts, encroachments, or shortages in area and boundaries which a correct survey and/or physical inspection of the property would reveal; and to the fence encroachments as reflected on survey of Michael Hensley dated October 18, 1999.

That by way explanation the Grantor Katherine B. Dalehite joins in this conveyance for the purpose of conveying to the Grantor her life estate interest as conveyed to her by the Last Will and Testament of her late husband William Moore Dalehite. That attached hereto as Exhibit B, collectively, is a copy of the Last Will and Testament of William Moore Dalehite and a copy of the Decree Approving First and Final Accounting, Closing Estate and Discharging Executrix as found at Cause No. P-10878 in the Office of the Chancery Court of Hinds County, Mississippi.

Taxes and assessments against said property for the year 1999 shall be prorated as of the date of this deed and taxes and assessments for the year 2000 shall be the sole responsibility of the GRANTEE and/or his successor's in interest, and all subsequent years are hereby excepted from the foregoing covenant of warranty.

Possession shall be given upon delivery of this deed.

WITNESS the signature of the GRANTORS on this the 23rd day of December, 1999.

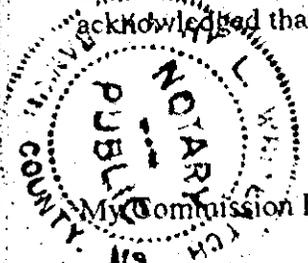
Katherine Ballard Dalehite
KATHERINE BALLARD DALEHITE

William Moore Dalehite, Jr.
WILLIAM MOORE DALEHITE, JR.

STATE OF MISSISSIPPI
COUNTY OF Hinds

Personally appeared before me, the undersigned authority in and for the said county and state, on this the 23rd day of December, 1999, within my jurisdiction, the within named KATHERINE BALLARD DALEHITE and WILLIAM MOORE DALEHITE, JR., who acknowledged that they executed the above and foregoing instrument.

Kathy G. Whittlatch
NOTARY PUBLIC



My Commission Expires:

Notary Public State of Mississippi At Large
My Commission Expires: June 7, 2002
Bonded Thru Helgeson, Brooks & Gardner, Inc.

(SEAL)

GRANTORS' ADDRESS:
755 Alvarada

Jackson MS 39204
RES. TEL.: n/a
BUS. TEL.: 663-969-7504

GRANTEES' ADDRESS:
11 West Park Street
Hernando, MS 38632
RES. TEL.: 662-429-6108
BUS. TEL.: 662-429-6108

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

(99248)

EXHIBIT "A"

Commencing at the southeast corner of the Northeast quarter of Section 13, Township 4 South, Range 8 West, DeSoto County, Mississippi, said point being a fence corner post being the POINT OF BEGINNING; thence South $89^{\circ} 10' 00''$ West along the Miller line being the south line of said quarter section, a distance of 1343.06 feet to a $3/8''$ rebar set on the east line of U.S. Highway 51, (100' right of way); thence North $13^{\circ} 05' 52''$ West along said east line, a distance of 476.16 feet to a $3/8''$ rebar set being the Berryhill southwest corner; thence North $76^{\circ} 49' 47''$ East, a distance of 72.99 feet to a $3/8''$ rebar found; thence North $6^{\circ} 49' 37''$ West, a distance of 135.75 feet to a $3/8''$ rebar found; thence South $76^{\circ} 52' 55''$ West, a distance of 87.81 feet to a $3/8''$ rebar set on the east line of said road; thence North $13^{\circ} 05' 52''$ West along said east line, a distance of 66.83 feet to the point of curvature of a tangent curve, concave to the east, having a radius of 5500.29 feet and a central angle of $10^{\circ} 05' 45''$; thence northerly along said curve, a distance of 969.17 feet; thence North $3^{\circ} 00' 08''$ West along said road, a distance of 47.86 feet to a $3/8''$ rebar set on the southwest corner of the property as described in Will Book 14, Page 240; thence North $89^{\circ} 02' 09''$ East along said line, a distance of 1579.96 feet to a steel fence rail found in a fence corner; thence South $1^{\circ} 52' 40''$ East along the Miller line, a distance of 1674.49 feet to the POINT OF BEGINNING; said described tract containing 56.96 Acres, more or less.

INDEXING INSTRUCTIONS:

*N/E 1/4 of Section 13, Township 4 South,
Range 8 West, DeSoto County, Mississippi,*

Last Will and Testament

OF

WILLIAM MOORE DALEHITE

I, WILLIAM MOORE DALEHITE, being of sound and disposing mind and memory, and above the age of twenty-one(21) years, do hereby make, publish, establish and declare this to be my LAST WILL AND TESTAMENT, hereby revoking all other wills and testaments heretofore made by me as follows, to-wit:

ITEM I

I hereby direct that all of my debts and funeral expenses which I may have at the time of my death shall be paid by my executrix hereinafter named.

ITEM II

I hereby give, bequeath and devise unto my wife, MRS. KATHERINE BALLARD DALEHITE a life estate in my farm and property which is located six miles south of Hernando, in DeSoto County, Mississippi, known as the Dalehite Place. During her lifetime she shall have all of the rents and profits therefrom. At her death the said property shall pass to our son, WILLIAM MOORE DALEHITE, JR.

ITEM III

All of the balance and residue of my property, whether the same be real, personal or mixed, I hereby give, bequeath and devise the same unto my wife, MRS. KATHERINE BALLARD DALEHITE.

EXHIBIT "B"

ITEM IV

In the event that my wife should not be living at the time of my death, or in the event that my wife and I should die or be killed as the result of a common accident, disaster, happening or event, then I give, bequeath and devise all property which I may have at the time of my death, to our son, WILLIAM MOORE DALEHITE, JR.

ITEM V

I hereby nominate and appoint my wife, MRS. KATHERINE BALLARD DALEHITE as executrix of this, my Last Will and Testament. I hereby direct that no bond shall be required of her in this estate and that she shall not be required to make an inventory or appraisal herein, except as the law requires. I hereby give to my said executrix full right and power to sell, manage and convey my property and estate in any way she sees fit.

ITEM VI

Inasmuch as William A. Bacon, Attorney at Law, of Jackson, Mississippi, has drawn this Will and is familiar with the terms and provisions hereof, and is familiar with my wishes in the matter, I hereby direct that he shall be retained as Attorney for my estate and for the probate of this Will.

IN WITNESS WHEREOF I hereunto subscribe my name, publish and declare this instrument to be my LAST WILL AND TESTAMENT in the presence of the subscribing witnesses thereto this April 2, 1963.


WILLIAM MOORE DALEHITE, TESTATOR

STATE OF MISSISSIPPI

COUNTY OF HINDS

We, each of the subscribing witnesses to the LAST WILL AND TESTAMENT of WILLIAM MOORE DALEHITE, do hereby certify that the said instrument was signed by the said William Moore Dalehite in our presence and in the presence of each of us, and that the said William Moore Dalehite declared the same to be his LAST WILL AND TESTAMENT in the presence of each of us, and that we signed as subscribing witnesses to the said Will at the request of William Moore Dalehite, in his presence and in the presence of each other.

WITNESS OUR SIGNATURES this April 2, 1963.

John S. Williams

Hettie Jo Williams

IN THE CHANCERY COURT OF THE FIRST JUDICIAL



HINDS COUNTY, MISSISSIPPI

FILED
JAN 14 1994IN RE: WILL AND ESTATE
OF WILLIAM MOORE DALEHITE

ATTEST A TRUE COPY

ALICE JAMES, Chancery Clerk

By *[Signature]*

NO. P-10878

DECREE APPROVING FIRST AND
FINAL ACCOUNTING, CLOSING
ESTATE AND DISCHARGING EXECUTRIX

THIS CAUSE came on this day to be heard on the sworn petition of KATHERINE BALLARD DALEHITE, Executrix of the Estate of William Moore Dalehite, Deceased, for approval of the first and final accounting of said Executrix, to discharge the Executrix and to close the Estate, and the Court, having heard and considered said Petition and the evidence offered and introduced in support thereof, finds:

1) That the petitioner, Katherine Ballard Dalehite, is the duly appointed, qualified and acting Executrix of the will and estate of William Moore Dalehite, Deceased; and

2) That the Executrix caused to be published a Notice to Creditors in the manner and for the time required by law in a newspaper having a general circulation in Hinds County, MS, and proof of such publication is filed and docketed in this case; and

3) That the time for probating claims against the estate has expired and all claims probated and all expenses of the last illness and funeral have been paid in full; and

4) That no Federal or State of Mississippi estate taxes were due from the estate and no estate tax returns were required to be filed; and

5) That petitioner waived process and that all matters involving this estate have been duly performed and that this estate should be fully and finally closed.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that the first and final accounting of petitioner be, and it is hereby approved; that the petitioner, as Executrix, be, and she is hereby fully, finally and completely discharged and this estate closed.

SO ORDERED, ADJUDGED AND DECREED on this the 14 day
of ~~July, 1993.~~ ^{JAN. 1994}

Signed W. O. DILLARD

C H A N C E L L O R