

MAR 18 3 22 PM '02

**RATIFICATION OF AND AMENDMENT TO  
BK 414 PG 234 SECOND AMENDMENT TO GRANT OF EASEMENT  
W. E. DAVIS CH. CLK.**

This RATIFICATION OF AND AMENDMENT TO SECOND AMENDMENT TO GRANT OF EASEMENT (herein "Ratification") made as of the 21 day of February, 2002, between ~~Eula Holmes Sanders~~, Elmore Holmes III, Elizabeth Holmes Hazell, Ann T. Petrucci and Janet Turner (herein "Grantor" whether one or more) and Mid-America Pipeline Company (herein "Grantee"), a Delaware corporation, duly authorized to transact business in the State of Mississippi, provides:

WHEREAS, Grantor and Grantee have entered into an agreement entitled SECOND AMENDMENT TO GRANT OF EASEMENT (herein "Second Amendment") dated March 2, 2001, and recorded August 16, 2001, in the records of DeSoto County, Mississippi, at Book 397, Page 695, relating to a tract of land in the SE 1/4 of Section 17, Township 1 South, Range 7 West, in said DeSoto County, said tract of land more particularly described on Exhibit 1, attached hereto and made a part hereof; and

WHEREAS, Paragraph numbered 7, entitled "Survey", on page 2 of said Second Amendment requires, among other things, Grantee to provide a survey or surveys of the actual location of the pipelines, easements and rights of way on the land described, and that such survey or surveys shall be submitted to Grantor for review and comment to achieve a mutually agreeable survey or surveys, and that, at Grantor's option, such survey or surveys may be labeled as Exhibit 3 and attached as a part of the Second Amendment. Said Paragraph further states that without the prior written consent of Grantor, the Second Amendment shall not be placed of record until such mutually agreeable survey or surveys are available to Grantor (and/or its designee) for such purpose; and

WHEREAS, said Second Amendment was inadvertently recorded by Grantee on August 16, 2001, in the records of DeSoto County, Mississippi, at Book 397, Page 695 prior to Grantor's review and mutual agreement of the required surveys; and

WHEREAS, said surveys have been completed and have been reviewed and agreed upon by Grantor.

NOW, THEREFORE, in consideration of \$10.00 (Ten Dollars) in hand paid and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Grantor and Grantee agree as follows:

1. Grantor and Grantee mutually agree that the survey, of Ollar Surveying Company dated November 30, 2001, copy of plat of which is attached hereto as Exhibit 2 and made a part hereof, accurately depicts and describes all the rights and easements granted by Grantor to Grantee in the Original Grant as amended by First Amendment and Second Amendment (as such capitalized terms are defined in said SECOND AMENDMENT TO GRANT OF EASEMENT), as required in Paragraph numbered 7, "Survey", thereof.
2. Grantor and Grantee hereby ratify the terms, conditions and recording of the SECOND AMENDMENT TO GRANT OF EASEMENT, notwithstanding the fact that said SECOND AMENDMENT TO GRANT OF EASEMENT was inadvertently and prematurely placed of record in the records of DeSoto County, Mississippi.
3. Grantor and Grantee hereby agree that the first clause of the first sentence of Paragraph numbered 7, "Survey", of said SECOND AMENDMENT TO GRANT OF EASEMENT shall be amended to read as follows:

"As an essential condition to the effectiveness of all rights and easements granted by Grantor herein,..."

4. Grantor and Grantee hereby agree that since said survey of the actual location of the pipelines, easements and rights of way on the land described is attached to this





GRANTOR:

Ann T. Petrucci  
Ann T. Petrucci

229 Mather Road  
Address

Jenkintown, Pennsylvania 19046  
City, State, Zip code

(215) 887-5913  
Telephone Number

573-08-5693  
Tax Identification Number

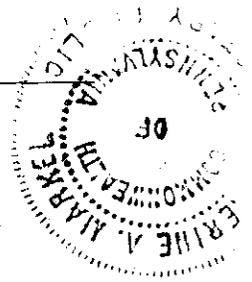
STATE OF PA )  
COUNTY OF Montgomery ) ss.

Personally appeared before me, the undersigned authority in and for said county and state, on this 25 day of February, 2002, within my jurisdiction, the within named **Ann T. Petrucci**, who acknowledged that she executed the above and foregoing instrument.

My Commission Expires:

**Notarial Seal**  
Catherine A. Markel, Notary Public  
Jenkintown, PA, Montgomery County  
My Commission Expires Dec. 8, 2008  
Member, Pennsylvania Association of Notaries

Catherine A. Markel  
Notary Public



GRANTOR:

Janet Turner  
Janet Turner

1855-10th Avenue, #2  
Address

San Francisco, California 94122  
City, State, Zip code

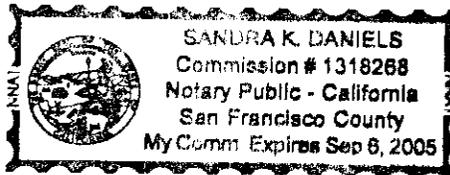
(415) 665-8931  
Telephone Number

547-35-8549  
Tax Identification Number

STATE OF CALIFORNIA  
COUNTY OF SAN FRANCISCO

Personally appeared before me, the undersigned authority in and for said county and state, on this 25<sup>th</sup> day of FEBRUARY, 2002, within my jurisdiction, the within named Janet Turner, who acknowledged that she executed the above and foregoing instrument.

My Commission Expires Sept 6, 2005 Sandra K. Daniels  
Notary Public





**EXHIBIT "1"**

Attached to and made a part of that certain RATIFICATION OF AND AMENDMENT TO SECOND AMENDMENT TO GRANT OF EASEMENT dated as of February 21, 2002, by and between:

Eula Holmes Sanders, Elmore Holmes III, Elizabeth Holmes Hazell,  
Ann T. Petrucci and Janet Turner, as Grantor

AND

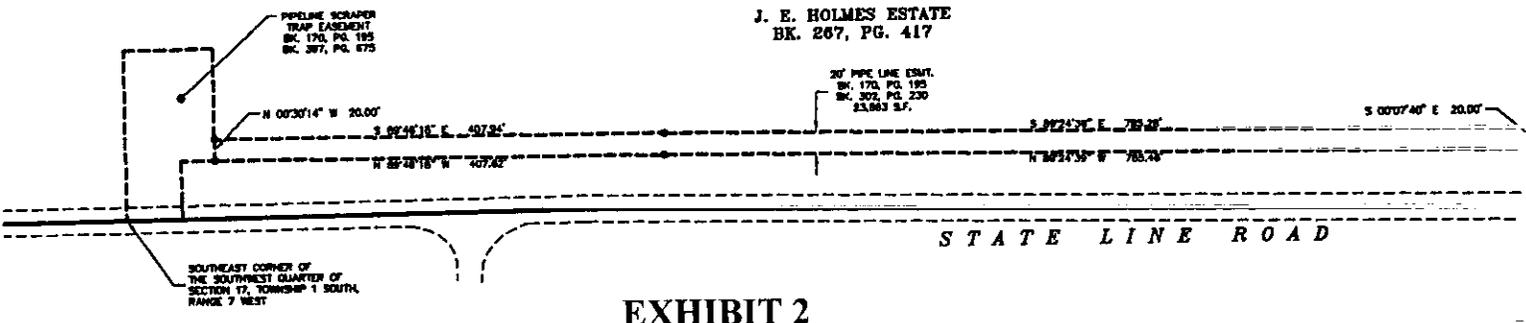
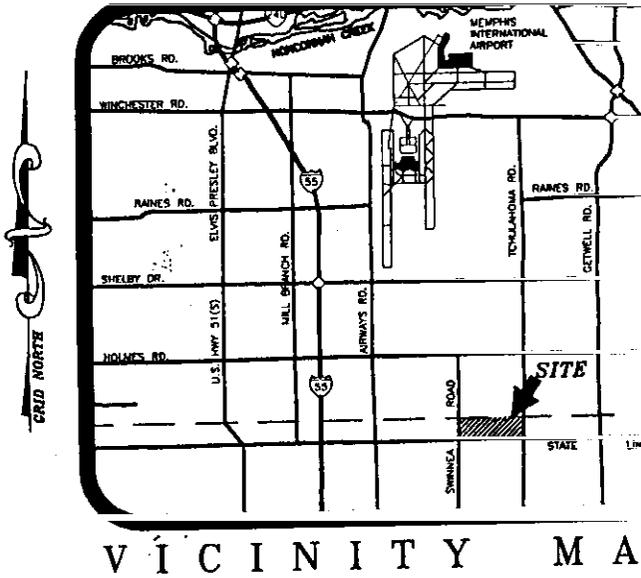
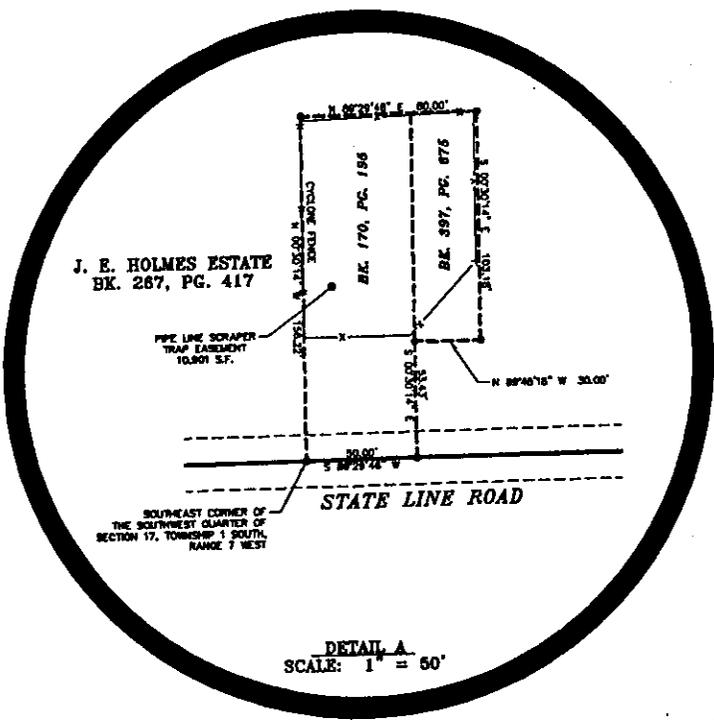
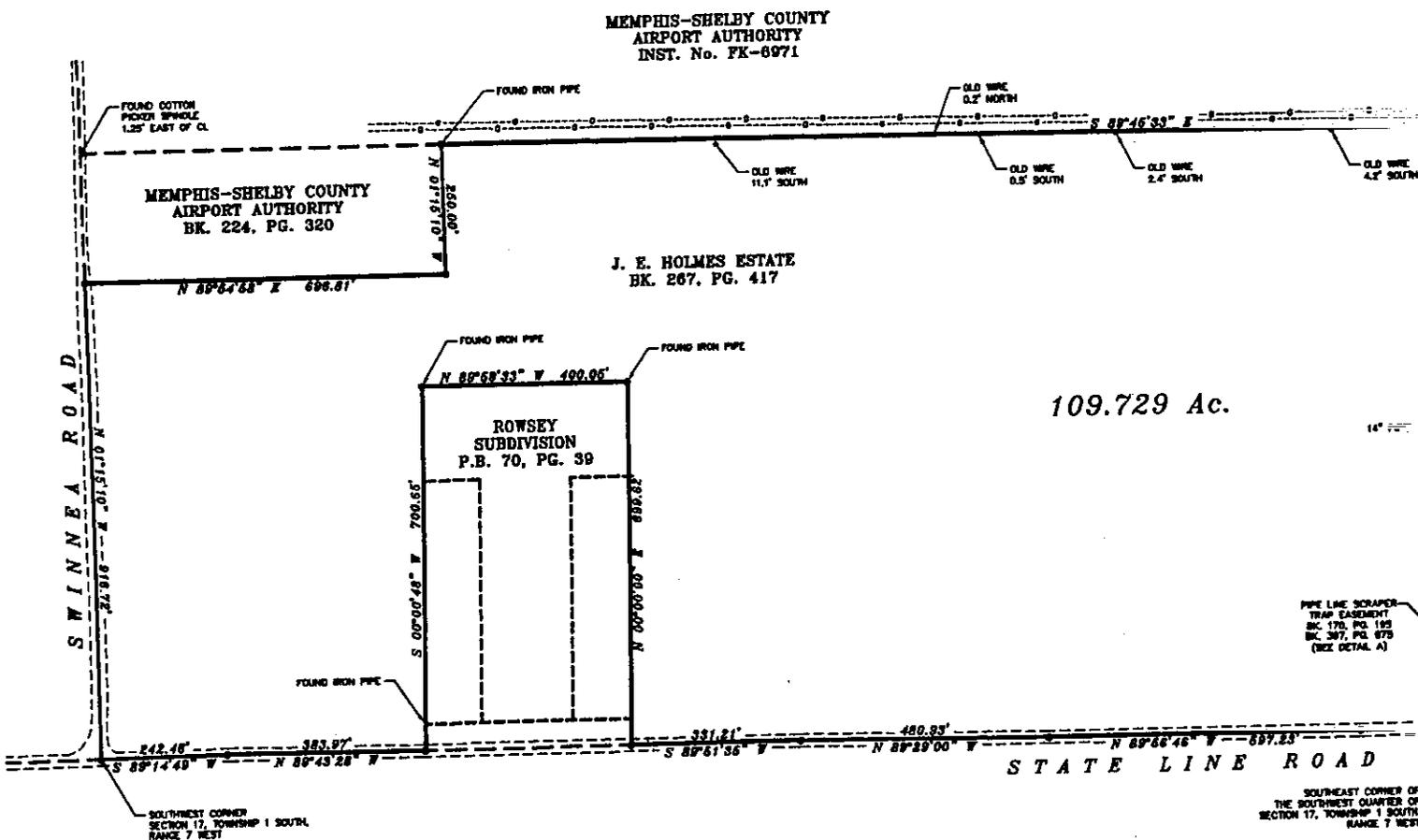
Mid-America Pipeline Company, as Grantee

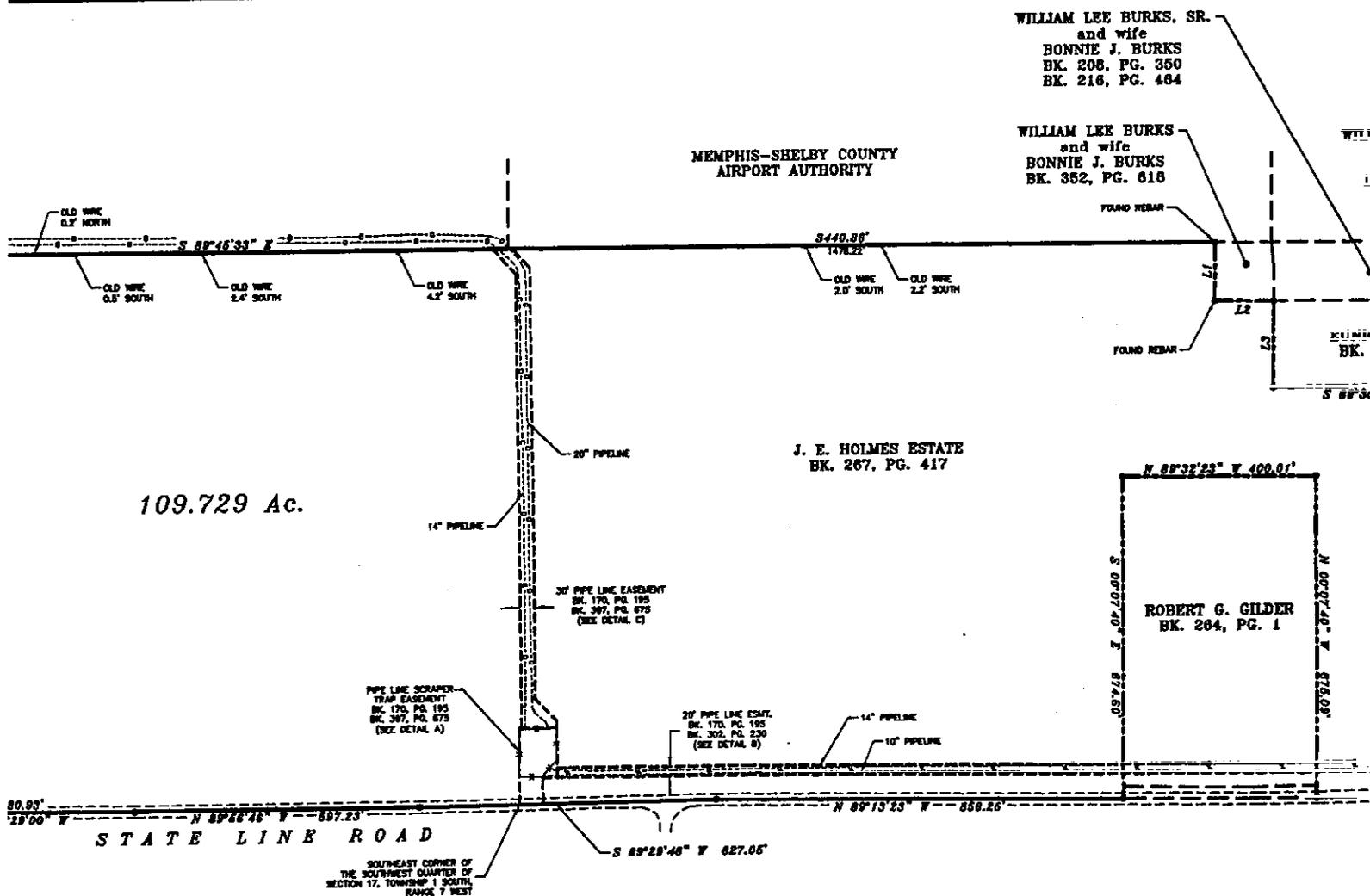
The land is situated in DeSoto County, Mississippi, and more particularly described as follows:

Parts of Section 17, Township 1 South, Range 7 West, Chickasaw Cession, and being more particularly described as follows: The south 60 acres, more or less, of the SE/4 of said Section 17 which lies west of Tchulahoma Road in DeSoto County, Mississippi; and 70 acres, more or less, in a strip of equal width off the south side of the SW/4 of said Section 17, and being all of said quarter section that lies in DeSoto County, Mississippi; LESS AND EXCEPT: 4.0 acres, more or less, conveyed to Joseph M. Knight and wife, Mavis B. Knight, by Warranty Deed dated September 10, 1982; 0.073 acres, more or less, conveyed to Jimmy G. Ketchum and wife, Judy R. Ketchum, by Warranty Deed of record in Book 161, Page 125, of the Chancery Clerk's office of DeSoto County, Mississippi; 0.9449 acres, more or less, conveyed to William L. Burks and wife, Bonnie J. Burks, by Warranty Deed dated July 7, 1989; 2.3083 acres, more or less, conveyed to James M. Farris and wife, Helen B. Farris, by Warranty Deed dated July 7, 1989; 5.98 acres, more or less, conveyed to Robert G. Gilder by Warranty Deed of record in Book 264, Page 4, of the Chancery Clerk's office of DeSoto County, Mississippi; 5.97 acres, more or less, conveyed to Larry G. Rowsey and wife, Shirley H. Rowsey, by Warranty Deeds dated in September, 1994 and recorded in Book 276, at Pages 515, 517, 519, 521, and 523; and 0.3405 acres, more or less, conveyed to William L. Burks and wife, Bonnie J. Burks, by Special Warranty Deeds dated in or about May, 1999.

[Note to Recorder: Please index against the following lands:

SE ¼ and SW ¼, Section 17, Township 1 South, Range 7 West.]





WILLIAM LEE BURKS, SR.  
and wife  
BONNIE J. BURKS  
BK. 208, PG. 350  
BK. 216, PG. 484

WILLIAM LEE BURKS  
and wife  
BONNIE J. BURKS  
BK. 362, PG. 618

MEMPHIS-SHELBY COUNTY  
AIRPORT AUTHORITY

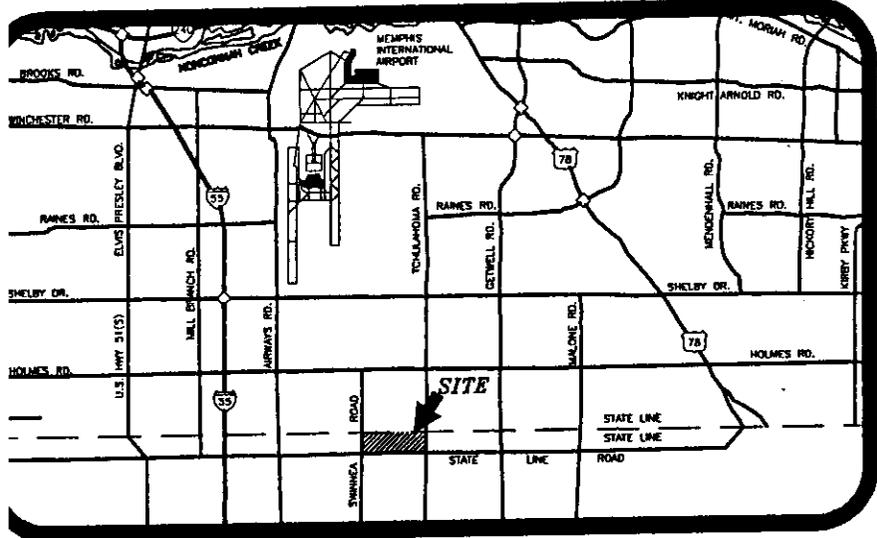
J. E. HOLMES ESTATE  
BK. 267, PG. 417

ROBERT G. GILDER  
BK. 264, PG. 1

109.729 Ac.

STATE LINE ROAD

SOUTHEAST CORNER OF  
THE SOUTHWEST QUARTER OF  
SECTION 17, TOWNSHIP 1 SOUTH,  
RANGE 7 WEST



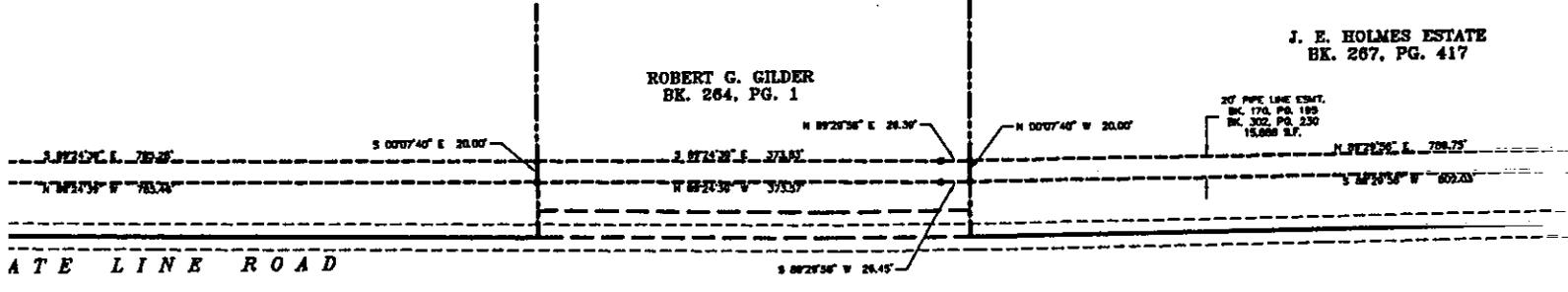
VICINITY MAP

NOT TO SCALE

NOTES:

1. Survey prepared for Ken Coggell.
2. Bearings are relative to the east line of Rowsey Subdivision having an assumed bearing of north 00 degrees 00 minutes 00 seconds east.
3. This survey was prepared without benefit of an abstract of title. No liability is assumed by the undersigned for loss relating to any matter that might be discovered by an abstract or title search of the property.
4. All deed book references shown herein are recorded in the Register's Office of DeSoto County, Mississippi.
5. There may be underground or non-visible utilities, drain and/or sewer lines across this property that are not shown. The proper utility authorities should be contacted for more specific locations and information on underground utilities.
6. Subsurface and environmental conditions were not examined or considered as a part of this survey.
7. Governmental jurisdictional areas, if any, which might impact on the use of the premises were not located. No liability is assumed by the undersigned for any loss resulting from the exercise of any governmental jurisdiction affecting the use of the premises.
8. If this survey plat is also provided in electronic form, the electronic copy must be compared to the original hard copy issued at the survey date with its original seal to insure the accuracy of the information and to further insure that no changes, alterations or modifications have been made. No reliance should be made on a document transmitted by computer or other electronic means unless first compared to the original sealed document issued at the time of the survey.
9. Survey is valid only if print has original seal of surveyor.
10. Distances shown on this plat are in feet and can be converted to meters by multiplying by 0.3048.
11. This document is copyright protected. No copies are authorized. Additional copies can be obtained from Dejar Surveying Company for a reasonable fee.

L1
L2
L3
L4
L5
L6
L7
L8
L9
L10
L11
L12
L13



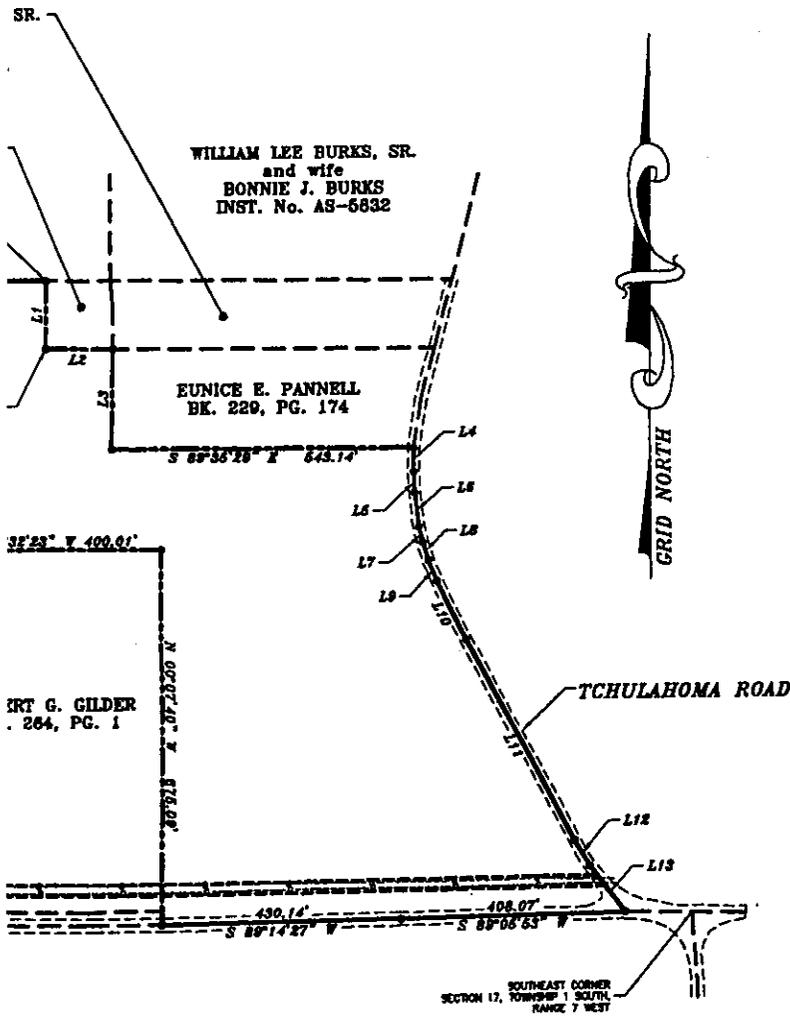
J. E. HOLMES ESTATE  
BK. 267, PG. 417

ROBERT G. GILDER  
BK. 264, PG. 1

STATE LINE ROAD

DETAIL B  
SCALE: 1" = 100'

EXHIBIT 2  
PAGE 2 OF 3

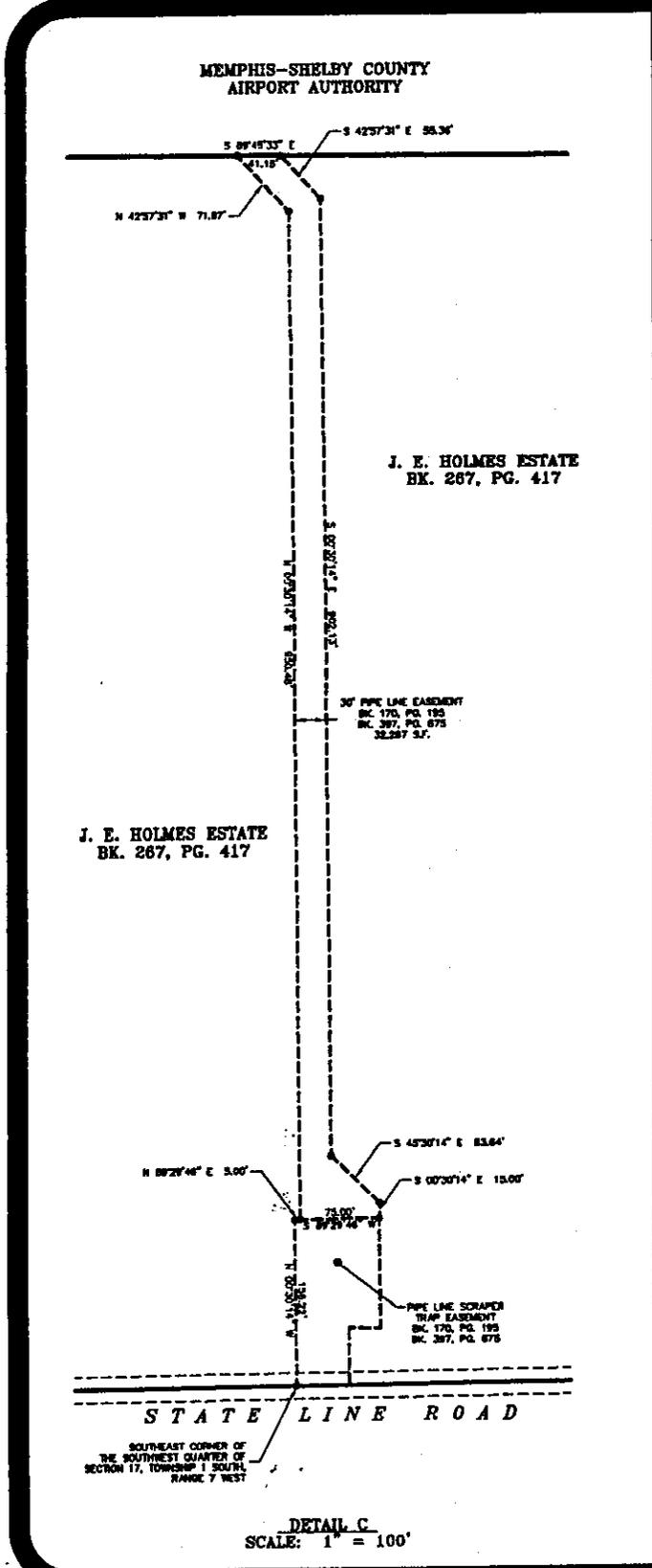


NUMBER	DIRECTION	DISTANCE
L1	S 00°21'11" W	122.38'
L2	S 89°20'30" E	121.66'
L3	S 00°24'31" W	180.00'
L4	S 01°14'02" W	42.69'
L5	S 02°29'04" E	39.53'
L6	S 06°49'02" E	62.33'
L7	S 12°55'33" E	29.87'
L8	S 16°47'33" E	34.88'
L9	S 22°09'16" E	39.83'
L10	S 26°12'35" E	119.43'
L11	S 28°17'57" E	413.62'
L12	S 32°18'14" E	53.80'
L13	S 37°39'22" E	104.78'

**CERTIFICATION:**  
 I hereby certify to Elmo Holmes Sanders, Elmore Holmes II, Elizabeth Holmes Hazel, Ann T. Petrucci and Janet Turner that this is a Class A Survey and that the ratio of precision of the unadjusted survey is 1:10,000 or greater.

OLLAR SURVEYING COMPANY

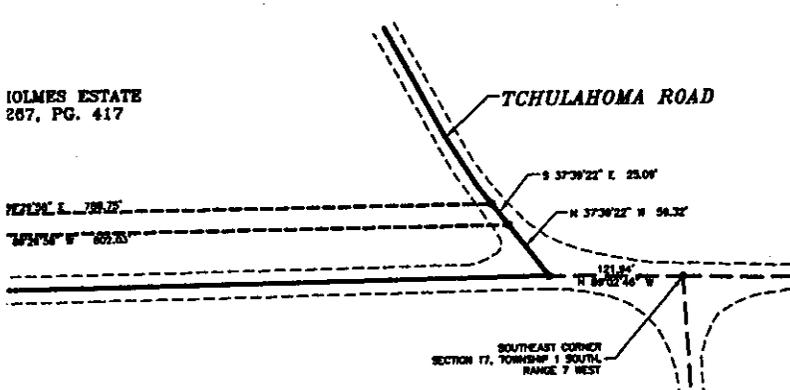
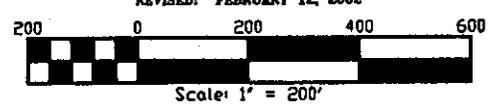
By Douglas C. Swink, RLS Date \_\_\_\_\_  
 Partner  
 Mississippi Certificate No. 2658



12/18/01: Revised to adjust acreage for easement shown in Detail C.  
 02/12/02: Revised certificate to reflect owners names.

**SURVEY OF EXISTING PIPE LINE EASEMENTS ACROSS THE J. E. HOLMES ESTATE PROPERTY**  
 RECORDED IN BOOK 267, PAGE 417  
 BEING PART OF SECTION 17, TOWNSHIP 1 SOUTH, RANGE 7 WEST  
 DeSOTO COUNTY, MISSISSIPPI

SCALE: 1" = 200' DATE: NOVEMBER 30, 2001  
 REVISED: DECEMBER 18, 2001  
 REVISED: FEBRUARY 12, 2002



**EXHIBIT 2**  
**PAGE 3 OF 3**