

BK 0437 PG 0588

STATE OF MISSISSIPPI
COUNTY OF Desoto

Indexing Instructions: SE 1/4, SEC 25 T-1-S R-8-W
Line/Project Identification: CEA No. 349020 FCA No. 360.2
Tax Area 362327 WR No. 30010381229

STATE MS. - DESOTO CO.
FILED

OH line serving Aldi's Food Store @ 7051 Hungry Fisherman Dr Southaven MS

FEB 10 4 12 PM '03

**RIGHT-OF-WAY INSTRUMENT
ENERGY MISSISSIPPI, INC.**

BK 437 PG 588

KNOW ALL WHOM THESE PRESENTS THAT: Aldi's Inc
a corporation

Grantor(s), acting individually, and for, and on behalf of, my/our heirs, successors, assigns and any other person claiming the ownership to the property hereinafter described, collectively "Grantor", for and in consideration of One Dollar, in hand paid, and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, does hereby grant, assign, convey unto and warrant and defend Entergy Mississippi, Inc., and its successors and assigns, collectively "Grantee", a right-of-way, servitude and easement 30 feet in width for the location, construction, reconstruction, improvements, repairs, operation, inspection, patrol, replacement and maintenance of electric power and communication facilities, or the removal thereof, now or in the future, including, but not necessarily limited to, poles, cross arms, insulators, wires, cables, conduits, hardware, transformers, switches, guy wires, anchors and other equipment, structures, material and appurtenances, now or hereafter used, useful or desired in connection therewith by Grantee over, across, under or on that land of Grantor in the County of Desoto, State of Mississippi described as follows, to-wit:

A certain parcel of land lying and being situated in the SW1/4 of the SE1/4 of Section 25, Township 1 South, Range 8 West, Desoto County, Mississippi, as shown on Exhibit "A" attached hereto and made a part hereof.

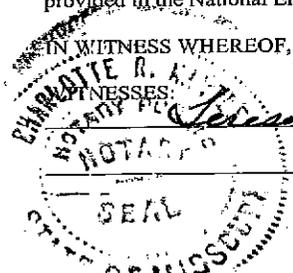
together with the right of ingress and egress to and from said right-of-way across the adjoining land of the Grantor and the right to attach wires and cables of any other party to Grantee's facilities, and the right to install guy wires, anchors, and anchor assemblies beyond the limits of said right-of-way.

Unless otherwise herein specifically provided, the centerline of the electric power and communication lines initially constructed on this right-of-way shall be the center line of said right-of-way.

Grantee shall have the full and continuing right to clear and keep clear vegetation within or growing into said right-of-way and the further right to remove or modify from time to time trees, limbs, and/or vegetation outside the said right of way which Grantee considers a hazard to any of its electric power or communications facilities or a hazard to the rendering of adequate and dependable service to Grantor or any of Grantee's customers, by use of a variety of methods used in the vegetation management industry.

Grantor shall not construct or permit the construction of any structure, obstruction or other hazard within the said right-of-way, including but not limited to, house, barn, garage, shed, pond, pool or well, excepting only Grantor's fence(s) and Grantee's facilities. Grantor shall not construct or permit the construction of any buildings or other structures on land adjoining said right-of-way in violation of the minimum clearances from the lines and facilities of Grantee, as provided in the National Electrical Safety Code.

IN WITNESS WHEREOF, Grantor has executed this Right-of-Way Instrument on this 10 day of JANUARY, 2003



GRANTOR: Aldi Inc. O'Fallon, MO
Louis R. Ross Director of Real Estate

CORPORATE ACKNOWLEDGMENT

STATE OF Missouri
COUNTY OF St. Charles

Personally appeared before me, the undersigned authority in and for the said county and state, on this 10th day of January, 2003, within my jurisdiction, the within named Louis R. Ross, who acknowledged that (he)(she) Director of Real Estate of ALDI INC., a ILLINOIS corporation, and that for and on behalf of the said corporation, and as its act and deed (he)(she) executed the above and foregoing instrument, after first having been duly authorized by said corporation so to do.

CHARLOTTE R MANTLE
NOTARY PUBLIC STATE OF MISSOURI
ST CHARLES COUNTY
MY COMMISSION EXP FEB. 16, 2003

Charlotte R. Mantle
NOTARY PUBLIC

My commission expires:

Prepared By: Entergy Mississippi, Inc., P.O. Box 1640, Jackson, MS 39215, Telephone (601) 969-2311
Name: Chris Gilliland Telephone: (662) 342-7585

