

SEWER EASEMENT

FOR AND IN CONSIDERATION of Thirty Two Thousand Seven Hundred Twenty Seven Dollars and Seventy Five Cents (\$32,727.75) cash in hand paid, receipt of which is acknowledged, and other good and valuable considerations, I-55-88 Property 6-2-75, a Tennessee Limited Partnership (the "Grantor") hereby conveys and warrants to Horn Lake Creek Basin Interceptor Sewer District of DeSoto County, Mississippi (the "Sewer District"), a temporary construction easement and a permanent sewer easement for the construction, operation, maintenance and repair of an outfall sewer line through, over and across the land in DeSoto County, Mississippi described as follows, to-wit:

A permanent sewer easement and a temporary construction easement in the Northwest quarter of Section 25, Township 1 South, Range 8 West, DeSoto County, Mississippi, more particularly described on the description attached hereto as Exhibits "1" and "2".

The temporary construction easement shall terminate upon completion of construction of the sewer line. The Sewer District will be liable for all physical damage to crops, fences, parking lots and roads caused by construction and maintenance of the sewer line and the Sewer District will have the right to remove trees, bushes, undergrowth and other obstruction interfering with the location, construction, operation and maintenance of a sewer line across the above described easement and will refill all ditches and trenches.

The Grantor shall have the right to improve its property over said easement by way of filling, constructing parking lots, roads and crossing the easement with drainage lines. The Grantor shall not be allowed to construct any buildings or permanent structures over said easement. The Sewer District shall have the right to review all plans of proposed improvements prior to construction and shall forward their approval or any objections within thirty (30) days of receipt of plans.

The Sewer District will pay all the costs of constructing and maintaining the sewer line and there will be no assessment against the Grantor.

STATE MS.-DESOTO CO.  
FILED

JUN 12 3 01 PM '03

BK 446 PG 99  
W.E. DAVIS CH. CLK.

The Sewer District agrees to complete the construction of the sewer line within three hundred sixty five (365) days of the date hereof.

The Grantor has been advised of its rights under the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, and has reached an agreement on consideration to be paid, certifying it has been given a copy of Acquiring Real Property for Federal and Federal-Aid Programs and Projects and its rights explained to them.

WITNESS THE SIGNATURE of the Grantor by its General Partner this 4<sup>th</sup> day of June, 2003.

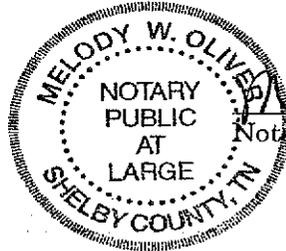
I-55-88 PROPERTY 6-2-75, a Tennessee Limited Partnership  
BY: ALMACAR COMPANY, a Tennessee General Partnership

BY: Charlie McEvoy  
GENERAL PARTNER.

STATE OF TENNESSEE  
COUNTY OF SHELBY

This day personally appeared before me, the undersigned authority in and for said County and State, on this 4<sup>th</sup> day of June, 2003, within my jurisdiction, the within named Charlie McCray who acknowledged that he is a General Partner of ALMACAR COMPANY and that ALMACAR COMPANY is the General Partner for I-55-88 PROPERTY 6-2-75, A TENNESSEE LIMITED PARTNERSHIP, and that in said representative capacity he executed the above and foregoing instrument for and on behalf of I-55-88 PROPERTY 6-2-75, A TENNESSEE LIMITED PARTNERSHIP, after first having been duly authorized so to do.

GIVEN under my hand and official seal of office this the 4<sup>th</sup> day of June, 2003.



Melody W. Oliver  
Notary Public

My Commission Expires:  
11-15-03

GRANTORS ADDRESS: 5159 Wheelis Drive, Suite 108, Memphis, TN 38117  
Home Phone: N/A Business Phone: 901-821-0123

GRANTEES ADDRESS: P.O. Box 178, Horn Lake, MS 38637  
Home Phone: N/A Business Phone: 662-342-4723

Prepared by:  
Walker, Brown & Brown, P.A.  
P.O. Box 276  
2540 Highway 51 South  
Hernando, MS 38632  
662-429-5277; 901-521-9292  
662-429-5280 Fax

**I-55-88 PROPERTY 6-2-75  
A LIMITED PARTNERSHIP  
DEED BOOK 117, PAGE 85**

**EXHIBITS 1 & 2**

Being a portion of the I-55-88 Property 6-2-75 property lying in Section 25, Township 1 South, Range 8 West in the City of Southaven, Desoto County, Mississippi as recorded in Book 117, Page 85 in the Office of the Chancery Clerk of Desoto County, Mississippi, and being more particularly described as follows:

**PERMANENT SEWER EASEMENT**

Commencing from the intersection of the south line of Rasco Road and the westerly right-of-way of Interstate Highway No. 55; thence south along the west line of Interstate Highway No. 55 an approximate distance of 57.18 feet to a point; thence in a westerly direction perpendicular to the west line of Interstate Highway No. 55 along the future right of way line of Interstate Highway No. 55 an approximate distance of 48.79 feet to a point; thence in a southerly direction along said future west right-of-way line of Interstate Highway No. 55 an approximate distance of 584.45 feet to a point; thence westerly along an existing 40 foot wide sewer easement a distance of 1.46 to the POINT OF BEGINNING; thence in a southerly direction along the west line of an existing sewer easement an approximate distance of 412.27 feet to a point on the north line of an existing sewer easement; thence in a westerly direction along the north line of said sewer easement an approximate distance of 47.52 feet to a point; thence in a northerly direction an approximate distance of 421.83 feet to a point; thence in a easterly direction an approximate distance of 48.55 feet to the POINT OF BEGINNING containing 19,835 square feet, more or less.

**TEMPORARY CONSTRUCTION EASEMENT**

Being a 40 foot wide strip of land along the west line of the above described permanent sewer easement containing 17,037 square feet, more or less.



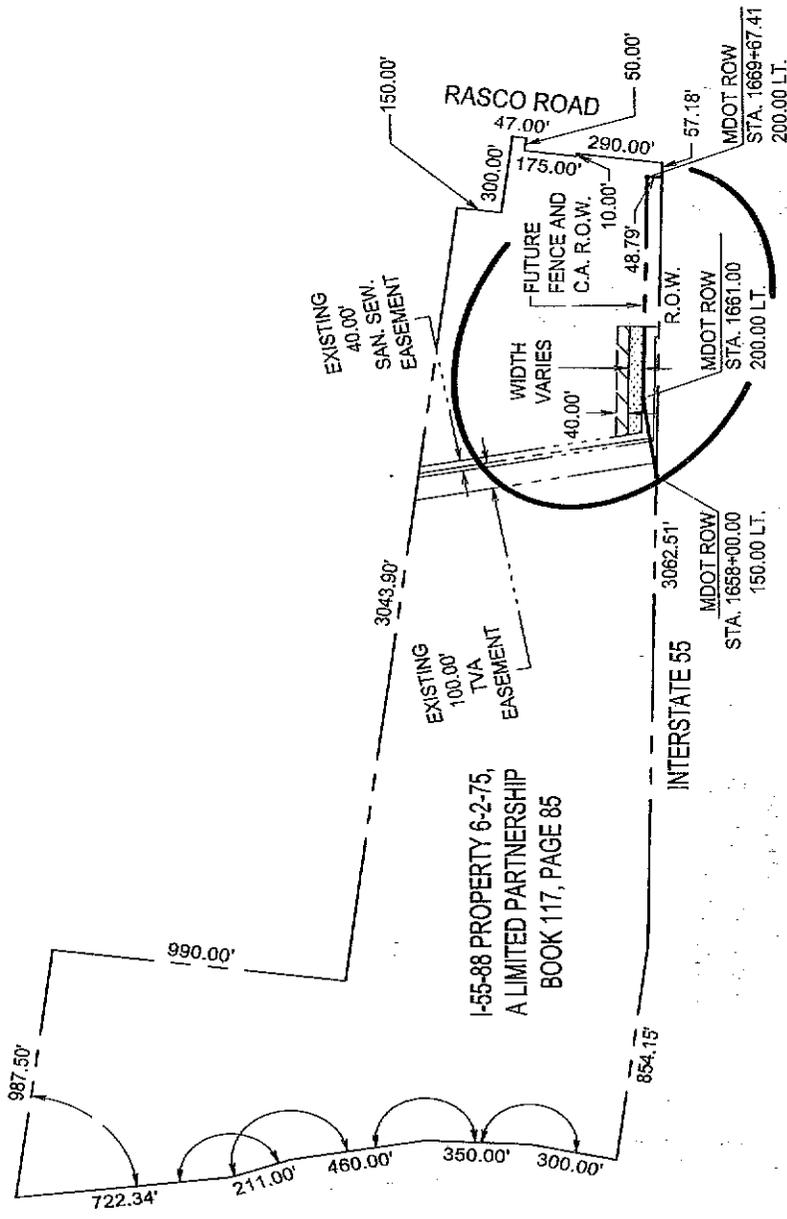
SCALE: 1" = 500'

EASEMENT REQUIRED:  
 UNENCUMBERED: 19,835 S.F.  
 PERM: 17,037 S.F.  
 ENCUMBERED: 0.0 S.F.  
 TEMP: 0.0 S.F.

EXHIBIT NO. 1  
 SHEET 1 OF 2

THE CITY OF SOUTHAVEN, MISSISSIPPI  
 DESOTO COUNTY  
 ROCKY CREEK INTERCEPTOR  
 SEWER RELOCATION  
 UTILITY EASEMENT

PREPARED BY: F&A BK. 117, PG. 85 TRACT: 155-88  
 DRAFTSMAN: KWC DATE: FEB. 2003



SEE SHEET 2 OF 2  
 FOR DETAIL

NO.	DESCRIPTION	DATE	BY

THIS PROPERTY IS LOCATED IN  
 SECTION 25, TOWNSHIP 1 SOUTH,  
 RANGE 8 WEST, DESOTO COUNTY,  
 MISSISSIPPI



SCALE: 1" = 100'

I-55-88 PROPERTY 6-2-75  
A LIMITED PARTNERSHIP  
BOOK 117, PAGE 85

EASEMENT REQUIRED:

UNENCUMBERED: ENCUMBERED:  
PERM: 19,835 S.F. PERM: 0.0 S.F.  
TEMP: 17,037 S.F. TEMP: 0.0 S.F.

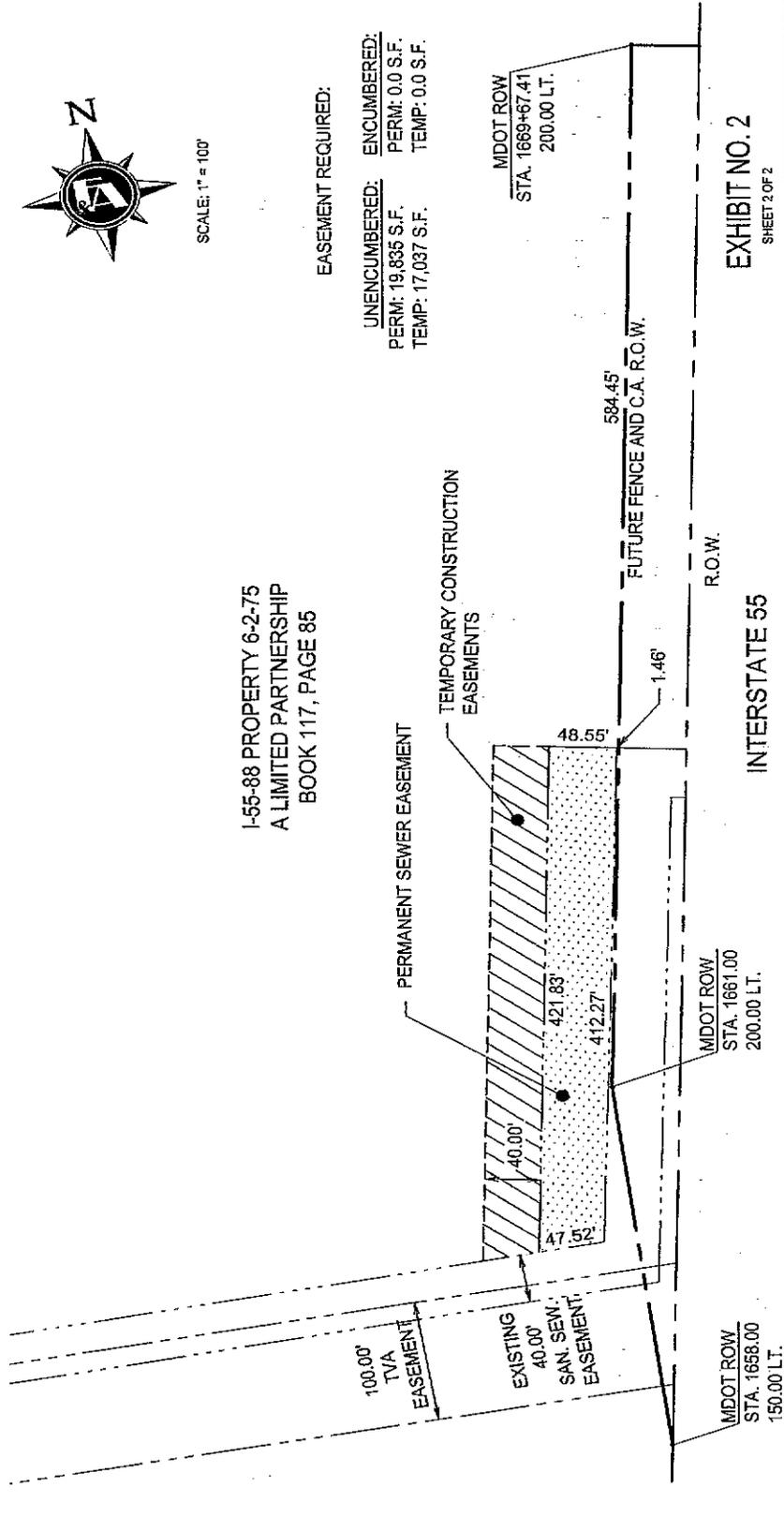


EXHIBIT NO. 2  
SHEET 2 OF 2

THE CITY OF SOUTHAVEN, MISSISSIPPI  
DESOTO COUNTY

ROCKY CREEK INTERCEPTOR  
SEWER RELOCATION

UTILITY EASEMENT

PREPARED BY: F&A BK. 117, PG. 85 TRACT: I-55-88

DRAFTSMAN: KWC DATE: FEB., 2003

NO.	DESCRIPTION	DATE	BY

THIS PROPERTY IS LOCATED IN  
SECTION 25, TOWNSHIP 1 SOUTH,  
RANGE 8 WEST, DESOTO COUNTY,  
MISSISSIPPI

FILE: FISHER & AROLD, INC.  
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INTERSTATE 55

MDOT ROW  
STA. 1661.00  
200.00 LT.

MDOT ROW  
STA. 1658.00  
150.00 LT.

MDOT ROW  
STA. 1669+67.41  
200.00 LT.

584.45'

FUTURE FENCE AND C.A. R.O.W.

1.46'

R.O.W.