

BK 0452 PG 0361

STATE MS.-DESOTO CO.
FILED

SEP 8 12 47 PM '03

Parcel No. 2063-0500.0-00039.00

Prepared by:
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BK 452 PG 361
W.E. DAVIS CH. CLK.

To the Chancery Clerk of DeSoto County, Mississippi:
The real property described herein is situated in the Southwest Quarter of Section 5, Township 2 South, Range 6 West of DeSoto County, Mississippi.

PERMANENT UTILITY EASEMENT AND
TEMPORARY CONSTRUCTION EASEMENT

JERRY D. GOIN, JR. AND
JEANETTE BOWE ISBELL GOIN

GRANTORS

TO

DESOTO COUNTY REGIONAL UTILITY AUTHORITY

GRANTEE

In consideration of Ten Dollars (\$10.00) and other good and valuable consideration, JERRY D. GOIN, JR. AND JEANETTE BOWE ISBELL GOIN ("Grantor(s)"), grant to DESOTO COUNTY REGIONAL UTILITY AUTHORITY ("Grantee"), a body politic, a perpetual and assignable easement and right-of-way in, on, over and across the land, for the location, operation, maintenance, alteration, repair and patrol of an underground sewer pipeline; together with the right to trim, cut, fell and remove therefrom all trees, underbrush, obstructions and other vegetation, structures, or obstacles within the limits of the right-of-way; reserving, however, to the land-owners, their heirs and assigns, all such rights and privileges as may be used without interfering with or abridging the rights and easement hereby acquired; subject, however, to existing easements for public roads and highways, public utilities, railroads and pipelines over the land in DeSoto County, Mississippi described as part of the Southwest Quarter (Southwest-1/4) of Section 5, Township 2 South, Range 6 West, and being a strip of land fifty (50) feet in width and more particularly described on Exhibit "A."

The Grantors further grant to Grantee a temporary construction easement and right-of-way in, on, over and across the land running parallel to and along the Northerly side of the above-described fifty (50) foot wide permanent utility easement, said temporary easement containing 1.907 acres, more or less, as more specifically described on the attached Exhibit "A."

Upon completion of the construction within the above described permanent utility easement, the above-described temporary construction easement shall terminate.

The Grantors further grant to the Grantee the right of ingress and egress to and from said permanent and temporary easements

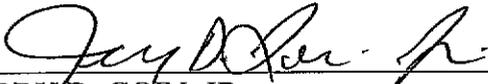
The Grantors acknowledge the existence of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, Public Law 91-646, and acknowledge that they are aware of their rights under said Act, including but not limited to:

- a) notification of the Grantee's desire to obtain the property and receipt of a copy of the above named Act;
- b) the opportunity to receive an appraisal and to accompany the appraiser during the initial inspection; and
- c) an opportunity to have the value of the property determined by a Court of competent jurisdiction and to be compensated therefore.

Grantor fully understands that he/she has the right to receive just compensation for the real property herein described based on an appraisal of said property.

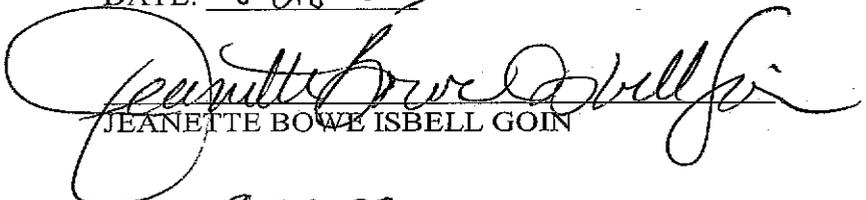
Grantors likewise consent that this Easement may be executed in any number of multiple counterparts with the same effect as if all of the Grantors had signed the same document. All counterparts shall be construed together and shall constitute one agreement.

WITNESS OUR SIGNATURES on the dates set forth below.



 JERRY D. GOIN, JR.

DATE: 8-28-03



 JEANNETTE BOWE ISBELL GOIN

DATE: 8.28.03

The Address and Telephone
 Number of the Grantors:

Jerry & Jeannie Goin
 541 RiverView Rd.
 Memphis, TN 38120
 901-685-0725

The Address and Telephone
 Number of the Grantee:

Mr. Jerry D. Goin, Jr.
Mrs. Jeanette Bowe Isbell Goin
541 River View Road
Memphis, Tennessee 38120
(901)685-0725
JACKSON 784065v1

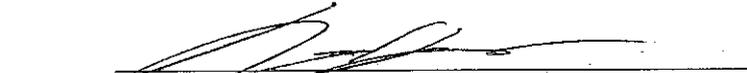
DeSoto County Courthouse
Hernando, MS 38632
(662) 429-5011

STATE OF Tn
COUNTY OF shelby

This day personally appeared before me, the undersigned authority in and for said County and State, the within named, Tennette Goin, who acknowledged that he/she signed and delivered the above and foregoing instrument on the day and year therein mentioned.

Given under my hand and official seal of office, this the 28 day of Aug,

2003.



NOTARY PUBLIC


My Commission Expires:
27
MY COMMISSION EXPIRES MAY 17, 2005
[AFFIX NOTARIAL SEAL]

Exhibit "A"

See Attached



Pickering

*Service and Good Work...
Our Foundation, Our Future
Since 1946*

REVISED AUGUST 27, 2003

LEGAL DESCRIPTION

PARCEL NUMBER UCC-17 - UTILITY EASEMENT
TAX PARCEL NUMBER: 2063-0500.0-00039.00

BEING A LEGAL DESCRIPTION OF THE CENTERLINE OF A PROPOSED FIFTY (50) FOOT WIDE PERMANENT UTILITY EASEMENT ACROSS PART OF THE JEANETTE BOWE ISBELL GOIN AND HUSBAND, JERRY D. GOIN, JR. PROPERTY (DEED BOOK 375 – PAGE 458), SAID PROPOSED EASEMENT TO BE KNOWN FOR THE PURPOSES OF THIS DESCRIPTION AS "PARCEL NUMBER UCC-17", BEING SITUATED IN DESOTO COUNTY, MISSISSIPPI AND SAID PARCEL NUMBER UCC-17 BEING DESCRIBED AS:

A TRACT OF LAND SITUATED IN THE SOUTHWEST QUARTER OF SECTION 5; TOWNSHIP 2 SOUTH, RANGE 6 WEST, ALL IN DESOTO COUNTY, MISSISSIPPI AND BEING MORE PARTICULARLY DESCRIBED AS:

A PERMANENT UTILITY EASEMENT, TWENTY-FIVE FEET EITHER SIDE OF AND PARALLEL TO THE FOLLOWING DESCRIBED PROPOSED CENTERLINE: COMMENCING AT THE SOUTHWEST CORNER OF THE NORTHWEST QUARTER OF SECTION 8, TOWNSHIP 2 SOUTH, RANGE 6 WEST (SAID SECTION CORNER AS EVIDENCED BY A FOUND 3" CAPPED PIPE) SAID POINT OF COMMENCEMENT BEING THE SOUTHWEST CORNER OF THE STEPHEN D. WILLIAMS PROPERTY (DEED BOOK 129 – PAGE 642); THENCE NORTH 89 DEGREES 37 MINUTES 13 SECONDS EAST ALONG THE SOUTHERLY DEED LINE OF SAID WILLIAMS PROPERTY – 1333.89 FEET TO THE SOUTHEAST CORNER OF SAME; THENCE NORTH 00 DEGREES 33 MINUTES 49 SECONDS WEST ALONG THE EASTERLY DEED LINE OF SAID WILLIAMS PROPERTY AND ALSO ALONG THE SOUTHERNMOST EASTERLY DEED LINE OF THE LANEY FUNDERBURK FAMILY, L.P. PROPERTY (DEED BOOK 365 – PAGE 183) – 2801.97 FEET TO THE TRUE POINT OF BEGINNING OF THIS DESCRIPTION, SAID POINT LYING IN SAID SOUTHERNMOST EASTERLY DEED LINE OF SAID LANEY FUNDERBURK FAMILY L.P. PROPERTY; THENCE LEAVING SAID SOUTHERNMOST EASTERLY DEED LINE AND ALONG SAID CENTERLINE OF PROPOSED UTILITY EASEMENT, THE FOLLOWING BEARING AND DISTANCE: NORTH 89 DEGREES 42 MINUTES 03 SECONDS EAST – 1384.15 FEET TO THE POINT OF TERMINATION OF THIS DESCRIPTION, SAID POINT OF TERMINATION LYING IN THE WESTERLY DEED LINE OF THE WILLOW CREEK, LLC PROPERTY (DEED BOOK 449 – PAGE 526).

PARCEL UCC-17 CONTAINING 1.589 ACRES OR 69,208 SQUARE FEET MORE OR LESS, SUBJECT TO RIGHT OF WAY IN ANY PUBLIC ROADS AND PUBLIC AND/OR PRIVATE EASEMENTS.

Exhibit A

PAGE TWO

ALSO, A 60 FOOT WIDE EASEMENT, TO BE KNOWN FOR THE PURPOSES OF THIS DESCRIPTION AS TEMPORARY CONSTRUCTION EASEMENT "A", TO BE SITUATED ADJACENT TO AND PARALLEL TO THE NORTHERLY LINE OF SAID PARCEL UCC-17, SAID EASEMENT "A" CONTAINING 1.907 ACRES OR 83,061 SQUARE FEET MORE OR LESS.

NO EASEMENT "B" IS REQUIRED FOR SAID PARCEL UCC-17.

THE ABOVE DESCRIBED PARCELS ARE VACANT LAND.

BY GRAPHIC DETERMINATION, PARCEL UCC-17 LIES WITHIN THE LIMITS OF THE SPECIAL FLOOD HAZARD AREAS INUNDATED BY 100 YEAR FLOOD, PER FIRM/FEMA MAP NUMBER 28033C065 D, EFFECTIVE DATE OF MAY 3, 1990.

ALL MATTERS OF PUBLIC RECORD ARE RECORDED AT THE OFFICE OF THE CHANCERY CLERK OF DESOTO COUNTY, MISSISSIPPI.

BEARINGS ARE RELATIVE TO MISSISSIPPI STATE PLANE GRID NORTH (NAD 83 - WEST ZONE).