

BK 0472 PG 0125

STATE MS. - DESOTO CO. *SS*

MAY 13 2 32 PM '04

Parcel No. 3074-1800.1-00001.01 (HSA-24)

Prepared by:

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Attn: Ann Fortenberry Corso

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Jackson, MS 39225-2567

(601) 948-5711

BK 472 PG 125
FILED IN THE CHANCERY CLERK'S OFFICE

To the Chancery Clerk of DeSoto County, Mississippi:

The real property described herein is situated in the Northeast Quarter of the Northeast Quarter of Section 18, Township 3 South, Range 7 West of DeSoto County, Mississippi.

PERMANENT UTILITY EASEMENT AND
TEMPORARY CONSTRUCTION EASEMENT

DESOTO COUNTY BOARD OF EDUCATION

GRANTOR

TO

DESOTO COUNTY REGIONAL UTILITY AUTHORITY

GRANTEE

In consideration of Ten Dollars (\$10.00) and other good and valuable consideration, DESOTO COUNTY BOARD OF EDUCATION (the "Grantor"), grants 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 Northeast Quarter (NE-1/4) of the Northeast Quarter (NE-1/4) of Section 18, Township 3 South, Range 7 West, and being a strip of land twenty (20) feet in width and more particularly described on Exhibit "A."

The Grantor further grants to Grantee a variable width temporary construction easement and right-of-way in, on, over and across the land running parallel to and along the West side of the above-described twenty (20) foot wide permanent utility easement, said temporary easement containing 0.105 acres, more or less, as more specifically described on the attached Exhibit "B."

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

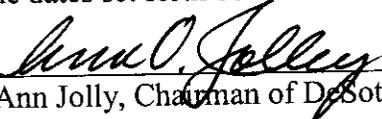
The Grantor further grants to the Grantee the right of ingress and egress to and from said permanent and temporary easements.

The Grantor acknowledges the existence of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, Public Law 91-646, and acknowledges 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 it has the right to receive just compensation for the real property herein described based on an appraisal of said property. Grantor hereby waives its rights to just compensation and donates the parcel of property herein described to DeSoto County, Mississippi. Grantor further understands that it has the right to request that a fair market value appraisal of the property be made and said corporation hereby waives that right.

WITNESS OUR SIGNATURES on the dates set forth below.


 Ann Jolly, Chairman of DeSoto County Board of Education

Date: April 20, 2004


 Milton Kuykendall, Superintendent of Education of DeSoto County, Mississippi

Date: April 20, 2004

The Address and Telephone Number of the Grantors:

5 East South Street
Hernando, MS 38632
(662) 429-5271

The Address and Telephone Number of the Grantee:

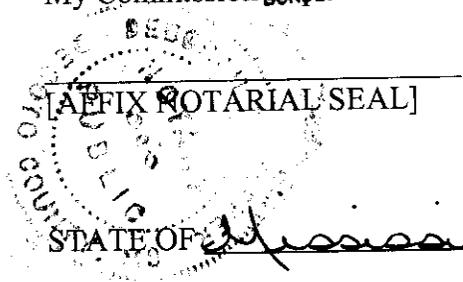
DeSoto County Courthouse
Hernando, MS 38632
(662) 429-5011

STATE OF Mississippi
COUNTY OF DeSoto

PERSONALLY appeared before me, the undersigned authority in and for the said county and state, on this 20th day of April, 2004, within my jurisdiction the within named ANN JOLLY, who acknowledged that she is Chairman of the DeSoto County Board of Education, and who acknowledged that in said representative capacity as Chairman of the DeSoto County Board of Education, executed the above and foregoing instrument, for and on behalf of the DeSoto County Board of Education, after first having been duly authorized so to do.

Deborah G. Stegall
NOTARY PUBLIC

My Commission Expires 6/10/07
MISSISSIPPI STATEWIDE NOTARY PUBLIC
MY COMMISSION EXPIRES SEPT. 24, 2007
BONDED THRU STEGALL NOTARY SERVICE



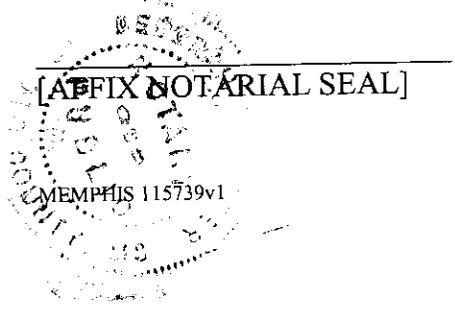
[AFFIX NOTARIAL SEAL]

STATE OF Mississippi
COUNTY OF DeSoto

PERSONALLY appeared before me, the undersigned authority in and for the said county and state, on this 20th day of April, 2004, within my jurisdiction the within named MILTON KUYKENDALL, who acknowledged that he is Superintendent of Education of DeSoto County, Mississippi, and who acknowledged that in said representative capacity as Superintendent of Education of DeSoto County, Mississippi, executed the above and foregoing instrument, for and on behalf of the Education of DeSoto County, Mississippi, after first having been duly authorized so to do.

Deborah G. Stegall
NOTARY PUBLIC

My Commission Expires 6/10/07
MISSISSIPPI STATEWIDE NOTARY PUBLIC
MY COMMISSION EXPIRES SEPT. 24, 2007
BONDED THRU STEGALL NOTARY SERVICE



[AFFIX NOTARIAL SEAL]

Being a proposed twenty (20) foot wide permanent utility easement and a proposed twenty (20) foot wide temporary construction easement lying in the Northeast Quarter (NE 1/4) of the Northeast Quarter (NE 1/4) of Section 18, Township 3 South, Range 7 West, DeSoto County, Mississippi and being out of and a part of that certain tract of land conveyed to DeSoto County Board of Education, as described in Deed Book 212, Page 794 within the Chancery Clerk's Office of DeSoto County, Mississippi. Said proposed twenty (20) foot wide permanent utility easement being measured ten (10) feet perpendicular, left of and right of the following described centerline:

**A PROPOSED TWENTY (20) FOOT WIDE PERMANENT UTILITY
EASEMENT**

COMMENCING for reference at a 1/2 inch pipe marking the Southeast corner of Lot 2, Phase I, The Lakes of Cedar Grove Subdivision, as recorded in Plat Book 55, Page 37 within the Chancery Clerk's Office of Desoto County, Mississippi;

THENCE run East 157.31 feet;

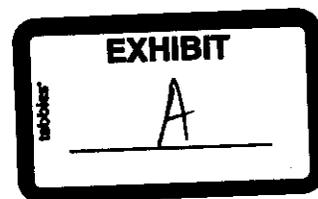
THENCE run South 1,457.99 feet to the Northeast corner of the above referenced "Board of Education" tract;

THENCE along the North line of said "Board of Education" tract, run South 89° 34' 30" West, 21.87 feet to the POINT OF BEGINNING of the herein described centerline;

THENCE leaving said North line, run South 01° 50' 32" East, 35.86 feet;

THENCE run South 31° 48' 50" East, 21.57 feet;

THENCE run South 00° 41' 47" East, 170.73 feet to a point on the South line of aforesaid "Board of Education" tract, same being the POINT OF TERMINUS of the herein described centerline, containing 0.105 acres (4,563 Square Feet), more or less.



**A PROPOSED TWENTY (20) FOOT WIDE TEMPORARY CONSTRUCTION
EASEMENT**

Being a proposed twenty (20) foot wide temporary construction easement lying West of, adjacent to and parallel with the above described proposed twenty (20) foot wide permanent utility easement, containing 0.105 Acres, (4,562 Square Feet), more or less.

