

BK 04 73 PG 04 88

STATE MS.-DESOTO CO. FILED SS

JUN 2 3 15 PM '04

BK 473 PG 488
W.E. DAVIS CH. CLK.

Parcel No. 3086-2400.1-00010.00 (HSA-5)

Prepared by:
Butler, Snow, O'Mara, Stevens & Cannada, PLLC
Attn: Ann Fortenberry Corso
17th Floor, AmSouth Plaza
Post Office Box 22567
Jackson, MS 39225-2567
(601) 948-5711

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 24, Township 3 South, Range 8 West of DeSoto County, Mississippi.

PERMANENT UTILITY EASEMENT AND
TEMPORARY CONSTRUCTION EASEMENT

DESOTO COUNTY GRANTOR

TO

DESOTO COUNTY REGIONAL UTILITY AUTHORITY GRANTEE

In consideration of Ten Dollars (\$10.00) and other good and valuable consideration, DESOTO COUNTY (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 24, Township 3 South, Range 8 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 above-described twenty (20) foot wide permanent utility easement, said temporary easements containing .403 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.

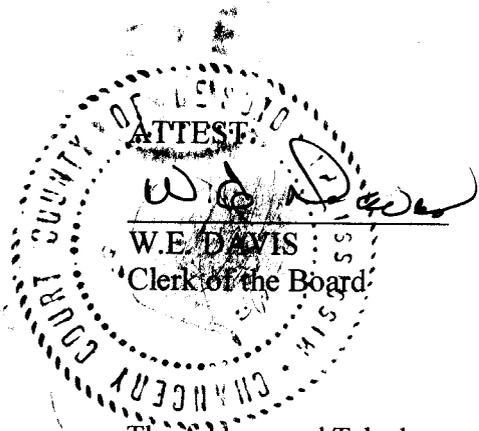
Grantor fully understands that it has the right to receive just compensation for the real property herein described based on an appraisal of said property. Grantor hereby waives its rights to just compensation and donates the parcel of property herein described to DeSoto County, Mississippi. Grantor 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 MY SIGNATURE on the date set forth below.

DESOTO COUNTY, MISSISSIPPI
a political subdivision

BY: Gene Thach
Gene Thach, President of DeSoto County Board of Supervisors

Date: May 17, 2004



The Address and Telephone
Number of the Grantors:

365 Loshier Street
Hernando, MS 38632
(662) 429-5011

The Address and Telephone
Number of the Grantee:

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

STATE OF MS.

COUNTY OF Desoto

PERSONALLY appeared before me, the undersigned authority in and for the said county and state, on this 21 day of May, 2004, within my jurisdiction the within named GENE THACH, who acknowledged that he is President of the DeSoto County Board of Supervisors, and W.E. DAVIS, Clerk of the Board, who acknowledged that for and on behalf of and by authority of DeSoto County, Mississippi, a political subdivision, they signed and delivered the above and foregoing Easement on the day and year therein mentioned, and for the purposes therein expressed.

Margaret Ann Richmond
NOTARY PUBLIC

My Commission Expires:

5/10/2008

SEAL]



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

Being a proposed twenty (20) foot wide permanent utility easement lying in the Northeast Quarter (NE 1/4) of the Northeast Quarter (NE 1/4) of Section 24, Township 3 South, Range 8 West, DeSoto County, Mississippi and being out of and a part of that certain tract of land conveyed to DeSoto County, Mississippi, as described in Deed Book 43, Page 109 in the Chancery Clerk's Office of DeSoto County, Mississippi. Said twenty (20) foot wide permanent utility easement being measured ten (10) feet perpendicular, left of and right of the following described centerline:

COMMENCING for reference at a found iron post marking the Southeast corner of Lot 70 of Acree Place Subdivision, as recorded in Plat Book 8, Pages 35 – 36 and being in Section 19, Township 3 South, Range 7 West, DeSoto County, Mississippi;

Thence run West, 2,386.22 feet;

Thence run South, 1,017.49 feet to a point on the South line of the aforementioned "DeSoto" tract, same being the POINT OF BEGINNING of the herein described centerline;

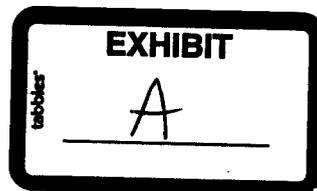
Thence leaving said South line, run North 38° 19' 41" East, 131.75 feet;

Thence run North 01° 16' 31" West, 125.44 feet;

Thence run North 88° 52' 42" East, 498.03 feet;

Thence run North 66° 22' 42" East, 37.82 feet;

Thence run North 88° 43' 31" East, 126.28 feet to a point on the East line of aforesaid "DeSoto" tract and the West right-of-way line of Magnolia Drive, as same exists this date (October, 2003), same being the POINT OF TERMINUS of the herein described centerline, containing 0.422 acres (18,386 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 East and South of, adjacent to and parallel with the above described proposed twenty (20) foot wide permanent utility easement, containing 0.403 Acres, (17,543 Square Feet), more or less.

EAI/WEI, LLC
143-A LeFleurs Square
Jackson, Mississippi 39211
(601) 355-9526

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