

JUN 3 3 47 PM '04

STATE OF MISSISSIPPI

COUNTY OF DESOTO

EASEMENT AND RIGHT-OF-WAY GRANTBK 473 PG 584  
W. F. DAVIS, CH. CLK.

KNOW ALL MEN BY THESE PRESENTS, that for and in consideration of the sum of TEN DOLLARS (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the undersigned James F. Barnett, Jr., whose address is 5765 Popular Corner Road, Walls, Mississippi 38680, hereinafter referred to as GRANTOR, does hereby grant, bargain, sell, convey and deliver unto Mississippi Valley Gas Company, a Mississippi corporation, whose address is Post Office Box 3348 Jackson, Mississippi 39207 herein referred to as GRANTEE, its successors and assigns an easement and right-of-way to construct, inspect, operate, maintain, repair, replace, and remove one pipeline to be buried a minimum of 48 inches under the ground, over, under and through a strip of land forty five feet (45') in width, during the period of initial pipeline construction provided however, that said easement and right-of-way shall revert to thirty feet (30') subsequent to such construction, repair or maintenance. Said easement and right-of-way being more particularly described on EXHIBIT "A" attached hereto and made a part hereof and is located in, on or under the following described lands situated in DeSoto County, State of Mississippi, to-wit:

That certain parcel of land described in that certain deed dated December 6, 1972, as recorded in Book 101, at Page 191 of the records of the Chancery Clerk of DeSoto County, Mississippi.

The Grantee shall have full right, at its sole option, to clear, and keep clear, the right-of-way herein granted, and all timber, trees, undergrowth, and other obstructions which might interfere with the construction or maintenance of said pipeline and appurtenances, or endanger the same, provided however that Grantor or his assigns shall be compensated for all damages to crops or other agricultural produce occasioned by Grantee's operations. It is expressly understood and agreed that Grantee is not granted the right herein to construct any above-ground level facilities on the easement granted herein, and further, that natural gas service shall be provided to Grantor's property as provided for in Grantee's Extension Policy now on file with the Mississippi Public Service Commission.

The Grantee, its successors or assigns are hereby expressly given and granted the right to assign this easement and right-of-way servitude or any part hereto or interest therein.

To have and to hold unto Grantee, its successors and assigns, with full rights of ingress and egress at all times, so long as the rights and easements herein granted, or any of them, shall be used by or useful to, Grantee for the purpose herein granted, with all of such rights being assignable, in whole or in part.

The said Grantor is to fully use and enjoy the said premises, except for the purposes herein granted to the Grantee and provided the said Grantor shall not construct or maintain, nor permit to be constructed or maintained any house, structures, lake, pond or obstructions, on or over, or that will interfere with the construction, maintenance or operation of, any pipeline or appurtenances constructed hereunder, and will not change the grade over such pipeline.

Grantor covenants and warrants that he is the lawful owner of the above described property free and clear of any unstated liens, encumbrances or imperfections and warrant the title to the same. Grantor further warrants that the above described property constitutes no part of his homestead.

The Grantee shall indemnify and hold Grantor harmless from any and all liability which he may incur and any and all losses or damages which he may suffer as a result of the Grantee's exercise of its rights under this easement, including any liability, losses or damages resulting from any personal injury or damage to property arising out of the construction, inspection, operation, maintenance, repair, replacement or removal of the above described pipeline and the removal of any timber, undergrowth or other obstruction on the property which is the subject of this easement, or otherwise.

IN WITNESS WHEREOF, the Grantor herein has executed this conveyance, this the 24 day of May, 2004.

GRANTOR:

James F. Barnett Jr.  
James F. Barnett, Jr.

\*\*\*\*\*

ACKNOWLEDGMENT

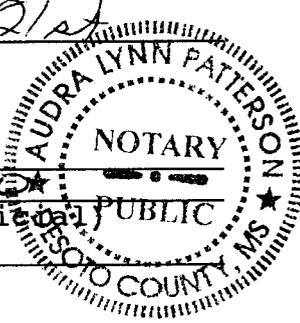
STATE OF MISSISSIPPI

COUNTY OF Desoto

I hereby certify that on this day before me a James F. Barnett Jr., duly authorized in the state and county aforesaid to take acknowledgments, personally appeared James F. Barnett, Jr., to me known to be the person described in and who executed the foregoing instrument, and he acknowledged before me that being informed of the contents of the same he voluntarily signed and delivered the within and foregoing instrument on the day and year therein mentioned.

Given under my hand and official seal this the 21st day of May, 2004

BancorpSouth / CSR  
Cendra Lynn Patterson  
Title of Official: Desoto  
County, Mississippi.



My Commission Expires: \_\_\_\_\_

This Instrument Prepared by:  
Stephen Platt, Attorney at Law  
217 West Capitol Street, Suite 105  
Jackson, Mississippi 39201  
Phone No. 601-352-9111

GRANTOR  
James F. Barnett, Jr.  
5765 Popular Corner Road  
Walls, Mississippi 38680  
Phone No. 662-781-0450

GRANTEE  
Mississippi Valley Gas Company  
Post Office Box 3348  
Jackson, Mississippi 39207  
Phone No. 662-961-6900

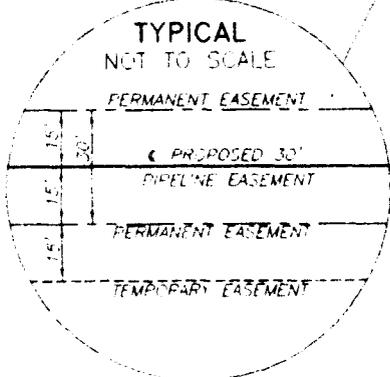
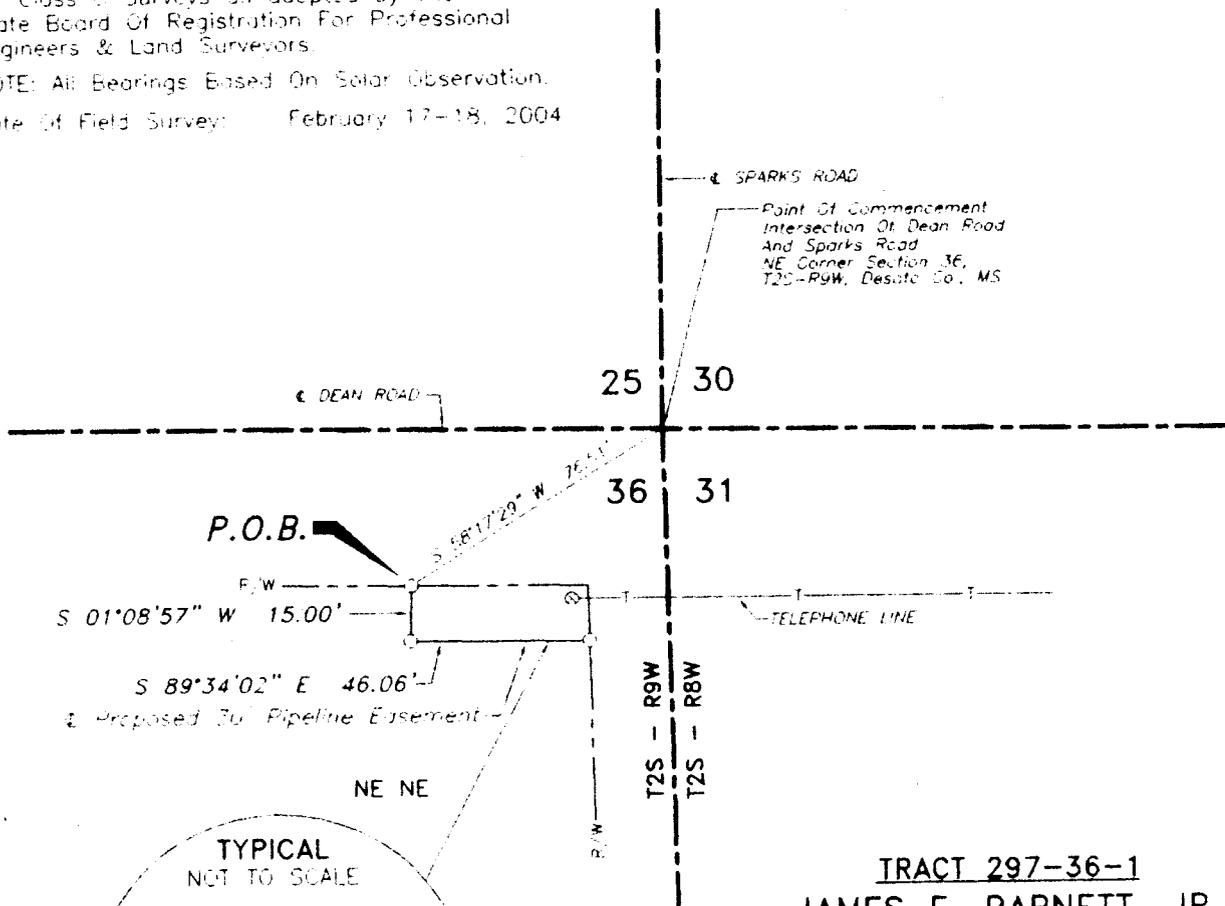
INDEXING INSTRUCTIONS: Index this instrument in the Northeast Quarter (NE/4), of Section 36, Township 2 South, Range 9 West, DeSoto County, Mississippi.

**CLASSIFICATION**

This survey meets the minimum requirements of the standards for Land Surveyors in Mississippi for Class C Surveys as adopted by The State Board Of Registration For Professional Engineers & Land Surveyors.

NOTE: All Bearings Based On Solar Observation.  
Date Of Field Survey: February 17-18, 2004

**EXHIBIT "A"**



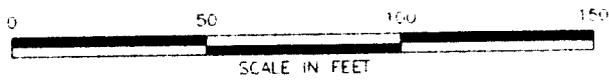
**TRACT 297-36-1**  
**JAMES F. BARNETT, JR.**  
**61.06 LINEAR FEET**  
**3.70 RODS**  
 30' PERMANENT EASEMENT - 0.04 AC.  
 15' TEMPORARY EASEMENT - 0.02 AC.  
 TOTAL - 0.06 AC.

SIGNED FOR IDENTIFICATION:

*James F. Barnett, Jr.*  
 FOR

**MISSISSIPPI VALLEY GAS COMPANY**  
 CROSSING JAMES F. BARNETT, JR.  
 SECTION 36, T2S - R9W  
 DESOTO COUNTY, MISSISSIPPI

BY **ENGINEERING SERVICE - JACKSON, MISSISSIPPI**



FEBRUARY 23, 2004

**SURVEYORS CERTIFICATE**

This is to certify that we have made an actual survey upon the ground of the area delineated on this plat and that the same is true and correct to the best of our knowledge and belief.

Witness our hand and seal this the 23rd day of February, 2004



By *Pat A. Martin*  
 PAT A. MARTIN, P.L.S. NO. 1660  
 P. O. BOX 4632, JACKSON, MS 39296  
 PHONE: (601) 982-3401