

Oct 27 8 55 AM '04

Parcel No. 3073-0700.0-00017.02 (HNA 2)

Prepared by:

Butler, Snow, O'Mara, Stevens & Cannada, PLLC

Attn: Kelly P. Bridgforth

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Memphis, TN 38119

(901) 680-7200

485 PG 135
CH. CLK.

To the Chancery Clerk of DeSoto County, Mississippi:

The real property described herein is situated in the Southeast Quarter (SE-1/4) of the Southeast Quarter (SE-1/4) of Section 7, Township 3 South, Range 7 West of DeSoto County, Mississippi.

PERMANENT UTILITY EASEMENT AND
TEMPORARY CONSTRUCTION EASEMENTKIMBROUGH DILWORTH, JR. and
DEBBIE S. DILWORTH

GRANTORS

TO

DESOTO COUNTY REGIONAL UTILITY AUTHORITY

GRANTEE

In consideration of Ten Dollars (\$10.00) and other good and valuable consideration, KIMBROUGH DILWORTH, JR. and DEBBIE S. DILWORTH (the "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 Southeast Quarter (SE-1/4) of the Southeast Quarter (SE-1/4) of Section 7, 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 Grantors further grant to Grantee a twenty (20) foot wide temporary construction easement and right-of-way in, on, over and across the land running parallel to the above-described twenty (20) foot wide permanent utility easement, said temporary easement containing .069 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 Grantors further grant to the Grantee the right of ingress and egress to and from said permanent and temporary easements. Grantors maintain their right of ingress and egress to and from, across and over the subject easements so long as said right does not interfere with Grantee's use of the subject easements.

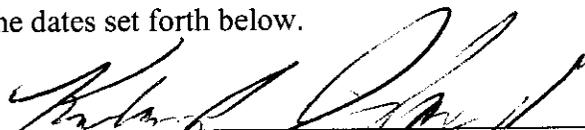
The Grantors acknowledge the existence of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, Public Law 91-646, and acknowledge that they are aware of their rights under said Act, including but not limited to:

- 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.

Grantors fully understand that they have the right to receive just compensation for the real property herein described based on an appraisal of said property.

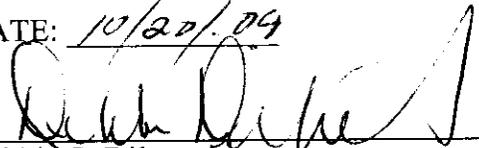
Grantors likewise consent that this Easement may be executed in any number of multiple counterparts with the same effect as if all of the Grantors had signed the same document. All counterparts shall be construed together and shall constitute one agreement.

WITNESS OUR SIGNATURES on the dates set forth below.



 Kimbrough Dilworth, Jr.

DATE: 10/20/04



 Debbie S. Dilworth

DATE: 10/20/04

The Address and Telephone
Number of the Grantors:

44 Pleasant Street
Nantucket, MA 02554
(508) 228-3564

na

The Address and Telephone
Number of the Grantee:

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

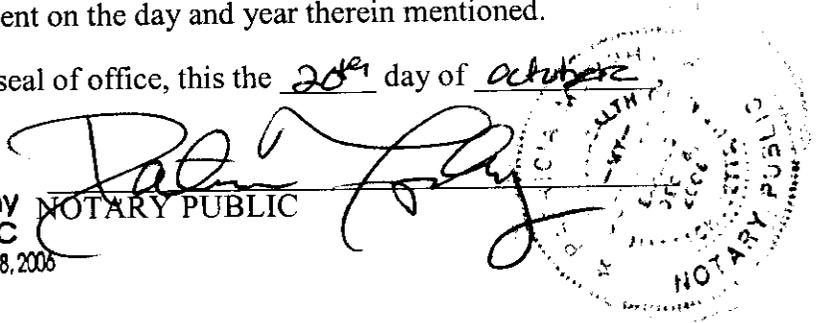
STATE OF Massachusetts

COUNTY OF Nantucket

This day personally appeared before me, the undersigned authority in and for said County and State, the within named, **Kimbrough Dilworth, Jr.**, who acknowledged that he 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 20th day of October 2004.

My Commission Expires: Patricia Murphy
NOTARY PUBLIC
My commission expires Dec. 8, 2006



[AFFIX NOTARIAL SEAL]

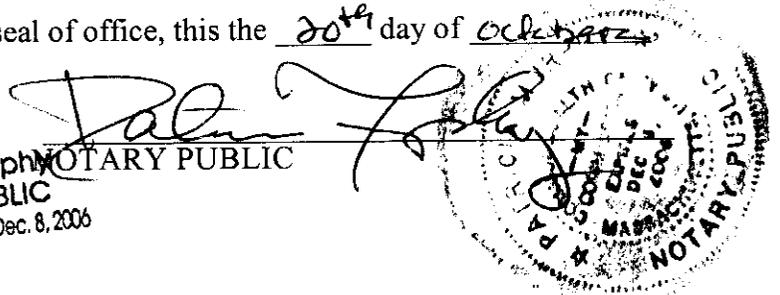
STATE OF Massachusetts

COUNTY OF Nantucket

This day personally appeared before me, the undersigned authority in and for said County and State, the within named, **Debbie S. Dilworth, Jr.**, who acknowledged that 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 20th day of October 2004.

My Commission Expires: Patricia Murphy
NOTARY PUBLIC
My commission expires Dec. 8, 2006



[AFFIX NOTARIAL SEAL]

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

Being a proposed twenty (20) foot wide permanent utility easement lying in the Southeast Quarter (SE 1/4) of the Southeast Quarter (SE 1/4) of Section 7, Township 3 South, Range 7 West, DeSoto County, Mississippi and being out of and a part of that certain tract of land conveyed to Kimbrough Dilworth, Jr., et ux, as described in Deed Book 258, Page 306 in 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:

COMMENCING for reference at a found 1/2 inch pipe marking the Southeast corner of Lot 2 of 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 South, 668.32 feet;

THENCE run East, 122.54 feet to a point on the South line of the aforementioned "Dilworth" tract and the same being the POINT OF BEGINNING of the herein described centerline;

THENCE leaving said South line, run North, 23.41 feet;

THENCE run North 22° 30' 00" West, 14.20 feet;

THENCE run North 00° 37' 43" West, 113.36 feet to a point on the North line of aforesaid "Dilworth" tract, same being the POINT OF TERMINUS of the herein described centerline, containing 0.069 acres (3,019 Square Feet), more or less.

EXHIBIT

A

**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 0.069 Acres, (3,019 Square Feet), more or less.

EXHIBIT
B