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CIRCUIT COURT CLERK

**IN THE SPECIAL COURT OF EMINENT DOMAIN  
DESO TO COUNTY, MISSISSIPPI**

**MISSISSIPPI TRANSPORTATION COMMISSION**

**PLAINTIFF**

**VS.**

**CIVIL ACTION NO. CO-2000-0149**

**WALLACE M. GRAVES FAMILY TRUST NO. 1**

**DEFENDANT**

**AMENDED ORDER GRANTING PETITIONER  
RIGHT OF IMMEDIATE TITLE AND POSSESSION**

This day this Cause having come on to be heard on the motion of the Plaintiff, Mississippi Transportation Commission, for an amendment to the Order Granting Petitioner the Right of Immediate Title and Possession and entry upon the land sought to be condemned as described in Amended Exhibit "A" attached hereto and incorporated herein, and it was shown that minor errors were made in the legal description of the property to be acquired by the Mississippi Transportation Commission as contained in the original Complaint filed March 6, 2000 and in the Order Granting Petitioner Right of Immediate Title and Possession filed June 28, 2000 and it was further shown that the Amended Exhibit "A" will not result in a change in the location or size of the land being condemned and the court having considered the same, and upon the agreement of counsel for Plaintiff and counsel for the Defendant, finds that an Amended Order Granting Petitioner Right of Immediate Title and Possession is well taken, that 85% of the amount found by the Court appointed appraiser was paid into Court on July 17, 2000 and that Plaintiff is entitled to immediate title and possession and entry upon the land described in Amended Exhibit "A" attached hereto.

FILED 120 DAY OF Sept 20 01 ✓  
*Alab K. Morgan*  
CIRCUIT COURT CLERK, DESOTO COUNTY, MISS.

IT IS, THEREFORE, ORDERED AND ADJUDGED that Plaintiff, Mississippi Transportation Commission, be and it is hereby granted the right of immediate title and possession and entry upon the lands sought to be condemned as described in Amended Exhibit "A" attached hereto.

SO ORDERED AND ADJUDGED on this the 10<sup>th</sup> day of September, 2001.

*M. S. Bamber*  
JUDGE, SPECIAL COURT OF EMINENT DOMAIN

APPROVED AS TO FORM AND ENTRY:

*Hollaman M. Raney*  
HON. HOLLAMAN M. RANEY  
Attorney for Plaintiff  
Hollaman Raney, P.C.  
Post Office Box 1480  
Oxford, MS 38655  
(662) 236-4001  
MSB #4628

STATE OF MISSISSIPPI  
DESOTO COUNTY  
I, Dale K. Thompson, Clerk of the Circuit Court in and for said County and State, hereby certify that the foregoing is a true and correct copy of the 10<sup>th</sup> day of September, 2001, as same appears on file or of record in Book 100 Page 334 of the Records of DeSoto County, Mississippi.  
Witness my hand and official seal this the 20<sup>th</sup> day of September, 2001.  
*Dale K. Thompson*  
Circuit Clerk, DeSoto County, Mississippi

336

002-2-00-W

IN THE SPECIAL COURT OF EMINENT DOMAIN  
DESOTO COUNTY, MISSISSIPPI

MISSISSIPPI TRANSPORTATION COMMISSION

PLAINTIFF

VS.

CIVIL ACTION NO. CO-2000-0149

WALLACE M. GRAVES FAMILY TRUST NO. 1, ET AL

DEFENDANTS

AMENDED EXHIBIT "A"

INDEXING INSTRUCTIONS: SE 1/4 OF SECTION 34  
OF SECTION 35 AND  
THE SW 1/4 OF SECTION 36,  
TOWNSHIP 2 SOUTH, RANGE 10 WEST,  
DESOTO COUNTY, MISSISSIPPI

PARCEL NO. 1

Begin at the point of intersection of the Southern line of Defendants property with the present Northwestern right-of-way line of U.S. Highway No. 61 as shown on the right-of-way appraisal map for State Project No. 94-0029-01-002-10; from said point of beginning run thence West along said Southern property line, a distance of 81.335 meters (266.847 feet) to the Western property line of Defendants property; thence North 00° 55' 11.59" West along said Western property line, a distance of 20.807 meters (68.264 feet); thence North 64° 41' 43.36" East, a distance of 17.031 meters (55.876 feet); thence North 53° 19' 09.53" East, a distance of 125.248 meters (410.919 feet) to a point that is 20.000 meters (65.617 feet) Northwesternly of and perpendicular to the centerline of survey of the frontage road West of U.S. 61 at Station 2 + 830; thence North 46° 05' 14.83" East, a distance of 769.718 meters (2525.322 feet); thence North 34° 46' 24.24 East, a distance of 32.661 meters (107.156 feet) to the Northern line of Defendants property; thence South 89° 22' 57.00 East, a distance of 63.804 meters (209.331 feet) to the said present Northwestern right-of-way line of U.S. Highway

No. 61; thence run the following bearings and distances: South  $45^{\circ} 21' 09.00''$  West, a distance of 200.450 meters (657.644 feet); thence south  $44^{\circ} 38' 51.00''$  East, a distance of 7.610 meters (24.967 feet); thence South  $45^{\circ} 21' 17.23''$  West, a distance of 701.440 meters (2301.312 feet); thence North  $44^{\circ} 38' 51.00''$  West, a distance of 7.590 meters (24.902 feet); thence South  $45^{\circ} 21' 09.00''$  West, a distance of 41.403 meters (135.837 feet) to the point of beginning, containing 4.934 hectares (12.193 acres), more or less, and being situated in and a part of the Northwest  $1/4$  of Section 35, Township 2 South, Range 10 West, DeSoto County, Mississippi, and

PARCEL NO. 2

Begin at the point of intersection of the Southern line of Defendants property with the present Southeastern right-of-way line of U.S. Highway No. 61 as shown on the right-of-way appraisal map for State Project No. 94-0029-01-002-10; from said point of beginning run thence along said present Southeastern right-of-way line the following bearing and distances: North  $52^{\circ} 02' 19.71''$  East, a distance of 95.657 meters (313.835 feet); thence North  $25^{\circ} 19' 44.40''$  East, a distance of 48.959 meter (160.627 feet); thence North  $45^{\circ} 21' 09.00''$  East, a distance of 633.862 meters (2079.600 feet); thence North  $45^{\circ} 24' 46.16''$  East, a distance of 1447.564 meters (4749.226 feet); thence North  $60^{\circ} 17' 03.04''$  East, a distance of 85.172 meters (279.436 feet); thence North  $21^{\circ} 55' 25.71''$  East, a distance of 38.055 meters (124.852 feet) to the Northern line of Defendants property; thence South  $21^{\circ} 55' 25.71''$  West, a distance of 38.055 meters (124.852 feet); thence South  $60^{\circ} 17' 03.04''$  West, a distance of 85.172 meters (279.436 feet); thence south  $45^{\circ} 21' 06.74''$  West, a distance of 364.425 meters (1195.620 feet) to a point that is 51.210 meters (168.012 feet) Southeasterly of and perpendicular to the centerline of survey of said U.S. 61 at Station 11 + 000; thence South  $41^{\circ} 57' 44.24''$  West, a distance of 219.699 meters (720.797 feet); thence Southerly along the circumference of a circle to the left having a radius of 145.000 meters (475.722 feet), an arc distance of 206.543 meters (677.635 feet) [said arc having a chord bearing of South  $04^{\circ} 32' 44''$  West for a distance of 189.519 meters (621.781 feet)]; thence South  $66^{\circ} 28' 43.97''$  East, a distance of 144.826 meters (475.151 feet); thence East, a distance of 80.000 meters (262.467 feet) to a point that is 60.000 meters (196.850 feet) Northerly of and perpendicular to the centerline of survey of said project at Station 10 + 600; thence East, a distance of 150.000 meters (492.126 feet); thence North  $84^{\circ} 17' 21.86''$  East, a distance of 50.249 meters (164.859

feet); thence East, a distance of 50.000 meters (164.042 feet) to a point that is 65.000 meters (213.25 feet) Northerly of and perpendicular to the centerline of survey of said project at Station 10 + 850; thence South  $63^{\circ} 26' 05.82''$  East, a distance of 11.180 meters (36.68 feet); thence East, a distance of 140.000 meters (459.318 feet); thence North  $67^{\circ} 35' 06.07''$  East, a distance of 91.316 meters (299.593 feet) to a point that is 40.000 meters (131.234 feet) Westerly of and perpendicular to the centerline of survey of Mississippi Highway No. 3 at Station 10 + 375; thence North  $03^{\circ} 38' 30.00''$  East, a distance of 250.000 meters (820.210 feet); thence South  $86^{\circ} 21' 30.00''$  East, a distance of 19.000 meters (62.336 feet) to the present Westerly right-of-way line of Mississippi Highway No. 3; thence South  $03^{\circ} 38' 30.00''$  West along said present Westerly right-of-way line, a distance of 342.466 meters (1123.576 feet); thence South  $03^{\circ} 38' 30.00''$  West along said present Westerly right-of-way line, a distance of 282.534 meters (926.949 feet); thence North  $86^{\circ} 21' 30.00''$  West, a distance of 19.000 meters (62.336 feet); thence North  $03^{\circ} 38' 30.00''$  East, a distance of 200.000 meters (656.168 feet) to a point that is 40.000 meters (131.234 feet) Westerly of and perpendicular to the centerline of survey of said Mississippi Highway No. 3 at Station 10 + 200; thence North  $74^{\circ} 51' 52.99''$  West, a distance of 75.936 meters (249.134 feet); thence West, a distance of 165.000 (541.339 feet) to a point that is 60.000 meters (196.850 feet) southerly of and perpendicular to the centerline of survey of said project at Station 10 + 835; thence south  $36^{\circ} 52' 11.63''$  West, a distance of 25.000 meters (82.021 feet); thence West, a distance of 80.000 meters (262.467 feet); thence North  $63^{\circ} 26' 05.82''$  West, a distance of 44.721 meters (146.722 feet); thence West, a distance of 100.000 meters (328.084 feet) to a point that is 60.000 meters (196.850 feet) southerly of and perpendicular to the centerline of survey of said project at Station 10 + 600; thence North  $84^{\circ} 17' 21.86''$  West, a distance of 100.499 meters (329.721 feet); thence south  $59^{\circ} 02' 10.48''$  West, a distance of 58.310 meters (191.306 feet); thence South  $86^{\circ} 49' 12.61''$  West, a distance of 90.139 meters (295.732 feet); thence North  $65^{\circ} 43' 21.32''$  West, a distance of 83.434 meters (273.701 feet); thence South  $82^{\circ} 20' 57.11''$  West, a distance of 68.254 meters (223.930 feet); thence Southwesterly along the circumference of a circle to the left having a radius of 567.641 meters (1862.339 feet), an arc distance of 323.051 meters (1059.879 feet) [said arc having a chord bearing of South  $67^{\circ} 39' 39''$  West for a distance of 318.709 meters (1045.633 feet)]; thence South  $52^{\circ} 52' 09.24''$  West, a distance of 180.689 meters (592.812 feet) to the present

Southeastern right-of-way line of said U.S. Highway No. 61; thence South  $45^{\circ} 21' 09.00''$  West along said present Southeastern right-of-way line, a distance of 633.862 meters (2079.600 feet); thence South  $25^{\circ} 19' 44.40''$  West along said present Southeastern right-of-way line, a distance of 48.959 meters (160.627 feet); thence South  $52^{\circ} 02' 19.71''$  West along said present Southeastern right-of-way line, a distance of 95.657 meters (313.835 feet) to the point of beginning, containing 18.515 hectares (45.752 acres), more or less, and being situated in and a part of the Northwest 1/4, Northeast 1/4, Southwest 1/4 and the Southeast 1/4 of Section 35, Township 2 South, Range 10 West, DeSoto County, Mississippi.

PARCEL NO. 3

Begin at the point of intersection of a Western line of Defendants property and the present Eastern right-of-way line of Mississippi Highway No. 3 with the centerline of survey of State Project No. 94-0029-01-002-10; from said point of beginning run thence North  $03^{\circ} 38' 30.00''$  East along said Western property line, a distance of 341.129 meters (1119.190 feet); thence South  $86^{\circ} 21' 30.00''$  East, a distance of 19.000 meters (62.336 feet); thence South  $03^{\circ} 38' 30.00''$  West, a distance of 150.000 meters (492.126 feet) to a point that is 40.000 meters (131.234 feet) Easterly of and perpendicular to the centerline of survey of Mississippi Highway No. 3 at Station 10 + 475; thence South  $44^{\circ} 09' 53.42''$  East, a distance of 55.828 meters (183.163 feet); thence South  $68^{\circ} 44' 03.17''$  East, a distance of 148.937 meters (488.638 feet); thence South  $77^{\circ} 22' 01.98''$  East, a distance of 123.083 meters (403.816 feet); thence North  $87^{\circ} 22' 35.99''$  East, a distance of 31.631 meters (103.776 feet) to a point that is 70.000 meters (229.659 feet) Northerly of and perpendicular to the centerline of survey of said project at Station 11 + 500; thence North  $87^{\circ} 08' 15.34''$  East, a distance of 200.250 meters (656.988 feet); thence East, a distance of 96.762 meters (317.461 feet) to an Eastern line of Defendants property; thence South  $00^{\circ} 53' 50.87''$  West along said Eastern property line, a distance of 80.010 meters (262.500 feet); thence South  $00^{\circ} 53' 50.87''$  West along said Eastern property line, a distance of 80.010 meters (262.500 feet); thence West, a distance of 94.256 meters (309.239 feet) to a point that is 80.000 meters (262.467 feet) Southerly of and perpendicular to the centerline of survey of said project at Station 11 + 700; thence North  $87^{\circ} 08' 15.34''$  West, a distance of 200.250 meters (656.988 feet); thence West, a distance of 60.000 meters (196.850 feet); thence South  $63^{\circ} 26' 05.82''$  West, a distance of 22.361 meters

(73.363 feet) to a point that is 80.000 meters (262.467 feet) Southerly of and perpendicular to the centerline of survey of said project at Station 11 + 420; thence North 88° 32' 25.09" West, a distance of 103.154 meters (338.432 feet); thence South 65° 35' 03.16" West, a distance of 86.627 meters (284.209 feet); thence South 58° 17' 23.82" West, a distance of 53.240 meters (174.672 feet); thence South 46° 31' 18.25" West, a distance of 63.281 meters (207.615 feet) to a point that is 40.000 meters (131.234 feet) Easterly of and perpendicular to the centerline of survey of said project at Station 10 + 1300; thence South 03° 38' 30.00" West, a distance of 100.000 meters (328.084 feet); thence North 86° 21' 30.00" West, a distance of 19.000 meters (62.336 feet) to the said Western line of Defendants property; thence North 03° 38' 30.00" East along said Westerly property line, a distance of 282.534 meters (926.949 feet); thence North 03° 38' 30.00" East along said Western property line, a distance of 1.337 meters (4.386 feet) to the point of beginning, containing 12.742 hectares (31.485 acres), more or less, and being situated in and a part of the Northeast 1/4 and the Southeast 1/4 of Section 35 and the Northwest 1/4 and the Southwest 1/4 of Section 36, Township 2 South, Range 10 West, Desoto County, Mississippi, and

PARCEL NO. 4

Begin at the point of intersection of a Western line of Defendants property with the centerline of survey of State Project No. 94-0029-01-002-10 at Highway Survey Station 11 + 825.993; from said point of beginning run thence North 00° 53' 49.84" East along said Western property line, a distance of 80.010 meters (262.50 feet); thence East, a distance of 272.755 meters (894.865 feet); thence South 84° 17' 21.86" East, a distance of 200.998 meters (659.442 feet) to a point that is 60.000 meters (196.850 feet) Northerly of and perpendicular to the centerline of survey of said project at Station 12 + 300; thence East, a distance of 600.000 meters (1968.504 feet); thence South 79° 25' 34.32" East, a distance of 54.495 meters (178.789 feet); thence along a line that is 50.000 meters (164.042 feet) Northerly of and parallel with the centerline of survey of said project having a radius of 3445.000 meters (11302.493 feet), an arc distance of 306.518 meters (1005.636 feet) [said arc having a chord bearing of North 87° 27' 04" East for a distance of 306.417 meters (1005.305 feet)] to the Eastern line of Defendants property; thence South 00° 13' 25.88" East along said Eastern property line, a distance of 50.179 meters (164.629 feet); thence South 00° 13' 27.51" East along said Eastern property line, a

distance of 50.174 meters (164.613 feet); thence along a line that is 50.000 meters (164.042 feet) Southerly of and parallel with the centerline of survey of said project having a radius of 3545.000 meters (11630.577 feet), an arc distance of 306.890 meters (1006.857 feet) [said arc having a chord bearing of South 87° 31' 12" West for a distance of 306.794 meters (1006.542 feet)]; thence South 79° 25' 34.32" West, a distance of 54.495 meters (178.789 feet); thence West, a distance of 420.000 meters (1377.953 feet) to a point that is 60.000 meters (196.850 feet) Southerly of and perpendicular to the centerline of survey of said project at Station 12 + 480; thence South 45° 00' 00.00" West, a distance of 14.142 meters (46.398 feet); thence West, a distance of 40.000 meters (131.234 feet); thence North 45° 00' 00.00" West, a distance of 14.142 meters (46.398 feet); thence West, a distance of 120.000 meters (393.701 feet) to a point that is 60.000 meters (196.850 feet) Southerly of and perpendicular to the centerline of survey of said project at Station 12 + 300; thence South 83° 05' 19.58" West, a distance of 166.208 meters (545.302 feet); thence West, a distance of 310.261 meters (1017.917 feet) to the said Western line of Defendants property; thence North 00° 53' 50.87" East along said Western property line, a distance of 80.010 meters (262.500 feet) to the point of beginning, containing 18.125 hectares (44.789 acres), more or less, and being situated in and a part of the Northwest 1/4, Northeast 1/4, Southwest 1/4 and the Southeast 1/4 of Section 36, Township 2 South, range 10 West, DeSoto County, Mississippi.

Parcel Nos. 1 through 4 contain an aggregate of 54.317 hectares (134.219 acres), more or less.

Together with any and all abutters rights of access, if any, in, to, over, on and across the land described in Parcels No. 2, No. 3 and Parcel No. 4 above, and

Any and all rights of access, including any rights of ingress and egress, of abutting property owner, to and from that section of the present right-of-way of existing U.S. Highway No. 61 which abuts the following described line:

Begin at the point of intersection of a Southern line of Defendants property with the present Northwestern right of way line of U.S. Highway 61 as shown on the plans for State Project No. 94-0029-01-002-10; from said point of beginning run thence along the said present Northwestern right of way line as follows: North 45° 21' 09.00" East, 41.403 meters (135.837 feet); South 44° 38' 51.00" East, 7.590 meters (24.902 feet); North 45° 21' 17.23" East, 701.440 meters

342

(2301.312 feet); North 44° 38' 51.00" West, 7.610 meters  
(24.967 feet); North 45° 21' 09.00" East, 200.450 meters  
(657.644 feet) to the intersection of the Northern line of  
Defendants property with the present Northwestern right of  
way line of U.S. Highway 61, and being situated in and a  
part of Northwest 1/4 of Section 35, Township 2 South,  
Range 10 West, DeSoto County, Mississippi.

All of the above excepting and excluding therefrom all oil  
and gas and other minerals which may be produced through a  
well bore.