

Parcel No. 3072-0900.0-00006.00 (SFC 14)

Prepared by:

Butler, Snow, O'Mara, Stevens & Cannada, PLLC  
Attn: Kelly P. Bridgforth  
6075 Poplar Avenue, Suite 500  
Memphis, TN 38119  
901-680-7200

To the Chancery Clerk of DeSoto County, Mississippi:

The real property described herein is situated in the Southwest Quarter of Section 9, Township 3, Range 7 West and also in the Northwest Quarter of Section 9, Township 3, Range 7 West of DeSoto County, Mississippi.

PERMANENT UTILITY EASEMENT AND  
TEMPORARY CONSTRUCTION EASEMENT

LAURA SUE BURGESS STEVENS  
Trustee, Estate of Wilbur Norris Stevens, Jr.

GRANTOR

TO

DESOTO COUNTY REGIONAL UTILITY AUTHORITY

GRANTEE

In consideration of Ten Dollars (\$10.00) and other good and valuable consideration, **LAURA SUE BURGESS STEVENS, Trustee, Estate of Wilbur Norris Stevens, Jr.** (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 real property described herein is situated in the Southwest Quarter of Section 9, Township 3, Range 7 West and also in the Northwest Quarter of Section 9, Township 3, Range 7 West of DeSoto County, Mississippi, and being a strip of land fifty (50) feet in width and more particularly described on Exhibit "A."

The Grantor further grants to Grantee two thirty (30) foot wide temporary construction easements and rights-of-way in, on, over and across the land running parallel to and along the northerly and southerly sides of the above-described fifty (50) foot wide permanent utility easement, said temporary easements containing 1.769 acres and 1.762 acres each, 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 easements 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 she is 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 she has the right to receive just compensation for the real property herein described based on an appraisal of said property.

WITNESS MY SIGNATURE on the date set forth below.

*Laura Sue Burgess Stevens*  
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 LAURA SUE BURGESS STEVENS, Trustee  
 Estate of Wilbur Norris Stevens, Jr.

DATE: 29 December 2004

The Address and Telephone  
Number of the Grantor:

1600 Johnston Road  
Hernando, MS 38632  
(662) 429-6938

The Address and Telephone  
Number of the Grantee:

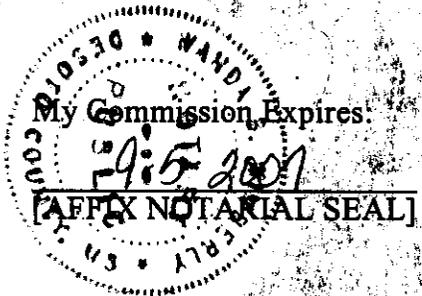
DeSoto County Courthouse  
Hernando, MS 38632  
(662) 429-5011

STATE OF Mississippi  
COUNTY OF DeSoto

This day personally appeared before me, the undersigned authority in and for said County and State, the within named, LAURA SUE BURGESS STEVENS, who acknowledged that she, is the Trustee of the Estate of William Norris Stevens, Jr., and that in said fiduciary capacity, she signed and delivered the above and foregoing instrument on the day and year therein mentioned, after having been first authorized to do so.

Given under my hand and official seal of office, this the 29<sup>th</sup> day of December, 2004.

Wanda B. Wimberly  
NOTARY PUBLIC



A TRACT OF LAND SITUATED IN THE SOUTHWEST QUARTER OF SECTION 9, TOWNSHIP 3, RANGE 7 WEST, AND ALSO IN THE NORTHWEST QUARTER OF SECTION 9, TOWNSHIP 3, RANGE 7 WEST ALL IN DESOTO COUNTY, MISSISSIPPI AND BEING MORE PARTICULARLY DESCRIBED AS:

A PERMANENT UTILITY EASEMENT, TWENTY-FIVE FEET EITHER SIDE OF AND PARALLEL TO THE FOLLOWING DESCRIBED PROPOSED CENTERLINE: COMMENCING AT THE INTERSECTION OF THE SOUTHERLY DEED LINE OF SAID STEVENS PROPERTY AND THE EASTERLY RIGHT OF WAY LINE OF JAYBIRD ROAD (PUBLIC, PAVED ROAD - 40 FEET TO CENTERLINE PER DESOTO COUNTY ENGINEER), SAID CORNER AS EVIDENCED BY A FOUND ROCK, 1 FOOT SQUARE AND PAINTED; THENCE NORTH 89 DEGREES 20 MINUTES 22 SECONDS EAST ALONG SAID SOUTHERLY DEED LINE OF THE STEVENS PROPERTY - 2902.01 FEET TO THE WESTERLY DEED LINE OF THE WILLIAM F. ROWSEY PROPERTY OF RECORD IN DEED BOOK 381 - PAGE 466; THENCE NORTH 02 DEGREES 04 MINUTES 31 SECONDS WEST ALONG SAID DEED LINE OF ROWSEY - 400.46 FEET TO AN ANGLE POINT; THENCE NORTH 02 DEGREES 13 MINUTES 04 SECONDS EAST (CONTINUING ALONG SAID WESTERLY DEED LINE OF ROWSEY) - 449.24 FEET TO THE SOUTHWEST CORNER OF FOUNTAIN GATE SUBDIVISION OF RECORD IN PLAT BOOK 79 - PAGE 33; THENCE NORTH 02 DEGREES 12 MINUTES 48 SECONDS EAST ALONG THE WESTERLY LINE OF SAID FOUNTAIN GATE SUBDIVISION - 279.88 FEET TO THE TRUE POINT OF BEGINNING OF THIS DESCRIPTION; THENCE ALONG SAID CENTERLINE OF PROPOSED UTILITY EASEMENT THE FOLLOWING BEARINGS AND DISTANCES: THENCE NORTH 64 DEGREES 08 MINUTES 15 SECONDS WEST - 283.48 FEET TO AN ANGLE POINT; THENCE NORTH 81 DEGREES 37 MINUTES 47 SECONDS WEST - 2297.94 FEET TO THE POINT OF TERMINATION OF SAID PROPOSED UTILITY EASEMENT, SAID POINT OF TERMINATION LYING IN THE EASTERLY LINE OF THE FEE SIMPLE METERING STATION.

PARCEL SFC-14 CONTAINING 2.942 ACRES OR 128,171 SQUARE FEET MORE OR LESS, SUBJECT TO RIGHT OF WAY IN ANY PUBLIC ROADS AND PUBLIC AND/OR PRIVATE EASEMENTS.



ALSO, A THIRTY (30) FOOT WIDE EASEMENT, TO BE KNOWN FOR THE PURPOSES OF THIS DESCRIPTION AS TEMPORARY CONSTRUCTION EASEMENT "A", TO BE SITUATED ADJACENT TO AND PARALLEL TO THE SOUTHERLY LINE OF SAID PARCEL SFC-14, SAID EASEMENT "A" CONTAINING 1.769 ACRES OR 77,059 SQUARE FEET MORE OR LESS.

ALSO, A THIRTY (30) FOOT WIDE EASEMENT, TO BE KNOWN FOR THE PURPOSES OF THIS DESCRIPTION AS TEMPORARY CONSTRUCTION EASEMENT "B", TO BE SITUATED ADJACENT TO AND PARALLEL TO THE NORTHERLY LINE OF SAID PARCEL SFC-14, SAID EASEMENT "B" CONTAINING 1.762 ACRES OR 76,746 SQUARE FEET MORE OR LESS.

