

9/14/05 8:49:39  
BK 509 PG 663  
DESOTO COUNTY, MS  
W.E. DAVIS, CH CLERK

Indexing Instructions; Southwest Quarter of  
Section 3, Township 2 South, Range 6 West,  
DeSoto County, Mississippi.

### TERMINATION OF PERPETUAL EASEMENT AGREEMENT

WHEREAS, a Perpetual Easement Agreement was entered into on November 28, 1969 between Arthur Fulmer, Sr. and wife, Mary Lee Fulmer, as Grantors, and Ghato Farms, a partnership consisting of C.D. Hawkes, A. Roy Tyrer, W.S. Ogle and Nicholas Gotten, as Grantee, and

WHEREAS, the Perpetual Easement Agreement was recorded in Book 80, Page 200 of the land records in the office of the Chancery Clerk of DeSoto County, Mississippi, and

WHEREAS, by virtue of the Perpetual Easement Agreement, the Grantors granted to the Grantee a perpetual easement across property owned by the Grantors, sixty feet in width and more particularly described in the exhibit attached to the Perpetual Easement Agreement, and

WHEREAS, in the Perpetual Easement Agreement the Grantee agreed to convey title to Grantors to a tract of land consisting of approximately 0.546 acres and described in an exhibit attached to the Perpetual Easement Agreement, and

WHEREAS, the Grantee did, in fact, convey title to the 0.546 acre tract to the Grantors by deed, and

WHEREAS, the property over which the perpetual easement was granted is now owned by Arthur Fulmer, Jr., Frida Fulmer, Mary Lee Fulmer Franke, John G. Fulmer, Sophia Fulmer, Jane Fulmer, M.F.T. Family Partnership, A. Fulmer Limited Partnership and Riverdale Limited Partnership, hereinafter "Fulmer/Thompson Family", and

WHEREAS, the property which was previously owned by the Grantee to the Perpetual Easement Agreement and which benefited from the Perpetual Easement Agreement, is now owned by DeSoto Land Corporation, a Mississippi corporation, and

WHEREAS, DeSoto Land Corporation has no need for the perpetual easement described in the Perpetual Easement Agreement and is in agreement to finally terminate the same, and

WHEREAS, the parties hereto agree that the termination of the Perpetual Easement Agreement shall not cause a reversion of the 0.546 acre tract, or have any effect on the ownership thereof.

NOW, THEREFORE, in consideration of the mutual undertakings set forth herein, together with the other good and valuable consideration the parties hereto agree as follows, to-wit;

1. The Perpetual Easement Agreement recorded in Book 80 at Page 200 be, and the same is finally terminated. The Chancery Clerk is requested to make a marginal notation on the Perpetual Easement Agreement noting the final termination thereof.

2. The final termination of the Perpetual Easement Agreement shall not cause a reversion of the title to the 0.546 acre parcel described in the Perpetual Easement Agreement, nor shall it have any effect to the title thereto whatsoever.

AGREED, this 31st day of August, 2005.

DESOTO LAND CORPORATION

By: [Signature]  
Robert M. Bailey, as President

[Signature]  
ARTHUR FULMER, JR.

FRIDA FULMER

By: [Signature]  
Jane Fulmer, as Attorney in Fact

MARY LEE FULMER FRANKE

By: [Signature]  
Jane Fulmer, as Attorney in Fact

JOHN G. FULMER

By: [Signature]  
Jane Fulmer, as Attorney in Fact

SOPHIA FULMER

By: [Signature]  
Jane Fulmer, as Attorney in Fact

[Signature]  
JANE FULMER

M.F.T. FAMILY PARTNERSHIP

By: [Signature]  
Marie Fulmer Thompson, As General Partner

A. FULMER LIMITED PARTNERSHIP

By: Arthur Fulmer III  
Arthur Fulmer, III, as General Partner

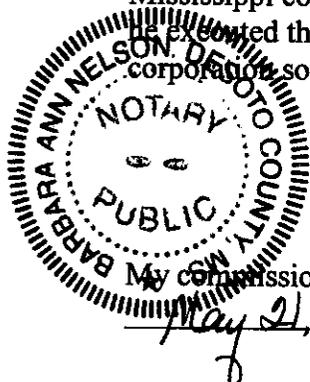
RIVERDALE LIMITED PARTNERSHIP

By: Arthur Fulmer III  
Arthur Fulmer, III, as General Partner

STATE OF MISSISSIPPI

COUNTY OF DE SOTO

Personally appeared before me, the undersigned authority in and for said county and state, on this 31st day of August, 2005, within my jurisdiction, the within named Robert M. Bailey, who acknowledged that he is President of DeSoto Land Corp., a Mississippi corporation, and that for and on behalf of the said corporation, and as its act and deed he executed the above and foregoing instrument, after first having been duly authorized by said corporation so to do.



Barbara Ann Nelson  
NOTARY PUBLIC

My commission expires:  
May 21, 2006

STATE OF Tennessee

COUNTY OF Shelby

Personally appeared before me, the undersigned authority in and for the said county and state, on this 7th day of September, 2005, within my jurisdiction, the within named Arthur Fulmer, Jr., who acknowledged that he executed the above and foregoing instruments.

Caren Whitaker  
NOTARY PUBLIC

My Commission Expires:  
5/8/07

STATE OF TENNESSEE

COUNTY OF SHELBY

Personally appeared before me, the undersigned authority in and for the said county and state, on this 31st day of August, 2005, within my jurisdiction, the within named Jane Fulmer, who acknowledged that she is the Attorney In Fact of Frida Fulmer, by virtue of that certain Limited Power of Attorney recorded in Power of Attorney Book 110, Page 271 in the Land Records of the Chancery Clerk of DeSoto County, Mississippi, and that in said representative capacity, she executed the above and foregoing instrument, after first having been duly authorized so to do.

*Rita E. Montgomery*  
NOTARY PUBLIC

My Commission Expires:

11-12-08



STATE OF TENNESSEE

COUNTY OF SHELBY

Personally appeared before me, the undersigned authority in and for the said county and state, on this 31st day of August, 2005, within my jurisdiction, the within named Jane Fulmer, who acknowledged that she is the Attorney In Fact of Mary Lee Fulmer Franke, by virtue of that certain Limited Power of Attorney recorded in Power of Attorney Book 110, Page 268 in the Land Records of the Chancery Clerk of DeSoto County, Mississippi, and that in said representative capacity, she executed the above and foregoing instrument, after first having been duly authorized so to do.

*Rita E. Montgomery*  
NOTARY PUBLIC

My Commission Expires:

11-12-08



STATE OF TENNESSEE

COUNTY OF SHELBY

Personally appeared before me, the undersigned authority in and for the said county and state, on this 31st day of August, 2005, within my jurisdiction, the within named Jane Fulmer, who acknowledged that she is the Attorney In Fact of John G. Fulmer, by virtue of that certain Limited Power of Attorney recorded in Power of Attorney Book 110, Page 274 in the Land Records of the Chancery Clerk of DeSoto County, Mississippi, and that in said

representative capacity, she executed the above and foregoing instrument, after first having been duly authorized so to do.

*Rita E Montgomery*  
NOTARY PUBLIC

My Commission Expires:  
11/12/08



STATE OF TENNESSEE

COUNTY OF SHELBY

Personally appeared before me, the undersigned authority in and for the said county and state, on this 31st day of August, 2005, within my jurisdiction, the within named Jane Fulmer, who acknowledged that she is the Attorney In Fact of Sophia Fulmer, by virtue of that certain Limited Power of Attorney recorded in Power of Attorney Book 110, Page 265 in the Land Records of the Chancery Clerk of DeSoto County, Mississippi, and that in said representative capacity, she executed the above and foregoing instrument, after first having been duly authorized so to do.

*Rita E Montgomery*  
NOTARY PUBLIC

My Commission Expires:  
11-12-08



STATE OF TENNESSEE

COUNTY OF SHELBY

Personally appeared before me, the undersigned authority in and for the said county and state, on this 31st day of August, 2005, within my jurisdiction, the within named Jane Fulmer, who acknowledged that he executed the above and foregoing instruments.

*Rita E Montgomery*  
NOTARY PUBLIC

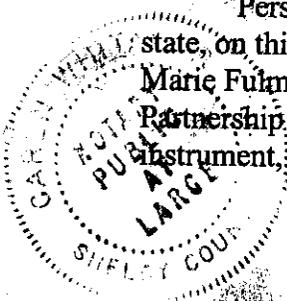
My Commission Expires:  
11-12-08



STATE OF Tennessee

COUNTY OF Shelby

Personally appeared before me, the undersigned authority in and for the said county and state, on this 9th day of September, 2005, within my jurisdiction, the within named Marie Fulmer Thompson, who acknowledged that she is General Partner of M.F.T. Family Partnership and, that in said representative capacity, she executed the above and foregoing instrument, after first having been duly authorized by said limited partnership so to do.



Caren Whitaker  
NOTARY PUBLIC

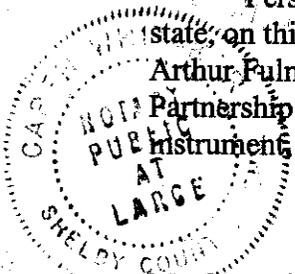
My Commission Expires:

5/8/07

STATE OF Tennessee

COUNTY OF Shelby

Personally appeared before me, the undersigned authority in and for the said county and state, on this 7th day of September, 2005, within my jurisdiction, the within named Arthur Fulmer, III, who acknowledged that he is General Partner of A. Fulmer Limited Partnership and, that in said representative capacity, he executed the above and foregoing instrument, after first having been duly authorized by said limited partnership so to do.



Caren Whitaker  
NOTARY PUBLIC

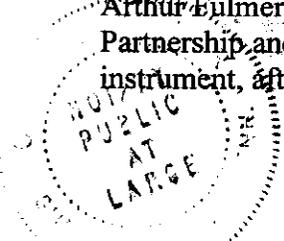
My Commission Expires:

5/8/07

STATE OF Tennessee

COUNTY OF Shelby

Personally appeared before me, the undersigned authority in and for the said county and state, on this 7th day of September, 2005, within my jurisdiction, the within named Arthur Fulmer, III, who acknowledged that he is General Partner of Riverdale Limited Partnership and, that in said representative capacity, he executed the above and foregoing instrument, after first having been duly authorized by said limited partnership so to do.



Caren Whitaker  
NOTARY PUBLIC

My Commission Expires:

5/8/07

PREPARED BY AND RETURN TO:  
Gary P. Snyder  
Watkins Ludlam Winter & Stennis, P.A.  
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