

STATE OF MISSISSIPPI	Indexing Instructions:
COUNTY OF <u>DeSoto</u>	<u>SE 1/4 of SE 1/4</u>
Line/Project Identification:	<u>S-16, T-25</u>
WR No. 429831	<u>R-7W</u>
CEA No. C6DB373024	

**RIGHT-OF-WAY INSTRUMENT
ENTERGY MISSISSIPPI, INC.**

KNOW ALL MEN BY THESE PRESENTS THAT: W. TERRY EDWARDS FOR CHERRY TREE DEVELOPMENT, LLC

Grantor(s), acting individually, and for, and on behalf of, my/our heirs, successors, assigns and any other person claiming the ownership to the property hereinafter described, collectively "Grantor", for and in consideration of One Dollar, in hand paid, and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, does hereby grant, assign, convey unto and warrant and defend Entergy Mississippi, Inc., and its successors and assigns, collectively "Grantee", a right-of-way, servitude and easement 10 feet in width for the location, construction, reconstruction, improvements, repairs, operation, inspection, patrol, replacement and maintenance of electric power and communication facilities, or the removal thereof, now or in the future, including, but not necessarily limited to, poles, cross arms, insulators, wires, cables, conduits, hardware, transformers, switches, guy wires, anchors and other equipment, structures, material and appurtenances, now or hereafter used, useful or desired in connection therewith by Grantee over, across, under or on that land of Grantor in the County of DeSoto, State of Mississippi described as follows, to-wit:

A certain parcel of land lying and being situated in the SE quarter of the SE quarter of Section 16, Township 2S, Range 7W, DesotoCounty, Mississippi, as shown on Exhibit "A" attached hereto and made a part hereof. This is located in Cherry Tree South Subdivision, Phase 1, Southaven, Mississippi, as shown on Exhibit "A" attached hereto and made a part hereof. Any lowering, relocating, or adjusting of underground facilities made necessary by actions of the Grantor or subsequent purchasers will be at the expense of such Grantor or subsequent purchasers.

together with the right of ingress and egress to and from said right-of-way across the adjoining land of the Grantor and the right to attach wires and cables of any other party to Grantee's facilities, and the right to install guy wires, anchors, and anchor assemblies beyond the limits of said right-of-way.

Unless otherwise herein specifically provided, the center line of the electric power and communication lines initially constructed on this right-of-way shall be the center line of said right-of-way.

Grantee shall have the full and continuing right to clear and keep clear vegetation within or growing into said right-of-way and the further right to remove or modify from time to time trees, limbs, and/or vegetation outside the said right of way which Grantee considers a hazard to any of its electric power or communications facilities or a hazard to the rendering of adequate and dependable service to Grantor or any of Grantee's customers, by use of a variety of methods used in the vegetation management industry.

Grantor shall not construct or permit the construction of any structure, obstruction or other hazard within the said right-of-way, including but not limited to, house, barn, garage, shed, pond, pool or well, excepting only Grantor's fence(s) and Grantee's facilities. Grantor shall not construct or permit the construction of any buildings or other structures on land adjoining said right-of-way in violation of the minimum clearances from the lines and facilities of Grantee, as provided in the National Electrical Safety Code.

IN WITNESS WHEREOF, Grantor has executed this Right-of-Way Instrument on this 9th day of November, 2005.

WITNESSES: Rayd S. Smith
Romi Harris

GRANTOR: CHERRY TREE DEVELOPMENT, LLC
BY: W. Terry Edwards
W. TERRY EDWARDS, MEMBER

CORPORATE ACKNOWLEDGMENT

STATE OF TENNESSEE
COUNTY OF SHELBY

~~Personally appeared before me, the undersigned authority in and for the said county and state, on this _____ day of _____, 20____, within my jurisdiction, the within named _____, who acknowledged that (he)(she) is _____ of _____ a _____ corporation, and that for and on behalf of the said corporation, and as its act and deed (he)(she) executed the above and foregoing instrument, after first having been duly authorized by said corporation so to do.~~

My commission expires: _____

NOTARY PUBLIC
See Next page

State of Tennessee
County of Shelby

Before me, the undersigned Notary Public in and for the State and County aforesaid, personally appeared W. TERRY EDWARDS, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who upon oath, acknowledged himself to be the MEMBER of CHERRY TREE DEVELOPMENT, LLC, a Mississippi Limited Liability Company, the within named bargainor, and as such executed the foregoing instrument for the purposes therein contained, by signing the named of the Limited Liability Company as MEMBER.

Witness my hand and seal at office in Bartlett, Tennessee this 9th day of November, 2005.

My Commission Expires:


Notary Public

