

UTILITY EASEMENT

For and in consideration of One Dollar (\$1.00) cash in hand and other good and valuable consideration, the receipt of which is hereby acknowledged, I/ We

KENDALL FAMILY TRUST, 1981

do hereby grant unto the City of Hernando, Mississippi., a Mississippi Municipal Corporation, a perpetual non-inclusive, shared easement with the right to install, construct, lay and thereafter use, maintain and inspect a sewer line installed as per this easement hereto, on, over and across the following described property in DeSoto County, Mississippi, to wit:

A 10 foot wide easement for a proposed sewer line to be installed by a contractor in conjunction with the Hernando\ Nesbit Sewer Project. This easement will extend south and east from a new sewer main extending from a new lift station at the north line of Section 36 at the Country Haven Mobile Home Park a distance of 400 feet more or less to a point near the northwest corner of the Hernando Fire Station lot and ending at a point on the north line of the Kendall property. All improvements are location in the northeast quarter of Section 36; Township 2 South; Range 8 West. DeSoto County, Mississippi.

Together with the right of ingress and egress over the grantors adjacent property during the construction phase of the project from the County Haven Mobile Home Park as shown by a recorded easement dated July , 2003. The consideration recited herein shall constitute payment in full for the use of the easement area for the sewer line and the new lift station location. This agreement together with the provisions of this grant shall constitute a covenant running with the land for the benefit of the grantee and grantor. Nothing in this agreement prevents or precludes easement Grantor from placing an improved road on top of the Easement, or crossing the Easement with other utilities.

Witness my signature on this the 8th day of December, 2005.

Kendall Family Trust, 1981

Dwight M. Kendall, Trustee
Dwight M. Kendall, Trustee

Dona S. Kendall, Trustee
Dona S. Kendall, Trustee

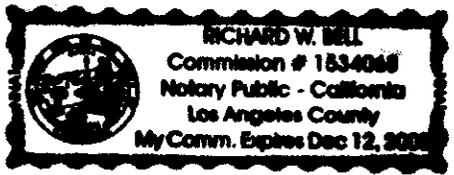
State of California

County of Los Angeles

On 12/8/05 before me, Richard W. Bell, Notary Public
Date Name and Title of Officer (e.g., "Jane Doe, Notary Public")

personally appeared Dwight M. Kendall and Dona S. Kendall
Name(s) of Signer(s)

- personally known to me
- proved to me on the basis of satisfactory evidence



To be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.
Richard W. Bell
Signature of Notary Public

Prepared By: Joseph F. Lauderdale
662-429-2780

Stockton

GRANTORS' ADDRESS:

DWIGHT M. KENDALL & DONA S. KENDALL
c/o RICHARD W. BELL, COMPTROLLER FOR KENDALL FAMILY TRUST
CONTINENTAL INVESTMENT CO.
500 EAST OLIVE ST.
SUITE #720
BURBANK, CA 91501
RES. TEL.: N/A
BUS. TEL.: 818-567-0939

GRANTEES' ADDRESS:

CITY OF HERNANDO
475 WEST COMMERCE ST.
HERNANDO, MS 38632
RES. TEL.: N/A
BUS. TEL.: 662-429-9092

PREPARED BY: JOSEPH F. LAUDERDALE, P.E.L.S.

231 WEST CENTER ST.
HERNANDO, MS 38632
RES. TEL.: N/A
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