

**WARRANTY DEED**

This Deed of Conveyance is this day made by the undersigned Herbert H. Hawks, Trustee of and for the Herbert H. Hawks Revocable Living Trust dated September 29, 1997 and Robert Luell Woods Trustee of the Robert Luell Woods Revocable Living Trust dated July 17, 1992, hereinafter referred to as the GRANTORS, and MILLARD E. GADD and wife, MARTHA GADD, hereinafter referred to as the GRANTEES, WITNESSETH THAT:

For and in consideration of the sum of Ten Dollars (\$10.00) cash in hand paid by the GRANTEES to the GRANTORS, and other good and valuable consideration, the receipt and sufficiency of all of which is hereby acknowledged by the GRANTORS, Herbert H. Hawks Revocable Living Trust dated September 29, 1997 and Robert Luell Woods Trustee of the Robert Luell Woods Revocable Living Trust dated July 17, 1992, the GRANTORS do hereby and by these presents sell, convey, and warrant unto MILLARD E. GADD and wife, MARTHA GADD, the GRANTEES, as tenants by the entirety with full rights of survivorship and not as tenants in common, the hereinafter described real property located in DeSoto County, Mississippi, and being described as follows, to-wit:

Lot 37, Byhalia Creek Farms, Phase I, as situated in Section 4, Township 3 South, Range 5 West, as per plat thereof of record in Plat Book 99, at Pages 5-7, in the Office of the Chancery Clerk of DeSoto County, Mississippi and to which recorded plat reference is hereby made for a more particular description of said lot.

Stockton

5

*The foregoing covenant of warranty is made subject to the following:*

- All rights of ways and easements for public roads and public utilities, including but not limited to that certain Right of Way in favor of Mississippi Power and Light Company as found at Deed Book 25 Page 683 in the Office of the Chancery Clerk of DeSoto County, Mississippi;
- All subdivision and zoning regulations in effect in DeSoto County, Mississippi;
- All restrictive covenants, building restrictions and easements of record including but not limited to those as found with the recorded plat of said subdivision; and
- To any prior reservation or conveyance of minerals of every kind and character, including, but not limited to, oil, gas, sand and gravel in, on and under the subject property.
- The Grantor's herein shall approve in writing any and all construction plans of any improvements to be built on the property or moved onto the property, as described herein.

**That as an additional restriction and condition this conveyance is subject to the following:**

*It is the responsibility of the builder and/or lot owner to take measures to prevent or mitigate sediment from leaving said lots. It is not the responsibility of the developer, DeSoto County or the State of Mississippi to complete required measures.*

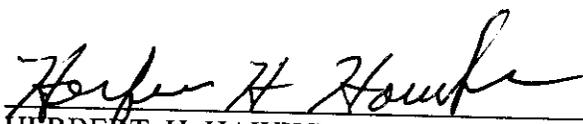
Taxes and assessments against said property for the year 2006 shall be paid by the Grantor's and taxes and assessments for the year 2007 shall be the sole responsibility of the GRANTEE, and/or his successor's in interest and all subsequent years are hereby excepted from the foregoing covenant of warranty.

The Grantor's herein warrant that the property being conveyed is no part or parcel of their respective homesteads.

Possession shall be given upon delivery of this deed.

WITNESS THE SIGNATURE OF THE UNDERSIGNED on this the 31st day of August,  
2006.

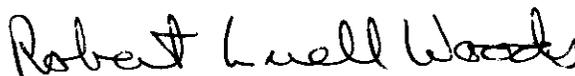
HERBERT H. HAWKS, TRUSTEE OF AND  
FOR THE BENEFIT OF THE HERBERT H. HAWKS  
REVOCABLE LIVING TRUST  
Of September 29, 1997



---

HERBERT H. HAWKS  
TITLE: TRUSTEE

ROBERT L. WOODS, TRUSTEE OF AND FOR THE  
BENEFIT OF THE ROBERT LUELL WOODS  
REVOCABLE LIVING TRUST  
Dated July 17, 1992



---

ROBERT LUELL WOODS  
TITLE: TRUSTEE

STATE OF MISSISSIPPI  
COUNTY OF DESOTO

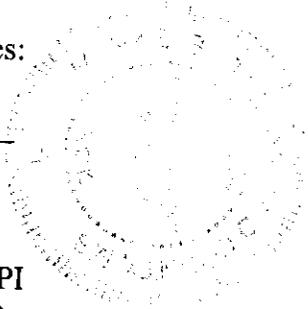
Personally appeared before me, the undersigned authority in and for said county and state, on this the 31st day of August, 2006, within my jurisdiction, the within named HERBERT H. HAWKS, as TRUSTEE for the Herbert H. Hawks Revocable Living Trust dated September 29, 1997, who acknowledged that he executed the above and foregoing instrument for and on behalf of said Trust having been authorized so to do.

*Mary E. Brown*  
\_\_\_\_\_  
NOTARY PUBLIC

My Commission Expires:

4-10-2009

(SEAL)



STATE OF MISSISSIPPI  
COUNTY OF DESOTO

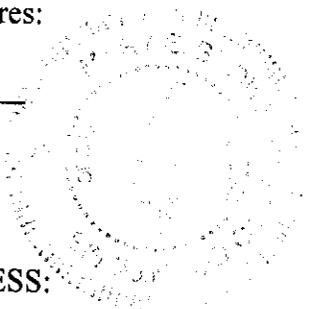
Personally appeared before me, the undersigned authority in and for the said county and state, on this the 31st day of August, 2006, within my jurisdiction, the within named ROBERT LUELL WOODS as TRUSTEE of and for the Robert Luell Woods Revocable Living Trust dated July 17, 1992, who acknowledged that he executed the above and foregoing instrument for and in behalf of the said Trust, having been authorized so to do.

*Mary E. Brown*  
\_\_\_\_\_  
NOTARY PUBLIC

My Commission Expires:

4-10-2009

(SEAL)



GRANTORS' ADDRESS:

P.O. Box 5067

Holly Springs, MS 38634

RES. TEL.: N/A

BUS. TEL.: 662-252-2333

GRANTEES' ADDRESS:

11996 Byhalia Road

Byhalia, MS 38611

RES. TEL.: 662-838-6384

BUS. TEL.: N/A

Prepared by:

KENNETH E. STOCKTON

ATTORNEY AT LAW

5 WEST COMMERCE STREET

HERNANDO, MS 38632

662-429-3469

0600209