

Parcel No. 2069-3100.0-00003.00 (BPC 2)

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 (SW ¼) and in the Northwest Quarter (NW ¼) of Section 31, Township 2 South, Range 6 West of DeSoto County, Mississippi.

PERMANENT ACCESS AND UTILITY EASEMENT AND
TEMPORARY CONSTRUCTION EASEMENTS

LENWOOD CATHEY, LAURENCE CATHEY, ALVON HOLT,
CLAY B. CATHEY, JEROME CATHEY,
EDDIE WOODS, THELMA WOODS,
EMERSON WOODS, MONGER EUGENE WOODS,
MILTON B. WOODS, EDISON WOODS, BERNICE W. MOSES,
HELEN KENT (AKA ELLEN W. KENT), BILLIE SAIN,
CARL WOODS, ESTATE OF Q.D. WOODS

GRANTORS

TO

DESOTO COUNTY REGIONAL UTILITY AUTHORITY

GRANTEE

In consideration of Ten Dollars (\$10.00) and other good and valuable consideration, **LENWOOD CATHEY, LAURENCE CATHEY, ALVON HOLT, CLAY B. CATHEY, JEROME CATHEY, EDDIE WOODS, THELMA WOODS, EMERSON WOODS, MONGER EUGENE WOODS, MILTON B. WOODS, EDISON WOODS, BERNICE W. MOSES, ELLEN W. KENT (AKA HELEN F. KENT), CLAY BILLIE SAIN, WILL CARL WOODS, ESTATE OF Q.D. WOODS (AKA ALEX WOODS)** (the "Grantors"), grant to **DESOTO COUNTY REGIONAL UTILITY AUTHORITY** ("Grantee"), a body politic, a perpetual and assignable access and utility 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 Southwest Quarter (SW ¼) and in the Northwest Quarter (NW ¼) of Section 31, Township 2 South, Range 6 West of DeSoto County, Mississippi, and being more particularly described in Exhibit "A" attached hereto.

The Grantors further grant to Grantee two (2) temporary construction easements and rights-of-way, as more specifically described on the attached Exhibit "A." Upon completion of construction within the above described permanent access and utility easement, the above-described temporary construction easements shall terminate.

Jackson 1198455v.1

Kelly Bridgforth-top

21

The Grantors further grant to the Grantee the right of ingress and egress to and from said permanent and temporary easements.

Any subsequent easement holder other than Grantee with respect to the easement described above shall not cross or share the above described easement until such time as such subsequent easement holder has notified Grantee, in advance, of such desire to cross or share such easement and shall have entered into a Consent and Non-Disturbance Agreement on terms and conditions acceptable to Grantee.

The Grantors acknowledge the existence of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, Public Law 91-646, and acknowledge that they are 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.

Grantors fully understand that they have the right to receive just compensation for the real property herein described based on an appraisal of said property.

Grantors likewise consent that this Easement may be executed in any number of multiple counterparts with the same effect as if all of the Grantors had signed the same document. All counterparts shall be construed together and shall constitute one agreement.

WITNESS OUR SIGNATURES on the date set forth below.

The Address and Telephone
Number of the Grantors:

8801 Audley Circle
Raleigh, NC 27615
(919)846-7228

The Address and Telephone
Number of the Grantee:

365 Loshier Street
Suite 300
Hernando, MS 38632
(662) 429-5590

Lenwood Cathey
Lenwood Cathey

DATE: 12/8/06

STATE OF NORTH CAROLINA

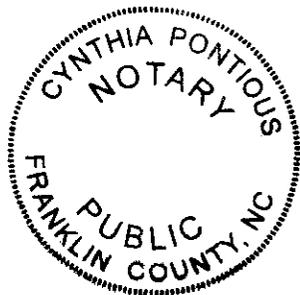
COUNTY OF WAKE

Personally appeared before me, the undersigned authority in and for the said county and state, on this 8th day of December, 2006, within my jurisdiction, the within named Lenwood Cathey who acknowledged that he signed and delivered the above and forgoing instrument on the day and year therein mentioned.

Cynthia Pontious
NOTARY PUBLIC

My Commission Expires:

10-11-2011
[AFFIX NOTARIAL SEAL]



Laurence J Cathey
Laurence Cathey

DATE: 12/14/06

STATE OF Michigan
COUNTY OF Oakland

Personally appeared before me, the undersigned authority in and for the said county and state, on this 14th day of December 2006, within my jurisdiction, the within named Laurence Cathey who acknowledged that he signed and delivered the above and forgoing instrument on the day and year therein mentioned.

Diane Marie Jurek
NOTARY PUBLIC

My Commission Expires:

11-03-11
[AFFIX NOTARIAL SEAL]

DIANE MARIE JUREK
Notary Public, State of Michigan
County of Oakland
My Commission Expires November 3, 2011
Acting in the County of Oakland

Alvon Holt
Alvon Holt

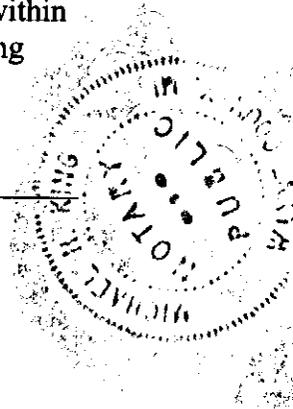
DATE: 1-24-07

STATE OF MICHIGAN

COUNTY OF WAYNE

Personally appeared before me, the undersigned authority in and for the said county and state, on this _____ day of _____, 2006, within my jurisdiction, the within named Alvon Holt who acknowledged that he signed and delivered the above and forgoing instrument on the day and year therein mentioned.

[Signature]
NOTARY PUBLIC



My Commission Expires:

MICHAEL H. KING
NOTARY PUBLIC WAYNE CO., MI
[A.M.P. COMMISSION EXPIRES 01/14/2013]

Clay B. Cathey
Clay B. Cathey

DATE: 1-04-07

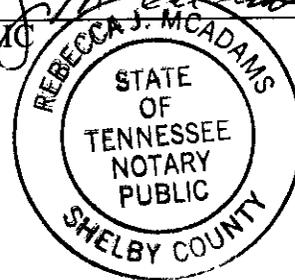
STATE OF TN
COUNTY OF Shelby

Personally appeared before me, the undersigned authority in and for the said county and state, on this 4th day of JANUARY, 2006, within my jurisdiction, the within named Clay B. Cathey who acknowledged that he signed and delivered the above and forgoing instrument on the day and year therein mentioned.

Rebecca J. McAdams
NOTARY PUBLIC

My Commission Expires:
MY COMMISSION EXPIRES MARCH 11, 2008

[AFFIX NOTARIAL SEAL]



Jerome Cathey
Jerome Cathey

DATE: 12-29-06

STATE OF North Carolina

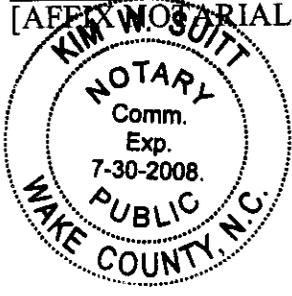
COUNTY OF Wake

Personally appeared before me, the undersigned authority in and for the said county and state, on this 29th day of December, 2006, within my jurisdiction, the within named Jerome Cathey who acknowledged that he signed and delivered the above and forgoing instrument on the day and year therein mentioned.

[Signature]
NOTARY PUBLIC

My Commission Expires: July 30, 2008

[AFFIX NOTARIAL SEAL]



PROPER ACKNOWLEDGMENT

Wake County, North Carolina
I certify that the following person(s) personally appeared before me this day and (I have personal knowledge of the identity of the principal(s)) (I have seen satisfactory evidence of the principal's identity, by a current state or federal identification with the principal's photograph in the form of a NC DL (a credible witness has sworn to the identity of the principal(s)); each acknowledging to me that he or she voluntarily signed the foregoing document for the purpose stated therein and in the capacity indicated:

Name(s) of principal(s) Jerome Cathey

Date: 12-29-06 [Signature]
(Official Signature of Notary)

Kim W. Suitt Notary Public
(Notary's printed or typed name.)

(Official Seal)

My commission expires: July 30, 2008

Eddie Woods

Eddie Woods

DATE: 6/Dec/06

STATE OF TN

COUNTY OF Shelby

Personally appeared before me, the undersigned authority in and for the said county and state, on this 7th day of Dec, 2006, within my jurisdiction, the within named Eddie Woods who acknowledged that he signed and delivered the above and forgoing instrument on the day and year therein mentioned.

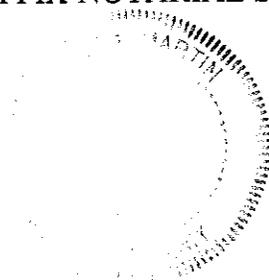
J. Ambracin

NOTARY PUBLIC

My Commission Expires:

~~12/31/2008~~

[AFFIX NOTARIAL SEAL]



Thelma Woods
Thelma Woods

DATE: 12-12-06

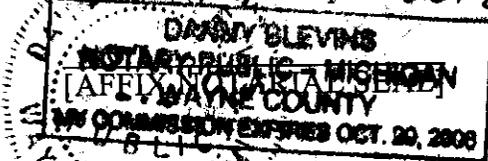
STATE OF MICH.

COUNTY OF WAYNE

Personally appeared before me, the undersigned authority in and for the said county and state, on this 12 day of December, 2006, within my jurisdiction, the within named Thelma Woods who acknowledged that she signed and delivered the above and forgoing instrument on the day and year therein mentioned.

[Signature]
NOTARY PUBLIC

My Commission Expires: Oct 29, 2008



Emerson Woods
Emerson Woods

DATE: 12-7-06

STATE OF Michigan

COUNTY OF Washtenaw

Personally appeared before me, the undersigned authority in and for the said county and state, on this 7 day of Dec, 2006, within my jurisdiction, the within named Emerson Woods who acknowledged that he signed and delivered the above and forgoing instrument on the day and year therein mentioned.

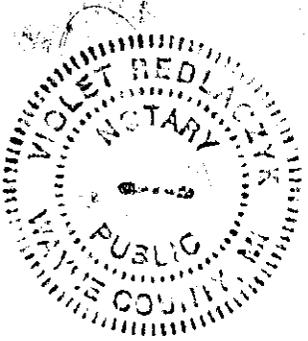
Violet Redlacy
Notary Public, Washtenaw County, MI
My Commission Expires 12/14/2008

[Signature]
NOTARY PUBLIC

My Commission Expires:

12-14-2008

[AFFIX NOTARIAL SEAL]



Monger Eugene Woods
Monger Eugene Woods

DATE: 12-7-06

STATE OF MICHIGAN

COUNTY OF OAKLAND

Personally appeared before me, the undersigned authority in and for the said county and state, on this 7TH day of DECEMBER, 2006, within my jurisdiction, the within named Monger Eugene Woods who acknowledged that he signed and delivered the above and forgoing instrument on the day and year therein mentioned.

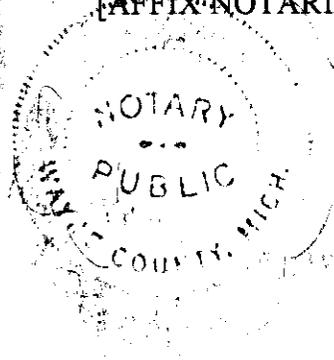
Corine Edwards
NOTARY PUBLIC

CORINE EDWARDS
Notary Public, Wayne County, MI
Acting in Oakland Co., MI
My Commission Expires 05/11/2007

My Commission Expires:

5/11/2007

[AFFIX NOTARIAL SEAL]



Milton B. Woods

Milton B. Woods

DATE: 12-19-06

STATE OF TN

COUNTY OF DAVIDSON

Personally appeared before me, the undersigned authority in and for the said county and state, on this 19th day of December, 2006, within my jurisdiction, the within named Milton B. Woods who acknowledged that he signed and delivered the above and forgoing instrument on the day and year therein mentioned.

Alisa Diann Gilcrease
NOTARY PUBLIC

My Commission Expires:
~~My~~ Commission Exp. March 21, 2009

[AFFIX NOTARIAL SEAL]



Edison Woods

Edison Woods

DATE: 12/13/06

STATE OF MICHIGAN

COUNTY OF OAKLAND

Personally appeared before me, the undersigned authority in and for the said county and state, on this 13th day of DECEMBER, 2006, within my jurisdiction, the within named Edison Woods who acknowledged that he signed and delivered the above and forgoing instrument on the day and year therein mentioned.

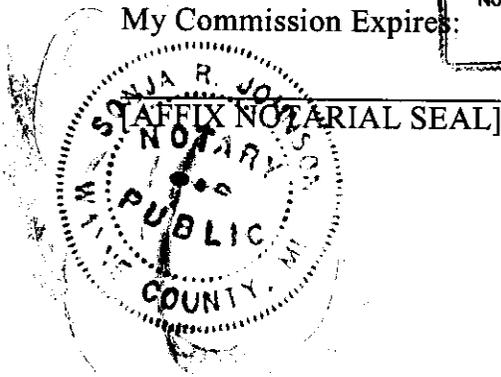
[Handwritten Signature]

Sonja R Johnson
Notary Public State of Michigan
Wayne County
Expires: 12/10/07

NOTARY PUBLIC

My Commission Expires:

ACTING IN OAKLAND COUNTY



Bernice Moses
Bernice W. Moses

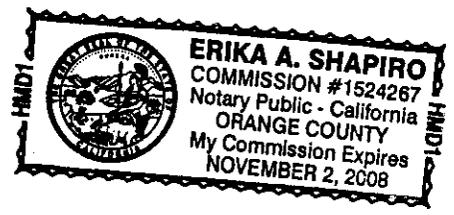
DATE: 1/28/07

STATE OF CALIFORNIA
COUNTY OF ORANGE

Personally appeared before me, the undersigned authority in and for the said county and state, on this 28th day of JANUARY, 2007, within my jurisdiction, the within named Bernice W. Moses who acknowledged that she signed and delivered the above and forgoing instrument on the day and year therein mentioned.

Erika A Shapiro
NOTARY PUBLIC

My Commission Expires:
11/2/2008
[AFFIX NOTARIAL SEAL]



Helen Kent
Helen Kent (AKA Ellen W. Kent)

DATE: 12/6/06

STATE OF Tennessee

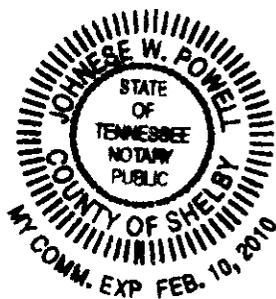
COUNTY OF Shelby

Personally appeared before me, the undersigned authority in and for the said county and state, on this 6 day of December, 2006, within my jurisdiction, the within named Helen Kent (AKA Ellen W. Kent) who acknowledged that she signed and delivered the above and forgoing instrument on the day and year therein mentioned.

Johnese W. Powell
NOTARY PUBLIC

My Commission Expires:

2-10-2010
[AFFIX NOTARIAL SEAL]



Clay Billie Sain
Billie Sain

DATE: 12/7/006

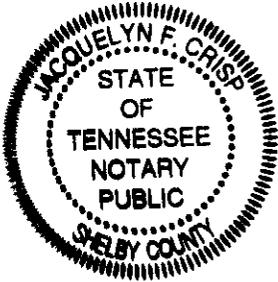
STATE OF Tennessee
COUNTY OF Shelby

Personally appeared before me, the undersigned authority in and for the said county and state, on this 7th day of December, 2006, within my jurisdiction, the within named Billie Sain who acknowledged that he signed and delivered the above and forgoing instrument on the day and year therein mentioned.

Jacquelyn F. Crisp
NOTARY PUBLIC

My Commission Expires:
My Commission Expires:
July 20, 2008

[AFFIX NOTARIAL SEAL]



Carl Woods

Carl Woods

DATE: 12/14/06

STATE OF Michigan

COUNTY OF Oakland

Personally appeared before me, the undersigned authority in and for the said county and state, on this 14th day of December, 2006, within my jurisdiction, the within named Carl Woods who acknowledged that he signed and delivered the above and forgoing instrument on the day and year therein mentioned.

Jessica Schilling

NOTARY PUBLIC

My Commission Expires:

[AFFIX NOTARIAL SEAL]

JESSICA SCHILLING
Notary Public, Oakland County, Michigan
Acting in Oakland County
My Commission Expires October 25, 2012

Edith Woods
On behalf of Estate of Q.D. Woods

DATE: 12/24/06

STATE OF Tennessee

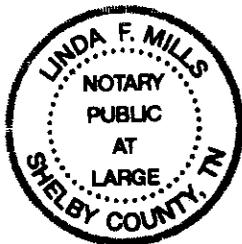
COUNTY OF Shelby

Personally appeared before me, the undersigned authority in and for the said county and state, on this 24th day of December, 2006, within my jurisdiction, the representative of the Estate of Q.D. Woods who acknowledged that he signed and delivered the above and forgoing instrument on the day and year therein mentioned after first being authorized so to do.

Linda F. Mills
NOTARY PUBLIC

My Commission Expires:

8-28-2007
[AFFIX NOTARIAL SEAL]



My Commission Expires August 28, 2007

REISSUED OCTOBER 31, 2005

LEGAL DESCRIPTION

PARCEL NUMBER BPC-02 - UTILITY EASEMENT
TAX PARCEL NUMBER: 2069-3100.0-00003.00

BEING A LEGAL DESCRIPTION OF THE CENTERLINE OF A PROPOSED FIFTY (50) FOOT WIDE PERMANENT UTILITY EASEMENT ACROSS PART OF THE EDDIE WOODS, ET AL PROPERTY RECORDED BY QUIT CLAIM DEED AT BOOK 418 – PAGE 783 AT THE OFFICE OF THE CHANCERY CLERK OF DESOTO COUNTY, MISSISSIPPI, SAID PROPOSED EASEMENT TO BE KNOWN FOR THE PURPOSES OF THIS DESCRIPTION AS "PARCEL NUMBER BPC-02", BEING SITUATED IN DESOTO COUNTY, MISSISSIPPI AND SAID PARCEL NUMBER BPC-02 BEING DESCRIBED AS:

A TRACT OF LAND SITUATED IN THE SOUTHWEST QUARTER AND IN THE NORTHWEST QUARTER OF SECTION 31, TOWNSHIP 2 SOUTH, RANGE 6 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 WEST LINE OF SAID SECTION 31 AND THE NORTHERLY RIGHT OF WAY LINE OF BYHALIA ROAD [MISSISSIPPI STATE HIGHWAY NUMBER 304] (PUBLIC, PAVED ROAD – 40 FEET TO CENTERLINE), SAID CORNER AS EVIDENCED BY A FOUND "T" POST AND RAILROAD TIE POST, THENCE NORTH 00 DEGREES 10 MINUTES 24 SECONDS WEST ALONG THE SAID WEST LINE OF SECTION 31 A DISTANCE OF 1810.06 FEET; THENCE NORTH 90 DEGREES 00 MINUTES 00 SECONDS EAST (LEAVING SAID WEST LINE OF SECTION 31) – 826.45 FEET TO THE TRUE POINT OF BEGINNING OF THIS DESCRIPTION, SAID POINT OF BEGINNING LYING IN THE WESTERLY DEED LINE OF THE BETTYE B. WHITTEN JENKINS, ET AL PROPERTY (WARRANTY DEED AT BOOK 179 – PAGE 56); THENCE ALONG THE CENTERLINE OF SAID PROPOSED UTILITY EASEMENT THE FOLLOWING BEARINGS AND DISTANCES: NORTH 42 DEGREES 50 MINUTES 48 SECONDS WEST – 574.94 FEET TO AN ANGLE POINT; THENCE NORTH 31 DEGREES 16 MINUTES 10 SECONDS WEST – 740.93 FEET TO AN ANGLE POINT; THENCE NORTH 41 DEGREES 09 MINUTES 23 SECONDS WEST – 82.45 FEET TO THE POINT OF TERMINATION OF SAID PROPOSED UTILITY EASEMENT, SAID POINT OF TERMINATION LYING IN THE EASTERLY DEED LINE OF THE LARRY NEWSOME AND WIFE, LINDA NEWSOM PROPERTY (WARRANTY DEED AT BOOK 188 – PAGE 353).

PARCEL BPC-02 CONTAINING 1.605 ACRES OR 69,915 SQUARE FEET MORE OR LESS, SUBJECT TO RIGHT OF WAY IN ANY PUBLIC ROADS AND PUBLIC AND/OR PRIVATE EASEMENTS.



A2

PAGE TWO

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 WESTERLY LINE OF SAID PARCEL BPC-02, SAID EASEMENT "A" CONTAINING 0.962 ACRES OR 41,906 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 EASTERLY LINE OF SAID PARCEL BPC-02, SAID EASEMENT "B" CONTAINING 0.964 ACRES OR 41,993 SQUARE FEET MORE OR LESS.

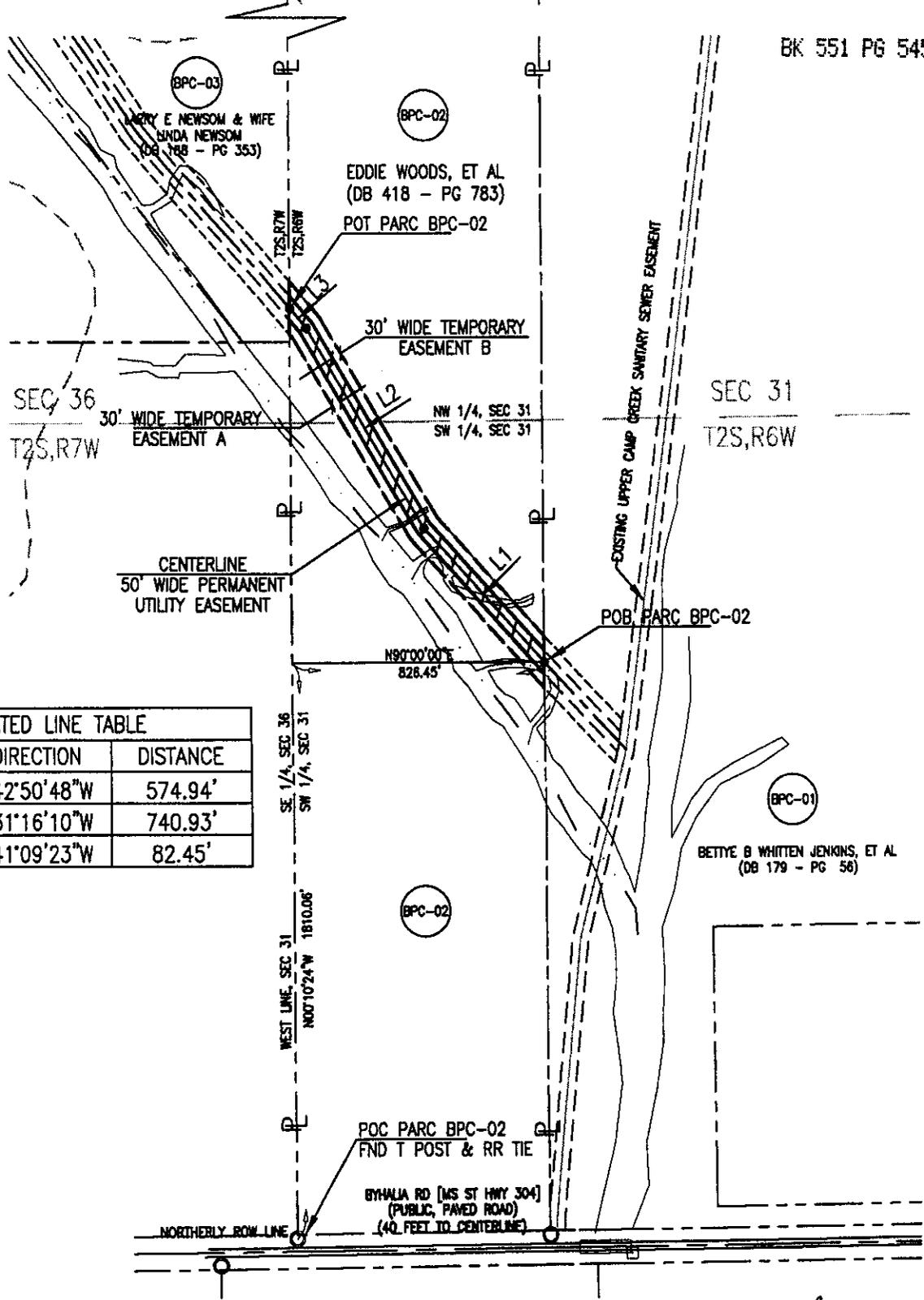
THE ABOVE DESCRIBED PARCELS ARE VACANT LAND.

BY GRAPHIC DETERMINATION, PARCEL BPC-02 LIES WITHIN THE LIMITS OF THE SPECIAL FLOOD HAZARD AREAS INUNDATED BY 100 YEAR FLOOD, PER FIRM/FEMA MAP NUMBER 28033C0110 D, MAP REVISED MAY 3, 1990.

ALL MATTERS OF PUBLIC RECORD ARE RECORDED AT THE OFFICE OF THE CHANCERY CLERK OF DESOTO COUNTY, MISSISSIPPI.

BEARINGS ARE RELATIVE TO MISSISSIPPI STATE PLANE GRID NORTH (NAD 83 - WEST ZONE).

A3



ANNOTATED LINE TABLE		
LINE	DIRECTION	DISTANCE
L1	N42°50'48"W	574.94'
L2	N31°16'10"W	740.93'
L3	N41°09'23"W	82.45'

PERMANENT 50 FOOT WIDE UTILITY EASEMENT REQUIRED—1.605 ACRES (69,915 SQ FT) *1.926 AC*
 PROPOSED 30 FOOT WIDE TEMPORARY CONSTRUCTION EASEMENT "A" REQUIRED: 0.962 ACRES (41,906 SQ FT)
 PROPOSED 30 FOOT WIDE TEMPORARY CONSTRUCTION EASEMENT "B" REQUIRED: 0.964 ACRES (41,993 SQ FT) *-83,899 #*

- DENOTES PERMANENT UTILITY EASEMENT
- DENOTES TEMPORARY CONSTRUCTION EASEMENT
- DENOTES FOUND PROPERTY CORNER

BY GRAPHIC DETERMINATION, THIS PARCEL LIES WITHIN THE LIMITS OF THE SPECIAL FLOOD HAZARD AREAS INUNDATED BY 100 YEAR FLOOD, PER FIRN/FEMA MAP NUMBER 28033C0110 D, EFFECTIVE DATE OF MAY 3, 1990.

THIS EXHIBIT MEETS THE MINIMUM REQUIREMENTS FOR CLASS B

EDDIE WOODS, ET AL
PROPOSED 50' WIDE UTILITY EASEMENT AND TWO 30' WIDE TEMPORARY CONSTRUCTION EASEMENTS FOR THE
DESOTO COUNTY REGIONAL UTILITY AUTHORITY
BEAN PATCH CREEK SANITARY SEWER INTERCEPTOR
SITUATED IN THE NW 1/4 AND IN THE SW 1/4 OF SECTION 31, TOWNSHIP 2, RANGE 6 WEST.