

3/26/07 9:08:58
BK 554 PG 515
DESOTO COUNTY, MS
W.E. DAVIS, CH CLERK

INDEXING INSTRUCTIONS: Being a portion of Lot 41, Section A, Henry's Plantation Subdivision, lying in Section 22, Township 1 South, Range 6 West in the City of Olive Branch, Desoto County, Mississippi as recorded in Plat Book 55, Pages 39-40 in the Desoto County Chancery Clerk's Office, Mississippi.

TEMPORARY CONSTRUCTION EASEMENT

FOR AND IN CONSIDERATION of the sum of Five Hundred Two Dollars (\$502.00), in hand paid and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, we, Jerry S. Fink and wife, Jolene Fink, hereinafter referred to as "Grantor", do hereby grant and convey unto the City of Olive Branch, its successors and assigns, hereinafter referred to as "Grantee", a temporary construction easement over the property described in Exhibit 1 attached hereto.

It is agreed that this is a temporary access and construction easement for the purpose of Grantee performing drainage construction work.

The easement is temporary in nature and will expire and terminate upon completion of the construction of the drainage project and restoration of Grantor's property. Grantee is hereby granted authority to remove any trees, shrubs or plants within the Easement area deemed necessary by Grantee or its Contractors. Completion of construction shall be defined as occurring at the time of final payment being made by Grantee to the Contractor performing the construction work.

Grantor fully understands that he has the right to request a fair market value appraisal of the property and receive just compensation for the use of real property herein described and for the drainage easement herein described. Grantor hereby waives his right to request the appraisal and to receive just compensation and donates the real property for the temporary construction easement herein described to Grantee for the consideration set forth hereinabove.

IN WITNESS WHEREOF, the said Grantor has hereunto set his hand this 21 day of FEBRUARY, 2007.

Jerry S. Fink
JERRY S. FINK

Jolene Fink
JOLENE FINK

Witnessed by: [Signature]

APPROVED AND ACCEPTED by the City of Olive Branch

By: [Signature]
SAMUEL P. RIKARD, MAYOR

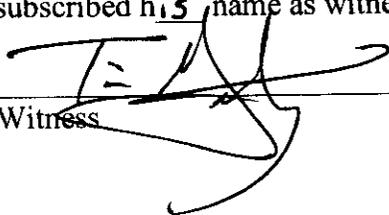
ATTEST:

Judy C. Herrington
JUDY C. HERRINGTON, CITY CLERK

STATE OF MISSISSIPPI

COUNTY OF DESOTO

Personally appeared before me, the undersigned authority in and for the said county and state, on this 26 day of February, 2007, within my jurisdiction, Tim Gentry, one of the subscribing witnesses to the above and foregoing instrument, who, being first duly sworn, states that he saw the within named Jerry S. Fink and wife, Jolene Fink, whose names are subscribed thereto, sign and deliver the same to the City of Olive Branch, and that the affiant subscribed his name as witness thereto in the presence of same.

Witness 

Nella J. Howard
NOTARY PUBLIC

My Commission Expires:
MISSISSIPPI STATEWIDE NOTARY PUBLIC
MY COMMISSION EXPIRES JULY 2, 2010
BONDED THRU STEGALL NOTARY SERVICE



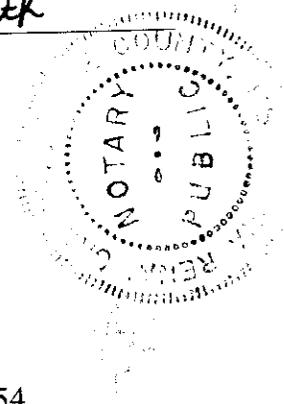
STATE OF MISSISSIPPI

COUNTY OF DESOTO

Personally appeared before me, the undersigned authority in and for the said county and state on this 13th day of March, 2007, within my jurisdiction, the within named Samuel P. Rikard and Judy C. Herrington, who acknowledged that they are the Mayor and City Clerk, respectively, of the City of Olive Branch, and that in said representative capacity they executed the above and foregoing instrument, after first having been duly authorized so to do.

Jina Rena' Griffith
NOTARY PUBLIC

My Commission Expires:
MISSISSIPPI STATEWIDE NOTARY PUBLIC
MY COMMISSION EXPIRES SEPT 25, 2010
BONDED THRU STEGALL NOTARY SERVICE



Grantor's Address:
9261 Kayla Lane
Olive Branch, Mississippi
Bus. Tel.: (901) 508-4427
Res. Tel.: (901) 508-4427

Grantee's Address:
9200 Pigeon Roost Avenue
Olive Branch, Mississippi 38654
662-892-9220
662-892-9220

PREPARED BY AND RETURN TO: Bryan E. Dye, City of Olive Branch, 9200 Pigeon Roost Rd., Olive Branch, MS 38654, 662-892-9228.

