

W
H

**GRANTOR:
TED W. ADDISON, CHERYL ADDISON,
LANCE SMITH, AND LISA H. SMITH**

TO

RIGHT-OF-WAY DEED

**GRANTEE:
CITY OF SOUTHAVEN
A MUNICIPAL CORPORATION**

FOR AND IN CONSIDERATION OF ONE DOLLAR (\$1.00) AND OTHER GOOD AND VALUABLE CONSIDERATION, WE, TED W. ADDISON, CHERYL ADDISON, LANCE SMITH, AND LISA H. SMITH, DO HEREBY CONVEY AND WARRANT UNTO THE CITY OF SOUTHAVEN, A MUNICIPAL CORPORATION, A RIGHT-OF-WAY TRACT ACROSS PREMISES, BELONGING TO SAID GRANTORS. SAID TRACT TO BE USED FOR THE PURPOSE OF IMPROVING AND MAINTAINING CHURCH ROAD, AND BEING DESCRIBED AS FOLLOWS:

A PART OF TAX PARCEL # 12.1 LOCATED IN THE SOUTHEAST QUARTER OF SECTION 6, TOWNSHIP 2 SOUTH, RANGE 7 WEST, IN DESOTO COUNTY, MISSISSIPPI, AS RECORDED IN DEED BOOK 477, PAGE 727, IN THE CHANCERY COURT CLERK'S OFFICE, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF ADDISON AND SMITH TRACT AS RECORDED IN DEED BOOK 477, PAGE 727; THENCE N00°42'09"W ALONG THE WEST LINE OF SAID TRACT A DISTANCE OF 10.00 FEET TO A POINT; THENCE AROUND A CURVE TO THE RIGHT WITH A RADIUS OF 5769.58 FEET, A CHORD BEARING OF N89°41'52"E, AND A CHORD LENGTH OF 129.94 FEET FOR AN ARC DISTANCE OF 129.95 FEET TO A POINT ON THE EAST LINE OF SAID TRACT; THENCE S00°42'09"E ALONG SAID EAST LINE A DISTANCE OF 12.98 FEET TO A POINT ON THE NORTH RIGHT OF WAY OF CHURCH ROAD; THENCE N88°59'09"W ALONG SAID RIGHT OF WAY A DISTANCE OF 130.00 FEET TO THE POINT OF BEGINNING; CONTAINING 0.04 ACRES, MORE OR LESS.

ALSO:

A PERMANENT DRAINAGE EASEMENT

THIS EASEMENT SHALL BE ON THE ABOVE DESCRIBED PARCEL AND IS FOR THE PURPOSE OF IMPROVING AND MAINTAINING DRAINAGE ALONG CHURCH ROAD. AND BEING DESCRIBED AS :

BEGINNING AT A POINT THAT IS N00°42'09"W A DISTANCE OF 20.00 FEET AND N89°19'17"E A DISTANCE OF 54.18 FEET FROM THE SOUTHWEST CORNER OF THE ADDISON AND SMITH TRACT AS RECORDED IN DEED BOOK 477, PAGE 727; THENCE AROUND A CURVE TO THE RIGHT WITH A RADIUS OF 5779.58 FEET, A CHORD BEARING OF N89°40'10"E, AND A CHORD LENGTH OF 16.00 FEET FOR AN ARC DISTANCE OF 16.00 FEET TO A POINT; THENCE S00°19'50"E A DISTANCE OF 10.00 FEET TO A POINT; THENCE AROUND A CURVE TO THE LEFT WITH A RADIUS OF 5769.58 FEET, A CHORD BEARING OF S89°40'10"W, AND A CHORD LENGTH OF 16.00 FEET FOR AN ARC DISTANCE OF 16.00 FEET TO A POINT; THENCE N00°19'50"W A DISTANCE OF 10.00 FEET TO THE POINT OF BEGINNING; CONTAINING 160.00 SQUARE FEET, MORE OR LESS.

ALSO:

A TEMPORARY CONSTRUCTION EASEMENT

THIS EASEMENT SHALL BE ON THE ABOVE DESCRIBED PARCEL AND IS FOR THE PURPOSE OF PROVIDING INGRESS, EGRESS, STORAGE OF MATERIALS AND EQUIPMENT, AND WORK AREAS DURING CONSTRUCTION OF IMPROVEMENTS TO CHURCH ROAD AND IMPROVEMENTS TO DRAINAGE ALONG CHURCH ROAD. THIS EASEMENT SHALL BECOME NULL AND VOID UPON COMPLETION OF THE PROJECT.

BEGINNING AT A POINT ON THE WEST LINE OF THE ADDISON AND SMITH TRACT AS RECORDED IN DEED BOOK 477, PAGE 727, SAID POINT BEING N00°42'09"W A DISTANCE OF 10.00 FEET FROM THE SOUTHWEST CORNER OF SAID TRACT; THENCE N00°42'09"W ALONG SAID WEST LINE A DISTANCE OF 10.00 FEET TO A POINT; THENCE ALONG A CURVE TO THE RIGHT WITH A RADIUS OF 5779.58 FEET, A CHORD BEARING OF N89°19'17"E, AND A CHORD LENGTH OF 54.18 FEET FOR AN ARC DISTANCE OF 54.18 FEET TO A POINT; THENCE S00°19'50"E A DISTANCE OF 10.00 FEET TO A POINT; THENCE ALONG A CURVE TO THE LEFT WITH A RADIUS OF 5769.58 FEET; A CHORD BEARING OF S89°19'16"W, AND A CHORD LENGTH OF 54.12 FEET FOR AN ARC DISTANCE OF 54.12 FEET TO THE POINT OF BEGINNING; CONTAINING 0.01 ACRE, MORE OR LESS.

AND

BEGINNING AT A POINT ON THE EAST LINE OF THE ADDISON AND SMITH TRACT AS RECORDED IN DEED BOOK 477, PAGE 727, SAID POINT BEING N00°42'09"W A DISTANCE OF 12.98 FEET FORM THE SOUTHEAST CORNER OF SAID TRACT; THENCE AROUND A CURVE TO THE LEFT WITH A RADIUS OF 5769.58 FEET, A CHORD BEARING OF N89°57'15"W, AND A CHORD LENGTH OF 59.83 FEET FOR AN ARC DISTANCE OF 59.83 FEET TO A POINT; THENCE N00°19'50"W A DISTANCE OF 10.00 FEET TO A PONT; THENCE ALONG A CURVE TO THE RIGHT WITH A RADIUS OF 5779.58 FEET, A CHORD BEARING OF S89°57'18"E, AND A CHORD LENGTH OF 59.77 FEET FOR AN ARC DISTANCE OF 59.77 FEET TO A POINT ON THE EAST LINE OF SAID TRACT; THENCE S00°42'09"E ALONG SAID EAST LINE A DISTANCE OF 10.00 FEET TO THE POINT OF BEGINNING; CONTAINING 0.01 ACRE, MORE OR LESS.

INDEXING INSTRUCTIONS: THE SOUTHEAST QUARTER OF SECTION 6, TOWNSHIP 2 SOUTH, RANGE 7 WEST

THE GRANTORS FULLY UNDERSTAND THAT THEY ARE ENTITLED TO BE DULY COMPENSATED FOR THE PROPERTY CONVEYED HEREIN, BUT GRANTORS DESIRE TO DONATE SAME TO THE CITY AND DO HEREBY WAIVE THE RIGHT TO COMPENSATION.

THIS AGREEMENT TOGETHER WITH OTHER PROVISIONS OF THIS GRANT SHALL CONSTITUTE A COVENANT RUNNING WITH THE LAND FOR THE BENEFIT OF THE GRANTEE, ITS SUCCESSORS AND ASSIGNS. THE GRANTORS DO COVENANT THAT THEY ARE THE OWNERS OF THE ABOVE MENTIONED LAND AND THAT SAID LAND IS FREE AND CLEAR OF ALL ENCUMBRANCES AND LIENS EXCEPT THE FOLLOWING: _____

EXECUTED AND DELIVERED THIS 3rd DAY OF May, 2007
[Signature]
[Signature]
[Signature]

STATE OF Mississippi
COUNTY OF DeSoto

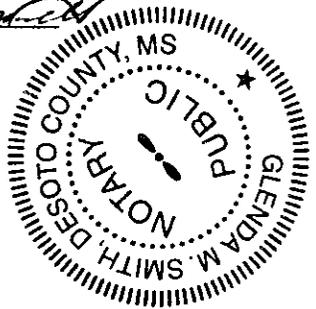
THIS DAY PERSONALLY APPEARED BEFORE ME, THE UNDERSIGNED AUTHORITY IN AND FOR SAID COUNTY AND STATE, THE WITHIN NAMED Lance + Lisa Smith + Ted + Cheryl Addison WHO ACKNOWLEDGED THAT they SIGNED AND DELIVERED THE ABOVE AND FOREGOING INSTRUMENT ON THE DAY AND YEAR THEREIN MENTIONED, AS _____ FREE AND VOLUNTARY ACT AND DEED AND FOR THE PURPOSES THEREIN EXPRESSED.

GIVEN UNDER MY HAND AND OFFICIAL SEAL OF OFFICE THIS THE 3rd DAY OF May 2007.

[Signature]
NOTARY PUBLIC

MISSISSIPPI STATEWIDE NOTARY PUBLIC
MY COMMISSION EXPIRES AUG. 19, 2008
BONDED THRU STEGALL NOTARY SERVICE

MY COMMISSION EXPIRES: _____



STATE OF _____
COUNTY OF _____

THIS DAY PERSONALLY APPEARED BEFORE ME, THE UNDERSIGNED AUTHORITY IN AND FOR SAID COUNTY AND STATE, THE WITHIN NAMED _____ WHO ACKNOWLEDGED THAT _____ SIGNED AND DELIVERED THE ABOVE AND FOREGOING INSTRUMENT ON THE DAY AND YEAR THEREIN MENTIONED, AS _____ FREE AND VOLUNTARY ACT AND DEED AND FOR THE PURPOSES THEREIN EXPRESSED.

GIVEN UNDER MY HAND AND OFFICIAL SEAL OF OFFICE THIS THE _____ DAY OF _____ 2007.

NOTARY PUBLIC

MY COMMISSION EXPIRES: _____

STATE OF _____
COUNTY OF _____

THIS DAY PERSONALLY APPEARED BEFORE ME, THE UNDERSIGNED AUTHORITY IN AND FOR SAID COUNTY AND STATE, THE WITHIN NAMED _____ WHO ACKNOWLEDGED THAT _____ SIGNED AND DELIVERED THE ABOVE AND FOREGOING INSTRUMENT ON THE DAY AND YEAR THEREIN MENTIONED, AS _____ FREE AND VOLUNTARY ACT AND DEED AND FOR THE PURPOSES THEREIN EXPRESSED.

GIVEN UNDER MY HAND AND OFFICIAL SEAL OF OFFICE THIS THE _____ DAY OF _____ 2007.

NOTARY PUBLIC

MY COMMISSION EXPIRES: _____

STATE OF _____
COUNTY OF _____

THIS DAY PERSONALLY APPEARED BEFORE ME, THE UNDERSIGNED AUTHORITY IN AND FOR SAID COUNTY AND STATE, THE WITHIN NAMED _____ WHO ACKNOWLEDGED THAT _____ SIGNED AND DELIVERED THE ABOVE AND FOREGOING INSTRUMENT ON THE DAY AND YEAR THEREIN MENTIONED, AS _____ FREE AND VOLUNTARY ACT AND DEED AND FOR THE PURPOSES THEREIN EXPRESSED.

GIVEN UNDER MY HAND AND OFFICIAL SEAL OF OFFICE THIS THE _____ DAY OF _____ 2007.

NOTARY PUBLIC

MY COMMISSION EXPIRES: _____

GRANTEE'S ADDRESS:
CITY OF SOUTHAVEN
8710 NORTHWEST DRIVE
SOUTHAVEN, MS. 38671
WK.TEL: (662) 280-2489
HM.TEL: N/A

GRANTOR'S ADDRESS:
TED ADDISON
3950 OLE DAN RD
SOUTHAVEN, MS 38671
WK.TEL.: N/A
HM.TEL: 662-429-3950

PREPARED BY AND RETURN TO:
CITY ATTORNEY'S OFFICE
8710 NORTHWEST DRIVE
SOUTHAVEN, MS. 38671
WK.TEL: (662) 280-2489
HM. TEL: N/A