

R.P. Funderburk III, Elizabeth Funderburk Bass,  
Sidney Vanderburg, Orafine Vanderburg,  
David H. Vanderburg and Laney Funderburk, Trustee  
for the Laney Funderburk Children's Trust dated March 23, 1982  
GRANTORS

WARRANTY

TO

DEED

BNSF Railway Company  
GRANTEE

For and in consideration of the sum of Ten Dollars (\$10.00), cash in hand paid, and other good and valuable considerations, the receipt and sufficiency of all of which is hereby acknowledged, R.P. Funderburk III, Elizabeth Funderburk Bass, Sidney Vanderburg, Orafine Vanderburg, David H. Vanderburg and Laney Funderburk, Trustee for the Laney Funderburk Children's Trust dated March 23, 1982 filed for record in Power of Attorney Book 75, Page 28, do hereby sell, convey, and warrant unto BNSF Railway Company, the following described property situated in the County of DeSoto, State of Mississippi, together with all improvements and appurtenances thereon more particularly described as follows:

Being part of the Southeast quarter of Section 28, Township 1 South, Range 6 West, City of Olive Branch, DeSoto County, Mississippi more particularly described as follows:

Commencing from a p.k. nail found at the Northwest corner of Section 28, Township 1 South, Range 6 West, City of Olive Branch, DeSoto County, Mississippi; thence South for a distance of 2,265.68 feet to a point; thence East for a distance of 3,780.46 feet to a half inch iron pin set, said point being 65 feet Southwesterly from the centerline of the BNSF railway, and the Point of Beginning; thence North 44 degrees 59 minutes 12 seconds East for a distance of 15.01 feet to a point, said point being 50 feet Southwesterly from the centerline of the BNSF railway and being on the existing Southern right of way line of the railway and being referenced by a half inch iron pipe found 0.57 feet to the Northeast along property line; thence continuing along said existing right of way South 46 degrees 52 minutes 42 seconds East for a distance of 220.81 feet to a point; thence continuing along said existing right of way South 46 degrees 52 minutes 33 seconds East for a distance of 125.29 feet to a point, to a half inch iron pin set; thence leaving said right of way South 43 degrees 03 minutes 43 seconds West for a distance of 15.00 feet to half inch iron pin set, said point being 65 feet Southwesterly from the centerline of the BNSF railway and being on the proposed Southern right of way line; thence continuing along said right of way North 46 degrees 52 minutes 33 seconds West for a distance of 125.31 feet to a half inch iron pin set; thence continuing along said right of way North 46 degrees 52 minutes 42 seconds West for a distance of 221.30 feet to a half inch iron pin set, said point being the Point of Beginning. Said parcel contains 5,196.02 sq. ft. +/- (0.12 Acres) and is subject to right of way and easements of record.

INDEXING INSTRUCTIONS: Located in the Southeast Quarter of Section 28, Township 1 South, Range 6 West, DeSoto County, Mississippi.

The warranty in this deed is subject to subdivision and zoning regulations in effect in DeSoto County, rights of ways and easements for public roads and public utilities and restrictive covenants and easements of record.

It is understood and agreed that the taxes for the year 2007 have been prorated as of this date on an estimated basis and when said taxes are actually determined, if the proration is incorrect then Grantor(s) agree to pay Grantee(s) or their assigns any deficiency and likewise Grantee(s) agree to pay Grantor(s) or their assigns any amount overpaid.

Possession is to be given with delivery of this Deed.

Eric

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WITNESS OUR SIGNATURES, this the 12th day of June, 2007

R.P. Funderburk III  
R.P. Funderburk III

Elizabeth Funderburk Bass  
Elizabeth Funderburk Bass

Sidney Vanderburg  
Sidney Vanderburg

Orafine Vanderburg  
Orafine Vanderburg

David H. Vanderburg  
David H. Vanderburg

Laney Funderburk  
Laney Funderburk, Trustee for the  
Laney Funderburk Children's Trust dated  
March 23, 1982

STATE OF Mississippi  
COUNTY OF DeSoto

Personally appeared before me, the undersigned authority in and for the said county and state, on this the 12<sup>th</sup> day of June, 2007, within my jurisdiction, the within named R.P. Funderburk, III, Elizabeth Funderburk Bass, Sidney Vanderburg, Orafine Vanderburg and David Vanderburg who acknowledged that he executed the above and foregoing instrument.

Adrienne Ray  
Notary Public  
Adrienne Ray

My Commission Expires:

July 15, 2008



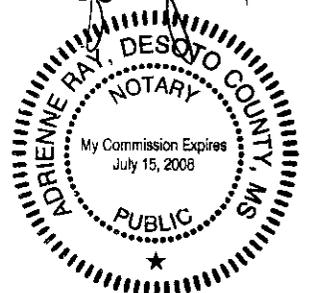
STATE OF MISSISSIPPI  
COUNTY OF DESOTO

Personally appeared before me, the undersigned authority in and for the said county and state, on this 12<sup>th</sup> day of June, 2007, within my jurisdiction, the within named Laney Funderburk, who acknowledged that he is Trustee of the Laney Funderburk Children's Trust dated March 23, 1982, and that in said representative capacity he executed the above and foregoing instrument, after first having been duly authorized so to do.

Adrienne Ray  
Notary Public  
Adrienne Ray

My Commission Expires:

July 15, 2008



GRANTOR'S ADDRESS:  
1805 Hawthorne Drive  
Hernando, MS 38632  
Work Phone #: (901) 262-8113  
Home Phone #: N/A

GRANTEE'S ADDRESS:  
2500 Lou Menk Drive, AOB #3  
Fort Worth, Texas 76137  
Work Phone #: (817) 352-6461  
Home Phone #: N/A

THIS INSTRUMENT PREPARED BY:  
Eric L. Sappenfield, PLLC  
6858 Swinnea Road  
#5 Rutland Place  
Southaven, Mississippi 38671  
(662) 349-3436

FILE NUMBER: 12148

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