

This instrument prepared by:
Smith Phillips Mitchell Scott & Nowak, LLP
2545 Caffey St.
Hernando, MS 38632
662-429-5041

mc 10/07/08 4:11:01
BK 595 PG 96
DESOTO COUNTY, MS
W.E. DAVIS, CH CLERK

**DEAN ROAD, LLC,
GRANTOR**

**TEMPORARY CONSTRUCTION
EASEMENT**

**DESOTO COUNTY, MISSISSIPPI,
GRANTEE**

For and in consideration of the sum of \$10.00 cash in hand paid and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, DEAN ROAD, LLC, A MEMBER MANAGED MISSISSIPPI LIMITED LIABILITY COMPANY, BY AND THROUGH CHERRY TREE LAND CO., LLC, A MANAGER MANAGED MISSISSIPPI LIMITED LIABILITY COMPANY, ITS MEMBER, HEREIN REPRESENTED BY CHERRY TREE MANAGEMENT CO., LLC, A MISSISSIPPI LIMITED LIABILITY COMPANY, its manager, whose address is P.O. 772009, Memphis, Tennessee 38177-2009 does hereby grant and convey a temporary construction easement to DESOTO COUNTY, MISSISSIPPI its employees, agents, contractors, and cooperation parties, such as the Natural Resources Conversation Service of the United States Department of Agriculture, with the right to enter upon the following described lands as a construction and work area, including the right to move, store, and remove equipment and supplies, and to perform any other work necessary and incident to the improving of drainage ditches, together with the right to grade land, install rip rap or similar materials, trim, cut, fell and remove therefrom all snags, trees, underbrush, obstructions, and any other vegetation, structures, or obstacles within the limits of the easement:

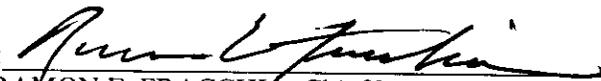
Commencing at the Northwest Quarter of Section 27, Township 2 South, Range 8 West, in DeSoto County, Mississippi, thence Southward approximately 3110 ft along the centerline of Tulane Road to a point being the intersection of Tulane and Dean Road; thence Eastward approximately 3180 feet along the centerline of Dean Road to a county road bridge over Hurricane Creek and Point of Beginning; said point being the intersection of the flow line of Hurricane Creek and centerline of Dean Road; thence a strip of land 100 feet on both sides of existing channel extending upstream and downstream from said point for a distance of 180 feet for the purpose of Emergency Watershed Protection containing 1.65 acres, more or less. Said property lying in the Southeast Quarter.

By way of explanation, Grantor owns a portion of the above described property and grants and conveys the temporary easement to Grantee with regard to any and all interest it has in the above described property.

The temporary construction easement shall last for two years or until the completion of the project, whichever comes first.

WITNESS MY SIGNATURE, on the date as set forth below.

Cherry Tree Management Co., LLC, a Mississippi Limited Liability Company, which Limited Liability Company is the Manager of Cherry Tree Land Co., LLC, a Manager Managed Mississippi Limited Liability Company, which Limited Liability Company is the Member of DEAN ROAD, LLC, a Member Managed Mississippi Limited Liability Company

BY: 
RAMON E. FRACCHIA, Chief Manager of Cherry Tree Management Co., LLC, a Mississippi Limited Liability Company

Dated: 9-4-08

STATE OF Tennessee
COUNTY OF Shelby

BK 595 PG 97

This day personally appeared before me, the undersigned authority in and for said County and State, the within named, Ramon E. Fracchia, to me known to be the person described in and who executed the foregoing instrument, and he acknowledged before me that he is the Chief Manager of Cherry Tree Management Co., LLC, a Mississippi Limited Liability Company, which Limited Liability Company is the Manager of Cherry Tree Land Co., LLC, a Manager Managed Mississippi Limited Liability Company, is the manager of DEAN ROAD, LLC, a Member Managed Mississippi Limited Liability Company, and that as such chief manager, after being duly authorized do so and being informed of the contents of same and in his capacity as chief manager, he voluntarily signed and delivered the above and foregoing instrument on the day and year therein mentioned.

GIVEN under my hand and official seal of office, this the 4th day of September, 2008.

Joy E. Thetford
Notary Public

My commission expires:
9-30-09



GRANTORS ADDRESS: P.O. Box 772009, Memphis, TN 38177-2009
GRANTORS PHONE NUMBER: Business - (901) 747-3076

GRANTEES ADDRESS & PHONE:
365 Loshier St.
Hernando, MS 38632
Home Phone: N/A
Business Phone: 662-429-5011