

**RIGHT OF WAY DEED**

L. HAROLD NICHOLS

GRANTOR

TO

THE CITY OF OLIVE BRANCH  
A MUNICIPAL CORPORATION,

GRANTEE

FOR AND IN CONSIDERATION of the sum of 11,500.<sup>00</sup>  
and other good and valuable consideration, the receipt and sufficiency of which is hereby  
acknowledged, L. HAROLD NICHOLS does hereby convey and warrant unto the CITY  
OF OLIVE BRANCH, A MUNICIPAL CORPORATION, for right-of-way the land  
lying and being situated in the City of Olive Branch, DeSoto County, Mississippi, more  
particularly described as follows, to wit:

See Exhibit "1" for complete legal description.

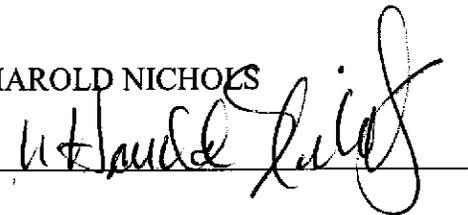
No statement or representation of any agent or representative of the GRANTEE,  
or any other person pretending to represent GRANTEE, not incorporated herein, shall be  
a part of this Contract or be deemed an inducement to the execution hereof. No alleged  
Oral Agreement between GRANTEE and the GRANTOR, and no Oral Promise on the  
part of the GRANTEE not incorporated herein, shall have any validity or effect  
whatsoever.

Grantor fully understands that it 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 right-of-way herein described. Grantor has exercised that right and  
conveys the real property for the Right-of-Way and any associated easement herein  
described to Grantee for the consideration set forth herein.

It is further agreed that Grantor conveys to Grantee a temporary access and  
construction easement for the purpose of allowing Grantee to perform construction of  
roadway within the above referenced right-of-way. The Easement referenced herein is  
temporary in nature and will expire and terminate upon completion of the construction of  
the Craft Road project and restoration of Grantor's property. The temporary Easement is  
further described in Exhibit "1" attached hereto. Grantee is hereby authorized and  
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.

WITNESS my signature this the 4<sup>th</sup> day of November, 2008.

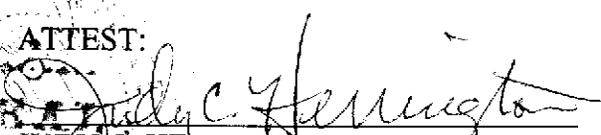
L. HAROLD NICHOLS



APPROVED AND ACCEPTED by the  
City of Olive Branch

By:   
SAMUEL P. RIKARD, MAYOR

ATTEST:

  
JUDY C. HERRINGTON, CITY CLERK



City of OB

STATE OF MISSISSIPPI

COUNTY OF DESOTO

Personally appeared before me, the undersigned authority in and for the said county and state, on this 4 day of November, 2008, within my jurisdiction, L. Harold Nichols, who, being first duly sworn, states that he executed the foregoing document as his free and voluntary act.

*Nolea 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

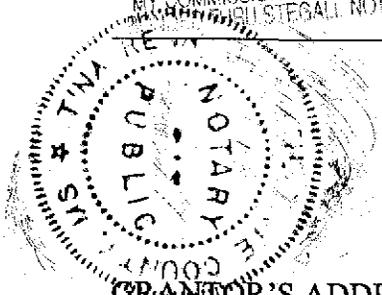
COUNTY OF DESOTO

Personally appeared before me, the undersigned authority in and for the said county and state on this 20<sup>th</sup> day of November, 2008, 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' Griffie*

NOTARY PUBLIC

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



GRANTOR'S ADDRESS  
8134 Saddle Creek Cr.  
Olive Branch, MS  
Home: 662-895-6070  
Bus: 901-409-6710

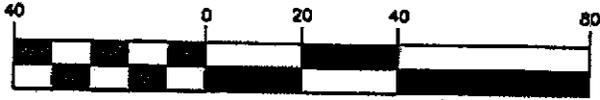
GRANTEE'S ADDRESS  
9200 Pigeon Roost Rd.  
Olive Branch, MS 38654  
Bus: 662-892-9228  
Other: 662-892-9228

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

**INDEXING INSTRUCTIONS**  
 SITUATED IN THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 30, AND ALSO THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 29, BOTH IN TOWNSHIP 1 SOUTH, RANGE 6 WEST, DESOTO COUNTY, MISSISSIPPI.



**GRAPHIC SCALE**



( IN FEET )  
 1 inch = 40 ft.

CITY OF OLIVE BRANCH  
 DB 308, PG 399

PROPOSED R.O.W.

CENTERLINE  
 CRAFT ROAD

PROPOSED R.O.W.

MAGNOLIA PROPERTIES  
 DB 429, PG 683  
 DB 455, PG 465  
 (12.90 ACRES)

TOTAL R.O.W. REQ'D.  
 0.102 AC.±  
 4,457 SQ. FT.

JAMES HOWARD  
 DB 172, PG 86  
 (8.10 ACRES)

TEMPORARY  
 CONSTRUCTION  
 EASEMENT  
 0.094 AC.  
 4,086 SQ. FT.

PARENT TRACT  
 HAROLD NICHOLS  
 DB 242, PG 575  
 (0.90 ACRES / 39,204 SQ. FT.)

REMAINING UNENCUMBERED =  
 30,661 SQ. FT.

CHURCH OF GOD  
 DB 129, PG 634  
 (2.30 ACRES)

P.O.B.  
 PROPOSED  
 R.O.W.

N89°14'15"E  
 44.23'

N01°28'53"W  
 102.58'

15' PRESCRIPTIVE R.O.W.  
 0.04 AC. ±

S00°39'10"E  
 102.43'

S89°02'56"W  
 42.75'

NORTH  
 3,772.17'

WEST  
 105.74'

T-1-S, R-6-W



**LEGAL DESCRIPTION PROPOSED RIGHT OF WAY:**

COMMENCE AT THE SOUTHEAST CORNER OF SECTION 30, TOWNSHIP 1 SOUTH, RANGE 6 WEST, DESOTO COUNTY MISSISSIPPI AND RUN THENCE WEST FOR 105.74 FEET; THENCE RUN NORTH FOR 3,772.17 FEET TO THE POINT OF BEGINNING;

FROM SAID POINT OF BEGINNING, RUN THENCE N01°28'53"W FOR 102.58 FEET; THENCE RUN N89°14'15"E FOR 44.23 FEET; THENCE RUN S00°39'10"E FOR 102.43 FEET; THENCE RUN S89°02'56"W FOR 42.75 FEET BACK TO THE POINT OF BEGINNING, CONTAINING 4,457 SQUARE FEET OR 0.102 ACRES, MORE OR LESS, AND BEING SITUATED IN THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 30, AND ALSO THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 29, BOTH IN TOWNSHIP 1 SOUTH, RANGE 6 WEST, DESOTO COUNTY, MISSISSIPPI.

**Notes:**

1. Bearings shown are referenced to NAD 83 Grid North based upon GPS observation.
2. The location of those deed lines and right-of-way lines shown on this plat that do not serve as a boundary for the subject property are not based on surveyed data and are approximate only.
3. This survey has been performed without the benefit of a title opinion. Encumbrances including but not limited to easements and rights of way not shown on this plat may exist that were not apparent at the time of survey.
4. 1/2" X 18" rebars set at all corners unless otherwise noted.

I hereby certify that this is a true and correct survey of the premises shown hereon, that said survey has been performed under my direct supervision in accordance with the minimum standards for land surveying in the state of Mississippi to the best of my knowledge and belief. Witness my signature this the 28 day of SEPTEMBER, 2007.

*John A. Palmerton*  
 John A. Palmerton, P.L.S. # 2878



**MW**  
**MENDROP-WAGES**  
 854 WILSON DRIVE  
 SUITE A  
 RIDGELAND, MS 39157  
 TEL. (601) 899-5158  
 FAX. (601) 899-5110

**CRAFT ROAD IMPROVEMENTS  
 PROPOSED RIGHT OF WAY  
 HAROLD NICHOLS  
 OLIVE BRANCH, DESOTO COUNTY, MISSISSIPPI  
 C-257-01-17**

DRAWN BY: JAP

DATE: 9/06/07

SCALE: 1" = 40'

**INDEXING INSTRUCTIONS**

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CRAFT ROAD

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EASEMENT

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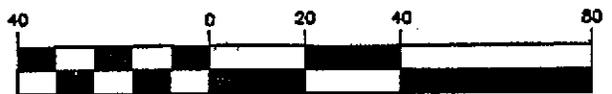
FROM SAID POINT OF BEGINNING, RUN THENCE S89°02'56"W FOR 40.00 FEET; THENCE RUN N01°28'09"W FOR 101.52 FEET; THENCE RUN N87°03'19"E FOR 31.33 FEET; THENCE RUN N89°14'14"E FOR 8.66 FEET; THENCE RUN S01°28'53"E FOR 102.58 FEET BACK TO THE POINT OF BEGINNING, CONTAINING 4,086 SQUARE FEET OR .094 ACRES, MORE OR LESS, AND BEING SITUATED IN THE SOUTHEAST QUARTER OF SECTION 30, TOWNSHIP 1 SOUTH, RANGE 6 WEST, DESOTO COUNTY, MISSISSIPPI.

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- 4.1/2" X 18" rebars set at all corners unless otherwise noted.

T-1-S, R-6-W

GRAPHIC SCALE



( IN FEET )  
1 inch = 40 ft.

I hereby certify that this is a true and correct survey of the premises shown hereon, that said survey has been performed under my direct supervision in accordance with the minimum standards for land surveying in the state of Mississippi to the best of my knowledge and belief. Witness my signature this the 6 day of SEPTEMBER, 2007.

  
John A. Palmerton, P.L.S. # 2878

