

Saturn WI-1A Easement

Prepared by:

Butler, Snow, O'Mara, Stevens & Cannada, PLLC



Attn: Kelly P. Bridgforth

6075 Poplar Avenue, Suite 500

Memphis, TN 38119

(901) 680-7200

To the Chancery Clerk of DeSoto County, Mississippi:

The real property described herein is situated in the Southeast Quarter (SE-1/4) of Section 8 and in the ~~West One-half (W-1/2)~~ of Section 9, Township 2 South, Range 9 West, DeSoto County, Mississippi.

Northwest Quarter (NW-1/4) and the Southwest Quarter (SW-1/4)

PERMANENT UTILITY EASEMENT AND
TEMPORARY CONSTRUCTION EASEMENT

SATURN DEVELOPMENT, INC.

GRANTOR

TO

DESOTO COUNTY REGIONAL UTILITY AUTHORITY

GRANTEE

In consideration of Ten Dollars (\$10.00) and other good and valuable consideration, SATURN DEVELOPMENT, INC. (the "Grantor"), grants to DESOTO COUNTY REGIONAL UTILITY AUTHORITY ("Grantee"), a body politic, a perpetual and assignable easement and right-of-way in, on, over and across the land, for the location, operation, maintenance, alteration, repair and patrol of an underground sewer pipeline; together with the right to trim, cut, fell and remove therefrom all trees, underbrush, obstructions and other vegetation, structures, or obstacles within the limits of the right-of-way; reserving, however, to the land-owners, their heirs and assigns, all such rights and privileges as may be used without interfering with or abridging the rights and easement hereby acquired; subject, however, to existing easements for public roads and highways, public utilities, railroads and pipelines over the land in DeSoto County, Mississippi described as part of the Southeast Quarter (SE-1/4) of Section 8 and in the ~~West One-half (W-1/2)~~ of Section 9, Township 2 South, Range 9 West, DeSoto County, Mississippi, and being a fifty (50) foot wide permanent utility easement particularly described in Exhibit "A" attached hereto.

Northwest Quarter (NW-1/4) and the Southwest Quarter (SW-1/4)

The Grantor further grants to Grantee one fifty (50) foot wide temporary construction easement and one twenty-five (25) foot wide temporary construction easement and right-of-way, as more specifically described on the attached Exhibit "A."

Upon completion of the construction within the above described permanent utility easements, the above-described temporary construction easements shall terminate.

In the event any other utility or third party wishes to work or construct within this easement, said other utility or third party will be required to first give notice to the Grantee by reasonable means.

The Grantor acknowledges the existence of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, Public Law 91-646, and acknowledge that it is aware of its rights under said Act, including but not limited to:

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- a) notification of the Grantee's desire to obtain the property and receipt of a copy of the above named Act;
- b) the opportunity to receive an appraisal and to accompany the appraiser during the initial inspection; and
- c) an opportunity to have the value of the property determined by a Court of competent jurisdiction and to be compensated therefore.

Grantor fully understands that it has the right to receive just compensation for the real property herein described based on an appraisal of said property. Grantor hereby waives its right to just compensation and donates the parcel of property herein described to DeSoto County Regional Utility Authority.

WITNESS MY SIGNATURE on the date set forth below.

The Address and Telephone
Number of the Grantor:

14 Twelve Oaks Drive
Madison, MS 39110
(601)940-4481

The Address and Telephone
Number of the Grantee:

365 Loshier Street
Suite 300
Hernando, MS 38632
(662) 429-5590

SATURN DEVELOPMENT, Inc.

D. Joseph Brata

D. Joseph Brata
President

STATE OF MISSISSIPPI
COUNTY OF Hinds

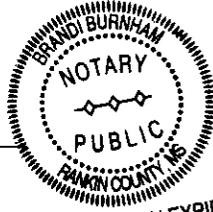
Personally appeared before me, the undersigned authority in and for the said county and state, on this the 10th day of ~~January~~^{February}, 2009, within my jurisdiction, the within named D. Joseph Brata, who acknowledged that he is President of Saturn Development, Inc., a Mississippi Corporation, and that for and on behalf of the said corporation, and as its act and deed, he executed the above and foregoing Agreement, after first having been duly authorized by said corporation so to do.

Brandi Burnham

NOTARY PUBLIC

My Commission Expires:

March 12, 2011
[AFFIX NOTARIAL SEAL]



MY COMMISSION EXPIRES:
March 12, 2011

EXHIBIT "A"**PARCEL WI-1A**

**A PROPOSED FIFTY (50) FOOT WIDE PERMANENT UTILITY EASEMENT,
A PROPOSED FIFTY (50) FOOT WIDE TEMPORARY CONSTRUCTION EASEMENT AND A
PROPOSED TWENTY FIVE (25) FOOT WIDE TEMPORARY CONSTRUCTION EASEMENT
FOR
DESOTO COUNTY REGIONAL UTILITY AUTHORITY**

SATURN DEVELOPMENT, INC.
(DB. 387, PG. 510)

Being a proposed fifty (50) foot wide permanent utility easement, a proposed fifty (50) foot wide temporary construction easement and a proposed twenty five (25) foot wide temporary construction easement being situated in the Southeast Quarter (SE 1/4) of Section 8 and in the ~~West One Half (W 1/2)~~ ^{Northwest Quarter (NW 1/4) and the Southwest Quarter (SW 1/4)} of Section 9, Township 2 South, Range 9 West, DeSoto County, Mississippi and being out of and a part of a tract of land as conveyed to Saturn Development, Inc., as recorded in Deed Book 387, Page 510, in the Chancery Clerk's Office of DeSoto County, Mississippi. Said fifty (50) foot wide permanent utility easement being measured twenty five (25) feet perpendicular to left of and right of the following described centerline;

PROPOSED FIFTY (50) FOOT WIDE PERMANENT UTILITY EASEMENT

COMMENCING at a cotton picker spindle found marking the corner common to Sections 4, 5, 8 and 9, Township 2 South, Range 9 West, DeSoto County, Mississippi;

THENCE run West, 1,555.80 feet to a point;

THENCE run South, 5,084.43 feet to a point on the North line of an existing fifty (50) foot permanent utility easement conveyed to DeSoto County Regional Utility Authority as recorded in Deed Book 528, Page 424, in the Chancery Clerk's Office of DeSoto County, Mississippi and also being the **POINT OF BEGINNING**, of the herein described fifty (50) foot wide permanent utility easement;

THENCE along said centerline, run the following courses and distances:

North 57 degrees 56 minutes 37 seconds East, 3456.24 feet to a point;

North, 720.98 feet to a point;

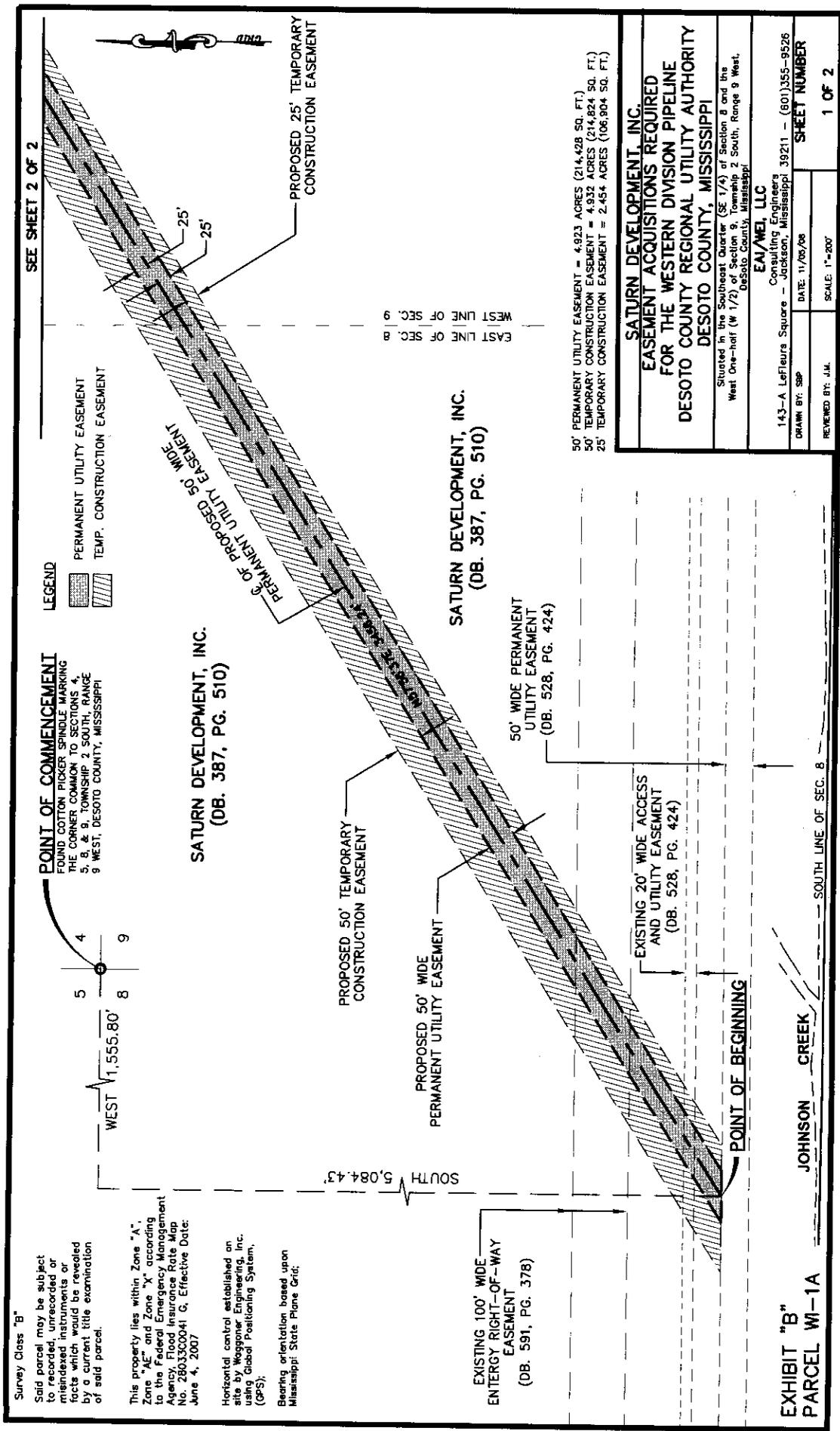
THENCE North 44 degrees 20 minutes 10 seconds East, 111.34 feet to a point on the South line of a tract of land conveyed to The Village of Memphis, Mississippi as recorded in Deed Book 400, Page 116, in the Chancery Clerk's Office of DeSoto County, Mississippi, said point also being the **POINT OF TERMINUS** of the above described centerline, containing 4.923 acres, (214,428 square feet), more or less.

PROPOSED FIFTY (50) FOOT WIDE TEMPORARY CONSTRUCTION EASEMENT

A proposed fifty (50) foot wide temporary construction easement being parallel to, adjacent to and Northwesterly of the Northwesterly line of the above described proposed fifty (50) foot wide permanent utility easement, containing 4.932 acres, (214,824 square feet), more or less.

PROPOSED TWENTY FIVE (25) FOOT WIDE TEMPORARY CONSTRUCTION EASEMENT

A proposed twenty five (25) foot wide temporary construction easement being parallel to, adjacent to and Southeasterly of the Southeasterly line of the above described proposed fifty (50) foot wide permanent utility easement, containing 2.454 acres, (106,904 square feet), more or less.



Survey Class "B"

Said parcel may be subject to recorded, unrecorded or misindexed instruments or facts which would be revealed by a current title examination of said parcel.

This property lies within Zone "A", Zone "AE" and Zone "X" according to the Federal Emergency Management Agency, Flood Insurance Rate Map No. 28033C0041 G, Effective Date: June 4, 2007

Horizontal control established on site by Reggover Engineering, Inc. with Global Positioning System, (GPS).

Bearing orientation based upon Mississippi State Plane Grid.

EXISTING 100' WIDE ENERGY RIGHT-OF-WAY EASEMENT (DB. 591, PG. 378)

POINT OF COMMENCEMENT
FOUND COTTON PICKER SPINDLE MARKING THE CORNER COMMON TO SECTIONS 4, 5, 8, & 9, TOWNSHIP 2 SOUTH, RANGE 9 WEST, DESOTO COUNTY, MISSISSIPPI

LEGEND
PERMANENT UTILITY EASEMENT
TEMP. CONSTRUCTION EASEMENT

SATURN DEVELOPMENT, INC.
(DB. 387, PG. 510)

SATURN DEVELOPMENT, INC.
(DB. 387, PG. 510)

EXHIBIT "B"
PARCEL W-1A

JOHNSON CREEK

50' PERMANENT UTILITY EASEMENT = 4,923 ACRES (214,428 SQ. FT.)
50' TEMPORARY CONSTRUCTION EASEMENT = 4,932 ACRES (214,824 SQ. FT.)
25' TEMPORARY CONSTRUCTION EASEMENT = 2,454 ACRES (106,904 SQ. FT.)

<p>SATURN DEVELOPMENT, INC. EASEMENT ACQUISITIONS REQUIRED FOR THE WESTERN DIVISION PIPELINE DESOTO COUNTY REGIONAL UTILITY AUTHORITY DESOTO COUNTY, MISSISSIPPI</p>	
<p>Located in the Southeast Quarter (SE 1/4) of Section 8 and the West One-half (W 1/2) of Section 9, Township 2 South, Range 9 West, Desoto County, Mississippi</p>	
<p>EAI/MEI, LLC Consulting Engineers 143-A LeFleurs Square - Jackson, Mississippi 39211 - (601)355-9526</p>	
<p>DRAWN BY: SBP</p>	<p>DATE: 11/05/08</p>
<p>REVIEWED BY: JAL</p>	<p>SCALE: 1"=200'</p>
<p>SHEET NUMBER 1 OF 2</p>	

Survey Class "B"

This property lies within Zone "A", Zone "AE" and Zone "X" according to the Federal Emergency Management Agency, Flood Insurance Rate Map No. 260330041 G, Effective Date: June 4, 2007

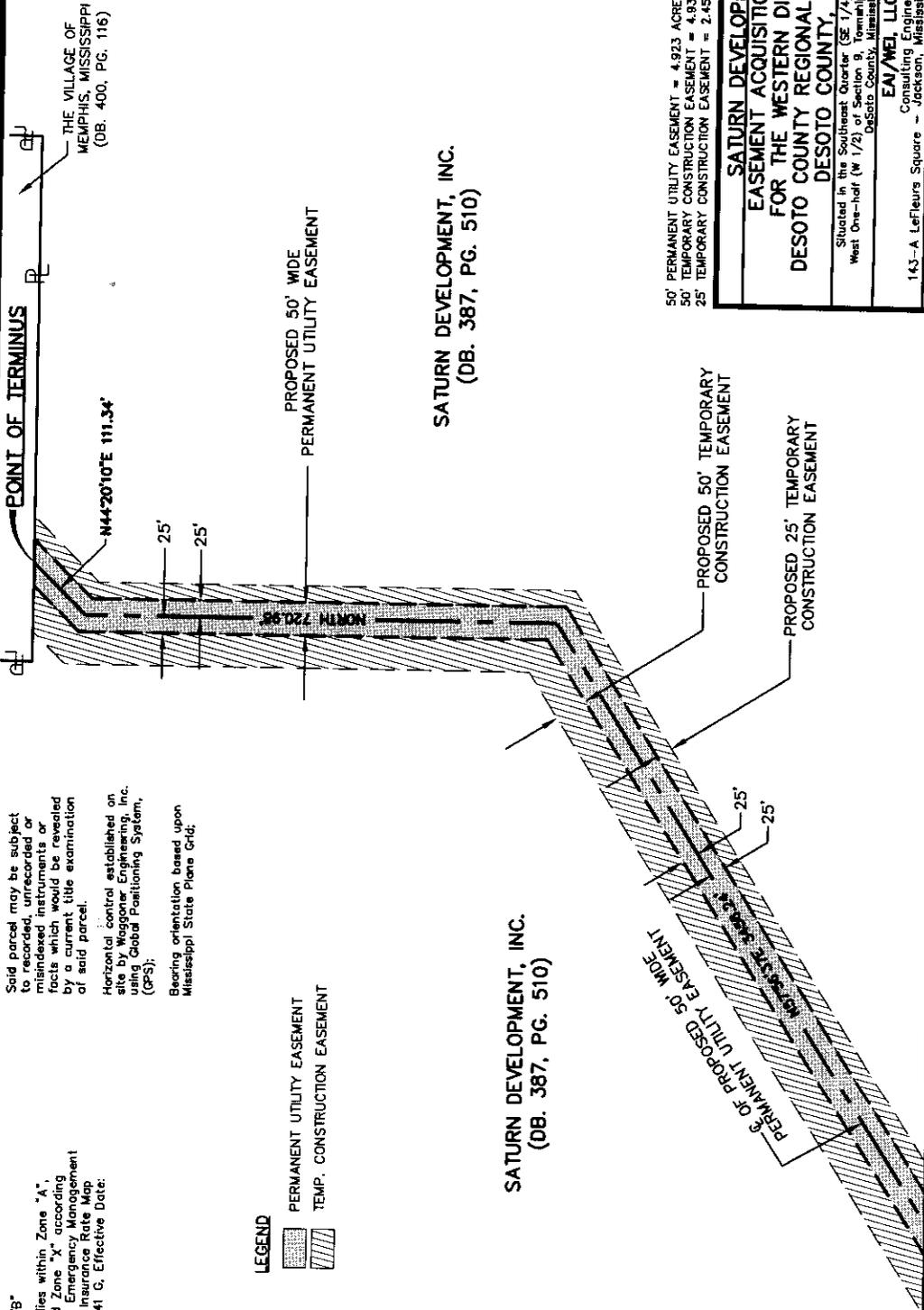
Said parcel may be subject to recorded, unrecorded or misindexed instruments or facts which would be revealed by a current title examination of said parcel.

Horizontal control established on site by Waggoner Engineering, Inc. using Global Positioning System, (GPS).

Bearing orientation based upon Mississippi State Plane Grid.

LEGEND

-  PERMANENT UTILITY EASEMENT
-  TEMP. CONSTRUCTION EASEMENT



SATURN DEVELOPMENT, INC.
(DB. 387, PG. 510)

SATURN DEVELOPMENT, INC.
(DB. 387, PG. 510)

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SATURN DEVELOPMENT, INC.	
EASEMENT ACQUISITIONS REQUIRED FOR THE WESTERN DIVISION PIPELINE	
DESOTO COUNTY REGIONAL UTILITY AUTHORITY	
DESOTO COUNTY, MISSISSIPPI	
Sited in the Southeast Quarter (SE 1/4) of Section 8 and the West One-half (W 1/2) of Section 9, Township 2 South, Range 9 West, DeSoto County, Mississippi	
EA/WEL LLC	
Consulting Engineers	
143-A Lefleurs Square - Jackson, Mississippi 39211 - (601)355-9526	
DRAWN BY: SBP	DATE: 11/09/08
REVIEWED BY: J.M.	SCALE: 1"=200'
SHEET NUMBER	
2 OF 2	

EXHIBIT "B" - PARCEL W1-1A SEE SHEET 1 OF 2