

STATE OF MISSISSIPPI)  
COUNTY OF DESOTO)

PERMANENT UTILITY EASEMENT

THIS INDENTURE, made and entered into on this the 7 day of March 2007, ~~2008~~, by and between **VICTOR J. RABY AND JOANN P. RABY**, husband and wife, party of the first part, and the **CITY OF SOUTHAVEN, MISSISSIPPI**, a municipal corporation and body politic, party of the second part.

WITNESSETH:

That the party of the first part, for and in consideration of the sum of Ten Dollars (\$10.00) cash in hand paid by the party of the second part, the receipt whereof is hereby acknowledged, and other good and valuable considerations hereinafter recited, does hereby give, grant and convey unto the part of the second party, its successors and assigns, a permanent utility easement along, across or under the hereinafter described property to be used as a general utility easement by the City of Southaven, Mississippi, all situated in DeSoto County, Mississippi and described as follows, to-wit:

A permanent utility easement located in the Southeast Quarter (SE ¼) of Section 4, Township 2 South, Range 7 West, DeSoto County, Mississippi, located in Lot 50 of Wildwood Subdivision (unrecorded), as described in Deed Book 503, Page 552, on file in the Chancery Clerk's Office, DeSoto County, Mississippi, being more particularly described as:

Said permanent utility easement is a twenty (20) foot wide strip of land parallel to the east property line of the referenced Lot 50. Strip is along, adjacent, and west of the west right of way of Getwell Road, extending from north property line of Lot 49, Wildwood Subdivision (unrecorded) as described in Deed Book 216, Page 90, on file in the Chancery Clerk's Office, DeSoto County, Mississippi, to the south property line of the Lot 51, Wildwood Subdivision (unrecorded) as described in Deed Book 478, Page 650, on file in the Chancery Clerk's Office, DeSoto County, Mississippi, a distance of 161.00 feet, more or less, containing 0.07 acres, more or less.

TOGETHER WITH all rights and privileges necessary or convenient for the full enjoyment or use thereof, including the right of ingress and egress to and from said easement;

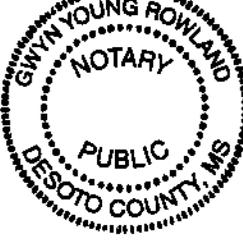
The consideration recited herein shall constitute payment in full for all damages sustained by Grantors by reason for the installation of the structures referred to herein and grantee will maintain such easement in a state of good repair and efficiency so that no unreasonable damage will result from its use of the grantor's premises. 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:

IN WITNESS THEREOF, the party of the first part hereunto subscribed their names on the date first above written.

Victor J. Raby  
VICTOR J. RABY  
Joann P. Raby  
JOANN P. RABY

STATE OF MISSISSIPPI  
COUNTY OF DESOTO

Personally appeared before me, the undersigned authority in and for said county and state, on this 7 day of March, 2007, within my jurisdiction, the within named, Victor Raby & Joann Raby, who acknowledged before me that he witnessed the execution of the above and foregoing instrument.



Notary Public State of Mississippi  
At Large  
My Commission Expires  
June 28, 2009  
BONDED THRU  
HEIDEN, BROOKS & GARLAND, INC.

Gwyn Young Rowland  
Notary Public

My Commission expires: \_\_\_\_\_

INDEXING INSTRUCTIONS: SE ¼ of Section 4, Township 2 South, Range 7, DeSoto County, Mississippi

Grantor's Address: 5185 Getwell Road  
Southaven, MS 38672  
662-895-9776

Grantee's Address: 8710 Northwest Dr.  
Southaven, MS 38671  
662-280-2489

INSTRUMENT PREPARED BY: Neel-Schaffer  
P.O. Box 851  
Southaven, Mississippi 38671  
Phn. No. (662) 342-9921