

Do not record above this line.

**TEMPORARY EASEMENT**

THE STATE OF MISSISSIPPI

County of Desoto

For and in consideration of thirty-nine thousand five hundred /100

Dollars (\$ 39,500.00 )

the receipt and sufficiency of which is hereby acknowledged, I/or we, the undersigned hereby grant, sell, convey and warrant unto the Mississippi Transportation Commission for public improvements, grading, sodding, and other construction purposes on Project No. 102556 202000, a temporary easement through, over, on and across the following described land:

The following descriptions are based on the Mississippi State Plane Coordinate System, West Zone, NAD 83/93, grid values, using a combined scale factor of .99997224 and a grid to geodetic azimuth angle of (-) 00 degrees 13 minutes 28 seconds developed at the approximate center of Project No. STP-0029-02(014) [102556/202000]. It is the intent of these descriptions to convey that portion of grantors property between the existing property lines and the proposed right-of-way lines as defined by said project:

**INDEXING INSTRUCTIONS:**

Lot 17 of the Allison Place Subdivision as recorded in Plat Book 4, Pages 30-33 and the SE/4 of the NE/4 of Section 28, Township 2 South, Range 5 West, Desoto County, Mississippi

Commencing at a found axle at the Northeast corner of Section 33, Township 2 South, Range 5 West, Desoto County, Mississippi, said point identified as N 1955911.28 E 2479375.85, on the above referenced coordinate system, run North 15 Degrees 08 Minutes 05 Seconds West a distance of 3108.85 feet to a point on the grantors west property line and the proposed south right- of- way line of

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Allison Road as shown on the acquisition maps of Project Number STP-0029-02(014) and being 75.00 feet right of proposed Allison Road project centerline station 26+70, and having a value of N 1958912.29 E2478564.16 on the above referenced coordinate system, and being referred to hereinafter as the **Point of Beginning**;

- From the **Point of Beginning** thence run along the proposed south right-of-way line of Allison Road and being 75.00 feet right of proposed Allison Road project centerline with a curve to the left having an arc length of 27.78 feet, a radius of 1507.39 feet, a chord bearing of North 41 Degrees 27 Minutes 56 Seconds East, for a distance of 27.78 feet to a point being 75.00 feet right of proposed Allison Road project centerline station 26+99.40;
- thence along the proposed south right-of-way line of Allison Road and being 75.00 feet right of proposed Allison Road project centerline North 40 Degrees 56 Minutes 15 Seconds East a distance of 68.60 feet;
- thence leaving said south right-of-way line of Allison Road run South 49 Degrees 03 Minutes 45 Seconds East a distance of 45.00 feet to a point being 120.00 feet right of proposed Allison Road project centerline station 27+65;
- thence run South 41 Degrees 05 Minutes 35 Seconds West a distance of 97.21 feet to a point being 120.00 feet right of proposed Allison Road project centerline station 26+70;
- thence run North 48 Degrees 00 Minutes 23 Seconds West a distance of 45.00 feet, more or less, back to the **Point of Beginning**, containing 4346 square feet, 0.10 acres, more or less, and being situated in the Southeast quarter of the Northeast quarter of Section 28, Township 2 South, Range 5 West, Desoto County, Mississippi.

It is understood and agreed, and it is the intention of the parties hereto, that the grantee shall have the right to use, occupy, improve, grade, sod, ditch, drain and otherwise use for construction purposes the above described land only so long as is necessary to complete the construction of said Project No. 102556 202000 in accordance with the plans and specifications for said project, said plans and specifications however, being subject to change by the Federal Highway Administration. Upon the completion of the said work of construction the said temporary easement shall terminate and all right,

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title and interest in and to the above described land shall revert to the grantors herein, their heirs, assigns, legal representatives or grantees.

It is understood by the parties hereto, that by this instrument, all of the rights and title of the undersigned mobile home located on the above described property which is identified as Serial No. \_\_\_\_\_ is being conveyed, sold and transferred to the Grantee herein and the consideration named herein above includes compensation for the above described mobile home, whether or not the said mobile home is considered to be real property or personal property by the parties hereto.

The grantor herein further warrants that the above described property is ~~no~~ part of his/or her homestead. *KC BC HBT*

It is further understood and agreed that the consideration herein named is in full payment and settlement of any and all claims or demands for damage accrued, accruing, or to accrue to the grantors herein, their heirs, assigns, or legal representatives, for or on account of the construction of the proposed highway, change of grade, water damage, and/or any other damage, right or claim whatsoever.

It is further understood and agreed that this instrument constitutes the entire agreement between the grantor and the grantee, there being no oral agreements or representations of any kind.

Witness our signature on the 30<sup>th</sup> day of, April A.D., 20. 09

*Kathy L. Castleberry*

*Brian Castleberry*

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**Grantee, Prepared by and return to:**

Mississippi Department of Transportation

Right of Way Division

P. O. Box 1850

Jackson, Mississippi 39215-1850

Phone: 601-359-7512

Account No. 102556 202000

**Grantor Address:**

1670A Pigeon Roast Rd  
Byhalia, MS 38611

Phone: 662 838-5314

Business No. NA

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In the case of natural persons acting in their own right:

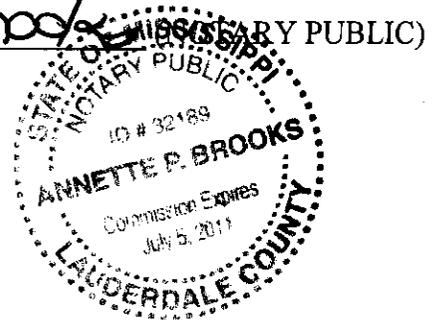
STATE OF Mississippi

COUNTY OF Desoto

Personally appeared before me, the undersigned authority in and for the said county and state,  
on this 30<sup>th</sup> day of April, 2009, within my jurisdiction, the within named  
Kathy L. Castleberry and Brian C. Castleberry  
Brian C. Castleberry

who acknowledged that (he) (she)(they) executed the above and foregoing instrument.

Annette P. Brooks



My commission expires:

July 5, 2011  
(SEAL)

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