

GRANTOR:
PATRINA Y. SMITH, FRANKIE M. SMITH,
CARLOS L. WILLIAMS, AND PAMELA Y. WILLIAMS

TO **PERMANENT UTILITY EASEMENT**

GRANTEE:
CITY OF SOUTHAVEN
A MUNICIPAL CORPORATION

FOR AND IN CONSIDERATION OF ONE DOLLAR (\$1.00), and other good and valuable consideration, We, Patrina Y. Smith, et al, do hereby convey and warrant unto the City of Southaven, its successors and assigns, a perpetual easement with the right to erect, construct, install and thereafter use, operate, inspect, repair, maintain, replace and remove water lines and necessary appurtenances thereto, on, over, and across the following described property

Being a portion of the Patrina Y. Smith, Frankie Smith, Carlos L. Williams and wife Pamela Y. Williams property lying in the northeast Quarter of the Section 28, Township 2 South, Range 7 West of Desoto County, Mississippi as recorded in Book 503, Page 518 in the Desoto County Chancery Clerk's Office and being more particularly described as follows:

Being a 10 foot strip of land located in the east part of the subject property and having a centerline being more particularly described as follows: Commencing at the intersection of the south property line of subject property and the west Right-of-Way line of Getwell Road; thence west with the south property line a distance of 8.01 feet to the point of beginning; thence in a northerly direction a distance of 117.46 feet to a point lying 8.01 feet west of the above said west R.O.W.; thence in a northerly direction a distance of 92.63 feet to a point on the north property line, said point being 10.93 feet west of the intersection of the north property line of subject property and the above said west R.O.W. of Getwell Road. This described permanent utility easement contains 2,101 square feet, more or less.

AND: A TEMPORARY CONSTRUCTION EASEMENT

Being a 10 foot wide strip of land parallel and adjacent to the west side of the above described permanent utility easement and the strip of land lying between the above described permanent utility easement and the west Right-of-Way of Getwell Road and containing 2,884 square feet, more or less.

The purpose of the temporary construction easement is to provide for work areas, and storage of materials and equipment during the installation of said water system improvements. This temporary construction easement will become null and void upon completion of the project.

See: Exhibit No. 1

Together with the right of ingress and egress over Grantor's adjacent lands for the purpose for which the above mentioned rights are granted.

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 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:

Witness my signatures on this the 13 day of July, 20089

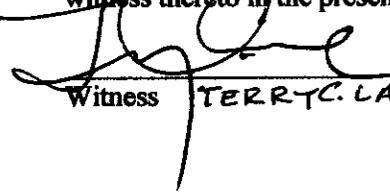
Frankie Smith
Pamela Williams
Carlos Williams
Patrina Smith

Grantor's address:
1881 Getwell RD
Desot, MS. 38651
Wk.Tel. 901 859-8459
Hm.Tel. 901 859-8459

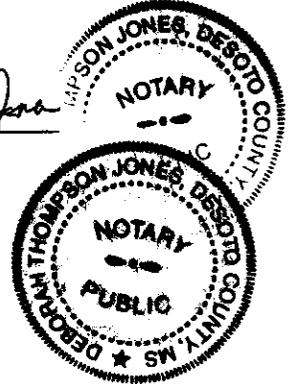
Grantee's address:
City of Southaven
8710 Northwest Drive
Southaven, MS. 38671
Wk.Tel. (662) 280-2489
Hm.Tel. N/A

Prepared by, return to:
City Attorney's Office
8710 Northwest Drive
Southaven, MS. 38671
Wk.Tel. (662) 280-2489
Hm.Tel. N/A

Personally appeared before me, the undersigned authority in and for the said County and State, on this 13 day of July, 2009, Within my jurisdiction, TERRY C. LANE, the subscribing witness to the above and foregoing instrument, who, being first duly sworn, states that he saw the within named FRANKIE SMITH, whose name is subscribed thereto, sign and deliver the same to the City of Southaven and affiant subscribed her name as witness thereto in the presence of same.


Witness TERRY C. LANE


NOTARY PUBLIC

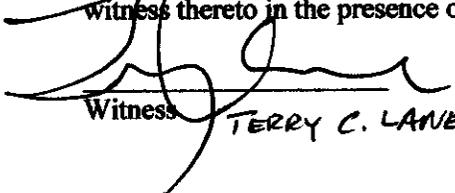


My Commission Expires:

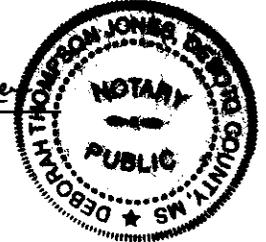
NOTARY PUBLIC STATE OF MISSISSIPPI AT LARGE
MY COMMISSION EXPIRES: Mar 21, 2011
BONDED THRU NOTARY PUBLIC UNDERWRITERS

STATE OF MISSISSIPPI
COUNTY OF DeSOTO

Personally appeared before me, the undersigned authority in and for the said County and State, on this 13 day of July, 2009, Within my jurisdiction, TERRY C. LANE, the subscribing witness to the above and foregoing instrument, who, being first duly sworn, states that he saw the within named PAMELA Y. WILLIAMS, whose name is subscribed thereto, sign and deliver the same to the City of Southaven and affiant subscribed her name as witness thereto in the presence of same.


Witness TERRY C. LANE


NOTARY PUBLIC

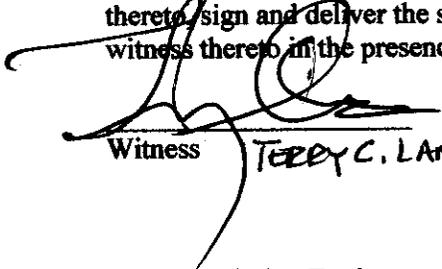


My Commission Expires:

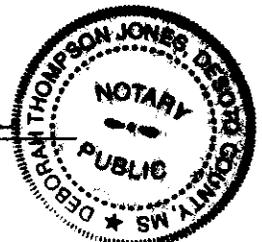
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Witness TERRY C. LANE


NOTARY PUBLIC

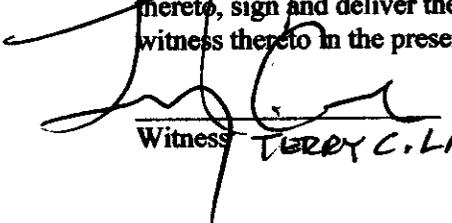


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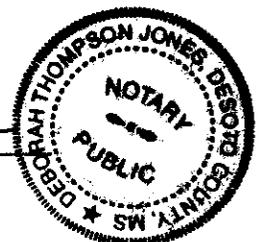
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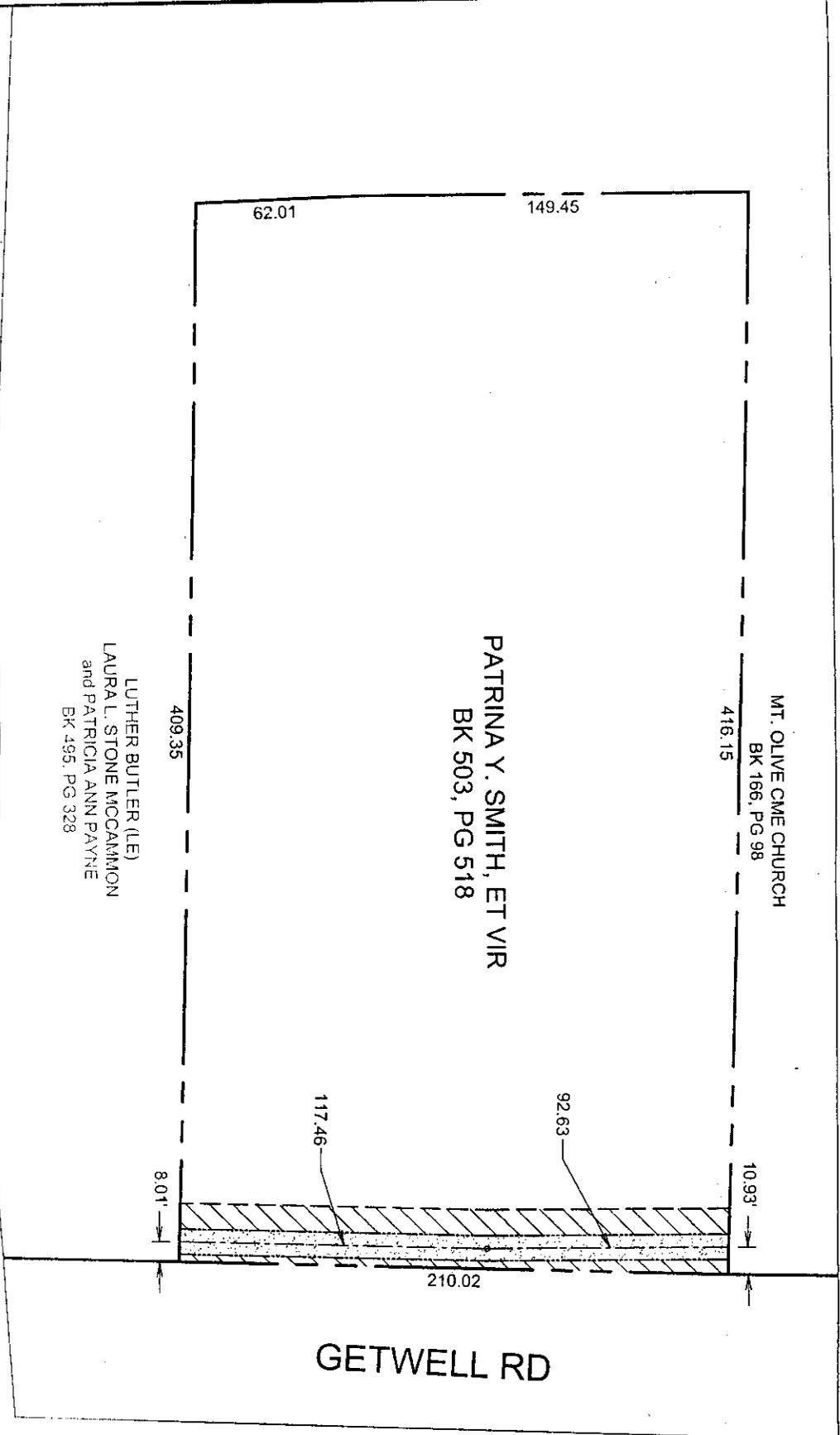

Witness TERRY C. LANE


NOTARY PUBLIC



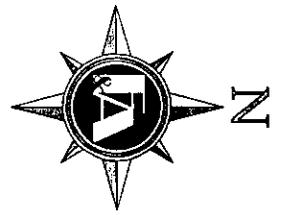
My Commission Expires:

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THIS PROPERTY IS LOCATED IN NE 1/4 SECTION 28
 TOWNSHIP 2 SOUTH, RANGE 7 WEST
 DESOTO COUNTY, MISSISSIPPI

NO.	DESCRIPTION	DATE	BY



SCALE: 1" = 60'

EASEMENT REQUIRED

UNENCUMBERED: ENCUMBERED:
 PERM: 2,101 S.F. PERM: 0.0 S.F.
 TEMP: 2,884 S.F. TEMP: 0.0 S.F.

EXHIBIT NO. 1

SHEET 1 OF 1

SOUTHAVEN, MISSISSIPPI
 DESOTO COUNTY
 SOUTHAVEN WATER IMPROVEMENTS
 UTILITY EASEMENT

PATRINA Y. SMITH, ET VIR

PREPARED BY: F&A BK 503, PG. 518 TRACT: Smith
 DRAFTSMAN: B.S. DATE: MAY, 2007