

2/02/11 11:59:08
DK W BK 651 PG 407
DESOTO COUNTY, MS
W.E. DAVIS, CH CLERK

PREPARED BY:
NORTHCENTRAL MS ELECTRIC
POWER ASSOCIATION
P.O. Box 405
Byhalia, MS 38611
(662) 838-2151

RETURN TO:
JAMES E. WOODS, MSB#7386
* WATKINS LUDLAM WINTER & STENNIS, P.A.
6897 Crumpler Blvd., Suite 100
Olive Branch, MS 38654
(662)895-2996

GRANTOR(S) ADDRESS:
Brian C. Castleberry
1670 Pigeon Roost Road
Byhalia, MS 38611
Phone: 662-838-5314
Phone: Same

GRANTEE(S) ADDRESS:
Northcentral Mississippi Electric Power Association
P.O. Box 405
Byhalia, MS 38611
Phone: 662-838-2151

INDEXING INSTRUCTIONS: NE ¼ and SE ¼ of Section 28, Township 2 South, Range 5 West, DeSoto County, Mississippi.

GRANT OF TRANSMISSION LINE EASEMENT

STATE OF MISSISSIPPI

COUNTY OF DESOTO

GRANT OF TRANSMISSION LINE EASEMENTINDEXING INSTRUCTIONS: NE ¼, SE ¼ OF SECTION 28, T2S, R5W

FOR AND IN CONSIDERATION of the sum of TEN, Dollars (\$ 10⁰⁰), cash in hand paid, receipt whereof is hereby acknowledged, we the undersigned Brian C. Castleberry, whose address is 1670 Pigeon Roost Rd., Byhalia, Ms. 38611, whose phone number is 662-838-5314 have this day bargained and sold, and by these presents do hereby grant, bargain, sell, transfer, and convey unto **NORTHCENTRAL MISSISSIPPI ELECTRIC POWER ASSOCIATION** a cooperative corporation (hereinafter called the "Cooperative") whose post office address is Byhalia, Mississippi, and to its successors or assigns, a permanent easement and right of way for the following purposes, namely: the perpetual right to enter at any time and from time to time and to erect, maintain, repair, rebuild, operate, and patrol line(s) of poles or transmission line structures with sufficient wires and cable for electric power circuits and telephone circuits, and all necessary appurtenances, in, on, over, under, and across said right of way, together with the right to clear said right of way and keep the same clear of brush, trees, buildings, and fire hazards; to destroy or otherwise dispose of such trees and brush; and to remove, destroy, or otherwise dispose of danger trees, if any, located beyond the limits of said right of way; all over, upon, across, and under the following described land situated in the County of Desoto, State of Mississippi, to-wit:

A 75' wide transmission line easement across a tract of land as described in Deed Book 620, Page 216 and as described in Exhibit "A" and shown on Exhibit "A-1", as attached and made apart hereof, said tract of land located in the NE ¼ of the SE ¼ of Section 28, Township 2S, Range 5W, Desoto County, Mississippi

It is the intent of the grantors herein to grant an easement and right of way to Northcentral Mississippi Electric Power Association across the lands of the grantors whether the same is adequately described or not.

TO HAVE AND TO HOLD the said easement and right-of-way to Northcentral Mississippi Electric Power Association, and its assigns, forever.

We covenant with the said Northcentral Mississippi Electric Power Association that we are lawfully seized and possessed of said real estate, have a good and lawful right to convey the easement rights hereinabove described, that said property is free of all encumbrances, and that we will forever warrant and defend the title thereto against the lawful claims of all persons whomsoever.

We do further covenant and agree that the payment of the purchase price above stated is accepted by us as full compensation for all damage caused by the exercise of any of the rights above described; EXCEPT that Northcentral Mississippi Electric Power Association shall remain liable for any damage to growing crops and fruit trees and any direct physical damage caused to the property of the undersigned by its construction forces or by the construction forces of its agents and employees, in the erection and maintenance of or in exercising a right of ingress and egress to said lines.

In further consideration of the payment of the purchase price above stated, we for ourselves, our heirs, personal representatives, successors, and assigns, covenant and agree to and with Northcentral Mississippi Electric Power Association that no buildings or fire hazards shall be erected or maintained within the limits of the right-of-way, and this shall be a real covenant which shall be binding upon everyone who may hereafter come into ownership of said land, whether by purchase, devise, descent, or succession.

Wherever the context hereof requires, the plural number as used herein shall be read as singular.

IN WITNESS WHEREOF, the undersigned have set their hands and seals this Nov. 1st day of Nov., 2010.

WITNESSES:

Steve Tacker

GRANTOR (S):

BY: Brian Castleberry
BY: _____

STATE OF MISSISSIPPI
COUNTY OF Marshall

Personally appeared before me, the undersigned authority in and for the said county and state, on this the 3rd day of November, 2010, within my jurisdiction, one of the subscribing witnesses to the above and foregoing instrument, who, being sworn, states that he saw the within named Brian Castleberry, who acknowledged that he/she/they executed the above and foregoing instrument for the purposes therein stated.

Russell Ellis Pennington
NOTARY PUBLIC

My Commission Expires:

June, 7, 2013



Prepared by: Steve Tacker, Utility Solutions, LLC

Return to: NorthCentral Mississippi Electric Power Association

225 Highway 305 South

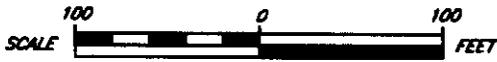
Byhalia, Mississippi 38611

Castleberry Description

A 0.26 acre right-of-way easement being situated in the NE ¼ and the SE ¼ of Section 28, Township 2 South, Range 5 West, Desoto County, Mississippi, and being more particularly described as follows, to-wit:

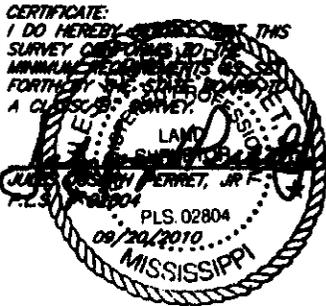
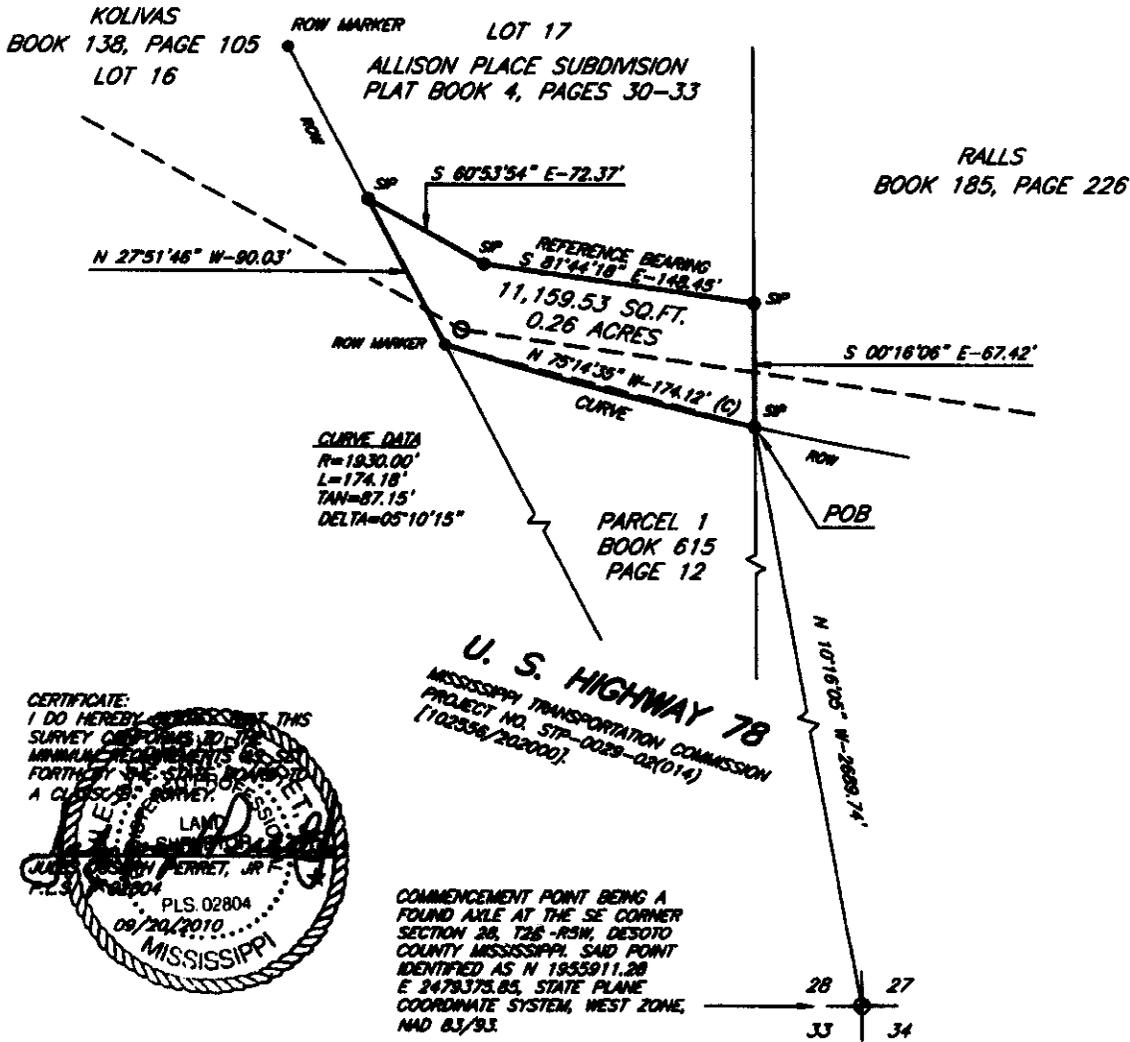
The following description is based on the Mississippi State Plane Coordinate System, West Zone, NAD 83/93, grid values, using a combined scale factor of .99997224 and a grid to geodetic azimuth angle of (-) 00 degrees 13 minutes 28 seconds developed at the approximate center of Mississippi Transportation Commission Project No. STP-0029-02(014)[102556/202000] (hereinafter "MTC Project").

Commencing at a found axle at the SE corner of Section 28, Township 2 South, Range 5 West, Desoto County, Mississippi, said point identified as N 1955911.28 E 2479375.85 on the coordinate system set forth above; run thence N 10°16'05" W for a distance of 2689.74 feet to an iron pin being the Point of Beginning of the herein described parcel, with said iron pin being along the right-of-way of MTC Project; run thence along said right-of-way along a curve to the right with a radius of 1930.00 feet, a length of 174.18 feet, a tangent of 87.15 feet, a delta angle of 05°10'15", and a chord bearing and distance of N 75°14'35" W for 174.12 feet to a right-of-way marker; continue thence along said right-of-way N 27°51'46" W for a distance of 90.03 feet to an iron pin; thence leaving said right-of-way run S 60°53'54" E for a distance of 72.37 feet to an iron pin; run thence S 81°44'18" E for a distance of 148.45 feet to an iron pin; run thence S 00°16'06" E for a distance of 67.42 feet to the Point of Beginning. Containing 0.26 acres, more or less, and being in the NE ¼ and the SE ¼ of Section 28, Township 2 South, Range 5 West, Desoto County, Mississippi.



MISSISSIPPI STATE PLANE SYSTEM,
 WEST ZONE, NAD83/93,
 SCALE FACTOR = .99997224
 GRID TO GEODETIC AZ ANGLE = (-) 00°13'28"
 SIP = 1/2" IRON ROD

**CASTLEBERRY
 DEED BOOK 371, PAGE 100**



U. S. HIGHWAY 78
 MISSISSIPPI TRANSPORTATION COMMISSION
 PROJECT NO. 57P-0029-02(014)
 [102358/202000]

COMMENCEMENT POINT BEING A
 FOUND AXLE AT THE SE CORNER
 SECTION 28, T2S-R5W, DESOTO
 COUNTY MISSISSIPPI. SAID POINT
 IDENTIFIED AS N 1855911.28
 E 2478375.85, STATE PLANE
 COORDINATE SYSTEM, WEST ZONE,
 NAD 83/93.

DATE OF FIELD SURVEY: 09/2010

<p>MIDSOUTH UTILITY CONSULTANTS LLC Bartlett, TN 38133 Madison, MS 39110 3121 Bartlett Corporate Dr, Suite 102 1808 Main Street, Suite C #108 Phone: 901-373-7278 Phone: 601-627-0748</p>	<p>CASTLEBERRY PLAT OF SURVEY OF A 0.26 ACRE RIGHT OF WAY EASEMENT BEING SITUATED IN THE NE1/4 & SE1/4 OF SECTION 28, T2S-R5W, DESOTO COUNTY, MISSISSIPPI</p>	<p>Drawing No. CASTLEBERRY</p>
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