

OCT 21 2011

DALE K. THOMPSON, CIRCUIT CLERK  
BY *[Signature]* D.C. THE SPECIAL COURT OF EMINENT DOMAIN  
DESOTO COUNTY, MISSISSIPPI



MISSISSIPPI TRANSPORTATION COMMISSION

PLAINTIFF

CIVIL ACTION NO. CO2011- 1278CD

SHIRLEY H. ALLISON, PAUL ANTHONY ALLISON,  
SAMUEL JEROME ALLISON, MELANIE ALLISON HASLIP,  
SUZANNE ALFORD, RONALD CARL BERRYHILL and  
JUDY H. BERRYHILL

DEFENDANTS

**AGREED JUDGMENT**

In the cause, Plaintiff, MISSISSIPPI TRANSPORTATION COMMISSION, brought an action to condemn property as described in the Complaint filed herein and described in Exhibit "A" attached hereto and incorporated herein, and the Defendants, SHIRLEY H. ALLISON, PAUL ANTHONY ALLISON, SAMUEL JEROME ALLISON, MELANIE ALLISON HASLIP and SUZANNE ALFORD, and Defendants RONALD CARL BERRYHILL and JUDY H. BERRYHILL, were duly served with process of this Court. And, the Court having found that the parties have reached an Agreement with the above named Defendants, does find and adjudicate as follows:

1. This Court has jurisdiction of the parties and subject matter herein.
2. The Court being advised by counsel for the Plaintiff and the Defendants, SHIRLEY H. ALLISON, PAUL ANTHONY ALLISON, SAMUEL JEROME ALLISON, MELANIE ALLISON HASLIP and SUZANNE ALFORD, and Defendants RONALD CARL BERRYHILL and JUDY H. BERRYHILL, that the fair market value representing just compensation due the rightful landowner(s) for the condemnation of the lands described in Exhibit "A" is Seven Hundred Dollars (\$700.00), and that said amount represents a full and complete settlement of all compensation issues

FILED 21 DAY OF Oct 20 11  
DALE K. THOMPSON, CIRCUIT CLERK  
DESOTO COUNTY, MISSISSIPPI  
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before the Court. Further, the parties hereto, have specifically waived the impaneling of a jury, and Defendants acknowledge to the Court that the amount of Seven Hundred Dollars (\$700.00) constitutes full and just compensation due the rightful landowner Defendants for the land and any and all damages or other rights pertaining to said land, and is in full and complete settlement of all issues resulting from the condemnation described in the Complaint filed herein. The disbursement of the funds herein will be determined by the Court by separate Order at a later date.

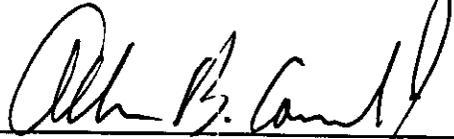
Defendants, RONALD CARL BERRYHILL and JUDY H. BERRYHILL, approve this Agreed Judgment as to form only, and for the purpose of confirming title to the Mississippi Transportation Commission of the property described in Exhibit "A", reserving their claim, if any, to the funds on deposit.

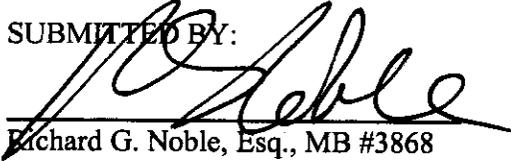
**IT IS, THEREFORE, ORDERED AND ADJUDGED** that this Agreed Judgment shall be entered in the cause; that the impaneling of a jury is waived by all parties; that the MISSISSIPPI TRANSPORTATION COMMISSION is hereby awarded title and possession of the lands described in Exhibit "A" attached hereto upon the payment of Seven Hundred Dollars (\$700.00), to the Clerk of this Court to retain until further Order of this Court as to the manner of disbursement; and the above parties shall be bound by this Agreed Judgment the same as if there had been a jury trial and a decision rendered accordingly; that this Agreed Judgment shall be duly recorded in the Land Deed Records of DeSoto County, Mississippi, confirming title to said lands to the MISSISSIPPI TRANSPORTATION COMMISSION; and that all costs of court are assessed to Plaintiff.

**IT IS FURTHER ORDERED AND ADJUDGED** that Plaintiff, MISSISSIPPI TRANSPORTATION COMMISSION, has deposited into the registry of the Court on September

1, 2011, the sum of \$700.00; and the Court Clerk is hereby ordered to retain said funds until further Order of this Court as to the manner of disbursement.

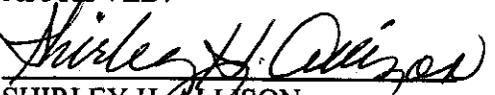
SO ORDERED AND ADJUDGED, this the 21<sup>st</sup> day of October, A.D., 2011.

  
JUDGE, SPECIAL COURT OF EMINENT DOMAIN

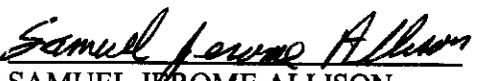
SUBMITTED BY:  


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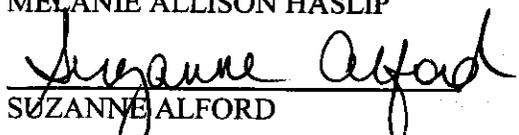
\*

APPROVED:  
  
SHIRLEY H. ALLISON

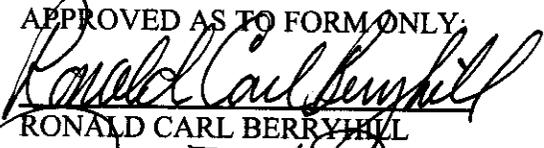
  
PAUL ANTHONY ALLISON

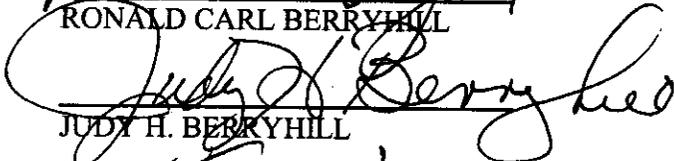
  
SAMUEL JEROME ALLISON

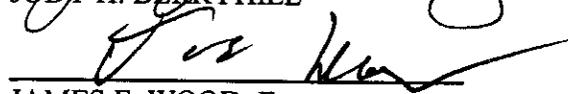
  
MELANIE ALLISON HASLIP

  
SUZANNE ALFORD

APPROVED AS TO FORM ONLY:

  
RONALD CARL BERRYHILL

  
JUDY H. BERRYHILL

  
JAMES E. WOOD, Esq.  
MB # 7386  
Attorney for Berryhill

084-3-00-W; 084-0-00-Q

IN THE SPECIAL COURT OF EMINENT DOMAIN  
DESOTO COUNTY, MISSISSIPPI

MISSISSIPPI TRANSPORTATION COMMISSION

PLAINTIFF

VS.

CIVIL ACTION NO. CO2011-1278CD

SUZANNE ALFORD AND SAMUEL ALLISON

DEFENDANTS

**EXHIBIT "A"**

**INDEXING INSTRUCTIONS: NE 1/4 of the SE 1/4 of Section 33, T-2-S, R-6-W, Desoto County, Mississippi.**

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 .999954285 and a grid to geodetic azimuth angle of (+) 00 degrees 14 minutes 09 seconds developed at the approximate center of Project No. STP-0029-02(013) 102556/201000. It is the intent of this description to convey that portion of the Defendants' property lying within the proposed right-of-way lines as defined by said project.

RIGHT OF WAY

**Commencing** at a cotton picker spindle, found in the centerline of Highway 305, that is locally accepted as the northeast corner of Section 33, Township 2 South, Range 6 West, Desoto County, Mississippi, said point having a value of N 1955757.36, E 2447414.94 on the above referenced coordinate system, thence run South 00 degrees 16 minutes 44 seconds East a distance of 2679.46 feet, to a 1/2 inch rebar set at the southeast corner of that certain tract conveyed in book 243, page 775 of the records of the Chancery Clerk of Desoto County, Mississippi; thence along south line said tract and an extension thereof, North 89 degrees 58 minutes 52 seconds West 174.27 feet, to a 1/2 inch rebar set on the existing west right of way line of Highway 305, said point being the southeast corner of Defendants' property and the **Point of Beginning** of the property herein described;

- From said **Point of Beginning**, run along said existing right of way line, being 50 feet from the existing centerline of Highway 305, North 26 degrees 29 minutes 47 seconds East a distance of 11.26 feet to a 3/4 inch rebar found;
- Thence along the existing right of way line, being 50 feet from the existing centerline of Highway 305, along a curve to the left a distance of 12.38 feet, having a radius of 1198.55 feet, a delta of 0 degrees 35 minutes 30 seconds, and a chord bearing North 28 degrees 10 minutes 01 seconds East for 12.38 feet to a 1/2 inch rebar set at its intersection with the Defendants' north property line;
- Thence leave the right of way line and run along the Defendants' north property line, North 89 degrees 58 minutes 52 seconds West a distance of 69.66 feet to a 1/2 inch rebar set at its intersection with the proposed western right of way line for the above referenced project;
- Thence leave the Defendants' property line and run along said proposed western right of way line South 02 degrees 41 minutes 16 seconds West a distance of 21.02 feet to a 1/2 inch rebar set at its intersection with the south line of the Defendants' property;
- thence leave the proposed western right of way line and run along said south property line, South 89 degrees 58 minutes 52 seconds East a distance of 59.80 feet to the **Point of Beginning**,

containing 1357 square feet, more or less, and situated in the Northeast Quarter of the Southeast Quarter of Section 33, Township 2 South, Range 6 West, Desoto County, Mississippi.

**Together with any and all abutters rights of access, if any, in, to, over, on and across the above described parcel of land except that such remaining property shall have access to the frontage roads which are to be built in conjunction with, and connected to, the above referenced highway project at points established by public authority.**

All of the above excepting and excluding therefrom all oil and gas and other minerals which may be produced through a well bore.