

GRANTOR:

PEGGY JANE AUSTIN,

TO

RIGHT-OF-WAY DEED

GRANTEE:

**CITY OF SOUTHAVEN
A MUNICIPAL CORPORATION**

FOR AND IN CONSIDERATION OF ONE DOLLAR (\$1.00) AND OTHER GOOD AND VALUABLE CONSIDERATION, I **PEGGY JANE AUSTIN**, DO HEREBY CONVEY AND WARRANT MY INTEREST IN THE FOLLOWING DESCRIBED TRACT ACROSS PREMISES BELONGING TO SAID GRANTOR, TO **THE CITY OF SOUTHAVEN**, A MUNICIPAL CORPORATION. SAID TRACT TO BE ADDITIONAL RIGHT-OF-WAY NEEDED FOR THE PURPOSE OF IMPROVING ELMORE ROAD, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

INDEXING INSTRUCTIONS: SOUTHEAST QUARTER OF SECTION 31, TOWNSHIP 1 SOUTH, RANGE 7 WEST

A PART OF LOT # 2 OF THE WHITE OAKS SUBDIVISION, AS RECORDED IN PLAT BOOK 7, PAGE 1, IN THE CHANCERY COURT CLERK'S OFFICE OF DESOTO COUNTY, MISSISSIPPI, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT AT THE INTERSECTION OF THE EAST RIGHT OF WAY OF ELMORE ROAD AND THE NORTH LINE OF LOT 2 WHITE OAKS SUBDIVISION, AS RECORDED IN PLAT BOOK 7, PAGE 1 OF THE CHANCERY COURT CLERK'S OFFICE, DESOTO COUNTY, MISSISSIPPI; THENCE S88°53'02"E A DISTANCE OF 69.51 FEET TO A POINT; THENCE S43°03'46"W A DISTANCE OF 67.27 FEET TO A POINT; THENCE S01°04'32"W A DISTANCE OF 150.00 FEET TO A POINT; THENCE S05°22'19"W A DISTANCE OF 94.67 FEET TO A POINT; THENCE N89°20'47"W A DISTANCE OF 14.33 FEET TO A POINT ON THE EAST RIGHT OF WAY OF ELMORE ROAD; THENCE N00°30'58"E ALONG SAID ELMORE RIGHT OF WAY A DISTANCE OF 320.45 FEET TO THE POINT OF BEGINNING; CONTAINING 9317.63 SQUARE FEET OR 0.21 ACRES, MORE OR LESS.

AND ALSO: TEMPORARY CONSTRUCTION EASEMENT 1:

BEGINNING AT A POINT THAT IS S88°53'02"E A DISTANCE OF 69.51 FEET FROM THE INTERSECTION OF THE EAST RIGHT OF WAY OF ELMORE ROAD AND THE NORTH LINE OF LOT 2 WHITE OAKS SUBDIVISION, AS RECORDED IN PLAT BOOK 7, PAGE 1 OF THE CHANCERY COURT CLERK'S OFFICE, DESOTO COUNTY, MISSISSIPPI; THENCE S88°53'02"E A DISTANCE OF 25.45 FEET TO A POINT; THENCE S00°49'47"W A DISTANCE OF 25.75 FEET TO A POINT; THENCE S00°49'47"W A DISTANCE OF 25.75 FEET TO A POINT; THENCE S00°49'47"W A DISTANCE OF 25.75 FEET TO A POINT; THENCE N89°10'13"W A DISTANCE OF 25.52 FEET TO A POINT; THENCE S00°59'32"W A DISTANCE OF 25.88 FEET TO THE POINT OF BEGINNING; CONTAINING 657.96 SQUARE FEET OR 0.02 ACRES, MORE OR LESS.

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

Grantor's Address:
6700 ELMORE RD
SOUTHAVEN, MS. 38671
Wk.Tel.: N/A
Hm Tel: 662-349-2259

Prepared by,
Return To:
City Attorneys Office
8710 Northwest Drive
Southaven, Ms. 38671
Wk Tel (662) 280-2489
Hm Tel N/A

Elmore ROW Deed
Page 1 of 2

AND ALSO: TEMPORARY CONSTRUCTION EASEMENT 1:

BEGINNING AT A POINT THAT IS S89°20'47"E A DISTANCE OF 14.33 FEET FROM THE INTERSECTION OF THE EAST RIGHT OF WAY OF ELMORE ROAD AND THE SOUTH LINE OF THE LOT 2 WHITE OAKS SUBDIVISION, AS RECORDED IN PLAT BOOK 7, PAGE 1 OF THE CHANCERY COURT CLERK'S OFFICE, DESOTO COUNTY, MISSISSIPPI; THENCE N05°22'19"E A DISTANCE OF 94.67 FEET TO A POINT; THENCE S88°58'32"E A DISTANCE OF 10.65 FEET TO A POINT; THENCE S01°01'28"E A DISTANCE OF 144.33 FEET TO A POINT; THENCE N89°20'47"W A DISTANCE OF 17.88 FEET TO THE POINT OF BEGINNING; CONTAINING 1881.70 SQUARE FEET OR 0.04 ACRES, MORE OR LESS.

SEE: "ATTACHMENT A"

SAID TEMPORARY CONSTRUCTION EASEMENTS TO BECOME NULL AND VOID UPON COMPLETION OF THE PROJECT.

THE GRANTOR FULLY UNDERSTANDS THAT HE IS ENTITLED TO BE DULY COMPENSATED FOR THE PROPERTY CONVEYED HEREIN, BUT GRANTOR DESIRES TO DONATE SAME TO THE CITY AND DOES HEREBY WAIVE THE RIGHT TO COMPENSATION.

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:

- EASEMENTS AND RIGHTS-OF-WAY LYING ON OR ACROSS SAID PROPERTY, WHETHER PROPERLY RECORDED OR NOT, AND ANY FACTS DISCOVERED BY SURVEY OR INSPECTION OF SAID PROPERTY.

EXECUTED AND DELIVERED THIS 11 DAY OF February, ~~2010~~ 2011

[Signature]
SIGNATURE

Robert G. Jones
PRINTED NAME

WITNESS

[Signature]
SIGNATURE

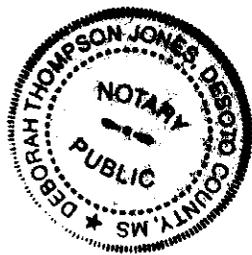
Peggy J. Austin
PRINTED NAME

STATE OF MISSISSIPPI

COUNTY OF DeSoto

THIS DAY PERSONALLY APPEARED BEFORE ME, THIS UNDERSIGNED AUTHORITY, IN AND FOR SAID COUNTY AND STATE, ON THIS 11 DAY OF February, ~~2010~~ 2011, WITHIN MY JURISDICTION, Robert G. Jones, THE SUBSCRIBING WITNESS TO THE ABOVE AND FORGOING INSTRUMENT, WHO BEING FIRST DULY SWORN, STATES THAT HE SAW THE WITHIN NAMED Peggy J. Austin

WHOSE NAMES ARE SUBSCRIBED THERETO, SIGN AND DELIVER THE SAME TO THE CITY OF SOUTHAVEN, AND AFFIANT SUBSCRIBED HIS NAME AS WITNESS THERETO IN THE PRESENCE OF SAME.

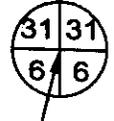


[Signature]
WITNESS'S SIGNATURE

Robert G. Jones
WITNESS'S PRINTED NAME

[Signature]
NOTARY PUBLIC

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



LOT 2 WHITE OAKS SUBDIVISION (AUSTIN TRACT)
RIGHT OF WAY

SW CORNER, SE 1/4,
SEC 31, T 1 S, R 7 W
DESOTO COUNTY, MS

BEGINNING AT A POINT AT THE INTERSECTION OF THE EAST RIGHT OF WAY OF ELMORE ROAD AND THE NORTH LINE OF LOT 2 WHITE OAKS SUBDIVISION, AS RECORDED IN PLAT BOOK 7, PAGE 1 OF THE CHANCERY COURT CLERK'S OFFICE, DESOTO COUNTY, MISSISSIPPI; THENCE S88°53'02"E A DISTANCE OF 69.51 FEET TO A POINT; THENCE S43°03'46"W A DISTANCE OF 87.27 FEET TO A POINT; THENCE S01°04'32"W A DISTANCE OF 150.00 FEET TO A POINT; THENCE S05°22'19"W A DISTANCE OF 94.67 FEET TO A POINT; THENCE N89°20'47"W A DISTANCE OF 14.33 FEET TO A POINT ON THE EAST RIGHT OF WAY OF ELMORE ROAD; THENCE N00°30'58"E ALONG SAID ELMORE RIGHT OF WAY A DISTANCE OF 320.45 FEET TO THE POINT OF BEGINNING; CONTAINING 9317.63 SQUARE FEET OR 0.21 ACRES, MORE OR LESS.

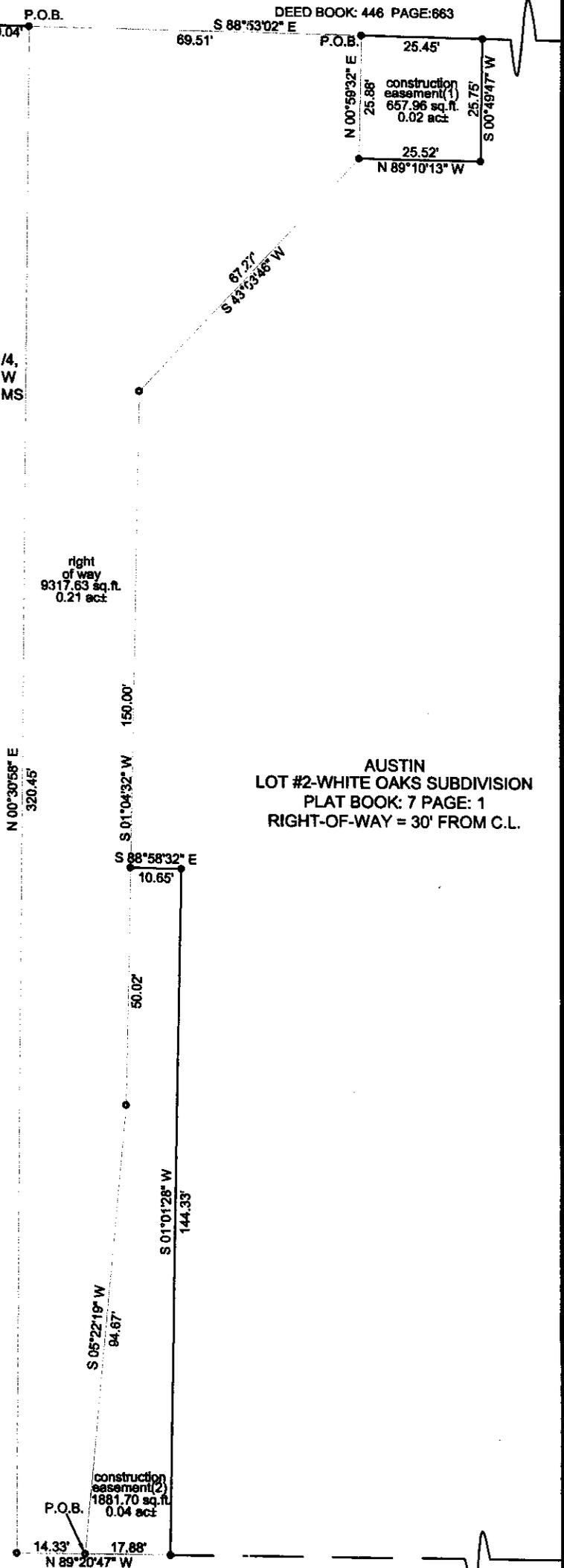
CONSTRUCTION EASEMENT (1)

BEGINNING AT A POINT THAT IS S88°53'02"E A DISTANCE OF 69.51 FEET FROM THE INTERSECTION OF THE EAST RIGHT OF WAY OF ELMORE ROAD AND THE NORTH LINE OF LOT 2 WHITE OAKS SUBDIVISION, AS RECORDED IN PLAT BOOK 7, PAGE 1 OF THE CHANCERY COURT CLERK'S OFFICE, DESOTO COUNTY, MISSISSIPPI; THENCE S88°53'02"E A DISTANCE OF 25.45 FEET TO A POINT; THENCE S00°49'47"W A DISTANCE OF 25.75 FEET TO A POINT; THENCE S00°49'47"W A DISTANCE OF 25.75 FEET TO A POINT; THENCE S00°49'47"W A DISTANCE OF 25.75 FEET TO A POINT; THENCE N89°10'13"W A DISTANCE OF 25.52 FEET TO A POINT; THENCE S00°59'32"W A DISTANCE OF 25.88 FEET TO THE POINT OF BEGINNING; CONTAINING 657.96 SQUARE FEET OR 0.02 ACRES, MORE OR LESS.

CONSTRUCTION EASEMENT (2)

BEGINNING AT A POINT THAT IS S89°20'47"E A DISTANCE OF 14.33 FEET FROM THE INTERSECTION OF THE EAST RIGHT OF WAY OF ELMORE ROAD AND THE SOUTH LINE OF THE LOT 2 WHITE OAKS SUBDIVISION, AS RECORDED IN PLAT BOOK 7, PAGE 1 OF THE CHANCERY COURT CLERK'S OFFICE, DESOTO COUNTY, MISSISSIPPI; THENCE N05°22'19"E A DISTANCE OF 94.67 FEET TO A POINT; THENCE S88°58'32"E A DISTANCE OF 10.65 FEET TO A POINT; THENCE S01°01'28"E A DISTANCE OF 144.33 FEET TO A POINT; THENCE N89°20'47"W A DISTANCE OF 17.88 FEET TO THE POINT OF BEGINNING; CONTAINING 1881.70 SQUARE FEET OR 0.04 ACRES, MORE OR LESS.

INDEXING INSTRUCTIONS: THE SOUTHEAST QUARTER OF SECTION 31, TOWNSHIP 1 SOUTH, RANGE 7 WEST.



AUSTIN
LOT #2-WHITE OAKS SUBDIVISION
PLAT BOOK: 7 PAGE: 1
RIGHT-OF-WAY = 30' FROM C.L.

PLAT BOOK: 7 PAGE: 1

ATTACHMENT A

JONES-DAVIS & ASSOCIATES, INC.
ENGINEERS - SURVEYORS

8849 HAMILTON ROAD
SOUTHAVEN, MS 38671
PH. (662)342-7273
FAX (662)342-5356

ELMORE ROAD
RIGHT OF WAY ACQUISITION
LOCATED IN: SECTION 31,
TOWNSHIP 1 SOUTH, RANGE 7 WEST
CITY OF SOUTHAVEN
DESOTO COUNTY, MISSISSIPPI

DATE: SEPT 2008
DRAWN BY: M. BARTON
SCALE: 1" = 30'