



Tegra Medical
3414 Highway 51 South, Hernando, MS 38632

12/15/11 4:24:52
DK # BK 671 PG 384
DESOTO COUNTY, MS
W.E. DAVIS, CH CLERK

Parcel #3086-2400.1-00012.00

PREPARED BY:
Anthony E. Nowak
Smith Phillips Mitchell Scott & Nowak, LLP
2545 Caffey St.
P. O. Box 346
Hernando, MS 38632
662-429-5041

PERMANENT SANITARY SEWER AND WASTEWATER EASEMENT
AND
TEMPORARY CONSTRUCTION EASEMENT

GRANTOR(S):
TEGRA MEDICAL (MS), LLC
f/k/a CTW MEDICAL, LLC,
a Delaware Limited Liability Company
3414 Highway 51 South
Hernando, MS 38632
Phone: 662-429-5191

GRANTEE(S):
CITY OF HERNANDO, MISSISSIPPI
475 W. Commerce St.
Hernando, MS 38632
662-429-9092

INDEXING INSTRUCTIONS: 0.188 acres, more or less, and 0.303 acres, more or less in the Northeast Quarter of Section 24, Township 3 South, Range 8 West, DeSoto County, Mississippi

In consideration of Ten Dollars (\$10.00) and other good and valuable consideration, **TEGRA MEDICAL (MS), LLC**, formerly known as **CTW MEDICAL, LLC**, a Delaware limited liability company, grant to the **CITY OF HERNANDO, MISSISSIPPI**, a perpetual and assignable easement in, on, over and across the land described herein, for the location, construction, operation, maintenance, alteration, repair and patrol of an underground sewer and wastewater pipeline; together with the right to trim, cut, fell and remove therefrom all trees, underbrush, obstructions and other vegetation, structures, or obstacles within the limits of the easement; reserving to the land-owner, and its assigns, all such rights and privileges as may be used without interfering with or abridging the rights associated with the easement herebyacquired; subject, however, to existing easements for public roads and highways, public utilities, railroads and pipelines over the land in DeSoto County, Mississippi. The land encompassed by this easement is described as part of the Northeast Quarter of

Section 24, Township 3 South, Range 8 West, and more particularly described as follows:

A TWENTY (20) FOOT WIDE PERMANENT SANITARY SEWER AND WASTEWATER EASEMENT: See legal description of 0.188 acres, more or less, in Exhibit A attached hereto.

Further, the Grantors grant unto Grantee, its employees, agents, contractors and cooperation parties temporary construction easements including the right to move, store, and remove equipment and supplies, and to perform any other work necessary and incident to the installation and construction of a sewer and wastewater pipeline, together with the right to grade land, trim, cut, fell and remove therefrom all trees, underbrush, obstructions, and any other vegetation, structures, or obstacles over the land in DeSoto County, Mississippi described as follows:

THIRTY (30) FOOT WIDE TEMPORARY CONSTRUCTION EASEMENT: See legal description of 0.303 acres, more or less in Exhibit A attached hereto.

The above described temporary construction easement shall last for a period of two (2) years from the date of execution hereof.

The City of Hernando shall not be responsible for maintaining, repairing or replacing any sod, trees, plants, bushes or other matters of landscaping plantings that may be placed or planted by the Grantor and/or its successors in interest on the property located in the easement areas. Further, the City of Hernando shall not be responsible for maintaining, repairing or replacing any permanent improvements constructed or placed upon the easement area by the Grantor and/or its successors in interest on the property located in the easement areas.

In connection with any work done by the Grantee under either the permanent or temporary easement hereby granted, the Grantee shall promptly restore the surface of the work area to substantially the same condition as existed prior to such work; provided, however, that such restoration shall not include any structures, other improvements, or plantings made by the Grantor as described in the preceding paragraph. Such restoration shall be made at the Grantee's expense.

Grantee shall be solely liable, to the extent permitted by the laws of the State of Mississippi, for damages, injuries or death arising from Grantees use and exercise of either the permanent or temporary easement hereby granted.

Grantor fully understands that it has the right to receive just compensation for the real property herein described based on an appraisal of said property. Grantor further understands

that it has the right to request that a fair market value appraisal of the property be made and Grantor has received a copy of that appraisal.

As explanation, Grantor received title to the property by deed to CTW Medical, LLC dated December 31, 2009, recorded in Book 624, Page 454 of the land records of the Chancery Clerk of DeSoto County, Mississippi. Subsequent to that time, Grantor filed a Certificate of Amendment with the Mississippi Secretary of State, changing its name to Tegra Medical (MS), LLC.

WITNESS MY SIGNATURE on the date as set forth below.

TEGRA MEDICAL (MS), LLC,
Formerly known as
CTW MEDICAL, LLC

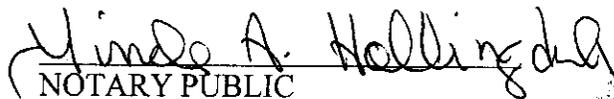
By: 
ROBERT ROCHE, Manager/Member

Date: 12/12/11

STATE OF Massachusetts
COUNTY OF Norfolk

This day personally appeared before me, the undersigned authority in and for said County and State, the within named, ROBERT ROCHE, who acknowledged to me that he is Manager of Tegra-CTW Holdings, LLC, Sole Member of CTW Medical, LLC, now known as TEGRA MEDICAL (MS), LLC, a Mississippi limited liability company, and that for and on behalf of said company and as its act and deed, he signed and delivered the foregoing instrument of writing on the day and year therein mentioned, he having been first duly authorized to do so.

Given under my hand and official seal of office, this the 12th day of December, 2011.


NOTARY PUBLIC

My Commission Expires:
July 27th 2018



DESCRIPTION OF A PROPOSED 20' WIDE PERMANENT SANITARY SEWER EASEMENT:

Description of a Proposed 20' Wide Permanent Sanitary Sewer Easement across part of the CTW Medical, LLC property recorded in Book 624, Page 455, Parcel II in the Northeast Quarter of Section 24, Township 3 South, Range 8 West, Desoto County, Mississippi:

Commencing at the intersection of the west right-of-way of Magnolia Drive (50' Wide) and the north line of the Allen D. Cole and wife, Sherrie E. Cole property recorded in Book 145, Page 33, said point being 534.0 feet north and 25.0 feet west of the commonly accepted southeast corner of the northeast corner of Section 24, Township 3 South, Range 8 West; thence north 00 degrees 38 minutes 38 seconds west, 40.75 feet to a point in the south line of a 20'x20' Sewer Easement recorded in Book 608, Page 65; thence south 89 degrees 21 minutes 22 seconds west with the south line of said 20'x20' Sanitary Sewer Easement recorded in Book 608, Page 65 and across the CTW Medical, LLC property recorded in Book 624, Page 455, Parcel II, 20.00 feet to the Point of Beginning; thence westwardly across said property recorded in Book 624, Page 455, Parcel II the following calls: north 77 degrees 17 minutes 31 seconds west, 78.43 feet; south 52 degrees 59 minutes 55 seconds west, 298.75 feet; north 89 degrees 38 minutes 07 seconds west, 28.57 feet to a point in the east line of U.S. Highway No. 51 (100' R.O.W.); thence northwardly with the east line of said U.S. Highway No. 51 and along a curve to the left having a radius of 5550.00 feet, a delta angle of 00 degrees 13 minutes 30 seconds, a chord bearing of north 23 degrees 00 minutes 19 seconds west, a chord distance of 21.79 feet and an arc distance of 21.79 feet; thence eastwardly across said property recorded in Book 624, Page 36, Parcel II the following calls: south 89 degrees 38 minutes 07 seconds east, 30.45 feet; north 52 degrees 59 minutes 55 seconds east, 301.45 feet; south 77 degrees 17 minutes 31 seconds east, 85.35 feet to a point in the north line of said 20'x20' Sanitary Sewer Easement recorded in Book 608, Page 65; thence south 89 degrees 21 minutes 22 seconds west with the north line of said 20'x20' Sanitary Sewer Easement recorded in Book 608, Page 65 and across said property recorded in Book 624, Page 455, Parcel II, 2.34 feet to a point in the west line of said 20'x20' Sanitary Sewer Easement recorded in Book 608, Page 65; thence south 00 degrees 38 minutes 38 seconds east with the west line of said 20'x20' Sanitary Sewer Easement recorded in Book 608, Page 65 and the across said property recorded in Book 624, Page 455, Parcel II, 20.00 feet to the point of beginning and containing 8,204 square feet or 0.188 acres of land, more or less.

DESCRIPTION OF A PROPOSED 30' WIDE TEMPORARY CONSTRUCTION EASEMENT NO. 1:

Description of a Proposed 30' Wide Temporary Construction Easement across part of the CTW Medical, LLC property recorded in Book 624, Page 455, Parcel II in the Northeast Quarter of Section 24, Township 3 South, Range 8 West, Desoto County, Mississippi:

Commencing at the intersection of the west right-of-way of Magnolia Drive (50' Wide) and the north line of the Allen D. Cole and wife, Sherrie E. Cole property recorded in Book 145, Page 33, said point being 534.0 feet north and 25.0 feet west of the commonly accepted southeast corner of the northeast corner of Section 24, Township 3 South, Range 8 West; thence north 00 degrees 38 minutes 38 seconds west, 60.75 feet a point in the north line of a 20'x20' Sewer Easement recorded in Book 608, Page 65 and the Point of Beginning; thence westwardly with the north line of said 20'x20' Sanitary Sewer Easement recorded in Book 608, Page 65 and across the CTW Medical, LLC property recorded in Book 624, Page 455, Parcel II the following calls: south 89 degrees 21 minutes 22 seconds west, 17.66 feet; north 77 degrees 17 minutes 31 seconds west, 85.35 feet; south 52 degrees 59 minutes 55 seconds west, 301.25 feet; north 89 degrees 38 minutes 07 seconds west, 30.45 feet to a point in the east line of U.S. Highway No. 51 (100' R.O.W.); thence northwardly with the east line of said U.S. Highway No. 51 and along a curve to the left having a radius of 5550.00 feet, a delta angle of 00 degrees 20 minutes 17 seconds, a chord bearing of north 23 degrees 17 minutes 12 seconds west, a chord distance of 32.75 feet and an arc distance of 32.75 feet; thence eastwardly across said property recorded in Book 624, Page 36, Parcel II the following calls: south 89 degrees 38 minutes 07 seconds east, 33.44 feet; north 52 degrees 59 minutes 55 seconds east, 305.00 feet; south 77 degrees 17 minutes 31 seconds east, 110.28 to a point in the west line of said Magnolia Drive; thence south 00 degrees 38 minutes 38 seconds east with the west line of said Magnolia Drive, 26.64 feet the point of beginning and containing 13,221 square feet or 0.303 acres of land, more or less.

NUMBER	RADIUS	ARC LENGTH	DELTA ANGLE	CHORD LENGTH	CHORD DIRECTION
C1	5550.00	21.79	00°13'30"	21.79	N 23°00'19" W
C2	5550.00	32.75	00°20'17"	32.75	N 23°17'12" W

PLAT NO. 2 OF 2

NUMBER	DIRECTION	DISTANCE
L1	N 00°38'38" W	40.75'
L2	S 89°21'22" W	20.00'
L3	N 77°17'31" W	78.43'
L4	S 52°59'55" W	298.75'
L5	N 89°38'07" W	28.57'
L6	S 89°38'07" E	30.45'
L7	N 52°59'55" E	301.25'
L8	S 77°17'31" E	85.35'
L9	S 89°21'22" W	2.34'
L10	S 00°38'38" E	20.00'
L11	N 00°38'38" W	60.75'
L12	S 89°21'22" W	17.66'
L13	S 89°38'07" E	33.44'
L14	N 52°59'55" E	305.00'
L15	S 77°17'31" E	110.28'
L16	S 00°38'38" E	26.64'

PROPOSED 20' WIDE PERMANENT SANITARY SEWER EASEMENT ACROSS PART OF THE CTW MEDICAL, LLC PROPERTY RECORDED IN BOOK 624, PAGE 457, PARCEL II BEING LOCATED IN THE AND NORTHEAST QUARTER OF SECTION 24 TOWNSHIP 3 SOUTH RANGE 8 WEST DESOTO COUNTY, MISSISSIPPI

SURVEY BY MLS, INC. DATE 03/22/11 BOOK _____
 DRAFTSMAN D.M. DATE 04/25/11 SCALE 1"=100'

EXHIBIT

tabular

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PROJECT NO. 10178ESMT