

Prepared by and after recording return to:

Joe Hale Real Estate Mgr. II

Centurylink

\* MS: DF154L0902-9063

5454 W. 110<sup>th</sup> Street

Overland Park, KS 66211

(913) 345-6477

**TITLE OF DOCUMENT: COMMUNICATION SYSTEM EASEMENT**

**DATE OF DOCUMENT:**

March 7, 2012

**GRANTOR: Carl Cleavy Hoover and Carol H. Allen et al**

7878 Campbell Wood Cove

Olive Branch, MS 38654

(901) 488-4507

**GRANTEE: CenturyTel of North Mississippi, Inc. d/b/a Centurylink.**

100 Centurylink Drive

Monroe, LA 71203

(913) 345-6477

**LEGAL DESCRIPTION: Ptn of Southeast Quarter of Section 31 and**

**Southwest Quarter of Section 32,**

**Township 2 South, Range 5 West**

**Desoto County, Mississippi**

**DB 377, Pg 736**

ARN 198255

SRN 191794

PRN 475145

After recording return to:  
 Joe Hale  
 Centurylink  
 5454 W. 110<sup>th</sup> Street  
 KSOPKJ0902-9063  
 Overland Park, KS 66211

### CABLE EASEMENT

This Cable Easement and the rights contained herein are granted by **Carl Cleavy Hoover, and Carol H. Allen and Michael Herrington, Co-Executors of the Estate of Elinor W. Herrington, deceased** ("Grantor"), whose address is 7878 Campbell Wood Cove, Olive Branch, Mississippi 38654.

For good and valuable consideration, the receipt and sufficiency of which are acknowledged by Grantor, Grantor, for itself, its successors and assigns, grants to **CenturyTel of North Mississippi, Inc., d/b/a Centurylink**, its successors, assigns, lessees, licensees and agents ("Grantee"), subject to the terms stated herein, a perpetual and exclusive easement ("Easement") to install, construct, operate, maintain, expand, replace and remove underground cables and related facilities or structures as are reasonably necessary for Grantee to exercise the rights granted to it herein, upon, over, through, under and along a parcel of land described on Exhibit "A" ("Easement Tract"), said Easement Tract being a portion of real property legally described on Exhibit "B" ("Property"), both exhibits being attached hereto and incorporated by reference herein.

The grant of Easement also gives to Grantee the following rights: (a) the right of reasonable ingress and egress over and across the Easement Tract, Property and any real property owned or controlled by Grantor that is adjacent to the Easement Tract or Property for the purpose of Grantee exercising the rights granted to it herein; (b) the right to clear and keep clear all trees, roots, brush and other obstructions from the surface and sub-surface of the Easement Tract that interfere with Grantee exercising the rights granted to it herein; (c) the right to permit the carry-in and attachment of the conduit, wires, cables or other such items of any other entity or person as may be required by law; and (d) at Grantee's expense, the right to bring to and place at the Easement Tract electrical or other utility service for Grantee's use, and if required by the utility, Grantor

ARN 198255 SEN 191794 PRN 475145

will grant a separate easement to the utility for the purpose of utility having access to the Easement Tract.

Grantor will have the right to use and enjoy the Easement Tract so long as Grantor's use does not materially interfere with the rights granted to Grantee herein. Grantor will not erect any structure or plant trees or other vegetation within the Easement Tract that interfere with the rights granted to Grantee herein.

Grantor warrants that Grantor is the owner of the Easement Tract and Property and will defend title to the Easement Tract and Property against the claims of any and all persons, and that Grantor has full authority to grant this Easement according to its terms. Grantor further warrants that to the best of Grantor's knowledge, the Easement Tract and Property are free from any form of contamination and contain no hazardous, toxic or dangerous substances.

Signed by Grantor this 7<sup>th</sup> day of MARCH, 2012

GRANTOR: Carl Cleavy Hoover and Carol H. Allen and Michael Herrington, Co-Executors of the Estate of Elinor W. Herrington, deceased

Carl Cleavy Hoover  
Carl Cleavy Hoover

Carol H. Allen

Carol H. Allen, Co-Executor of the Estate of Elinor W. Herrington, deceased.

Michael Herrington  
Michael Herrington, Co-Executor of the Estate of Elinor W. Herrington, deceased.

THE STATE OF Ms )  
COUNTY OF De Soto )

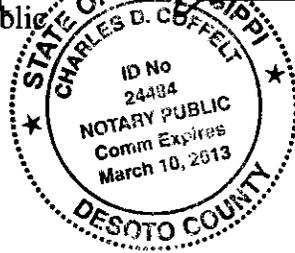
BE IT REMEMBERED, that on this 7 day of MARCH, 2012  
before me, a Notary Public in and for said County and State, came Carl Cleavy Hoover,  
who is personally known to me to be the same person who signed the herein instrument,  
and such persons duly acknowledged the signing of the same to be his act and deed.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my  
official seal the day and year last above written.

*[Signature]*

Notary Public

My appointment expires:  
3-10-13



THE STATE OF Ms )  
COUNTY OF De Soto )

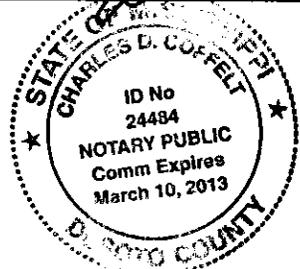
BE IT REMEMBERED, that on this 7 day of MARCH, 2012  
before me, a Notary Public in and for said County and State, came Carol H. Allen, Co-  
Executor of the Estate of Elinor W. Herrington, deceased, who is personally known to me  
to be the same person who signed the herein instrument, and such person duly  
acknowledged the signing of the same to be her act and deed.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my  
official seal the day and year last above written.

*[Signature]*

Notary Public

My appointment expires:  
3-10-13



THE STATE OF Ms )  
COUNTY OF De Soto )

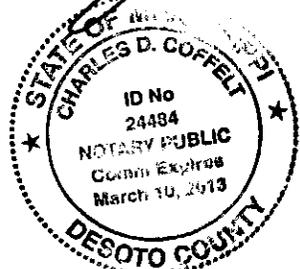
BE IT REMEMBERED, that on this 7 day of MARCH, 2012,  
before me, a Notary Public in and for said County and State, came Micheal Herrington,  
Co-Executor of the Estate of Elinor W. Herrington, deceased, who is personally known to  
me to be the same person who signed the herein instrument, and such person duly  
acknowledged the signing of the same to be his act and deed.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my  
official seal the day and year last above written.

*[Signature]*

Notary Public

My appointment expires:  
3-10-13



**EXHIBIT A TO CABLE EASEMENT****DESCRIPTION OF EASEMENT TRACT**

Being a Ten (10) Feet wide utility easement and being a part of the Southeast Quarter of Section 31 and the Southwest Quarter of Section 32, Township 2 South, Range 5 West Desoto County, Mississippi.

Said 10 feet easement being 5.00 feet each side of the following described centerline:

Commencing at point on Grantor's West property line said point also being on the East Right of Way line of relocated Red Banks Road as now established, said point being 361.62 feet east of relocated Red Banks Road centerline station 24+83.13; Thence east perpendicular to said centerline a distance of 5.00 feet to the POINT OF BEGINNING; Thence S 75° 54' W, a distance of 169 feet; Thence S 28° 44' W, a distance of 321 feet; Thence S 12° 21' W, a distance of 398 feet; Thence S 16° 09' W, a distance of 294.5 feet; Thence S 10° 02' W, a distance of 62.0 feet to a POINT OF TERMINATION.

The outer boundaries of the above described easement shall be lengthened or shortened to begin and end on the respective property lines.

**EXHIBIT B TO CABLE EASEMENT**

**LEGAL DESCRIPTION OF PROPERTY**

Being a part of the Southwest Quarter of Section 32, Township 2 South, Range 5 West, Desoto County, Mississippi and being part of the real property described in Warranty Deed dated August 6, 2000 and as recorded in Book 377 Page 736 of the of Chancery Clerk Records of Desoto County Mississippi.