

EASEMENT CONTRACT

SK: W7B56215-B

73-1

FLD BK 1099 PG 73-75

For and in consideration of the sum of One Dollar in hand paid to the undersigned, and other good and sufficient considerations, the receipt of which is hereby acknowledged, the undersigned do/does grant and convey unto the City of Memphis, for the use & benefit of the Memphis Light, Gas and Water Division, and unto its successors and assigns, a perpetual easement or right of way to construct, maintain and operate one or more electric transmission or distribution line or lines, consisting of a variable number of wires and all necessary or desirable appurtenances (including but not limited to regulating, transmission and distribution equipment and necessary housing therefor, towers or poles made of wood, metal, or other materials, telephone and telegraph wires, fiber optic cables, telecommunications antennas, props, guys, and anchorages, etc.), one or more gas mains and one or more water mains together with wells, pumps, regulating and distributing equipment and necessary housing therefor, or pipe lines for the transmission of other commodities whether in gas, liquid or solid form, at or near the location and along the general course now located and staked out by the said Memphis Light, Gas & Water Division, over, across, under and upon the following described lands belonging to the undersigned and situated in Shelby County, Tennessee, to-wit:

This easement is 8 feet wide across a tract of land conveyed to The Industrial Development Board of The City of Memphis and County of Shelby, Tennessee by deed of record as described in the Register's Office of Shelby County, Tennessee in the Register's Official Record Book under Instrument Number JY-0186.

The centerline of this easement is located as follows: Beginning at a point in the northeasterly line of the above described property, said point being located a distance of 209.93 feet northwestwardly from the northwesterly line of Jackson Avenue as measured along the northeasterly line of said property; thence on a bearing of North 81 degrees 22 minutes 14 seconds West a distance of 91.5 feet to the termination point of this easement, said termination point being located 1 foot east of the most easterly west line of said property and 268 feet north of the northwesterly line of Jackson Avenue as measured at right angles.

Also, an easement 8 feet wide across the above described property with the centerline of this easement located as follows: Beginning at a point on the above described property, said point being located 10 feet west of the east line of said property and 234.95 feet south of the most northerly north line of said property; thence in a southwardly direction, parallel to and 10 feet west of the east line of said property a distance of 485 feet to a point designated as Point Number 1, said Point Number 1 being located 10 feet west of the east line of said property and 719.95 feet south of the most northerly north line of said property; thence from said Point Number 1 in a southwardly direction, parallel to and 10 foot west of the east line of said property a distance of 25 feet to a point, said point being located 10 feet west of the east line of said property; continuing from said Point Number 1; thence on a bearing South 88 degrees 50 minutes 50 seconds West a distance of 63 feet to the termination point of this easement, said termination point being located a distance of 2.25 feet east of the most easterly west line of said property as measured at right angles.

Permission is also granted to string and/or extend wires and/or conduits either overhead or underground in an eastwardly direction from any point in the above described easement to serve present and/or future customers.

Property located on the northwesterly side of Jackson Avenue, approximately 892.69 feet northeastwardly from the east line of Pope Street as measured along the northwesterly line of Jackson Avenue.

It, at any time the City of Memphis, acting through the Memphis Light, Gas and Water Division shall deem it expedient so to do, it may permit certain telecommunications carriers or their associated and allied companies, and/or their successors and assigns, to use the aforesaid poles or rights of way jointly with the City of Memphis, acting through the Memphis Light, Gas and Water Division, and certain telecommunications carriers, their associated, allied companies and/or their successors and assigns, may be granted the right to construct, operate and maintain their lines of telephone and telegraph, and for general transmission of intelligence consisting of such wires, cables, fiber optic cable, telecommunication antennas, conduits, guys, anchors, and other fixtures and appurtenances as may from time to time be required across, under, over and upon the foregoing property, and the further right to trim or cut down all dead, weak and dangerous trees from time to time if such trees should be tall enough to fall into the line of such company. No swimming pool, building structure, sign nor material storage will be permitted.

TO HAVE AND TO HOLD the above described easement and rights unto the said City of Memphis, its successors and assigns, until said easement rights shall be abandoned, together with the reasonable right of ingress and egress over said lands or any adjacent lands of the undersigned to or from said right of way for the purpose of constructing, reconstructing, inspecting, patrolling, hanging new wires, maintaining or removing said line, lines, mains and appurtenances, including the right to relocate along the same general direction of said line, lines or mains, the right to remove and keep clear from said lands, buildings, such trees or parts thereof, or other obstructions, which endanger or may interfere with the use, maintenance, or efficiency of said line, lines, mains or appurtenances thereto, and including further the right of exercising all rights reasonably and properly incident to the rights hereby expressly granted.

And the undersigned DOES hereby warrant the above described easement and right unto the said grantee, its successors and assigns, against the lawful claims or demands of any or all persons claiming by, through or under the undersigned.

This 17 day of May 20 00

OWNER: The Industrial Development Board of The City of Memphis and County of Shelby, Tennessee

ATTEST:

Chris [Signature]

[Signature] Memphis, TN

STATE OF TENNESSEE } COUNTY OF SHELBY }

On this ___ day of ___, 20___ before me

the undersigned, a Notary Public within and for said State and County, duly commissioned and qualified, personally appeared ___ and ___

to me known to be the ___ described in and who executed the foregoing instrument, and acknowledged that ___ executed the same as ___ free act and deed.

WITNESS my hand and Notarial Seal at Memphis, in the County aforesaid, on this day and year first above written.

Notary Public

My Commission expires

This Instrument has been Prepared by: Memphis Light, Gas and Water Division P.O. Box 430 Memphis, TN 38101-0430 Phone: (901) 528-4186

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STATE OF TENNESSEE
COUNTY OF SHELBY

Before me TIFFANY A. THORN

the undersigned, a Notary Public within and for said State

and County, duly commissioned and qualified, personally appeared FRANK C. RYBUEN

with whom I am personally acquainted, and who upon oath acknowledged himself to be the CHAIRMAN

of the INDUSTRIAL DEVELOPMENT BOARD *
CHAIRMAN

the within named bargainer, a corporation, and that he as such CHAIRMAN being authorized so to do, executed the foregoing instrument for the purposes therein contained by signing the name of the corporation by himself as CHAIRMAN

and thereunto affixing the seal of said corporation, all of which was duly attested by CHRIS J. SAENEGER as VICE CHAIRMAN

WITNESS my hand and Notarial seal, at MEMPHIS, TENNESSEE in the County aforesaid, this 17 day of MAY 2000

Tiffany Thorn
Notary Public

My Commission expires

MY COMMISSION EXPIRES NOV. 29, 2003

* OF THE CITY OF MEMPHIS AND
COUNTY OF SHELBY, TENNESSEE



Index for registration
STATE OF TENNESSEE
SHELBY COUNTY
M. and record in Sec Book
and was recorded
in Record Book No.
pages paid

State Tax
City Fee
In copies
Paid
Total
In paid County Court Clerk

CITY OF MEMPHIS

10

NUMBER

EASEMENT CONTRACT



KL5722

08/31/2000-09:02:40

Title Transfer: Easement - All	1 /
D/C: 7 - DERRICK MINK	
VALUATION	N / A
TN MORTGAGE TAX	N / A
TN TRANSFER TAX	N / A
RECORDING FEE	8 . 0 0
DP FEE	2 . 0 0
REGISTER'S FEE	N / A
WALK THRU FEE	N / A
TOTAL AMOUNT	1 0 . 0 0
PAGE COUNT	2
PAGE ADDED No	
GROUP ID	X000077891

STATE of TENNESSEE, COUNTY of SHELBY
Guy B. Bates, REGISTER