

Prepared by:

Return to: PREPARER

Stephen N. Reed  
 City Attorney  
 City of Tupelo  
 P.O. Box 1485  
 Tupelo, MS 38802  
 (662) 840-2059

Lee County, MS

**TO THE CHANCERY CLERK OF LEE COUNTY, MISSISSIPPI:** All lying and being in the parcel of land lying in the Southwest  $\frac{1}{4}$  of Section 31, Township 9 South, Range 6 East, Lee County, Mississippi.

**QUITCLAIM OF PERMANENT RIGHT OF WAY  
 EASEMENT AND TEMPORARY CONSTRUCTION  
 EASEMENT**

**FROM: TOMICENE M. WILSON  
 FAMILY TRUST  
 1496 N GUN CLUB  
 TUPELO, MS 38801  
 TELEPHONE: (662) 680-9222**

**TO: CITY OF TUPELO, MS  
 P.O. BOX 1485  
 TUPELO, MS 38801  
 TELEPHONE: (662) 840-2059**

**DAVID W. WILSON FAMILY TRUST  
 1496 N GUN CLUB  
 TUPELO, MS 38801  
 TELEPHONE: (662) 680-9222**

**ROBERT L. WILSON  
 2800 WEST MAIN STREET  
 COTTAGE 101A  
 TUPELO, MS 38801  
 TELEPHONE: (662) 231-7790**

**DAVID W. WILSON  
1496 N GUN CLUB  
TUPELO, MS 38801  
TELEPHONE: (662) 680-9222**

For and in consideration of the mutual consideration, benefits and covenants accruing to both parties, including the making of certain improvements to the Gun Club Road Right-of-Way in the city limits of Tupelo, Mississippi, the receipt and sufficiency of all of which is hereby acknowledged, **Tomicene M. Wilson Family Trust, Robert L. Wilson, Sr., Trustee of Tomicene M. Wilson Family Trust; David W. Wilson Family Trust, David W. Wilson, Trustee of David W. Wilson Family Trust; Robert L. Wilson, Sr., Individually; and David W. Wilson, Individually,** (Grantors), do hereby quitclaim unto the **City of Tupelo, Mississippi (Grantee)**, a permanent right of way easement and temporary construction easement along, over and across the following described real property situated in Lee County, Mississippi, identified in and located in the land records of the Chancery Clerk of Lee County, Mississippi, said property as depicted in "**Exhibit A**" attached hereto and more particularly described as follows:

See Exhibit "A"- north line of Gun Club Road from west property line east to Grantor's shop gate.

The location of the temporary construction easement is known to and agreed to by the parties, and it is further understood and agreed that the temporary construction easement granted herein shall terminate upon completion of the construction.

Grantee covenants that it will restore that part of Grantors' property comprising the temporary construction easement described above to substantially the same condition as existed prior to the construction, including adding curb and gutter; filling and sloping the

*DW*

ground from back of curb on the North side of Gun Club Road to tie into Grantor's frontage, removing a bush, trimming the lower branches of a tree so as to permit work underneath, tying in the driveway to the house, removing the current standing section of barbed-wire fence between the Wilson driveway to the Wilson home and the driveway to the Wilson shop; replacing the barbed-wire fence with a wooden 2-rail fence with posts made of treated wood 4x6 posts and 2x6 rails held together with headlock bolts to line up with the shop gate; and removing the shop gate that is currently angled and straighten it to square it up with the road to the shop.

The parties acknowledge and agree that other issues exist between the Wilson Family Trust, including any beneficiaries thereto, and the City of Tupelo, Mississippi, which are not resolved by the scope of this Easement. Specifically, but not limited to, the existence and extent of a prescriptive easement for the use and maintenance by the public, the liability, if any, on the part of the City of Tupelo for cutting down or causing to cut down trees north of the above mentioned prescriptive easement claimed to be owned by the Wilson Family Trust, the destruction of barbed wire fencing on property claimed to be owned by the Wilson Family Trust, damages for the destruction of property, attorneys fees to the extent allowed by law, if any, as well as incidental and consequential damages related thereto.

IN WITNESS WHEREOF, Grantors and Grantee have executed this instrument on this, the \_\_\_\_ day of December, 2022.



TOMICENE M. WILSON FAMILY TRUST

BY: Robert L. Wilson, Sr.

ROBERT L. WILSON, SR., TRUSTEE

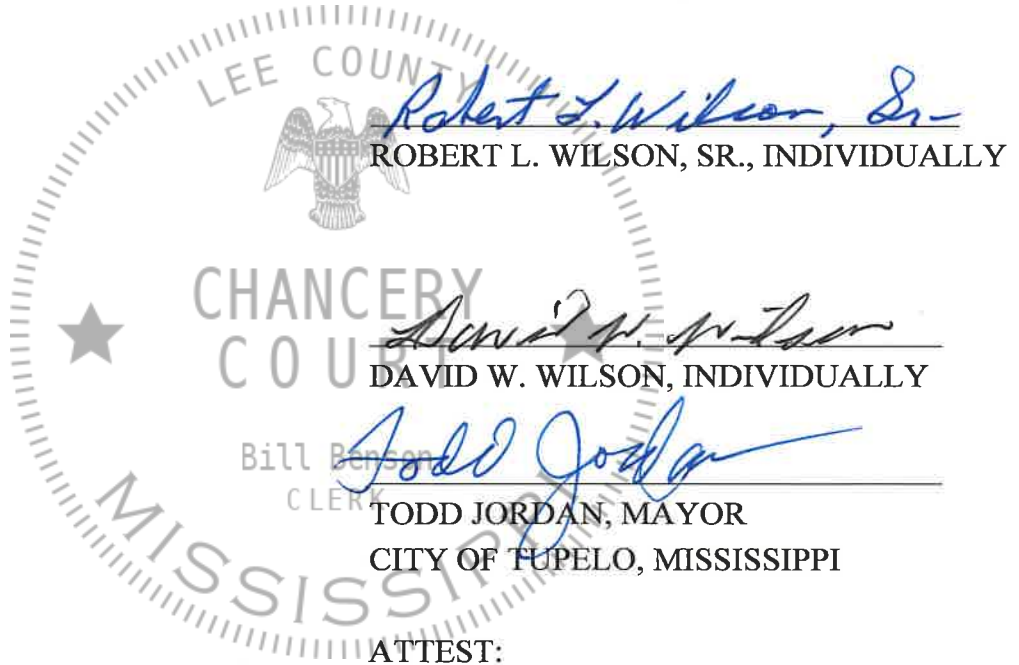
DAVID W. WILSON FAMILY TRUST

BY: David W. Wilson

DAVID W. WILSON, TRUSTEE

Robert L. Wilson

ROBERT L. WILSON, TRUSTEE



Robert L. Wilson, Sr.

ROBERT L. WILSON, SR., INDIVIDUALLY

David W. Wilson

DAVID W. WILSON, INDIVIDUALLY

Bill Benson  
CLERK

Todd Jordan

TODD JORDAN, MAYOR  
CITY OF TUPELO, MISSISSIPPI

ATTEST:

Kim Hanna

KIM HANNA, CITY CLERK

STATE OF MISSISSIPPI

COUNTY OF Lee

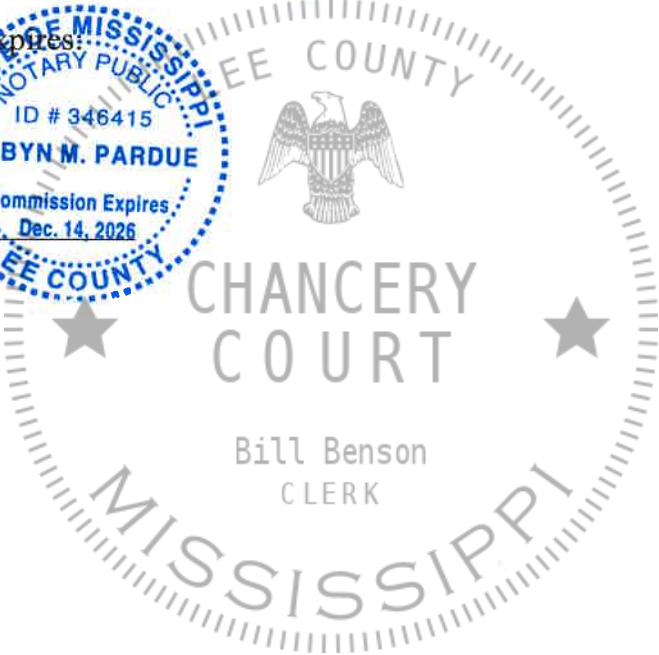
Personally appeared before me, the undersigned authority in and for said county and state on this 12/29/22 day of December, 2022 within my jurisdiction, the within named, Tomicene M. Wilson Family Trust, Robert L. Wilson, Sr., Trustee, (Grantor), who acknowledged that he signed, executed and delivered the above and foregoing instrument.

Robyn M. Pardue  
NOTARY PUBLIC

My Commission Expires:



(SEAL)



STATE OF MISSISSIPPI

COUNTY OF Lee

Personally appeared before me, the undersigned authority in and for said county and state on this 29<sup>th</sup> day of December, 2022 within my jurisdiction, the within named, David W. Wilson Family Trust, David W. Wilson, Trustee and Robert L. Wilson, Trustee (Grantor), who acknowledged that they signed, executed and delivered the above and foregoing instrument.

Robyn M Pardue  
NOTARY PUBLIC

My Commission Expires:

(SEAL)



STATE OF MISSISSIPPI

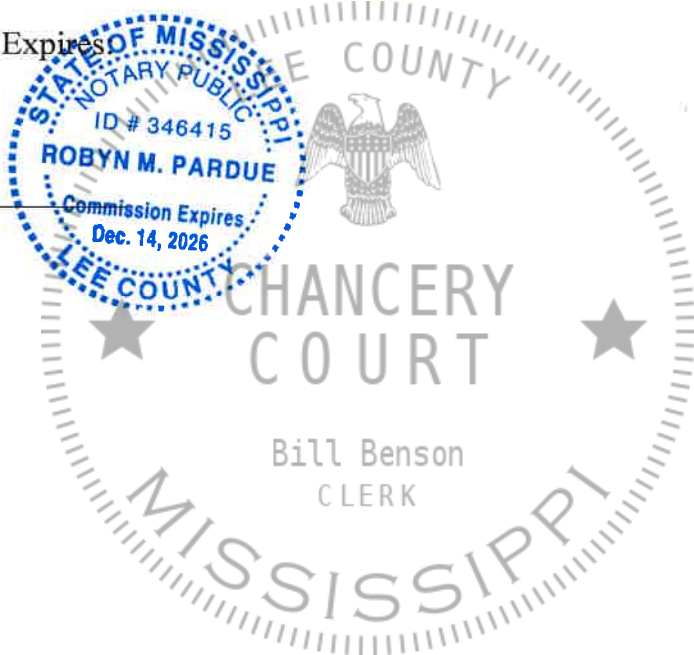
COUNTY OF Lee

Personally appeared before me, the undersigned authority in and for said county and state on this 29<sup>th</sup> day of December, 2022 within my jurisdiction, the within named, David W. Wilson, Individually, (Grantor), who acknowledged that he signed, executed and delivered the above and foregoing instrument.

Robyn M. Pardue  
NOTARY PUBLIC

My Commission Expires

(SEAL)



STATE OF MISSISSIPPI

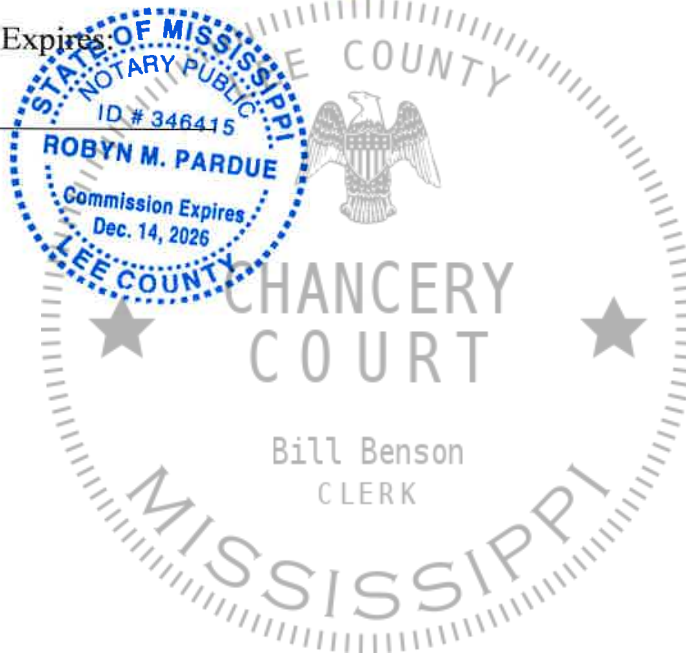
COUNTY OF Lee

Personally appeared before me, the undersigned authority in and for said county and state on this 29th day of December, 2022 within my jurisdiction, the within named, Robert L. Wilson, Sr., Individually, (Grantor), who acknowledged that he signed, executed and delivered the above and foregoing instrument.

Robyn M. Pardue  
NOTARY PUBLIC

My Commission Expires:

(SEAL)





STATE OF MISSISSIPPI  
COUNTY OF Lee

Personally appeared before me, the undersigned authority in and for said county and state on this 28 day of December, 2022 within my jurisdiction, the within named, Todd Jordan, Mayor and Kim Hanna City Clerk, on behalf of the City of Tupelo, Mississippi, (Grantee), who acknowledged that they signed, executed and delivered the above and foregoing instrument.

Stephen N. Reed  
NOTARY PUBLIC

My Commission Expires:

July 7, 2026  
(SEAL)



NO.	REVISION	DATE

DATE	BY	APP.

TOMICENE M WILSON FAMILY TRUST & DAVID W WILSON TRUST  
INST # 2015011538

TUPELO BUFFALO PARK LLC  
INST # 20130149

