

Center Hill Dam and Reservoir Project  
Caney Fork River, Tennessee  
Tract No. L-1202 (A-B)

DEED OF FLOWAGE EASEMENT

For and in consideration of the sum of THREE THOUSAND FIVE  
HUNDRED AND NO/100 - - - - - (\$ 3,500.00 ) Dollars, cash in hand  
paid to me by the UNITED STATES OF AMERICA, the receipt and sufficiency  
of which are hereby acknowledged, I, James E. Evans, single, of Buffalo  
Valley, Tennessee, have this day BARGAINED and SOLD and do by these  
presents GRANT, BARGAIN, SELL, and CONVEY unto the UNITED STATES OF  
AMERICA and its ASSIGNS forever a perpetual easement and right to flood  
as may be necessary as a result of the operation and maintenance of the  
Center Hill Dam and Reservoir Project on the Caney Fork River, Tennessee,  
in, over, and on the following described land, to-wit:

Tract No. L-1202 (A-B), Center Hill Dam and Reservoir Project

PARCEL "A"

Situate in the State of Tennessee, County of Smith, 9th Civil  
District, on the waters of Caney Fork River, and more particularly  
described as follows:

Beginning at a point on the left descending bank of Caney Fork River  
on the ordinary high water line as existed prior to the construction of  
the Center Hill Dam, said point being a corner common to James E. Evans  
and Emma Lee Moss et al; thence upstream with said water line as it  
meanders easterly and southerly, a distance of 4300 feet, more or less,  
to a corner of Tennessee Central R. R. Co.; thence leaving the river  
with Tennessee Central R. R. Co. line,

South 80° 30' West, 130 feet, more or less, to a  
point; thence through the lands of James E. Evans as follows:

North 03° 45' West, 415 feet, more or less;  
North 14° 00' West, 720 feet, more or less;  
North 41° 00' West, 390 feet, more or less;  
North 67° 30' West, 390 feet, more or less;  
South 86° 00' West, 410 feet, more or less;  
South 69° 30' West, 570 feet, more or less;  
South 78° 00' West, 670 feet, more or less;  
South 63° 00' West, 600 feet, more or less, to a point  
in a line of the aforesaid Emma Lee Moss et al; thence with this line,

*Sheet # 9*

North 14° 30' West, 120 feet, more or less, to the point or place of beginning, containing 9.0 acres, more or less; and being a part of the land conveyed to James E. Evans by J. A. Moss by deed dated December 22, 1917 and recorded in Deed Book 38, Page 318-19 in the records of Smith County, Tennessee.

PARCEL "B"

Situate in the State of Tennessee, County of Putnam, 11th Civil District, and County of Smith, 10th Civil District, on the waters of Caney Fork River, and more particularly described as follows:

Beginning at a point on the right descending bank of Caney Fork River on the ordinary high water line as existed prior to the construction of the Center Hill Dam, said point being a corner common to James E. Evans and Charlie Ballard et ux; thence leaving the river with the division line between said Evans and Ballard:

North 04° 15' East, 30 feet, more or less, to a point; thence leaving this division line, through the lands of said Evans as follows:

North 73° 45' East, 1790 feet, more or less;  
North 89° 00' East, 480 feet, more or less;  
North 41° 00' East, 510 feet, more or less;  
North 39° 30' West, 240 feet, more or less;  
North 25° 30' West, 415 feet, more or less;  
South 61° 00' East, 420 feet, more or less;  
North 30° 00' East, 510 feet, more or less;  
North 55° 30' East, 220 feet, more or less;  
South 29° 00' West, 640 feet, more or less;  
South 55° 00' West, 180 feet, more or less, to a

point in a line of Alonzo Bates et ux; thence with Bates' line,

North 65° 00' West, 90 feet, more or less, to a corner common to said Evans and Bates in the center of Rock Spring Creek; thence with said creek downstream as it meanders southerly a distance of 950 feet, more or less, to a point on the aforesaid high water line of Caney Fork River; thence downstream with said water line as it meanders westerly a distance of 2340 feet, more or less, to the point or place of beginning, containing 5.0 acres, more or less, and being a part of the land conveyed to James E. Evans by Isaac W. Evans by deed dated January 4, 1911 and recorded in Deed Book 20, Page 119-20 in the records of Putnam County, and recorded in Deed Book 38, Page 320, in the records of Smith County, Tennessee, both parcels containing a combined total of 14.0 acres, more or less,

together with the right to flood, as above set forth, all right, title, and interest which the Grantor may have in any roads, streets, ways, strips, gores, railroad rights of way and the banks and beds of any streams abutting, adjoining, or traversing said easement area, and in any means of ingress and

egress appurtenant thereto; together with the further right to go upon said easement area from time to time, as the occasion may arise, and remove therefrom natural and artificial structures or obstructions, including timber and other natural growths and any other obstructions, growths, accumulations, brush, trash, filth and any other thing, which, in the opinion of the duly authorized representative of the United States in charge, may be considered to be detrimental to the operation and maintenance of the project and a hazard to navigation.

In further consideration of the payment of the above stated sum by the United States, it is stipulated and agreed:

(a) That all buildings and/or improvements located upon the above described easement area shall be removed by the Grantor within sixty (60) days after payment of the sum of money stated above. In the event said buildings and/or improvements are not removed within sixty (60) days as above provided, the right of removal shall terminate automatically, and the United States shall have a good and indefeasible title to said buildings and/or improvements without notice to the Grantor.

(b) That no buildings and/or improvements shall be erected or permitted to be erected by the Grantor, his heirs and assigns within the above described easement area without prior approval of the authorized representative of the United States in charge of the project.

(c) That said payment liquidates in full all past, present, and future damages of any kind or character to the above described easement area, and the Grantor further stipulates and agrees that said payment liquidates in full all past, present, and future damages of any kind or character to crops, timber and any other thing or things that may have occurred, or may hereafter occur from overflow, or otherwise resulting from or incident to the maintenance and/or operation of the Center Hill

Dam and Reservoir Project in any way or manner, and from or incident to the exercise of the rights, titles, powers, privileges, and easements herein granted.

The above described rights, titles, powers, privileges, and easements are granted subject to the following rights outstanding in third parties; namely:

(1) Existing easements, if any, for public roads and highways, for public utilities, for railroads, for pipelines, outstanding subsurface rights and existing leases for oil and gas.

TO HAVE AND TO HOLD the above described land to the full extent of the interest conveyed together with all rights, titles, estates, appurtenances and hereditaments thereunto belonging unto the United States of America and its assigns forever.

AND I, the said James E. Evans, covenant that I am lawfully seized and possessed of the above described property in fee simple, that the same is unencumbered and that I have a good right to convey it. I further covenant and bind myself, my heirs and representatives to forever warrant and defend the title to the above described property to the United States of America and its assigns against the lawful claims of all persons whomsoever.

IN WITNESS WHEREOF I have hereunto set my hand this the 12<sup>th</sup> day of November 1954.

  
James E. Evans

STATE OF TENNESSEE }  
COUNTY OF Putnam }

SS

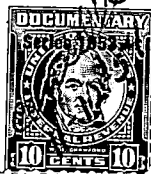
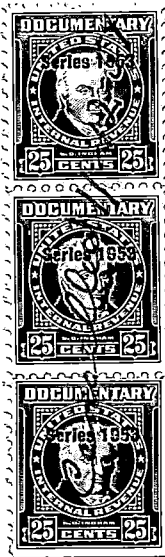
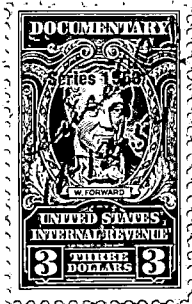
Certificate of Acknowledgment

Personally appeared before me, Robert L. Wright  
Notary Public in and for State of Perry County, State of Tennessee,  
James E. Evans, the bargainor in the foregoing conveyance, with whom I  
am personally acquainted and who acknowledged that he executed said  
conveyance for the purposes therein expressed.

IN WITNESS WHEREOF, I have hereunto set my hand and the official  
seal of my office at Buffalo Valley, State of Tennessee, on  
this the 12<sup>th</sup> day of November, 1954.

My Commission expires 28 January 1957.

Robert L. Wright  
Notary Public



COMPARED

STATE OF TENNESSEE

Smith County,

I, Martha Lankford, Registrar of said County

certify that the annexed instrument and pro-

late are recorded in my office. Book No. 161 Page 49 and

51 noted in Book 1 Page 144 the

15 day of Nov 1954 at

10 o'clock 13 min. AM.

Martha Lankford Registrar

STATE OF TENNESSEE

PUTNAM COUNTY

File Nov. 16 1954 11:46 o'clock

AM and noted in Filation Book 3 on page

296 and recorded in Book 67 on page

205

Allie Laffin Register

