

UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF MISSISSIPPI  
EASTERN DIVISION

UNITED STATES OF AMERICA  
upon the relation and for the use of the  
TENNESSEE VALLEY AUTHORITY  
Plaintiff

v.

No. 1:10-cv-00215-WAP-JAD

AN EASEMENT AND RIGHT-OF-WAY  
OVER 0.14 ACRE OF LAND, MORE  
OR LESS, IN OKTIBBEHA COUNTY,  
MISSISSIPPI, WITH RESPECT TO AN  
UNDIVIDED 4/5 INTEREST THEREIN, and  
CHRISTINE BOYD EVANS, ET AL.  
Defendants

**ORDER OF POSSESSION**

Pursuant to 40 U.S.C. §§ 3114-3118 (2006) (formerly codified as 40 U.S.C. §§ 258a-258e), which authorizes the Court “to give the Government immediate possession of the [condemned] property” (*United States v. Miller*, 317 U.S. 369, 381 (1943)), it is hereby Ordered that the Tennessee Valley Authority, as agent of the United States of America, be put into immediate possession of the property described in the Declaration of Taking filed in this action to the extent necessary to permit the Tennessee Valley Authority to carry on any of its operations described in the pleadings filed herein, and that the Defendants in such action surrender possession of the said property to the Tennessee Valley Authority accordingly.

This the 13<sup>th</sup> day of September, 2010.

/s/ W. Allen Pepper, Jr.  
W. ALLEN PEPPER, JR.  
UNITED STATES DISTRICT JUDGE

Tendered by:

*s/Thomas A. Robins*

Thomas A. Robins

Senior Attorney

Tennessee Valley Authority

400 West Summit Hill Drive

Knoxville, Tennessee 37902-1401

Telephone 865-632-7034

Facsimile 865-632-2422

Email tarobins@tva.gov

Attorney for Plaintiff