

BOOK

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5484J

IN THE SPECIAL COURT OF EMINENT DOMAIN  
MADISON COUNTY, MISSISSIPPI

MADISON COUNTY, MISSISSIPPI  
ACTING BY AND THROUGH THE  
MADISON COUNTY BOARD OF SUPERVISORS

PETITIONER

VS.

CIVIL ACTION FILE NO. 9132

WILLIAM O. BROWN,  
TERENCE BROWN,  
UNKNOWN HEIRS OF RUFUS BROWN,  
DECEASED, IF ANY,  
WILLIAM E. BOWLUS, M.D.,  
AND UNIVERSITY OB-GYN ASSOCIATES

RESPONDENTS

LIS PENDENS NOTICE

TO THE CHANCERY CLERK OF MADISON COUNTY, MISSISSIPPI:

You are hereby notified that the Madison County, Mississippi, acting by and through the Madison County Board of Supervisors is seeking to acquired by Eminent Domain and has filed a Petition To Acquire Fee Ownership in the lands described in Exhibit "A" attached hereto and incorporated herein. The interested parties are:

1. Board of Supervisors of Madison County, Mississippi, Petitioner.
2. William O. Brown, Terence Brown, Unknown Heirs of Rufus Brown, Deceased, if any, William E. Bowlus, M.D., and University OB-GYN Associates.

You are further requested to include this Notice and Exhibit "A" hereof in the Lis Pendens record of the aforesaid County as provided by law.

MADISON COUNTY, MISSISSIPPI  
ACTING BY AND THROUGH THE  
MADISON COUNTY BOARD OF SUPERVISORS

BY: C. R. MONTGOMERY

BY:   
Dewey Hembree

C. R. Montgomery  
Dewey Hembree  
Montgomery, Smith-Vaniz & McGraw  
Attorneys-at-Law  
3390 North Liberty Street  
P.O. Box 1039  
Canton, MS 39046  
Telephone: (601) 859-6107  
948-0972  
Attorneys for Petitioner

F6112801  
302/29405

Note: The Stationing and R.O.W. lines for the South Madison Co. Parkway was taken from plans prepared by Waggoner Engineering, Inc.

Madison County School Board

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P.O.C.  
Fnd. 1" pipe representing  
the NW corner of the East 1/2  
of the SW 1/4 of Section 12  
T7N - R1E, Madison Co., MS

Bayley Mortgage Co.

SW corner Parcel 4  
Rufus Brown Estate  
Fnd. 1 rod

Note: The information on this plat (in regards to the Parkway) is based on recovered evidence found at the Points of Curvature, Points of Intersection, and Points of Tangencies, along the centerline of said Parkway said to have been set to represent the centerline of said Parkway by Waggoner Engineering, Inc.

Parcel 4 of the Rufus Brown Estate  
Parcel 5 of the Rufus Brown Estate

Owner:  
William O. & Terrace Brown  
Area in R.O.W. is  $\pm 0.870$  acres  
Area in Permanent Drainage Easement  
is  $\pm 7.04$  square feet.  
Area in Temp. Const. Easement  
is  $\pm 0.379$  acres

Gladys Odell Brown

Alva H. Rutledge

TRUE NORTH

Bearings Based On  
Solar Observations

Note: No improvements or encroachments are shown on this plat but the mathematical accuracy meets or exceeds minimum standards of a Class "B" survey.

EXHIBIT A

QUEST ENGINEERING, INC.

CONSULTING ENGINEERS - SURVEYORS

5250 Galactic Dr. • P.O. Box 16646 • Jackson, MS. 39236

Telephone (601) 961-8768

Date: 7/30/90

Scale: 1" = 60'

Dwg. 1510-02

PLANIMETRIC LAYOUT OF THE SOUTH  
MADISON COUNTY PARKWAY ACROSS PROPERTY  
OF THE RUFUS BROWN ESTATE SITUATED IN  
T7N - R1E, MADISON CO., MS

## DESCRIPTION

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A strip of land varying in width for roadway purposes, across a tract of land situated in the Southeast 1/4 of the Northwest 1/4 of Section 12, Township 7 North, Range 1 East, Madison County, Mississippi and said strip of land being more particularly described as follows:

Commencing at a found 1" pipe representing the northwest corner of the East 1/2 of the Southwest 1/4 of said Section 12; run thence North 00 degrees 36 minutes 08 seconds East and along the west line of said Southeast 1/4 of the Northwest 1/4 of said Section 12 for a distance of 342.12 feet to the Southwest corner of that certain 4.338 acre, tract of land, hereinafter referred to as Parcel 4 of the Rufus Brown Estate, as recorded in Deed Book 268 starting at page 439, Deed Book 268 starting at page 448, Deed Book 268 starting at page 456, Deed Book 268 starting at page 465, Deed Book 268 starting at page 472 and in Deed Book 268 starting at page 480 of the land records of Madison County Mississippi; continue thence North 00 degrees 36 minutes 08 seconds East, for a distance of 1.06 feet to the POINT OF BEGINNING of the following described strip of land, said point being on the easterly right-of-way line of the South Madison County Parkway, as shown by plans prepared by Waggoner Engineering, Inc. and from said POINT OF BEGINNING; run thence

North 00 degrees 36 minutes 08 seconds East and along the west line of said Parcel 4 for a distance of 132.12 feet to a point on the westerly right-of-way line said parkway, said point being 148.33 feet South 00 degrees 36 minutes 08 seconds West of the Northwest corner of said Parcel 4; run thence

North 49 degrees 47 minutes 30 seconds East, (Waggoner Engineering, Inc. R.O.W. Plans call for North 49 degrees 45 minutes 07 seconds East) for a distance 30.16 feet to a point of curvature in said westerly right-of-way line, said point having a station value of 362+64.83 according to the aforesaid R.O.W. plans; run thence

Northeasterly and clockwise along the arc of a curve to the right for a distance of 185.47 feet, said curve having a delta angle of 9 degrees 30 minutes 49 seconds, a radius of 1,117.00 feet, and said curve being subtended by a chord which bears North 54 degrees 32 minutes 54 seconds East with a distance of 185.26 feet, said point being 50.0 feet left of centerline station 364+42 of aforesaid Parkway R.O.W. plans; run thence

North 16 degrees 48 minutes 21 seconds East and along a flare of said westerly right-of-way line for a distance of 11.14 feet, to a point on the North property line of aforesaid Parcel 4 of the Rufus Brown Estate, and said point being 175.94 feet South 86 degrees 30 minutes 10 seconds East from the northwest corner of said Parcel 4; run thence

South 86 degrees 30 minutes 10 seconds East and along said North property line for a distance of 224.56 feet to a point on the Easterly right-of-way line of the aforementioned South Madison County Parkway; run thence

Southwesterly and counterclockwise along the arc of a curve to the left in said Easterly right-of-way line for a distance of 80.78 feet, said curve having a delta angle of 4 degrees 33 minutes 03 seconds, a radius of 1,017.00 feet and said curve being subtended by a chord which bears South 68 degrees 01 minute 28 seconds West with a distance of 80.76 feet, said point being 50 feet right of centerline station 365+62 of aforesaid Parkway R.O.W. Plans; run thence

South 18 degrees 08 minutes 46 seconds West and along a flare of said Easterly right-of-way line for a distance of 41.15 feet, said point being 80 feet right of centerline Sta. 365+32 of aforesaid Parkway R.O.W. plans; run thence

Southwesterly, and counterclockwise along the arc of a curve to the left in said right-of-way line for a distance of 55.50 feet, said curve having a delta angle of 3 degrees 13 minutes 19 seconds, a radius of 987.00 feet and said curve being subtended by a chord which bears South 62 degrees 31 minutes 37 seconds West with a distance of 55.50 feet, said point being 80 feet right of centerline station 364+72 of aforesaid Parkway R.O.W. plans; run thence

North 73 degrees 05 minutes 30 seconds West and along a flare of said easterly right-of-way line for a distance of 41.15 feet, said point being 50 feet right of centerline station 364+42; run thence

Southwesterly, and counterclockwise along the arc of a curve to the left in said Easterly right-of-way line for a distance of 168.87 feet, said curve having a delta angle of 9 degrees 30 minutes 49 seconds, a radius of 1,017.00 feet and said curve being subtended by a chord which bears South 54 degrees 32 minutes 54 seconds West with a distance of 168.67 feet, said point being 50 feet right of centerline station 362+64.83; run thence

South 49 degrees 47 minutes 30 seconds West and along said Easterly right-of-way line for a distance of 116.51 feet, back to the POINT OF BEGINNING of the above described strip of land containing 0.870 acres, more or less.

Also included are a Permanent Drainage Easement and Temporary Construction Easements as shown on the accompanying plat prepared by Guest Engineering, Inc. marked 1510-02 and being incorporated herein by reference.



STATE OF MISSISSIPPI, County of Madison:

I certify that the within instrument was filed for record in my office this 16 day of Jan, 1991, at 350 o'clock P.M., and was duly recorded on the JAN 16 1991, Book No. 6, Page 63.

BILLY V. COOPER, CHANCERY CLERK

BY: Scob D.C.

G-1510-02

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EXHIBIT A