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NOTICE OF CLAIM OF CONSTRUCTION LIEN

TO: Hon. Billy V. Cooper  
Chancery Clerk - Madison County  
Post Office Box 404  
Canton, Mississippi 39046

BOOK 6 PAGE 327

YOU ARE HEREBY NOTIFIED, that Mississippi Marble, Inc., a Mississippi corporation, whose address is 1520 Moody Street, Jackson, Mississippi 39202, claims a lien to be recorded in the Notice of Construction Lien records in your office, pursuant to §85-7-133, Mississippi Code Annotated, 1972, as amended as follows:

1.

The basis for the claim is that Mississippi Marble, Inc., at the request of the builder/contractor, Muskgrove Builders furnished certain labor and materials and performed certain construction work for the said Muskgrove Builders on the hereinafter described property. A duplicate copy of the original invoice is attached hereto, the original being in the possession of the said Muskgrove Builders, the same having been sent to Muskgrove Builders on June 23, 1989.

2.

The description of the property sought to be bound is located in the County of Madison, State of Mississippi, and is more particularly described as follows, to-wit:

Lot 45, ROSE'S BLUFF, Part 2

3.

The parties affected by this lien are the builder/contractor, Muskgrove Builders, whose address is Route 1, Box 411E, Florence, Mississippi 39073, and David Lee Wittchen and Jean Louise Wittchen, owners of record whose address is #2 Red Stone, Simsbury, Connecticut 06089, and any other persons or entities having other valid liens of record. Suit has not been filed and no contract is filed or recorded.

For Authority to Cancel See  
Book 6 Page 447  
Billy V Cooper C.C.  
By: K Gregory D.C.  
3-20-90

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4.

The amount claimed to be due and owing is Two Thousand Four Hundred Twelve and 17/100 Dollars (\$2,412.17), which said amount represents the unpaid value of the labor, materials and construction work completed and in place on the within described property.

MISSISSIPPI MARBLE, INC.

BY *T. J. Martin*  
T. J. MARTIN, PRESIDENT

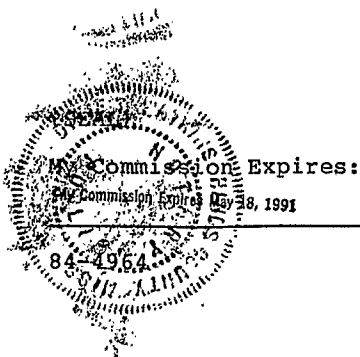
STATE OF MISSISSIPPI  
COUNTY OF HINDS

PERSONALLY appeared before me, the undersigned authority in and for the jurisdiction aforesaid the within named T. J. Martin, President of Mississippi Marble, Inc., a Mississippi corporation, who, being by me first duly sworn did then and there depose and say that the matters and facts set forth in the above and foregoing Notice of Claim of Construction Lien are true and correct as therein stated and that he signed and delivered a true copy of the foregoing Notice of Claim of Construction Lien as in such cases required by law on the day and date therein written.

*T. J. Martin*  
T. J. MARTIN, PRESIDENT  
MISSISSIPPI MARBLE, INC.

SWORN TO AND SUBSCRIBED BEFORE ME, this the 10th day of August, 1989.

*Doris Watkins*  
NOTARY PUBLIC



AFFIDAVIT

BOOK

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STATE OF MISSISSIPPI  
COUNTY OF HINDS

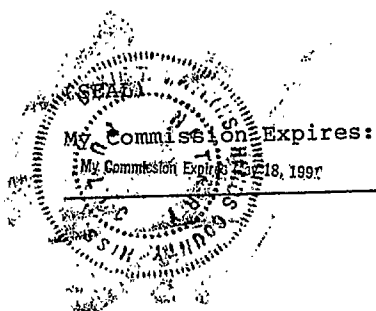
PERSONALLY appeared before me, the undersigned authority in and for the jurisdiction aforesaid, the within named James W. Clancy, Attorney, who having first duly sworn by me, states on his oath as follows:

1. That he is the attorney for Mississippi Marble, Inc., a Mississippi corporation.
2. That a true and correct copy of the attached Notice of Claim of Construction Lien was given to the owner of the property described in said Notice on the 10<sup>th</sup> day of August, 1989, by certified mail, return receipt requested. A true and correct copy of the return receipt of said certified mail is attached hereto.
3. Further affiant saith not.

James W. Clancy  
JAMES W. CLANCY

SWORN TO AND SUBSCRIBED BEFORE ME, this the 10<sup>th</sup> day of August, 1989.

Dixie Subekins  
NOTARY PUBLIC



HARRY C. STRAUSS  
JAMES W. CLANCY  
HERMINE M. WELCH

## STRAUSS & CLANCY

ATTORNEYS AT LAW  
350 NORTH MART PLAZA - JACKSON, MS 39206-5319

August 10, 1989

MAILING ADDRESS:  
P.O. BOX 9283  
JACKSON, MS 39286-9283  
Telephone (601) 981-2911

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CERTIFIED - RETURN RECEIPT REQUESTED

Mr. David Lee Wittchen and  
Mrs. Jean Louise Wittchen  
#2 Red Stone  
Simsbury, CT 06089

RE: Lot 45, Rose's Bluff, Part 2, Madison County, Mississippi  
Muskgrove Builders  
\$2,412.17

STOP PAYMENT NOTICE

Dear Mr. and Mrs. Wittchen:

Be advised that this office represents Mississippi Marble, Inc., a materialman who has supplied goods and services incorporated into the above captioned property and that Muskgrove Builders is indebted to Mississippi Marble in the amounts shown above.

Pursuant to Section 85-7-181 Mississippi Code Annotated, Mississippi Marble hereby puts you on notice of its claims as set forth above and its demand that any further disbursement of funds on the above captioned property be so done as to satisfy the amounts due Mississippi Marble, all according to statute.

Please feel free to call me should you require further information.

Very truly yours,

STRAUSS AND CLANCY

BY: *Jim Clancy*  
JIM CLANCY

JWC/dth

enclosure

cc: Mississippi Marble, Inc.

84-4963



1520 Moody Street, Jackson, MS 39202/(601) 354-4777

**INVOICE**

Nº 6186

DATE 6/23/89

TO: MUSK GROVE BUILDERS  
ROUTE 1, BOX 411E  
FLORENCE, MS 39073

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JOB NUMBER	DESCRIPTION	AMOUNT
LOT 45, : ROSES BLUFF	6 Marble tops	222.47
		202.86
	2 @ 28.00ea	56.00
	2 @ 137.15ea.	274.30
	2 Alcoves @ \$335.00ea	670.00
	Deck & skirt	250.00
	36 x 48 Shower	600.00
		2,275.63
	6% tax	136.54
	<b>TOTAL DUE</b>	<b>2,412.17</b>

TERMS: YOU MAY DEDUCT \$241.22 IF PAID BY JULY 10TH. THANK YOU!  
PAST DUE JULY 31ST.

Please pay from invoice. No statement sent unless requested.

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P 945 997 093

RECEIPT FOR CERTIFIED MAIL  
NO INSURANCE COVERAGE PROVIDED  
NOT FOR INTERNATIONAL MAIL  
(See Reverse)

Sent to: David Lee Wittchen JeanLouisei Wittchen	
Street and No. #2 Red Stone	
P.O., State and ZIP Code Simsbury, CT 06089	
Postage	\$ .25
Certified Fee	.90
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt showing to whom and Date Delivered	.80
Return Receipt showing to whom, Date, and Address of Delivery	
TOTAL Postage and Fees	\$2.00
Postmark or Date August 10, 1989	

PS Form 3800, June 1985



STATE OF MISSISSIPPI, County of Madison:

I certify that the within instrument was filed for record in my office this 14 day  
of August, 1989, at 900 o'clock a M., and was duly recorded  
on the Aug 14, 1989, Book No. 6, Page 327.  
BILLY V. COOPER, CHANCERY CLERK BY: K. Carapay D.C.