

LIS PENDENS
NOTICE OF LIEN

52
COMES NOW, Wickes Lumber Company, a Delaware corporation authorized to do business within the State of Mississippi, and states as follows:

1. Lucius Fleming (hereinafter referred to as "Owner") is the record owner of the following described property situated in the County of Madison, State of Mississippi, more particularly described as follows, to-wit:

See Exhibit "A" attached hereto which Exhibit is incorporated herein by reference the same as if copied herein in full.

2. Wickes Lumber Company has supplied materials to MC-DA Realty Company which were used in the erection, construction, alteration or repair of a house, building or structure located on the property described in Exhibit "A" attached hereto. MC-DA Realty Company is the general contractor for Owner of said property. Wickes Lumber Company has not been paid in full for said materials and \$3266.06 is still due and owing from MC-DA Realty Company to Wickes Lumber Company for said materials. It is the understanding of Wickes Lumber Company that sufficient funds remain due and payable from Owner to MC-DA Realty Company to pay the claim of Wickes Lumber Company in part or in full.

3. Wickes Lumber Company hereby claims the benefit of Section 85-7-181 et. seq. of Mississippi Code Annotated (1972), as amended, which requires that any amount due by Owner of the property described in Exhibit "A" to MC-DA Realty Company as of the date on which notice of this claim was first received, shall be bound in the hands of Owner for the payment in full of all sums due Wickes Lumber Company. A Stop Payment Notice regarding this claim has been mailed to Owner by certified mail, return receipt requested.

4. The parties which may be affected by this lien include Owner of the property described in Exhibit "A", MC-DA Realty Company and various subcontractors and other parties unknown to Wickes Lumber Company, which subcontractors and parties may have

For Release See
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Billy V Cooper C.C.
By: K Gregory D.C.
1-29-90

furnished labor, services and/or materials for use in work done on the property described in Exhibit "A".

Wickes Lumber Company

BY: Jerry Geimer
Jerry Geimer, General Manager

STATE OF MISSISSIPPI
COUNTY OF HINDS

Personally appeared before me, the undersigned authority in and for the jurisdiction aforesaid, the within named Jerry Geimer, an adult resident citizen of the State of Mississippi and the General Manager of Wickes Lumber Company, a Delaware corporation authorized to do business in the State of Mississippi, who having been first duly sworn on oath states that he has been duly authorized to make this affidavit for and on behalf of said corporation, and that, based upon his personal knowledge, the matters set forth in the foregoing Notice of Lien, are true and correct as therein stated.

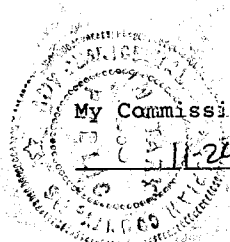
Jerry Geimer
Jerry Geimer, General Manager

SWORN TO AND SUBSCRIBED BEFORE ME on this the 22nd day of September, 1989.

Amy Clarice Wallace
Notary Public

My Commission Expires:

11-24-90



A lot or parcel of land fronting 116 feet on the south side of a county public road, lying and being situated in the N $\frac{1}{2}$ NW $\frac{1}{4}$ of Section 10, Township 8 North, Range 2 East, Madison County, Mississippi, and more particularly described as follows:

Commencing at the intersection of the south margin and the east margin of two county public roads, said roads representing the north and west lines of said Section 10 and run East along the south margin of said road for 715.6 feet to the NE corner and point of beginning of the property herein described; thence South for 372.5 feet to a point on the north line of the Daughtry Estate; thence N 89°13'W along said north line for 116 feet to a point; thence North for 370.9 feet to a point on the south margin of said road; thence East along the south margin of said road for 116 feet to the point of beginning. Containing 1 acre, more or less.

EXHIBIT A

AFFIDAVIT WITH RESPECT TO NOTICE

COMES NOW, Wickes Lumber Company, a Delaware corporation authorized to do business within the State of Mississippi, and states that a copy of the Notice of Lien to which this affidavit is attached was sent by certified mail, return receipt requested, on the 22nd day of September, 1989, to Lucius Fleming at Route 1, Box 159G, Madison, MS, 39110.

Wickes Lumber Company

BY: Jerry Geimer
Jerry Geimer, General Manager

STATE OF MISSISSIPPI
COUNTY OF HINDS

Personally appeared before me, the undersigned authority in and for the jurisdiction aforesaid, the within named Jerry Geimer, an adult resident citizen of the State of Mississippi and the General Manager of Wickes Lumber Company, a Delaware corporation authorized to do business in the State of Mississippi, who having been first duly sworn on oath states that he has been duly authorized to make this affidavit for and on behalf of said corporation, and that, based upon his personal knowledge, the matters set forth in the foregoing Affidavit with Respect to Notice are true and correct as therein stated.

Jerry Geimer
Jerry Geimer, General Manager

SWORN TO AND SUBSCRIBED BEFORE ME on this the 22nd day of September, 1989.

Amy Clarice Wallace
Notary Public

My Commission Expires:
11-24-90



STATE OF MISSISSIPPI, County of Madison:

I certify that the within instrument was filed for record in my office this 25 day of Sept, 1989, at 900 o'clock A M., and was duly recorded on the SEP 25 1989, Book No. 5, Page 461.

BILLY V. COOPER, CHANCERY CLERK BY: S Cole D.C.