

185804

STOP PAYMENT NOTICE

BOOK

6 PAGE 510

STATE OF MISSISSIPPI

COUNTY OF MADISON

CERTIFIED MAIL NO. P 697 815 816
RETURN RECEIPT REQUESTED

TO: Ava H. Bell
51 Northtown Drive, 3-C
Jackson, MS 39211

NOTICE IS HEREBY GIVEN that Barnett Phillips Lumber Co., d/b/a Phillips Lumber & Home Center, has supplied materials to Nate A. Salvo, III, and/or Hallmark Properties, Inc., that were used and incorporated into improvements of real property located at Lot 25, Overlook Pointe, a subdivision according to the map or plat thereof, filed for record in Plat Cabinet C at Slot 81, ratified in Book 754 at page 548 in the office of the Chancery Clerk of Madison County, at Canton, Mississippi.

As of this day, there is an outstanding balance due to Barnett Phillips Lumber Co., d/b/a Phillips Lumber & Home Center, for materials supplied and incorporated into the project in the principal sum of Twenty-two Thousand Six Hundred Ninety-eight and 40/100 Dollars (\$22,698.40), plus interest thereon at the rate of eighteen percent (18%) per annum from and after January 25, 1996.

Pursuant to §85-7-181 of the Mississippi Code of 1972, Annotated, you are formally advised that the sum of Twenty-two Thousand Six Hundred Ninety-eight and 40/100 Dollars (\$22,698.40) plus interest thereon at the rate of eighteen percent (18%) per annum from and after January 25, 1996, is due and owing to Barnett Phillips Lumber Co., d/b/a Phillips Lumber & Home Center, for materials supplied on the above described project and that any

unpaid sums remaining pursuant to a contract with Nate A. Salvo, III, and/or Hallmark Properties, Inc., are bound for payment as claimed. Please be advised that the sum of Twenty-two Thousand Six Hundred Ninety-eight and 40/100 Dollars (\$22,698.40) plus interest thereon at the rate of eighteen percent (18%) per annum from and after January 25, 1996, should be deducted from any future payments to Nate A. Salvo, III, and/or Hallmark Properties, Inc., and paid directly to Barnett Phillips Lumber Co., d/b/a Phillips Lumber & Home Center, via their attorney, William R. Collins, by mailing same to his usual place of business at Post Office Box 1039, Canton, Mississippi 39046.

Barnett Phillips Lumber Co., d/b/a Phillips Lumber & Home Center, does further make demand under the Mississippi Prompt Payment Statute in the amount of Twenty-two Thousand Six Hundred Ninety-eight and 40/100 Dollars (\$22,698.40) plus interest thereon at the rate of eighteen percent (18%) per annum from and after January 25, 1996, and any other costs that may be due them under said statute. Barnett Phillips Lumber Co., d/b/a Phillips Lumber & Home Center, does further make demand that in the event the retainage under the contract with Nate A. Salvo, III, and/or Hallmark Properties, Inc., is insufficient or inadequate to pay the amounts owed Barnett Phillips Lumber Co., d/b/a Phillips Lumber & Home Center, then demand should be and hereby is made upon any and all bonds on the project or held by Ava H. Bell.

A true and correct copy of this Stop Payment Notice has been mailed to Ava H. Bell, 51 Northtown Drive, 3-C, Jackson,

Mississippi 39211, by Certified Mail, return receipt requested, to Nate A. Salvo, III, and/or Hallmark Properties, Inc., 855 Pear Orchard, #205, Ridgeland, Mississippi 39157; and to the Chancery Clerk of Madison County, Mississippi for recording in the lis pendens records of said County.

WITNESS MY HAND, this the 30th day of January, 1996.

BARNETT PHILLIPS LUMBER CO., D/B/A
PHILLIPS LUMBER & HOME CENTER

By: William R. Collins
William R. Collins, its attorney

STATE OF MISSISSIPPI

COUNTY OF MADISON

PERSONALLY APPEARED BEFORE ME, the undersigned authority in and for the jurisdiction aforesaid, the within named **WILLIAM R. COLLINS**, who acknowledged to me that he is the attorney for Barnett Phillips Lumber Co., d/b/a Phillips Lumber & Home Center, and that the facts set forth in the above and foregoing **Stop Payment Notice** are true and correct to the best of his knowledge, information and belief, and that he executed the **Stop Payment Notice** on behalf of Barnett Phillips Lumber Co., d/b/a Phillips Lumber & Home Center as the said corporation's act and deed, he being authorized so to do.

GIVEN UNDER MY HAND AND SEAL, this the 30th day of January, 1996.

Susan J. Russell
NOTARY PUBLIC

MY COMMISSION EXPIRES:
March 10, 1996

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STATE OF MISSISSIPPI, COUNTY OF MADISON:

I certify that the within instrument was filed for record in my office this 31 day of Jan, 1996, at 2:10 o'clock P M., and was duly recorded on the JAN 31 1996, Book No. 6, Page 510.
STEVE DUNCAN, CHANCERY CLERK BY: Charker D.C.