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IN THE CIRCUIT COURT OF MADISON COUNTY, MISSISSIPPI

JERRY MITCHELL d/b/a MITCHELL  
PLUMBING AND HEATING

PLAINTIFF

VS.

CAUSE NO. 3202

JERRY THARPE

DEFENDANT

LIS PENDENS NOTICE

The State of Mississippi  
Madison County

To the Clerk of the Chancery Court of Madison County:

You are hereby notified that suit has been filed by Jerry Mitchell d/b/a Mitchell Plumbing and Heating in the Circuit Court of Madison County, Mississippi against Jerry Tharpe.

In said suit, the following described parcel of real estate situated in Madison County, Mississippi, is involved:

Lot 15 Annandale Part B1, a subdivision according to the map or plat thereof which is on file and of record in the office of the Chancery Clerk of Madison County at Canton, Mississippi in Plat Cabinet B at Slide 87 reference to which map or plat is hereby made in aid of and as a part of this description.

The nature of the lien, right or interest sought to be enforced is as follows:

Jerry Mitchell d/b/a Mitchell Plumbing and Heating claims a lien on said parcel owned by Jerry Tharpe for the value of labor, materials and services rendered by Jerry Mitchell d/b/a Mitchell Plumbing and Heating in the erection and construction of certain improvements on said parcel pursuant to its Notice of Laborer's and Materialman's Lien, at Book 6, Page 150, of the Construction and Materialman Lien Book on file in the office of the Chancery Clerk, Madison County, Mississippi.

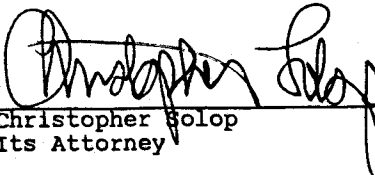
WITNESS my signature, this the 30<sup>th</sup> day of December, 1988.

JERRY MITCHELL d/b/a MITCHELL  
PLUMBING AND HEATING

OF COUNSEL:

OTT & PURDY, Ltd.  
825 North President Street  
Post Office Drawer 1079  
Jackson, Mississippi 39215-1079  
(601) 969-4140

BY:

  
Christopher Solop  
Its Attorney

AFFIDAVIT

STATE OF MISSISSIPPI

COUNTY OF HINDS

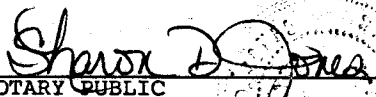
Notice of Laborer's and Materialman's Construction Lien was served upon Jerry Tharpe via certified mail, return receipt requested. Said Notice was received by Shirley Tharpe on October 5, 1988. A true and correct copy of the Notice of Laborer's and Materialman's Construction Lien served upon Jerry Tharpe and filed with the Clerk of the Chancery Court of Madison County is appended to this Lis Pendens Notice as Exhibit "A".

  
Christopher Solop

STATE OF MISSISSIPPI

COUNTY OF HINDS

Personally appeared before me, the undersigned authority in and for the said county and state, on this 30<sup>th</sup> day of December, 1988, within my jurisdiction, the within named Christopher Solop, who acknowledged that he executed the above and foregoing instrument.

  
NOTARY PUBLIC

My Commission Expires:  
My Commission Expires August 6, 1990

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NOTICE OF LABORER'S AND MATERIALMAN'S  
CONSTRUCTION LIEN

STATE OF MISSISSIPPI  
COUNTY OF ~~HINDS~~ <sup>MADISON</sup>

Notice is hereby given under and pursuant to the express provisions of Mississippi Code 1972 Annotated §§85-7-131 and 85-7-137, that Jerry Mitchell d/b/a Mitchell Plumbing and Heating (hereinafter "Mitchell"), domiciled in Hinds County, Mississippi, with a principal office and place of business at 210 Vance Drive, Jackson, Mississippi, has and claims a good and valid lien upon the following described real property lying, being, and situated in Madison County, Mississippi, and owned by Jerry Tharpe, to-wit:

Lot 15 ANNANDALE PART B1, a subdivision according to the map or plat thereof which is on file and of record in the office of the Chancery Clerk of Madison County at Canton, Mississippi in Plat Cabinet B at Slide 87 reference to which map or plat is hereby made in aid of and as a part of this description.

The lien hereby noticed exists in favor of Mitchell to secure payment of the sum of \$5,420.00 owed Mitchell for labor, materials and services rendered by Mitchell in the erection and construction of certain improvements upon the hereinabove described realty. The above-referenced labor, materials and services rendered were furnished by Mitchell, pursuant to written and oral agreements by and between Mitchell and Jerry Tharpe.

As of this date, no contract by and between Mitchell and Jerry Tharpe has been filed or recorded, nor has Mitchell filed suit to enforce the aforesaid lien in its favor.

WITNESS the signature of Jerry Mitchell d/b/a Mitchell Plumbing and Heating, on this the 29 day of September, 1988.


  
Jerry Mitchell d/b/a Mitchell  
Plumbing and Heating

EXHIBIT "A"

OF COUNSEL:

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OTT & PURDY, Ltd.  
825 North President Street  
Post Office Drawer 1079  
Jackson, Mississippi 39215-1079  
(601) 969-4140

STATE OF MISSISSIPPI

COUNTY OF HINDS

Personally appeared before me, the undersigned authority in  
and for the said county and state, on this 29<sup>th</sup> day of September,  
1988, within my jurisdiction, the within named Jerry Mitchell  
d/b/a Mitchell Plumbing and Heating who acknowledged that he  
executed the above and foregoing instrument.

Sharon D. Jones  
NOTARY PUBLIC

My Commission Expires:

My Commission Expires August 5, 1993

STATE OF MISSISSIPPI, County of Madison:

I certify that the within instrument was filed for record in my office this 29 day  
of Sept., 1988, at 10:30 o'clock a M., and was duly recorded  
on the SEP 29 1988, Book No. 6, Page 150.

BILLY V. COOPER, CHANCERY CLERK BY: K. Cooper D.C.

STATE OF MISSISSIPPI, County of Madison:

I certify that the within instrument was filed for record in my office this 30 day  
of Dec, 1988, at 3:35 o'clock p M., and was duly recorded  
on the DEC 30 1988, Book No. 5, Page 283.

BILLY V. COOPER, CHANCERY CLERK BY: K. Cooper D.C.