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IN THE SPECIAL COURT OF EMINENT DOMAIN
MADISON COUNTY, MISSISSIPPI

MISSISSIPPI TRANSPORTATION COMMISSION

PETITIONER

VS.

CIVIL ACTION NO. _____

JOHN C. AXTELL, ET AL

DEFENDANTS

LIS PENDENS NOTICE

TO THE CHANCERY CLERK OF MADISON COUNTY:

You are hereby notified that the Mississippi Transportation Commission is seeking to acquire by eminent domain and has this day filed a Petition to acquire fee ownership in the lands described in Exhibit "A" attached hereto and incorporated herein.

The interested parties are:

- (1) MISSISSIPPI TRANSPORTATION COMMISSION, PETITIONER.
- (2) JOHN C. AXTELL AND WIFE, MILDRED T. AXTELL, OWNERS.
- (3) WEYERHAUSER COMPANY, CLAIMANT.
- (4) MYRA L. SIMPSON, BENEFICIARY.
- (5) JOE R. FANCHER, JR., TRUSTEE.

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

JAMES T. METZ
Assistant Attorney General
Miss. Dept. of Transportation
Office of Highways
P. O. Box 1850
Jackson, MS. 39215-1850
Telephone: (601) 359-1277

MISSISSIPPI TRANSPORTATION COMMISSION
PETITIONER

BY: MIKE MOORE
ATTORNEY GENERAL OF
THE STATE OF MISSISSIPPI

JEFFREY P. REYNOLDS
P. O. Box 23040
Jackson, Mississippi 39225
Telephone: (601) 948-3800

ATTORNEYS FOR PETITIONER

BY: *James T. Metz*
ASSISTANT ATTORNEY GENERAL

and

Jeffrey P. Reynolds
Special Counsel

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EXHIBIT "A"

All of the following excepting and excluding therefrom all oil and gas and other minerals which may be produced through a well bore.

PARCEL NO. 1

Begin at a point on the present Southwesterly right-of-way line of Miss. Highway No. 17 that is 30 Southwesterly of and perpendicular to the centerline of survey of State Project No. 79-0518-00-002-10 at station 816+50; from said point of beginning run thence North 84° 56' West, a distance of 257.1 feet; thence run North 77° 09' West, a distance of 201.0 feet; thence run North 54° 44' West, a distance of 104.4 feet to a point that is 80 feet Southwesterly of and perpendicular to said centerline of survey at station 822+00; thence run North 71° 26' West, a distance of 499.7 feet; thence run North 51° 35' West, a distance of 301.4 feet to said present Southwesterly right-of-way line; thence run Southeasterly along said present Southwesterly right-of-way line and along the circumference of a circle to the left having a radius of 793.94 feet, a distance of 289.9 feet; thence run South 71° 26' East along said present Southwesterly right-of-way line, a distance of 1,049.7 feet to the point of beginning, containing 1.32 acres, more or less, and

PARCEL NO. 2

Begin at a point on the present Northeasterly right-of-way line of Miss. Highway No. 17 that is 30 feet Northeasterly of and perpendicular to the centerline of survey of State Project No. 79-0518-00-002-010 at station 817+00; from said point of beginning run thence North 71° 26' West along said present Northeasterly right-of-way line, a distance of 600.0 feet; thence run South 85° 28' East, a distance of 206.2 feet to a point that is 80 feet Northeasterly of and perpendicular to said centerline of survey at station 821+00; thence run South 71° 26' East, a distance of 300.0 feet; thence run South 44° 52' East, a distance of 111.8 feet to the point of beginning, containing 0.52 acres, more or less, and

Parcel No. 1 and Parcel No. 2 contain an aggregate of 1.84 acres, more or less, and being situated in and a part of the Southwest 1/4 of the Northeast 1/4 and the Southeast 1/4 of the Northwest 1/4 of Section 31, Township 12 North, Range 4 East, Madison County, Mississippi.

STATE OF MISSISSIPPI, County of Madison:

I certify that the within instrument was filed for record in my office this 05 day of August, 1992, at 4:06 o'clock P. M., and was duly recorded on the AUG 05 1992, Book No. 6, Page 341.

BILLY V. COOPER, CHANCERY CLERK BY: G Miller D.C.

