

IN THE CIRCUIT COURT OF MADISON COUNTY, MISSISSIPPI

M & M ELECTRIC, INC.

PLAINTIFF

VS.

CIVIL ACTION, CASE NO: CI-2001-0220

J.W.S. INVESTMENTS, INC.;
SOUTHERN TRADITIONAL HOMES, INC.;
CANAL STREET APARTMENTS, L.P.;
TRUSTMARK NATIONAL BANK;
T. HARRIS COLLIER, III, TRUSTEE;
BANKPLUS;
DON A. MCGRAW, JR., TRUSTEE;
BANK OF RULEVILLE;
JOHN H. MCWILLIAMS, TRUSTEE; and
JOHN PICKENS, d.b.a. PICKENS PLUMBING AND HEATING

DEFENDANTS

LIS PENDENS NOTICE

I. Parties to the suit:

The plaintiff is: M & M Electric, Inc.

The defendants are: J.W.S. Investments, Inc.,
Southern Traditional Homes, Inc.,
Canal Street Apartments, L.P.,
Trustmark National Bank,
T. Harris Collier, III, Trustee,
BankPlus,
Don A. McGraw, Jr., Trustee,
Bank of Ruleville,
John H. McWilliams, Trustee, and
John Pickens

II. Description of the real estate:

Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, and 12
of CANAL STREET GARDEN APARTMENTS, a
subdivision according to a map or plat thereof
which is on file and of record in Plat Cabinet
C, at slide 33, in the office of the Chancery
Clerk of Madison County, Mississippi,
reference to such map or plat being hereby
made in aid of and as a part of this
description;

BOOK
III. Lien, right, or interest sought to be enforced:

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Plaintiff seeks to establish a construction lien in its favor in the amount of \$10,766.00, plus costs and plaintiff's reasonable attorney fees, upon the above described real property for the debt contracted and owing to plaintiff for labor done and materials furnished about the electrical repairs and alterations of the apartment buildings situated upon the subject real estate. Plaintiff also seeks a judgment in the amount of such lien against J.W.S. Investments, Inc., Southern Traditional Homes, Inc., and Canal Street Apartments, L.P., jointly and severally, and for the entry of a special order for the sale of such property to satisfy plaintiff's construction lien.

Plaintiff also seeks a determination of the priority of its construction lien and the several deeds of trust upon the subject real property, and for a determination that each of the foreclosure sales heretofore conducted by Don A. McGraw, Jr., as Trustee of the several deeds of trust in favor of BankPlus, generated foreclosure sales proceeds in excess of secured debt and the costs and expenses of each such sale, and for a judgment in favor of plaintiff and against Don A. McGraw and BankPlus in the amount of such excess proceeds, but not to exceed the amount of plaintiff's construction lien.

This the 10 day of October, 2001.

M & M ELECTRIC, INC.

BY


J. M. RITCHHEY, Its Attorney

J. M. Ritchey
Attorney at Law
133 South Union Street
P. O. Box 286
Canton, Mississippi 39046
(601) 859-4141
MSB No: 5369

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moore.lip
(46/1096)**STATE OF MISSISSIPPI, COUNTY OF MADISON:**

I certify that the within instrument was filed for record in my office this 10 day of Oct, 2001, at 4:25 o'clock P M., and was duly recorded on the OCT 10 2001, Book No. 7, Page 629.

CHARLES A. WEEMS, CHANCERY CLERK

BY: SMB D.C.