

9299

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

1. William E. Powers and Patricia S. Powers (hereinafter referred to as "Owners") are the record owners 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 Hallmark Properties, Inc. 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. Hallmark Properties, Inc. is the general contractor for Owners of said property. Wickes Lumber Company has not been paid in full for said materials and \$2291.18 is still due and owing from Hallmark Properties, Inc. 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 Hallmark Properties, Inc. 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 Hallmark Properties, Inc., as of the date on which notice of this

for cancellation + Release
See Book 9 page 9
Steve Duncan cc
B9: Scales c
3-22-96

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",
Hallmark Properties, Inc. and various subcontractors and
other parties unknown to Wickes Lumber Company, which
subcontractors and parties may have furnished labor, services
and/or materials for use in work done on the property
described in Exhibit "A".

Wickes Lumber Company

BY: Charlie Hale
Charlie Hale
General Manager

STATE OF MISSISSIPPI
COUNTY OF RANKIN

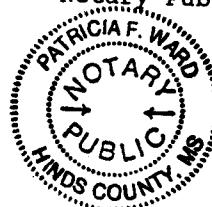
Personally appeared before me, the undersigned authority
in and for the jurisdiction aforesaid, the within named
Charlie Hale, an adult resident citizen of the State of
Mississippi and the General Manager of Wickes Lumber Company,
a Delaware corporation authorized to do business in the State
of Mississippi, 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 Lis Pendens Notice, are true and correct as
therein stated.

Charlie Hale
Charlie Hale
General Manager

SWORN TO AND SUBSCRIBED BEFORE ME on this the 1st day
of February, 1996.

My Commission Expires:

11-29-97



BOOK 6 ~~519~~

LOT 148, WOODLAND HILLS OF ANNANDALE, PART FIVE, a subdivision according to a 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 C at Slot 145, reference to which is hereby made in aid of and as a part of this description.

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 Lis Pendens Notice to which this affidavit is attached was sent by certified mail, return receipt requested, on the 1st day of February, 1996, to William E. Powers and Patricia S. Powers, 40 Wintergreen Road, Madison, MS.

Wickes Lumber Company

BY: Charlie Hale
Charlie Hale
General Manager

STATE OF MISSISSIPPI
COUNTY OF RANKIN

Personally appeared before me, the undersigned authority in and for the jurisdiction aforesaid, the within named Charlie Hale, 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.

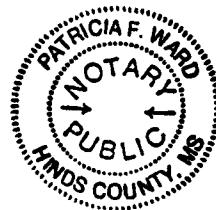
Charlie Hale
Charlie Hale
General Manager

SWORN TO AND SUBSCRIBED BEFORE ME on this the 1st day of February, 1996.

Patricia F. Ward
Notary Public

My Commission Expires:

11-29-97



STATE OF MISSISSIPPI, COUNTY OF MADISON:

I certify that the within instrument was filed for record in my office this 7 day of Feb, 1996, at 9 o'clock A M., and was duly recorded on the FEB 07 1996, Book No. 6, Page 517.

STEVE DUNCAN, CHANCERY CLERK

BY: Darlene D.C.

