

For Authority to Cancel

See Book 6 Page 221

Billy V Cooper C.C.

By: KGregory D.C.

7-30-91

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BOOK 6 PAGE 221

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LIS PENDENS NOTICE

STATE OF MISSISSIPPI

COUNTY OF HINDS

TO THE CLERK OF THE CHANCERY COURT OF MADISON COUNTY:

YOU ARE HEREBY NOTIFIED that, pursuant to the express provisions of Mississippi Code of 1972 Annotated §85-7-131 et. seq., a Laborer's and Materialman's Construction Lien has been filed by Tri-Level Construction Company, Inc. in the construction lien records of Madison County, Mississippi against certain real property owned by Wee Care Child Care Center, Inc.

The said lien involves the following described real property owned by Wee Care Child Care Center, Inc. lying, being, and situated in the Town of Ridgeland, Madison County, State of Mississippi:

A 1.00 acre parcel being a part of lot 4, block 36, of Highland Colony, according to a plat or map on file and of record in the office of the Chancery Clerk of Madison County, in Canton, MS; also being in the NW 1/4 of the NW 1/4 of Section 32, T7N - R2E, Ridgeland, Madison County, MS and being more particular described as follows:

Commencing at the Southeast corner of said lot 4, block 36, of Highland Colony subdivision; thence NORTH - 326.41 ft. along the east line of said lot 4 to the POINT OF BEGINNING; thence NORTH - 290.40 along east line of said lot 4 to a point being on the southerly right-of-way line of Lake Harbour Drive; thence WEST - 150.00 ft. along the south line of said right-of-way; thence SOUTH - 290.40 ft. parallel with east line of said lot 4; thence EAST - 150.00 ft. to a point on the east line of said lot 4 and the POINT OF BEGINNING.

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

Tri-Level Construction Company, Inc. claims a lien to secure payment of the sum of \$43,133.11 owed Tri-Level Construction Company, Inc. for labor and materials furnished by Tri-Level Construction Company, Inc. in the erection and construction of certain improvements upon the hereinabove described realty pursuant to its Notice of Laborer's and Materialman's Construction Lien, at Book 7, Page 198, of the Construction and Materialman's Lien Book

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on file in the office of the Chancery Clerk, Madison County,  
Mississippi.

THIS, the 13th day of December, 1990.

TRI-LEVEL CONSTRUCTION COMPANY, INC.

BY: David W. Case  
David W. Case  
Its Attorney

OF COUNSEL:

OTT & PURDY, Ltd.  
Suite 1100, Security Centre South  
200 South Lamar Street (Zip--39201)  
Post Office Drawer 1079  
Jackson, Mississippi 39215-1079  
Telephone: (601) 969-4140

AFFIDAVIT

STATE OF MISSISSIPPI

COUNTY OF HINDS

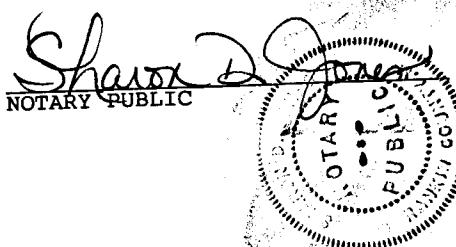
In accordance with Miss. Code Ann. §85-7-197 (Supp. 1990), Notice of Laborer's and Materialman's Construction Lien was served upon Wee Care Child Care Center, Inc. via certified mail, return receipt requested. A true and correct copy of the notice served upon Wee Care Child Care Center, Inc. is attached to this Lis Pendens Notice as Exhibit "A" and incorporated herein by reference. This notice was received by Wee Care Child Care Center, Inc. on December 10, 1990. A true and correct copy of the return receipt showing receipt of the notice by Wee Care Child Care Center, Inc. is attached to this Lis Pendens Notice as Exhibit "B" and incorporated herein by reference.

TRI-LEVEL CONSTRUCTION COMPANY, INC.

BY: David W. Case  
 David W. Case  
 Its Attorney

PERSONALLY APPEARED before me, the undersigned authority at law in and for Hinds County, Mississippi, David W. Case, who, being by me first duly sworn, stated upon oath and made affidavit that his one of the duly authorized and empowered attorney's for Tri-Level Construction Company, Inc., in connection with the instant matter, and that in such capacity he is qualified to execute the above and foregoing instrument for and on behalf of said corporation.

SWORN TO AND SUBSCRIBED before me on this the 13<sup>th</sup> day of December, 1990.



My Commission Expires:  
My Commission Expires August 25, 1993

OTT & PURDY, LTD.  
ATTORNEYS AT LAW

SECURITY CENTRE SOUTH, SUITE 1100  
200 SOUTH LAMAR STREET  
JACKSON, MISSISSIPPI 39201

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LUTHER S. OTT  
WILLIAM R. PURDY  
RON A. YARBROUGH  
WILTON J. JOHNSON, III  
ROBERT C. WILLIAMSON, JR.  
WILLIAM F. BLAIR  
MARK D. HERBERT  
WILLIAM H. LEACH  
BRENDA TANNER REDEFERN  
CHRISTOPHER SOLON  
G. GRAM MEADORS  
DAVID W. CASE  
SAMUEL C. KELLY  
T. KENNETH GRIPPIS, JR.  
LOU SALVO JORDAN  
GEORGE M. SIMMERMANN, JR.  
RALPH B. GERMANY, JR.

MAILING ADDRESS:  
P. O. DRAWER 1070  
JACKSON, MS 39215-1070  
TELEPHONE (601) 966-4140  
TELECOPIER (601) 353-0185  
JOHN A. COUCH  
DIRECTOR OF ADMINISTRATION

December 7, 1990

CERTIFIED MAIL NO. P 444 529 907  
RETURN RECEIPT REQUESTED

Mr. W. D. Russum  
President  
Wee Care Child Care Center, Inc.  
2624 Flowood Drive  
Flowood, Mississippi 39208

RE: Notice of Laborer's and Materialman's Construction Lien  
in favor of Tri-Level Construction Company, Inc.

Dear Mr. Russum:

In accordance with Miss. Code Ann. §85-7-197 (Supp. 1990), notice is hereby given that the enclosed Notice of Laborer's and Materialman's Construction Lien was filed in the Madison County Notice of Construction Liens records at Book 7, Page 198 on December 5, 1990 against the real property of Wee Care Child Care Center, Inc. described therein.

Sincerely,

OTT & PURDY, Ltd.

  
David W. Case

DWC/me

Enclosure

cc: Mr. Jerry Bounds

EXHIBIT (A)

52803

BOOK 7 PAGE 198

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NOTICE OF LABORER'S AND MATERIALMAN'S  
CONSTRUCTION LIEN

STATE OF MISSISSIPPI

BOOK 6 PAGE 53

COUNTY OF HINDS

Notice is hereby given under and pursuant to the express provisions of the Mississippi Code of 1972 Annotated §85-7-131 et seq. that Tri-Level Construction Company, Inc., a Mississippi corporation domiciled in Brandon, Mississippi with its principal office and place of business at 113 Meadowview Drive, Post Office Box 5072, Brandon, Mississippi 39042, has and claims a good and valid lien upon the following described real property owned by Wee Care Child Care Center, Inc., a Mississippi corporation, and lying, being, and situated in the Town of Ridgeland, Madison County, State of Mississippi, more particularly described as follows:

A 1.00 acre parcel being a part of lot 4, block 36, of Highland Colony, according to a plat or map on file and of record in the office of the Chancery Clerk of Madison County, in Canton, MS; also being in the NW 1/4 of the NW 1/4 of Section 32, T7N - R2E, Ridgeland, Madison County, MS and being more particular described as follows:

Commencing at the Southeast corner of said lot 4, block 36, of Highland Colony subdivision; thence NORTH - 326.41 ft. along the east line of said lot 4 to the POINT OF BEGINNING; thence NORTH - 290.40 along east line of said lot 4 to a point being on the southerly right-of-way line of Lake Harbour Drive; thence WEST - 150.00 ft. along the south line of said right-of-way; thence SOUTH - 290.40 ft. parallel with east line of said lot 4; thence EAST - 150.00 ft. to a point on the east line of said lot 4 and the POINT OF BEGINNING.

The lien hereby noticed exists in favor of Tri-Level Construction Company, Inc. to secure payment of the sum of \$43,133.11 owed Tri-Level Construction Company, Inc. for labor and materials furnished by Tri-Level Construction Company, Inc. in the erection and construction of certain improvements upon the hereinabove described realty. The labor and materials hereinabove mentioned were furnished by Tri-Level Construction Company, Inc., pursuant to written agreement and oral agreements by and between Tri-Level Construction Company, Inc. and Wee Care Child Care

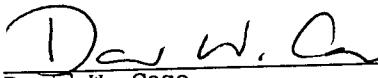
BOOK 7 PAGE 199 BOOK 6 PAGE 54

Center, Inc.

As of this date, no contract by and between Tri-Level Construction Company, Inc. and Wee Care Child Care Center, Inc. has been filed or recorded, nor has Tri-Level Construction Company, Inc. filed suit to enforce the aforesaid lien in its favor.

WITNESS the signature of Tri-Level Construction Company, Inc., by and through one of its duly authorized and empowered attorneys, on this the 4th day of December, 1990.

TRI-LEVEL CONSTRUCTION COMPANY, INC.

BY:   
David W. Case  
One of Its Attorneys

OF COUNSEL:

OTT & PURDY, Ltd.  
Security Centre South, Suite 1100  
200 South Lamar Street  
P. O. Drawer 1079  
Jackson, Mississippi 39215-1079  
(601) 969-4140

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STATE OF MISSISSIPPI  
COUNTY OF HINDS

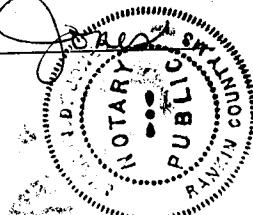
BOOK 7 PAGE 200

PERSONALLY appeared before me, the undersigned authority at law in and for Hinds County, Mississippi, David W. Case, who, being by me first duly sworn, stated upon oath and made affidavit that he is one of the duly authorized and empowered attorneys for Tri-Level Construction Company, Inc., in connection with the instant matter, that in such capacity he is qualified to execute the above and foregoing Notice for and on behalf of said corporation, that according to his information and belief all allegations of the foregoing Notice are true and correct as therein stated, and that on information and belief he verily believes the same to be true.

David W. Case  
DAVID W. CASE

SWORN TO AND SUBSCRIBED before me on this the 4th day of December, 1990.

Sharon D. Jones  
NOTARY PUBLIC



My Commission Expires:  
My Commission Expires August 25, 1993



STATE OF MISSISSIPPI, County of Madison:

I certify that the within instrument was filed for record in my office this 5 day of Dec, 1990 at 900 o'clock A M., and was duly recorded on the DEC 05 1990, Book No. 7, Page 198.

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

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FC 143

1991

RECEIVED

DEC 13 1990



PENALTY FOR PRIVATE  
USE, \$300

UNITED STATES POSTAL SERVICE  
OFFICIAL BUSINESS

SENDER INSTRUCTIONS

Print your name, address and ZIP Code  
in the space below.  
• Complete items 1, 2, 3, and 4 on the  
reverse.  
• Attach to front of article if space  
permits, otherwise affix to back of  
article.  
• Endorse article "Return Receipt  
Requested" adjacent to number.

RETURN  
TO

Print Sender's name, address, and ZIP Code in the space below.

DAVID W. CASE, Esq.  
P. O. DRAWER 1079  
JACKSON, MS. 39215-1079

Tri-Level/Wee Care

EXHIBIT "B"

BOOK 6 PAGE 57

<p>● SENDER: Complete items 1 and 2 when additional services are desired, and complete items 3 and 4. Put your address in the "RETURN TO" Space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check box(es) for additional service(s) requested.</p>	
1. <input type="checkbox"/> Show to whom delivered, date, and addressee's address. 2. <input type="checkbox"/> Restricted Delivery (Extra charge)	
3. Article Addressed to: <b>W. D. Russell, President Wee Care Child Care Center, Inc. 2624 Flawood Dr. Flawood, MS. 39208</b>	
4. Article Number <b>P444529907</b>	
5. Signature -- Addressee <b>X Anne Odorn</b>	
6. Signature -- Agent <b>X</b>	
7. Date of Delivery <b>12/13/90</b>	
Type of Service: <input checked="" type="checkbox"/> Registered <input type="checkbox"/> Insured <input checked="" type="checkbox"/> Certified <input type="checkbox"/> COD <input type="checkbox"/> Express Mail <input type="checkbox"/> Return Receipt for Merchandise	
Always obtain signature of addressee or agent and DATE DELIVERED.	
8. Addressee's Address (ONLY if requested and fee paid)	

PS Form 3811, Apr. 1989

\*U.S.G.P.O. 1989-238-815

DOMESTIC RETURN RECEIPT



STATE OF MISSISSIPPI, County of Madison:

I certify that the within instrument was filed for record in my office this 14 day of Dec, 1990, at 900 o'clock A M., and was duly recorded on the DEC 14 1990, Book No. 6, Page 49.

BILLY V. COOPER, CHANCERY CLERK BY: Karen D.C.