

Book 5 Pag 444

LIS PENDENS
NOTICE OF LIEN

23278

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

1. David Lee Wittchen and Jean Louise Wittchen (hereinafter referred to as "Owner") 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 Reggie Musgrove d/b/a Musgrove Builders 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. Reggie Musgrove d/b/a Musgrove Builders is the general contractor for Owner of said property. Wickes Lumber Company has not been paid in full for said materials and \$3735.16 is still due and owing from Reggie Musgrove d/b/a Musgrove Builders 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 Reggie Musgrove d/b/a Musgrove Builders 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 Reggie Musgrove d/b/a Musgrove Builders as of the date on which notice of this 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.

For Release of Lien
See Book 5 Page 471
Billy V Cooper C.C.
By KGregory D.C.
10-17-89

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4. The parties which may be affected by this lien include Owner of the property described in Exhibit "A", Reggie Musgrove d/b/a Musgrove Builders 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: Jerry Geimer
Jerry Geimer
General Manager

STATE OF MISSISSIPPI
COUNTY OF HINDS

Personally appeared before me, the undersigned authority in and for the jurisdiction aforesaid, the within named Jerry Geimer, 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 Notice of Lien, are true and correct as therein stated.

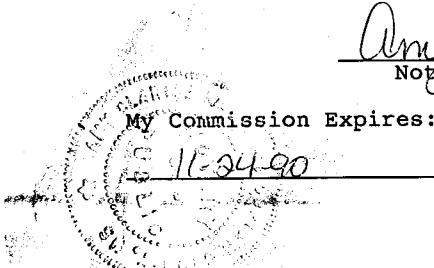
Jerry Geimer
Jerry Geimer
General Manager

SWORN TO AND SUBSCRIBED BEFORE ME on this the 26th day of June, 1989.

Amy Clarice Wallace
Notary Public

My Commission Expires:

11-34-90



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EXHIBIT A

Lot	45	ROSES BLUFF SUBDIVISION, Part 2	Madison	County, Mississippi, #
subdivision of record in the office of the Chancery Clerk of Madison County, Mississippi, in Plat Cabinet B at Slide 52. This lease assignment constitutes an assignment in part of that certain Lease between Pearl River Valley Water Supply District as Lessor and Paul V. Lacoste as Lessee dated October 8, 1979, and filed for record in Book 463 at Page 763, in the office of the Chancery Clerk of Madison County at Canton, Mississippi, and as supplemented in Book 467 at Page 170 and assigned to Assignor herein in Book 487 at Page 392, and as subsequently supplemented and amended by instruments filed for record in the office of the aforesaid Chancery Clerk (herein the "Ground Lease").				

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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 Notice of Lien to which this affidavit is attached was sent by certified mail, return receipt requested, on the 26th day of June, 1989, to David Lee Wittchen and Jean Louise Wittchen at 6300 Old Canton Road, Jackson, Mississippi 39216.

Wickes Lumber Company

BY: Ross E. Henley
Ross E. Henley
Attorney

STATE OF MISSISSIPPI
COUNTY OF HINDS

Personally appeared before me, the undersigned authority in and for the jurisdiction aforesaid, the within named Ross E. Henley, an adult resident citizen of the State of Mississippi and the Attorney 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.

Ross E. Henley
Ross E. Henley
Attorney

SWORN TO AND SUBSCRIBED BEFORE ME on this the 26th day of June, 1989.

Annie Clarice Wallace
Notary Public

My Commission Expires:

11-24-90



STATE OF MISSISSIPPI, County of Madison:

I certify that the within instrument was filed for record in my office this 27 day of June, 1989, at 900 o'clock a M., and was duly recorded on the JUN 27 1989, Book No. 5, Page 444.

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