

31779

BOOK 6 PAGE 367

51

NOTICE OF MATERIALMAN'S LIEN

CHOCTAW, INC., a Delaware, corporation, whose address is Post Office Box 2057, Memphis, Tennessee 38101, hereby gives notice pursuant to Sections 85-7-131, 85-7-133 and 85-7-151 of the Mississippi Code of 1972, as amended, that it claims and asserts a materialman's lien in the amount of \$8,737.04, plus attorney's fees and other costs of collection, against that certain property located in Madison, County, Mississippi, and further described as follows,  
to wit:

That certain land and property described in Exhibit "A" attached hereto.

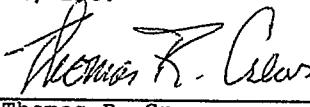
The said materialman's lien is claimed and asserted as security for payment of the unpaid balance owed for construction materials, including unpaid sales taxes thereon, heretofore furnished and delivered to the job site by said Choctaw, Inc. for the installation of asphalt paving and related improvements upon said real property. The said materials were sold by said Choctaw, Inc. to Cook Construction Company, Inc., pursuant to the order and request of said Cook Construction Company, Inc., a Mississippi corporation, whose address is Post Office Box 10358, Jackson, Mississippi 39209.

Suit has not yet been filed on this claim, nor has the applicable contract been filed or recorded. This notice is being filed on this the 3rd day of November, 1989, in conformity with Section 85-7-133 of the Mississippi Code of 1972, as amended.

WITNESS the execution hereof on this the 3rd day of November, 1988.

CHOCTAW, INC.

By:

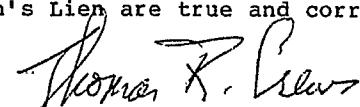
  
Thomas R. Crews  
Its Attorney-in-Fact

VERIFICATION

STATE OF MISSISSIPPI

COUNTY OF HINDS

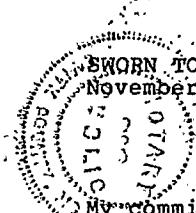
On this day, there personally appeared before me, the undersigned authority in and for the State and County aforesaid, the above and within named THOMAS R. CREWS, who, being by me first duly sworn, stated on his oath that he is the Attorney-in-Fact for Choctaw, Inc. and as such is duly and properly authorized to execute the foregoing Notice of Materialman's Lien, and who further stated on his oath that to the best of his knowledge, information and belief, all matters and things stated in the foregoing Notice of Materialman's Lien are true and correct as therein stated.

  
THOMAS R. CREWS

SWORN TO and subscribed before me on this the 3rd day of November, 1989.

  
NOTARY PUBLIC

My commission expires: My Commission Expires December 19, 1992



Commence at the Southeast corner of the Northwest One Quarter (NW1/4) of Section 28, Township 8 North, Range 2 East, Madison County, Mississippi; run thence North 00 degrees 00 minutes 40 seconds East 2014.62 feet to a point; run thence North 89 degrees 59 minutes 20 seconds West 60.00 feet to a point; run thence South 00 degrees 00 minutes 40 seconds West 30.00 feet to the Point of Beginning.

From the Point of Beginning run thence South 00 degrees 00 minutes 40 seconds West 377.44 feet along the West right-of-way line of a proposed roadway; run thence South 36 degrees 20 minutes 00 seconds West 1549.21 feet to a point in the center line of an existing stream bed; run thence the following courses and distances along the center line of said stream; North 56 degrees 11 minutes 45 seconds West 249.17 feet; North 62 degrees 57 minutes 17 seconds West 650.00 feet; North 33 degrees 37 minutes 16 seconds West 353.00 feet to a point on the East right-of-way line of Interstate Highway No. 55; run thence the following courses and distances along the East right-of-way line of said Interstate Highway No. 55; run thence along a circular curve to the left, radius = 3969.72 feet, delta angle = 06 degrees 05 minutes 27 seconds, a chord bearing and distance of North 32 degrees 22 minutes 43 seconds East, 421.80 feet to a point; North 29 degrees 20 minutes 00 seconds East 584.78 feet to a point; thence North 42 degrees 23 minutes 50 seconds East 666.65 feet to a point; thence North 61 degrees 03 minutes 01 seconds East 39.73 feet to a point on said East right-of-way line of Interstate Highway No. 55; Departing the East right-of-way line of Interstate Highway No. 55 run thence South 54 degrees 32 minutes 47 seconds East 60.00 feet to the West right-of-way line of a proposed Cul de sac Drive; run thence along a circular curve to the left radius = 80.00 feet, delta angle = 157 degrees 58 minutes 32 seconds, a chord bearing and distance of South 43 degrees 32 minutes 02 seconds East 157.05 feet to a point; run thence South 54 degrees 32 minutes 47 seconds East, 386.75 feet to a point; run thence along a circular curve to the left, delta angle = 35 degrees 26 minutes 33 seconds, radius = 578.31 feet, a chord bearing and distance of South 72 degrees 16 minutes 04 seconds East, 352.06 feet to a point; run thence South 89 degrees 59 minutes 20 seconds East 95.32 feet back to the Point of Beginning, a parcel situated in the Northwest One Quarter (NW1/4) of Section 28, Township 8 North, Range 2 East, Madison County, Mississippi, containing 51.0862 acres, more or less.

LESS AND EXCEPT:

Commence at the Southeast corner of the Northwest One Quarter (NW1/4) of Section 28, Township 8 North, Range 2 East, Madison County, Mississippi; run thence North 00 degrees 00 minutes 40 seconds East, 2014.62 feet to a point; run thence North 89 degrees 59 minutes 20 seconds West 60.00 feet to a point; run thence South 00 degrees 00 minutes 40 seconds West 30.00 feet to the Point of Beginning.

From the Point of Beginning run thence South 00 degrees 00 minutes 40 seconds West, 158.00 feet along the West right-of-way line of a proposed roadway; run thence North 89 degrees 59 minutes 20 seconds West, 207.14 feet; run thence North 53 degrees 40 minutes 00 seconds West 52.74 feet; run thence North 36 degrees 20 minutes 00 seconds East, 50.00 feet; run thence North 53 degrees 40 minutes 00 seconds West, 90.00 feet; run thence North 36 degrees 20 minutes 00 seconds East, 68.08 feet to a point on the South right-of-way of a proposed roadway; run thence along said right-of-way and a circular curve to the left, delta angle = 15 degrees 44 minutes 24 seconds, radius = 578.31 feet, a chord bearing and distance of South 82 degrees 07 minutes 10 seconds East, 158.37 feet; run thence South 89 degrees 59 minutes 20 seconds East, 95.32 feet back to the Point of Beginning, a

BOOK 6 PAGE 369

parcel situated in the Northeast One Quarter (NE1/4) of the Northwest One Quarter (NW1/4) of Section 28, Township 8 North, Range 2 East, Madison County, Mississippi, containing 0.9511 acres, more or less.



STATE OF MISSISSIPPI, County of Madison:

I certify that the within instrument was filed for record in my office this 3 day of Nov, 1989, at 4:30 o'clock P.M., and was duly recorded on the NOV 03 1989, Book No. 6, Page 362.

BILLY V. COOPER, CHANCERY CLERK BY: S Cole D.C.