

IN THE COUNTY COURT OF MADISON COUNTY, MISSISSIPPI
SPECIAL COURT OF EMINENT DOMAIN

THE CITY OF RIDGELAND, MISSISSIPPI

PLAINTIFF

VS.

CAUSE NUMBER CO-07-0289

A. A. ROTWEIN AND ROSALIE B. ROTWEIN

DEFENDANTS

LIS PENDENS

NOTICE IS HEREBY GIVEN, that a civil action was commenced by the City of Ridgeland, Mississippi, against Defendants, A. A. Rotwein and Rosalie B. Rotwein. Said civil action was commenced on the 23^d day of June, 1997, and is Civil Action No. CO-07-0289 in the Special Court of Eminent Domain of the County Court of Madison County, Mississippi. Said civil action affects certain property situated in Madison County, Mississippi. The description of the whole parcel is recorded in the office of the Chancery Clerk of Madison County, Mississippi at Book 113 at Page 406. The portion of the property affected by this civil action, is described as follows, to-wit:

Attached hereto as Exhibit "A" and made a part hereof is the legal description for the Perpetual Sanitary Sewer Easement and Temporary Construction Easements.

Attached hereto as Exhibit "B" and made a part hereof is the plat of the Perpetual Sanitary Sewer Easement and Temporary Construction Easements.

The Petitioners seek an award of just compensation and the granting of permanent and temporary easements on the aforesaid property situated in the North one-half (N 1/2) of the Northwest Quarter (NW 1/4) of Section 33, Township 7 North, Range 2 East, City of Ridgeland, Madison County, Mississippi, pursuant to the terms more fully set forth in the Complaint on file with the Special Court of Special Domain of the County Court of Madison County, Mississippi

SIGNED this the 23RD day of May, 1997.

CITY OF RIDGELAND, MISSISSIPPI

BY: PYLE, DREHER, MILLS & DYE, P.A.

BY: 
JAMES H. GABRIEL

Of Counsel:

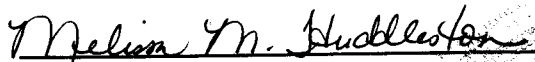
JAMES H. GABRIEL, ESQ.
[MSB #4341]
PYLE, DREHER, MILLS & DYE, P.A.
779 AVERY BLVD. NORTH, STE. 200
RIDGELAND, MS 39157
POST OFFICE BOX 23004
JACKSON, MS 39225-3004
(601)957-2600

STATE OF MISSISSIPPI
COUNTY OF MADISON

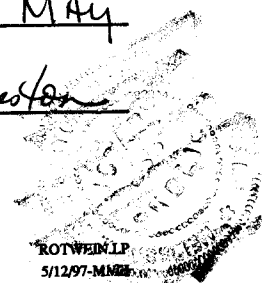
PERSONALLY APPEARED BEFORE ME, the undersigned authority in and for the jurisdiction aforesaid, the within named JAMES H. GABRIEL, who stated and acknowledged to me that he did sing and deliver the above and foregoing instrument on the date and for the purposes therein stated.


JAMES H. GABRIEL

SWORN TO AND SUBSCRIBED BEFORE ME, this the 23RD day of May, 1997.


NOTARY PUBLIC

My Commission Expires:
MISSISSIPPI STATEWIDE NOTARY PUBLIC
MY COMMISSION EXPIRES SEPT. 20, 1999
BONDED THRU STEGALL NOTARY SERVICE



20' WIDE PERPETUAL SANITARY SEWER EASEMENT
A.A. & ROSEALIE ROTWEIN TO THE CITY OF
RIDGELAND, MISSISSIPPI

A certain twenty foot (20') wide perpetual sanitary sewer easement situated in the North 1/2 of the Northwest 1/4 of Section 33, T7N-R2E, Madison County, Mississippi; said twenty foot (20') wide easement being ten feet (10') right and left of the centerline and the centerline of which being more particularly described as follows:

Commence at the Northwest corner of Lot 206, Village Square Subdivision, Part I, a subdivision according to the map or plat thereof, on file and of record in the office of the Chancery Clerk of Madison County at Canton, Mississippi, as now recorded in Plat Cabinet B at Slide 38, reference to which is hereby made in aid of and as a part of this description; run thence North 89 degrees 43 minutes 31 seconds West along the North line of said Village Square Subdivision, Part I for a distance of 109.40 feet to the Southeast corner of the A.A. and Rosealie Rotwein property; run thence North 00 degrees 10 minutes 35 seconds East along the East line of said Rotwein property for a distance of 285.31 feet to the POINT OF BEGINNING of the centerline of the herein described twenty foot (20') wide perpetual sanitary sewer easement; from said POINT OF BEGINNING, run thence North 18 degrees 59 minutes 15 seconds West for a distance of 108.17 feet; run thence North 09 degrees 18 minutes 35 seconds West for a distance of 138.69 feet; run thence North 28 degrees 11 minutes 32 seconds West for a distance of 232.11 feet; run thence North 43 degrees 00 minutes 02 seconds West for a distance of 330.45 feet; run thence North 24 degrees 08 minutes 23 seconds West for a distance of 150.13 feet to a point on North property line of grantor's property; said point being on the South right-of-way line of Charity Church Road (Lake Harbor Drive) (as now laid out and improved, February, 1995) and the Point of Terminus of the centerline of the herein described twenty foot (20') wide perpetual sanitary sewer easement, containing 19,190.90 square feet or 0.4406 acres, more or less.

And Also:

A certain temporary construction easement adjacent to and/or parallel with the West side of the above described twenty foot (20') wide perpetual sanitary sewer easement, and being more particularly described as follows:

Commence at the Northwest corner of Lot 206, Village Square Subdivision, Part I, a subdivision according to the map or plat thereof, on file and of record in the office of the Chancery Clerk of Madison County at Canton, Mississippi, as now recorded in Plat Cabinet B at Slide 38, reference to which is hereby made in aid of and as a part of this description; run thence North 89 degrees 43 minutes 31 seconds West along the North line of said Village Square Subdivision, Part I for a distance of 109.40 feet to the Southeast corner of the A.A. and Rosealie Rotwein property; run thence North 00 degrees 10 minutes 35 seconds East along the East line of said Rotwein property for a distance of 209.16 feet to the POINT OF BEGINNING of the herein described temporary construction easement; from said POINT OF BEGINNING, run thence North 18 degrees 59 minutes 15 seconds West for a

EXHIBIT
"A"

distance of 182.23 feet; run thence North 09 degrees 18 minutes 35 seconds West for a distance of 136.64 feet; run thence North 28 degrees 11 minutes 32 seconds West for a distance of 127.95 feet; run thence South 16 degrees 48 minutes 28 seconds West for a distance of 7.50 feet; run thence North 28 degrees 11 minutes 32 seconds West for a distance of 95.78 feet; run thence North 43 degrees 00 minutes 02 seconds for a distance of 331.62 feet; run thence North 24 degrees 08 minutes 23 seconds West for a distance of 151.88 feet; run thence North 77 degrees 04 minutes 16 seconds West and parallel to the South right-of-way line of Charity Church Road (Lake Harbor Drive) (as now laid out and improved, February, 1995) for a distance of 162.81 feet; run thence North 12 degrees 55 minutes 44 seconds East for a distance of 22.50 feet to a point on said South right-of-way line of Lake Harbor Drive; run thence South 77 degrees 04 minutes 16 seconds East along said South right-of-way line of Charity Church Road (Lake Harbor Drive) for a distance of 174.01 feet to a point on the left side of said twenty foot (20') wide perpetual sanitary sewer easement; run thence along said left side of a twenty foot (20') wide perpetual sanitary sewer easement the following bearings and distances: South 24 degrees 08 minutes 23 seconds East for a distance of 159.34 feet; South 43 degrees 00 minutes 02 seconds East for a distance of 330.81 feet; South 28 degrees 11 minutes 32 seconds East for a distance of 229.15 feet; South 09 degrees 18 minutes 35 seconds East for a distance of 137.87 feet; South 18 degrees 59 minutes 15 seconds East for a distance of 137.80 feet to a point on the East property line of the aforesaid Rotwein property; run thence South 00 degrees 10 minutes 35 seconds West along said East line of the Rotwein property for a distance of 45.69 feet to the POINT OF BEGINNING, containing 23,327.65 square feet or 0.5355 acres, more or less.

And Also:

A certain temporary construction easement being twelve and one-half feet (12.5') wide adjacent to and/or parallel with the East side of the above described twenty foot (20') wide perpetual sanitary sewer easement, and being more particularly described as follows:

Commence at the Northwest corner of Lot 206, Village Square Subdivision, Part I, a subdivision according to the map or plat thereof, on file and of record in the office of the Chancery Clerk of Madison County at Canton, Mississippi, as now recorded in Plat Cabinet B at Slide 38, reference to which is hereby made in aid of and as a part of this description; run thence North 89 degrees 43 minutes 31 seconds West along the North line of said Village Square Subdivision, Part I for a distance of 109.40 feet to the Southeast corner of the A.A. and Rosealie Rotwein property; run thence North 00 degrees 10 minutes 35 seconds East along the East line of said Rotwein property for a distance of 315.77 feet to a point on the right side of said twenty foot (20') wide perpetual sanitary sewer easement and the POINT OF BEGINNING of the twelve and one-half foot (12.5') wide temporary construction easement; from said POINT OF BEGINNING, run thence along the right side of said twenty foot (20') wide perpetual sanitary sewer easement the following bearings and distances: North 18 degrees 59 minutes 15 seconds West for a distance of 78.55 feet; North 09 degrees 18 minutes 35 seconds West for a distance of 139.50 feet; North 28 degrees 11 minutes 32 seconds West for a

distance of 235.07 feet; North 43 degrees 00 minutes 02 seconds West for a distance of 330.09 feet; North 24 degrees 08 minutes 23 seconds for a distance of 140.91 feet to a point on the South right-of-way line of Charity Church Road (Lake Harbor Drive) (as now laid out and improved, February, 1995); run thence South 77 degrees 04 minutes 16 seconds East along said South right-of-way line of Charity Church Road (Lake Harbor Drive) for a distance of 15.67 feet; leaving said South right-of-way line of Lake Harbor Drive, run thence South 24 degrees 08 minutes 23 seconds East for a distance of 129.39 feet; run thence South 43 degrees 00 minutes 02 seconds East for a distance of 329.64 feet; run thence South 28 degrees 11 minutes 32 seconds East for a distance of 238.78 feet; run thence South 09 degrees 18 minutes 35 seconds East for a distance of 140.52 feet; run thence South 18 degrees 59 minutes 15 seconds East for a distance of 41.53 feet to a point on the East property line of the aforesaid Rotwein property; run thence South 00 degrees 10 minutes 35 seconds West along said East property line of the Rotwein property for a distance of 38.08 feet to the POINT OF BEGINNING, containing 11,274.87 square feet or 0.2588 acres, more or less.

BOOK

7 PAGE 94

October 5, 1995

