

0263887

IN THE SPECIAL COURT OF EMINENT DOMAIN
MADISON COUNTY, MISSISSIPPI

MISSISSIPPI TRANSPORTATION COMMISSION

PLAINTIFF

VS.

CIVIL ACTION NO. CO-96-0217

MISSISSIPPI BAPTIST HEALTH SYSTEMS, INC., ET AL

DEFENDANTS

THIRD AMENDED LIS PENDENS NOTICE

TO THE CHANCERY CLERK OF MADISON COUNTY:

You are hereby notified that the Mississippi Transportation Commission is seeking to acquire by eminent domain and has this day filed a Third Amended Complaint to acquire fee ownership in the lands described in Amended Exhibit "A" attached hereto and incorporated herein.

The interested parties are:

- (1) MISSISSIPPI TRANSPORTATION COMMISSION, PLAINTIFF;
- (2) MISSISSIPPI BAPTIST HEALTH SYSTEMS, INC. (formerly Mississippi Baptist Medical Center), A MISSISSIPPI CORPORATION, OWNER, DEFENDANT;
- (3) MARGREE GRIFFIN, DEFENDANT;
- (4) THE LAMAR CORPORATION, DEFENDANT; and
- (5) SAMUEL H. WILKINS, DEFENDANT.

You are further requested to include this Notice and Amended Exhibit "A" hereto in the Lis Pendens records of said County as provided by law.

MISSISSIPPI TRANSPORTATION COMMISSION,
PLAINTIFF

BY: MIKE MOORE, ATTORNEY GENERAL OF
THE STATE OF MISSISSIPPI

BY: Marshall Lusk
ASSISTANT ATTORNEY GENERAL

and

John H. Price, Jr.
Special Counsel

MARSHALL LUSK (MB #1499)
Assistant Attorney General
Mississippi Department of Transportation
Post Office Box 1850
Jackson, Mississippi 39215-1850
Telephone: (601) 359-7600

JOHN H. PRICE, JR. (MB #4496)
PRICE & ZIRULNIK
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125 South Congress Street
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Jackson, Mississippi 39207-3439
Telephone: (601) 353-3000
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ATTORNEYS FOR PLAINTIFF

IN THE SPECIAL COURT OF EMINENT DOMAIN
MADISON COUNTY, MISSISSIPPI

MISSISSIPPI TRANSPORTATION COMMISSION

PLAINTIFF

VS.

CIVIL ACTION NO. CO-96-0217

MISSISSIPPI BAPTIST MEDICAL CENTER, ET AL

DEFENDANTS

AMENDED

EXHIBIT "A"

INDEXING INSTRUCTIONS: Lots 3 & 4 of Block 16 and
Lots 2, 3, 6 & 7 of Block 13 and
Lots 3 & 6 of Block 10 of
Highland Colony Subdivision in
the SW 1/4 of SE 1/4 and
NW 1/4 of SE 1/4 and
NE 1/4 of SE 1/4 and
SW 1/4 of NE 1/4 of Section 24
Township 7 North, Range 1 East
City of Ridgeland
Madison County, Mississippi

PARCEL NO. 1

Begin at the point of intersection of an Eastern line of Defendants property with the present Northern right-of-way line of Old Agency Road, said point of intersection is 992.4 feet North of and 1775.2 feet West of the Southeast corner of Section 24, Township 7 North, Range 1 East; from said point of beginning run thence North 88° 39' West along the present Northern right-of-way line of Old Agency Road, a distance of 263.2 feet; thence North 89° 20' West along said present Northern right-of-way line, a distance of 78.5 feet; thence South 01° 49' West along said present right-of-way line, a distance of 20.0 feet; thence North 88° 17' West along said present right-of-way line, a distance of 186.7 feet; thence North 86° 08' West along said present right-of-way line, a distance of 35.7 feet; thence North 57° 49' West along the Eastern right-of-way line of Highland Colony Parkway, a distance of 187.9 feet; thence North 15° 48' West along said present Eastern right-of-way line, a distance of 112.5 feet to the proposed right-of-way line of a proposed highway project, being known and

designated as Federal Aid Project No. 59-0055-02-121-10, being a segment of Interstate Highway No. 55; thence North 77° 43' East along said proposed right-of-way line, a distance of 27.2 feet; thence South 57° 50' East along said proposed right-of-way line, a distance of 293.1 feet; thence South 89° 44' East along said proposed right-of-way line, a distance of 479.5 feet to the said Eastern line of Defendants property; thence South 00° 03' East along said Eastern property line, a distance of 51.0 feet to the point of beginning of this Parcel No. 1, containing 1.19 acres, more or less, and

PARCEL NO. 2

Begin at the point of intersection of the present Western right-of-way line of Interstate Highway No. 55 with a Southern line of Defendants property, said point of intersection is 1363.4 feet North of and 1320.2 feet West of the Southeast corner of Section 24, Township 7 North, Range 1 East; from said point of beginning run thence North 86° 34' West along said Southern property line, a distance of 187.1 feet to the proposed Western right-of-way line of the above mentioned proposed highway project; thence North 14° 47' East along said proposed right-of-way line, a distance of 507.2 feet; thence North 04° 37' East along said proposed right-of-way line, a distance of 832.3 feet to a Northern line of Defendants property; thence South 86° 45' East along said Northern property line, a distance of 39.8 feet to the said present Western right-of-way line of Interstate Highway No. 55; thence South 02° 02' East along said present Western right-of-way line, a distance of 873.8 feet; thence South 10° 00' West along said present right-of-way line, a distance of 462.7 feet to the point of beginning of this Parcel No. 2, containing 3.57 acres, more or less, and

PARCEL NO. 3

Begin at a point on the present Western right-of-way line of Interstate Highway No. 55 that is 175 feet Westerly of and perpendicular to the centerline of said Interstate Highway No. 55 at Station 170+78.26, said point is 3896.0 feet North of and 1338.5 feet West of the Southeast corner of Section 24, Township 7 North, Range 1 East; from said point of beginning run thence South 41° 51' East along the said present Western right-of-way line of Interstate Highway No. 55, a distance of 38.7 feet; thence South 00° 06' East along said present Western right-of-way line, a distance of 736.1 feet to the proposed Western right-of-way

line of the above mentioned proposed highway project; thence North 02° 02' West along said proposed right-of-way line, a distance of 765.3 feet to the point of beginning of this Parcel No. 3, containing 0.22 acres, more or less,

Parcel Nos. 1, 2 and 3 contain an aggregate of 4.98 acres, more or less.

Together with any and all abutters rights of access, if any, in, to, over, on and across the above described lands.

Including in their entirety the structures and other improvements located partially on the land hereinabove described and partially on adjacent land; the Plaintiff herein, its agents, and assigns are hereby granted the right of ingress and egress on Defendants remaining land solely for the purpose of removing or demolishing the aforesaid structures and other improvements and the judgment rendered herein is in full payment of all said structures and other improvements.

All of the above excepting and excluding therefrom all oil and gas and other minerals which may be produced through a well bore.

I, the undersigned John H. Price, Jr., Special Counsel for Plaintiff, Mississippi Transportation Commission, hereby certify that I have this day served the above and foregoing Third Amended Lis Pendens Notice, by causing to be personally delivered a true and correct copy thereof to Cary E. Bufkin, Esq., Crane D. Kipp, Esq., and James N. Bullock, Esq., Shell, Buford, Bufkin, Callicutt & Perry, 920 Trustmark Building, 248 East Capitol Street, Jackson, Mississippi 39201, attorneys for Defendant, Mississippi Baptist Health Systems, Inc.; to Vincent E. Caracci, Esq., 406 Briarwood Drive, #200, Jackson, Mississippi 39206, attorney for Defendant, Margree Griffin; to Mark D. Herbert, Esq., and Pamela L. Hancock, Esq., McGlinchey Stafford, PLLC, Suite 1200, 200 South Lamar Street, Jackson, Mississippi 39201, attorneys for Defendant, The Lamar Corporation; and to Samuel H. Wilkins, Esq., 555 Tombigbee Street, Jackson, Mississippi 39201, Pro Se.

This the 6th day of October, 1998.


JOHN H. PRICE, JR.

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STATE OF MISSISSIPPI, COUNTY OF MADISON:

I certify that the within instrument was filed for record in my office this 7 day of Oct, 1998, at 9 o'clock a. M., and was duly recorded on the OCT 7 1998, Book No. 7, Page 196.

STEVE DUNCAN, CHANCERY CLERK

BY: C Parker D.C.