

NOTICE OF CONSTRUCTION LIEN

James T. Sides d/b/a New Day Painting Company does hereby assert a lien against the real property located in Section 12, Township 3, Range 8 West, DeSoto County, Mississippi, and as more fully described on Exhibit A attached hereto and incorporated herein by reference.

This lien arises as a result of the failure of the hereinafter identified owner to pay the Lienor, James T. Sides, for labor and materials furnished in the painting of improvements erected on the above-described real property.

The owner of the above-described real property is Billy C. Ray and wife, Sandra J. Ray, whose address is 1365 Highway 51 South, Hernando, Mississippi 38632. A true copy of the Lienor's invoice is attached as Exhibit B.

That other parties to be affected by the lien are as follows:

Bank of Mississippi	Robert M. Bailey
185 West Center Street	P. O.Box 867
Hernando, MS 38632	New Albany, MS 38652

That the amount due and owing to the Lienor, James T. Sides, as of December 9, 1993, is the sum of \$3,691.00 plus interest at the legal rate thereon, all cost and attorney's fees incurred by the Lienor.

No suit has been filed at this time and there is no written contract between the Lienor and owner.

WITNESS the signature of the Lienor on this the 19th day of January, 1994.

JAMES T. SIDES D/B/A  
NEW DAY PAINTING COMPANY

By: James T. Sides  
JAMES T. SIDES

Certified Mail NO.P 860 272 738

CANCELLED BY AUTHORITY RECORDED IN BOOK

7 PAGE 327

THIS 12th day of May, 1994.

W. E. Davis  
CHANCERY CLERK W. P. Starkey c

TRACT ONE: That certain parcel or lot of land containing  $\frac{5}{6}$  of an acre, more or less, in the East Half of Section Twelve (12), Township 3 South, Range 8 West, described by metes and bounds as follows: Beginning at a stake on the West boundary line of the Right of Way of U.S. Highway No. 51, which said beginning point is the Northeast corner of the tract of land purchased by me from W. H. Harris by deed of date June 6, 1936, and of record in Book 25, Page 176 of the Deed Records of said County, thence West along the south line A.S. Campbell's 100 acre tract, 166 feet to the East boundary line of said A.A. Campbell's 2 acre tract as shown by said Deed, thence South along the East boundary line of said A.S. Campbell's 2 acre tract as shown by said deed, 210 feet to the Southeast corner of said 2 acre tract, thence East parallel to the North line of the tract hereby conveyed 166 feet to the Western boundary line of said U.S. Highway No. 51, thence North along the West line of the Right-of-Way of said Highway No. 51, 210 feet to the beginning.

TRACT TWO: Two (2) acres in the East half of Section 12, Township 3 South, Range 8 West, described as follows: Beginning at the Southwest corner of that certain One Hundred acre tract conveyed by W.H. Harris to A.S. Campbell by deed of date, January 1, 1926, and of record in Book 21, Page 269, of the Deed Records of said county, thence east along the South line of said one hundred acres six chains and thirty-two and one-half links from the center of the Memphis and Hernando, Highway, thence South parallel to said highway three chains and sixteen and one-fourth links, thence west parallel to said north line six chains and thirty-two and one-half links to said highway, thence along said highway to the point of beginning. This is the land deed to A. S. Campbell by W. H. Harris on August 30, 1928, as shown by Deed Book 22, Page 190, records of DeSoto County, Mississippi.

EXHIBIT     A

BOOK 7 PAGE 15

BOOK 7 PAGE 109

INVOICE

DATE: DEC. 9, 1993

NEW DAY PAINTING COMPANY  
P.O. BOX 1301  
SOUTHAVEN, MISSISSIPPI  
38671  
601-781-2555

TO: BILLY RAY  
ADDRESS: 1365 HWY 51  
CITY: HERNANDO  
STATE: MS  
ZIP: 38632

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INVOICE: 17654

RE: PAINTING

FINAL ON OFFICE -----	\$375.00
EXTERIOR NEW ADDITION-----	\$1,575.00
EXTERIOR HOUSE-----	\$2,140.00
CREDIT-----	<\$400.00>
TOTAL AMOUNT DUE-----	\$3,691.00

THANK YOU.

TERRY SIDES

EXHIBIT

B

AFFIDAVIT

STATE OF MISSISSIPPI  
COUNTY OF DESOTO

This day personally appeared before me, the undersigned authority in and for the jurisdiction aforesaid, the within named JAMES T. SIDES who first being duly sworn by me states on his oath as follows:

1. That James T. Sides is the owner of the single proprietorship known as New Day Painting Company and having as its mailing address P. O. Box 1301, Southaven, MS 38671.

2. That James T. Sides on the 19th day of January, 1994, mailed a true and correct copy of the foregoing Notice of Construction Lien to Billy C. Ray and wife, Sandra J. Ray, at their street address, being 1365 Highway 51 South, Hernando, MS 38632. The said notice was mailed by U. S. Mail, postage prepaid, Certified Mail, Return Receipt Requested.

*James T. Sides*  
\_\_\_\_\_  
JAMES T. SIDES

SWORN to and subscribed before me on this the 19th day of January, 1994.

*Kenneth E. Dobb*  
\_\_\_\_\_  
NOTARY PUBLIC

My Commission Expires:

My Commission Expires Sect. 19, 1995.

(SEAL)

94111.531

Prepared by:  
Law Offices of A. Cinclair May  
2565 Caffey Street, Suite 100  
Hernando, MS 38632  
601/429-5038

STATE MS.-DESOTO CO.  
FILED

JAN 19 4 03 PM '94

L's PENDENG

BK 7 PG 13

W.E. DAVIS, CLK.  
*by B. Cleveland, Jr.*

STATE MS.-DESOTO CO.  
FILED

JAN 19 4 03 PM '94

CONST. LIEN

BK 7 PG 107

W.E. DAVIS, CLK.  
*by B. Cleveland, Jr.*