

NOTICE OF LIEN UNDER §85-7-131 ET SEQ.
MISSISSIPPI CODE OF 1972

STATE MS. - DESOTO CO. *rh*
SEP 3 10 33 AM '97

STATE OF MISSISSIPPI
COUNTY OF DESOTO

BK 8 PG 334
W.E. DAVIS CH. CLK.

TO: G. Dean Permenter, Jr. and wife Debra S. Permenter
5240 Forest Hill Road North
Olive Branch, Mississippi 38680

David Cody, hereby gives notice of lien on amount due contractor on the property described below, under the provisions of §85-7-131, et. seq. Mississippi Code of 1972, and hereby notifies G. Dean Permenter, Jr. and wife Debra S. Permenter of the claim of David Cody, and in support thereof, would show and state the following:

1. That G. Dean Permenter, Jr. and wife Debra S. Permenter are the owner of the following described land located in DeSoto County, Mississippi, 5240 Forest Hill Road N., Olive Branch, Mississippi 38654, and more particularly described in Exhibit "A".

2. That G. Dean Permenter, Jr. and wife Debra S. Permenter contracted with David Cody and in said contract David Cody was to provide painting services for G. Dean Permenter, Jr. and wife Debra S. Permenter, and that G. Dean Permenter, Jr. and wife Debra S. Permenter were to pay David Cody \$11,000.00 for said services.

3. That David Cody complied with the terms of the agreement between G. Dean Permenter, Jr. and wife Debra S. Permenter and that David Cody began performance under the contract.

4. That during the course of performance G. Dean Permenter, Jr. and wife Debra S. Permenter repeatedly attempted to add more obligations to David Cody than what the parties had originally agreed upon.

5. That David Cody performed services required by him under the original agreement between G. Dean Permenter, Jr. and wife Debra S. Permenter and him, and that David Cody performed other services for G. Dean Permenter, Jr. and wife Debra S. Permenter which they requested that he perform.

6. That G. Dean Permenter, Jr. and wife Debra S. Permenter have paid David Cody approximately \$9,000.00 for his services.

7. That \$2,000.00 is still owed by G. Dean Permenter, Jr. and wife Debra S. Permenter to David Cody.

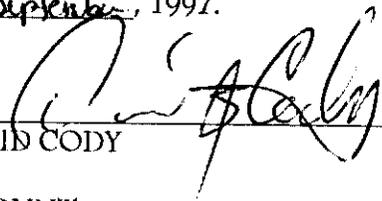
8. That David Cody is claiming benefit of Section 85-7-131, et. seq. Mississippi Code of 1972, by giving notice of lien on the property described in Exhibit "A".

The parties effected by this notice are:

G. Dean Permenter, Jr. and wife Debra S. Permenter
5640 Forest Hill Drive
Olive Branch, MS 386584

Bank of Mississippi
P. O. Box 3356
Tupelo, Mississippi 38802-3356.

WITNESS MY SIGNATURE, this the 3rd day of September, 1997.

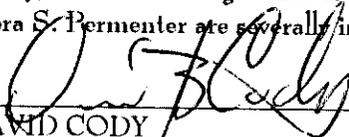


DAVID CODY

AFFIDAVIT TO ACCOUNT

STATE OF MISSISSIPPI
COUNTY OF DESOTO

PERSONALLY APPEARED BEFORE ME, the undersigned authority in and for the said County and State, and within my jurisdiction, the within named David Cody, who acknowledged that as his act and deed, and on his oath states that G. Dean Permenter, Jr. and wife Debra S. Permenter are severally indebted to David Cody in the sum of \$2,000.00.

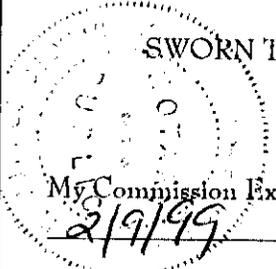


DAVID CODY

SWORN TO AND SUBSCRIBED BEFORE ME, this the 3rd day of September 1997.



NOTARY PUBLIC



My Commission Expires:

2/9/99
PREPARED BY:
LAW OFFICES OF WILLIAM P. MYERS
- 2564 HIGHWAY 51 SOUTH
HERNANDO, MS 38632
(601) 429-1994

EXHIBIT "A"

A PARCEL OF LAND BEING PART OF THE O. BARRY JONES TRACT LOCATED IN THE SOUTHEAST QUARTER OF SECTION 6, TOWNSHIP 2 SOUTH, RANGE 5 WEST, DESOTO COUNTY, MISSISSIPPI AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT;

COMMENCING AT A POINT ON THE EAST LINE OF SAID SECTION 6, TOWNSHIP 2 SOUTH, RANGE 5 WEST SAID POINT BEING 2159.93 FEET SOUTH OF THE NORTHEAST CORNER OF SAID SECTION 6, TOWNSHIP 2 SOUTH, RANGE 5 WEST; THENCE NORTH 87 DEGREES 15 MINUTES 00 SECONDS WEST A DISTANCE OF 1540.00 FEET TO A POINT; THENCE SOUTH 37 DEGREES 51 MINUTES 00 SECONDS WEST A DISTANCE OF 216.02 FEET TO A POINT; THENCE SOUTH 33 DEGREES 44 MINUTES 00 SECONDS WEST A DISTANCE OF 140.0 FEET TO A POINT; THENCE SOUTH 20 DEGREES 17 MINUTES 00 SECONDS WEST A DISTANCE OF 87.05 FEET TO A POINT; THENCE SOUTH 08 DEGREES 08 MINUTES 00 SECONDS WEST A DISTANCE OF 251.00 FEET TO AN IRON PIN SET ON THE EAST LINE OF FOREST HILL DRIVE NORTH (80.00 FEET R.O.W.) SAID POINT BEING NORTHWEST CORNER OF THE O. BARRY JONES TRACT AND BEING THE POINT OF BEGINNING FOR THE FOLLOWING TRACT; THENCE SOUTH 87 DEGREES 15 MINUTES 00 SECONDS EAST A DISTANCE OF 612.00 FEET TO AN IRON POST FOUND AT THE NORTHEAST CORNER OF THE O. BARRY JONES TRACT; THENCE SOUTH 00 DEGREES 43 MINUTES 00 SECONDS WEST A DISTANCE OF 331.05 FEET TO AN IRON PIN SET; THENCE SOUTH 57 DEGREES 37 MINUTES 54 SECONDS WEST A DISTANCE OF 176.06 FEET TO AN IRON PIN SET; THENCE NORTH 89 DEGREES 46 MINUTES 09 SECONDS WEST A DISTANCE OF 118.20 FEET TO AN IRON PIN SET; THENCE NORTH 52 DEGREES 00 MINUTES 12 SECONDS WEST A DISTANCE OF 113.59 FEET TO AN IRON PIN SET; THENCE NORTH 26 DEGREES 44 MINUTES 06 SECONDS WEST A DISTANCE OF 167.85 FEET TO IRON PIN SET; THENCE NORTH 68 DEGREES 53 MINUTES 52 SECONDS WEST A DISTANCE OF 216.73 FEET TO AN IRON PIN SET ON THE EAST LINE OF FOREST HILL DRIVE NORTH (80.00 FEET R.O.W.); THENCE NORTH 09 DEGREES 47 MINUTES 21 SECONDS EAST ALONG THE EAST LINE OF FOREST HILL DRIVE NORTH A DISTANCE OF 158.60 FEET TO THE POINT OF BEGINNING AND CONTAINING 4.69 ACRES SUBJECT TO EXISTING EASEMENTS, RIGHT-OF-WAYS, SUBDIVISION AND ZONING REGULATIONS IN EFFECT IN DESOTO COUNTY, MISSISSIPPI.