

STATE MS.-DE SOTO CO.  
FILED

DEC 12 3 46 PM '97

BK 8 PG 395  
W.E. DAVIS CH. CLK.

PREPARED BY AND RETURN TO:  
BARRY W. BRIDGFORTH, JR.  
P.O. BOX 241  
SOUTHAVEN, MS 38671  
601/393-4450

**NOTICE OF CONSTRUCTION LIEN**

COMES NOW Howard Sommer d/b/a Howard Sommer Co. ("Sommer"), whose address is Post Office Box 17573, Memphis, Tennessee 38187, and hereby gives notice that it claims a contractor's lien pursuant to § 85-7-131 et. seq. of the Mississippi Code Annotated 1972, as amended, and who says as follows:

1. The property subject to said lien is the land lying and being situated in DeSoto County, Mississippi at 6011 Elmore Road, Southaven, Mississippi, more particularly described as shown on **EXHIBIT "A"** attached hereto, which is incorporated herein by reference.

2. Sommer and Eric J. Boone, President of Phoenix Chapel Human Development Corporation, entered into a purchase order dated October 31, 1996 for the purchase and installation of park structures, playground equipment, and safety surface. A true and correct copy of said Purchase Order is attached hereto as **EXHIBIT "B."** Sommer furnished labor, materials, and services pursuant to the aforementioned contract at the request of Eric Boone.

3. As of this date, Sommer has performed the contract and there is currently due and owing to contractor under the contract the sum of \$11,174.00 representing labor performed and materials furnished. Sommer has incurred attorney's fees and expenses associated with said work.

4. A suit for enforcement of said lien has been filed in Cause No. CV 97-292 R/O of the Circuit Court of DeSoto County, Mississippi.

WHEREFORE, Howard Sommer d/b/a Howard Sommer Co. claims a contractor's lien against the above described property as set forth above in the amount of \$11,174.00, **plus** any and all future costs and attorney's fees incurred in recording and enforcing this lien, together with interest as provided by law.

WITNESS MY SIGNATURE this the 11<sup>th</sup> day of December, 1997.

HOWARD SOMMER D/B/A  
HOWARD SOMMER CO.

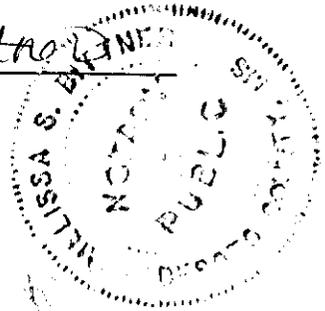
Howard Sommer  
HOWARD SOMMER

STATE OF MISSISSIPPI  
COUNTY OF DESOTO

PERSONALLY appeared before me, the undersigned authority in and for the state and county aforementioned, the within named HOWARD SOMMER, who acknowledged that he signed and delivered the above and foregoing instrument on the day and year therein mentioned as his free and voluntary act and deed for the purposes expressed therein.

Given under my hand and official seal this the 11<sup>th</sup> day of December, 1997.

Melissa S. Buttrick  
Notary Public



My Commission Expires:  
9-22-2000

CERTIFICATE OF NOTICE

I, Barry W. Bridgforth, Jr., do hereby certify that I have this day mailed a true and correct copy of the above and foregoing Notice of Construction Lien pursuant to § 85-7-131 Mississippi Code Annotated 1972, as amended, to the following persons at the addresses shown below by certified mail, postage prepaid, return receipt requested. Said persons being as follows:

Phoenix Chapel Human Development Corporation,  
a Mississippi Not for Profit Corporation  
Registered Agent, Eric J. Boone  
8055 Swinnea Road  
Southaven, Mississippi 38671

DeSoto Shrine Club, f/k/a Southaven Shrine Club,  
a Not for Profit Fraternal Organization Chartered Under  
the Wahabi Temple, A.A.O.N.M.S.  
1038 Baker Road  
Lake Cormorant, Mississippi 38641

North Delta Planning and Development District, Inc.  
Post Office Box 1496  
Batesville, Mississippi 38606

Dated this the 12 day of December, 1997.

Barry W. Bridgforth, Jr.  
BARRY W. BRIDGFORTH, JR.

Beginning at the southeast corner of the southwest quarter of Section 31, Township 1 South, Range 7 West, thence south 87 degrees 46 minutes west along the south line of Section 31 and an existing fence line 415.0 feet to a point; thence north 2 degrees 30 minutes west 210.0 feet to a point; thence north 87 degrees 46 minutes east 415.0 feet to a point in the east line of the southwest quarter of said section; thence south 2 degrees 30 minutes east along said east line 210.0 feet to the point of beginning and containing 2.0 acres more or less. All bearings are magnetic.

EXHIBIT  
"A"



# HOWARD SOMMER CO.

P. O. Box 17573  
Memphis, TN 38187  
(901) 683-8573

## PURCHASE ORDER

No. 1874

DATE 10-31-96

SOLD TO:

PHOENIX CHAPEL  
HUMAN DEVELOPMENT CORP  
6011 ELMORE RD  
SOUTHAVEN, MS, 38671

SHIP TO:

SAME

TERMS

SHIP VIA:

COLLECT  PREPAID  CASH IN ADVANCE  C.O.D.

PREPAY & ADD

CUSTOMER P.O.

BOONE

QUANTITY	CATALOG NUMBER	DESCRIPTION	PRICE EACH	PRICE TOTAL
1	7020	PARK STRUCTURE PLAY STRUCTURE		
APR 25	302	8" FIRE AR SYSTEM WITH		
5/17		FELT & DRAIN - INCLUDING		
		LANDSCAPE TIMBERS FOR		
		CURBING		
		ALL OF THE ABOVE INSTALLED		15,374.00
		\$3000.00 TO BE PAID ON		
		NOV. 14, 1996 - BALANCE		
		OR \$12374.00 UPON COMPLETION		
		OF JOB		
		SUBTOTAL		
		SHIPPING CHARGES		
		TAX		
		TOTAL		15374.00

MANUFACTURING INSTRUCTIONS

CREDIT INFORMATION

SIGNED:

Eric Boom

BILLING INSTRUCTIONS

EXHIBIT "B"