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**NOTICE OF MATERIALMEN, LABORERS,
ARCHITECTS, SURVEYORS, AND ENGINEERS LIEN
PURSUANT TO MISSISSIPPI CODE ANNOTATED
SECTION 85-7-131 ET SEQ.**

3K 10 PG 335
W.E. DAVIS CH. CLK.3K 11 PG 502
W.E. DAVIS CH. CLK.

John Scott, Agent
Millennium of Mississippi, LLC
1651 Dancy Blvd., Unit 5
Horn Lake, MS 38637

RE: AMBULATORY SURGERY CENTER MEDICAL OFFICE BUILDING,
Account No. 27917-04

Barge, Waggoner, Sumner & Cannon, Inc., 200 Clinton Ave., Suite 800, Huntsville, Alabama 35801, hereby serves notice on John Scott, the registered Agent for Millennium of Mississippi, LLC, via certified mail, return receipt requested, article no. 7000 1670 0010 7724 1425 of a Materialmen and Laborer's Lien under the provisions of Section 85-7-131, et seq., of the Mississippi Code of 1972 (as amended), and hereby notifies the said Millennium of Mississippi, LLC, of the claim of Barge, Waggoner, Sumner & Cannon, Inc., and in support thereof would show the following:

1. Millennium of Mississippi is the owner of the following property located in Desoto County, Mississippi:

2.62 acres located in the SE/4 & NE/4 Section 35 T1S, R8W and SW/4 & NW/4 Section 36 T1S, R8W, Plat Book 79/19, Desoto Commons P.U.D., Phase 1, Lot 1, Parcel A-10.;

and, more particularly described in Exhibit "C", which is attached hereto:
2. Barge, Waggoner, Sumner & Cannon, Inc., provided services to Millennium of Mississippi, LLC, for the development of the above referenced property, pursuant to a contract, for which Barge, Waggoner, Sumner & Cannon, Inc., has not received payment. As a result thereof, Millennium of Mississippi, LLC, is currently indebted to Barge, Waggoner, Sumner & Cannon, Inc., in the amount of \$15,500.00 as evidenced by the statement of account attached as Exhibit "A", and referenced by account number 27917-04.
3. There is, at this time, an unpaid balance due to Barge, Waggoner, Sumner & Cannon, Inc., against Millennium of Mississippi, LLC, on account number 27917-04, the sum of \$15,500.00, as shown by the sworn affidavit of account attached hereto as Exhibit "B", which sum is currently due and unpaid.
4. Barge, Waggoner, Sumner & Cannon, Inc., is claiming the benefit of § 85-7-131 et seq., of Mississippi Code of 1972, as amended, under which Barge, Waggoner, Sumner & Cannon, Inc., is entitled to be paid for the services provided in the sum of \$ 15,500.00, plus all costs and attorney fees associated with this matter and Barge, Waggoner, Sumner & Cannon, Inc., is further entitled to a lien against the referenced property to secure payment of the above amounts.

200 CLINTON AVENUE, SUITE 800

HUNTSVILLE, ALABAMA 35801

256 533 1561

256 533 1564 FAX

www.bargewaggoner.com

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SUMNER &
CANNON, INC.

COPY INVOICE

Dr. Whitney Slade
Millennium of Mississippi, L.L.C.
1651 Dancy Boulevard, Suite 5
Horn Lake MS 38637

Invoice No. 1
April 18, 2002
Project # 27917-04/JRH

**RE: 27917-04 DeSoto Commons, P.D.
Ambulatory Surgery Center Medical Office Building**

For Professional Services Rendered Through April 2, 2002:

Project Engineer – 63 Hours @ \$90.00	\$	5,670.00	
Total			\$ 5,670.00
Reimbursables			
Travel Expense: Lodging	\$	130.78	
Meals		22.52	
Mileage		277.92	
Total			\$ 431.22
Total Amount Invoiced To Date			\$ 6,101.22
Less Previous Amount Invoiced			\$ 00.00
Total Amount Of This Invoice			<u>\$ 6,101.22</u>

EXHIBIT A

200 CLINTON AVENUE, SUITE 800

L BK 0010 PG 0338

HUNTEVILLE, ALABAMA 35801

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CANNON, INC.

INVOICE
COPY

Dr. Whitney Slade
Millennium of Mississippi, L.L.C.
1651 Dancy Boulevard, Suite 5
Horn Lake MS 38637

Invoice No. 2
May 20, 2002
Project # 27917-04/JRH

**RE: 27917-04 DeSoto Commons, P.D.
Ambulatory Surgery Center Medical Office Building**

For Professional Services Rendered Through April 30, 2002:

Project Engineer – 69 Hours @ \$90.00	\$	6,210.00	
P.L.S. Surveyor – 2 Hours @ \$80.00	\$	160.00	
Total			\$ 6,370.00
Reimbursables			
Travel Expense: Lodging	\$	144.47	
Meals		58.37	
Mileage		370.08	
Reproduction		110.42	
Total			\$ 683.34
Total Amount Invoiced To Date			\$ 13,154.56
Less Previous Amount Invoiced			\$ 6,101.22
Total Amount Of This Invoice			<u>\$ 7,053.34</u>

200 CLINTON AVENUE, SUITE 800

HUNTSVILLE, ALABAMA 35801

256 533 1561

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CANNON, INC.

COPY
INVOICE

Dr. Whitney Slade
Millennium of Mississippi, L.L.C.
1651 Dancy Boulevard, Suite 5
Horn Lake MS 38637

Invoice No. 3
June 24, 2002
Project # 27917-04/JRH

**RE: 27917-04 DeSoto Commons, P.D.
Ambulatory Surgery Center Medical Office Building**

For Professional Services Rendered Through May 29, 2002:

Total Contract Amount	\$ 15,500.00
100% Complete	\$ 15,500.00
Less Previously Billed	\$ 13,154.56
Amount of This Invoice	\$ 2,345.44

PHASE 2, LOT 1
PARCEL A-10
DESOTO COMMONS
2.62 ACRES

ALL THAT PART OF SECTION 36, TOWNSHIP 1 SOUTH, RANGE 8 WEST, DESOTO COUNTY, MISSISSIPPI, PARTICULARLY DESCRIBED AS COMMENCING AT THE N.W. CORNER OF SECTION 36. THENCE EAST, 465.13 FEET. THENCE SOUTH 2373.46 FEET TO THE POINT OF BEGINNING OF THE HEREIN DESCRIBED LOT. SAID POINT OF BEGINNING IS FURTHER DESCRIBED AS BEING LOCATED ON THE SOUTHERN R.O.W. OF WINDCHASE B'LVD:

THENCE FROM THE POINT OF BEGINNING, SOUTH 49 DEGREES, 01 MINUTE, 47 SECONDS WEST, 372.74 FEET;

THENCE NORTH 40 DEGREES, 58 MINUTES, 17 SECONDS WEST, 350.00 FEET;

THENCE NORTH 49 DEGREES, 01 MINUTE, 43 SECONDS EAST 265.41 FEET;

THENCE NORTH 50 DEGREES, 12 MINUTES, 30 SECONDS EAST 43.53 FEET TO THE SOUTHWESTERN R.O.W. OF WINDCHASE B'LVD;

THENCE ALONG SAID R.O.W. SOUTH 39 DEGREES, 47 MINUTES, 30 SECONDS EAST, 73.86 FEET TO THE P.C. OF A CURVE TO THE LEFT HAVING A RADIUS OF 445.50 FEET;

THENCE CONTINUING ALONG SAID R.O.W. AND THE ARC OF SAID CURVE, 155.29 FEET TO THE P.T.;

THENCE CONTINUING ALONG SAID R.O.W. SOUTH 59 DEGREES, 45 MINUTES, 48 SECONDS EAST, 129.30 FEET TO THE POINT OF BEGINNING, CONTAINING 2.62 ACRES, MORE OR LESS.

THE ABOVE DESCRIBED LOT IS SUBJECT TO R.O.W.'s AND EASEMENTS OF RECORD.

Exhibit "C"

