

RETURN TO:
CASTLE & ASSOCIATES, PLC
319 KOGER CENTER
6555 QUINCE RD.
MEMPHIS, TN 38119
901-756-6100

L Book 8 Pg 32

NOTICE OF LIS PENDENS

COMES NOW, James E. Youngblood, Jr., and after being duly sworn does depose and state as follows:

1. I am the owner of AllCare Construction Co.
2. I am of majority age and sound mind.
3. AllCare Construction Co. hereby serves notice of a lien against all title and interest in the below described property pursuant to Miss. Code Ann. §§85-7-131, 85-7-181.

4. ^{see attached} The basis of the claim arises from a contract with the general contractor, Inman Construction Corp. to perform masonry services in the construction of a Malco Theater at Goodman Rd. and Airways Road, Southaven, MS.

5. The amount due is \$260,090.38, plus \$47,115 in change orders, plus lost profits from the uncompleted portion of the job, plus attorney's fees.

6. The property on which services were performed is the Malco Theater at Goodman Rd. and Airways Rd., Southaven, MS.

7. To the best of my knowledge and belief, Malco Theaters, Inc., is the owner of this property

8. Inman Construction Corp. is the general contractor

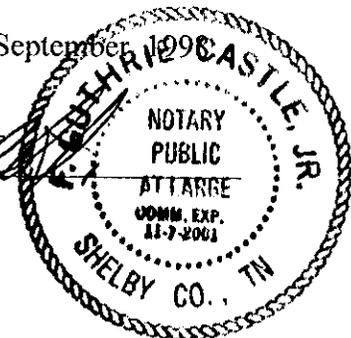
Further Affiant sayeth not.

James E. Youngblood Jr.
James E. Youngblood, Jr.

SWORN TO AND SUBSCRIBED before me this 22d day of September, 1998

STATE MS.-DESOTO CO. FILED
SEP 23 4 28 PM '98

[Signature]
Notary Public



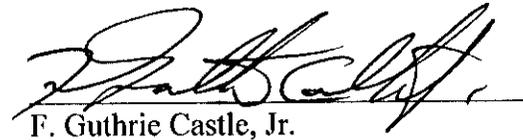
BK 8 PG 32
W.E. DAVIS CH. CLK.

AFFIDAVIT OF SERVICE ON OWNER

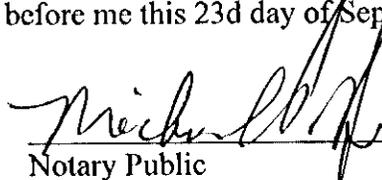
COMES NOW, F. Guthrie Castle, Jr., and after being duly sworn does depose and state as follows:

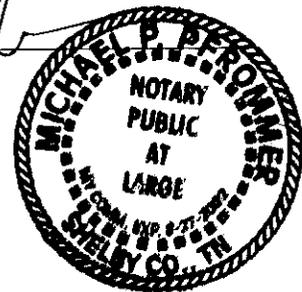
1. I am an attorney representing AllCare Construction Co.
2. I am of majority age and sound mind.
3. I have sent a copy of the above attached Lis Pendens notice this 23d day of September, 1998, via certified mail, return receipt requested to Malco Theaters, Inc., the owner of the referenced property.
4. On September 22, 1998, an employee of my office, Ms. Amy Crews, hand-delivered to Malco Theaters, Inc., a Notice of Stop Payment pursuant to Miss. Code Ann. §85-7-181.

Further Affiant sayeth not.


F. Guthrie Castle, Jr.

SWORN TO AND SUBSCRIBED before me this 23d day of September, 1998.


Notary Public



Prepared By:
BRIDGORTH & BUNTIN
P. O. Box 241
Southaven, MS 38671
393-4450

BK0329PG0116

STATE MS.-DESOTO CO.
FILED

WARRANTY DEED

FEB 19 3 27 PM '98

ENDEAVOR GROUP, LLC, A DELAWARE
LIMITED LIABILITY COMPANY

BK 329 PG 116
W.E. DAVIS CH. CLK.

GRANTOR(S)

TO

MALCO THEATERS, INC. AND MICHAEL A.
LIGHTMAN

GRANTEE(S)

FOR AND IN CONSIDERATION of the sum of Ten Dollars (\$10.00) cash in hand paid and other good and valuable considerations, the receipt of all of which is hereby acknowledged, ENDEAVOR GROUP, LLC, A DELAWARE LIMITED LIABILITY COMPANY, does hereby sell, convey and warrant unto MALCO THEATERS, INC., AN ARKANSAS CORPORATION, an undivided one-half interest and Michael A. Lightman, an undivided one-half interest, in and to the land lying and being situated in the City of Southaven, DeSoto County, Mississippi, more particularly described as follows, to-wit:

Lots 2, 6 and 7, First Amendment to Fourth Revision, DeSoto Station, in Section 30, Township 1 South, Range 7 West, City of Southaven, DeSoto County, Mississippi, as shown by plat appearing of record in Plat Book 60, Page 21, in the office of the Chancery Clerk of DeSoto County, Mississippi.

The warranty in this deed is subject to subdivision and zoning regulations in effect in the City of Southaven, DeSoto County, Mississippi, and further subject to applicable building restrictions and the following special exceptions, to-wit:

1. Any prior reservation or conveyance together with release of damages of minerals of every kind, character, including but not limited to oil, gas, sand and gravel in, on or under the subject property.
2. Unrecorded easement granted to Mississippi Power and Light Company, 15 feet in width as shown on the recorded plat in the office of the Chancery Clerk of DeSoto County, Mississippi.
3. 15 foot, 20 foot and 30 foot buffer yards and 5 foot and 10 foot utility easements and notes contained on the recorded plat of the First Amendment to the Fourth Revision, DeSoto Station.

Taxes for the year 1998 are to be prorated between the parties.

Possession is to be given with delivery of Deed.

WITNESS the signature of the duly authorized officer of said Limited Liability Company this 19th day of February, 1998.

ENDEAVOR GROUP, LLC, A DELAWARE
LIMITED LIABILITY COMPANY

BY: Carey W. Folk
Carey W. Folk, President