

**NOTICE OF LIEN ON AMOUNT DUE CONTRACTOR
TO BE RECORDED IN THE LIS PENDENS RECORDS**

OWNER: Billy R. Gross & Martha J. Gross
504 Dixie Hill Road
Hernando, MS 38632

STATE MS.-DESOTO CO.
FILED

KNOWN LIEN
HOLDERS: N/A

JUN 25 2 55 PM '04

CONTRACTOR: Robert Smith
5414 Meadow Point Drive
Southaven, MS 38672

BK 11 PG 310
WE DAVIS CLK.

MATERIALMAN/
LABORER: Tello Construction - Manuel Tello
1151 Highway 51, Lot 193
Nesbit, MS 38651

Stop payment notice having been given in accordance with §85-7-181, MCA, 1972, on JUNE 25, 2004, and the contractor and owner having failed to satisfy the claim set out herein, Tello Construction - Manuel Tello, hereby files its lien on amount due contractor under the provision of §85-7-197, MCA, 1972:

The claim is in the amount of \$10,402.50, plus attorney's fees, interests and costs. The basis for the claim is as set out in the stop payment notice and any other documents attached hereto as Exhibit "A". The property to be bound by this notice is that set out in exhibits attached hereto.

All exhibits are incorporated herein by reference. This notice relates back to February 7, 2004, the date of the stop payment notice.

GIVEN THIS the 25 day of June, 2004.

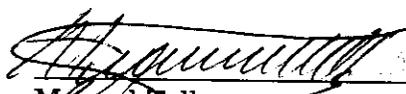


JOSEPH D. NEYMAN, JR. (MSB# 10399)
Walker, Brown & Brown, P.A.
Post Office Box 276
Hernando, Mississippi 38632
662-429-5277/662-429-5280 (Fax)

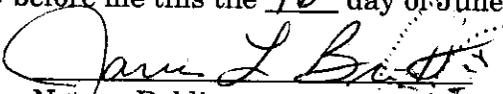
AFFIDAVIT AS TO CORRECTNESS

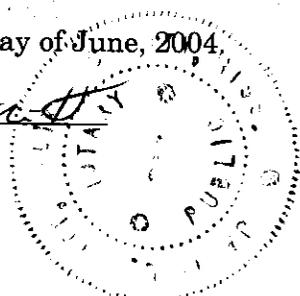
STATE OF MISSISSIPPI
COUNTY OF DeSOTO

Personally appeared before me, the undersigned authority in and for the State and County aforesaid, Manuel Tello, who after first being duly sworn by me stated upon oath that the above and foregoing matters are true and correct as herein stated.


Manuel Tello

SWORN TO AND SUBSCRIBED before me this the 16th day of June, 2004.


Notary Public



My commission expires:

Notary Public State of Mississippi At Large
My Commission Expires: April 11, 2006
Bonded Thru Helden, Brooks & Garland, Inc.

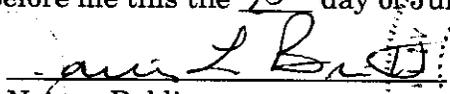
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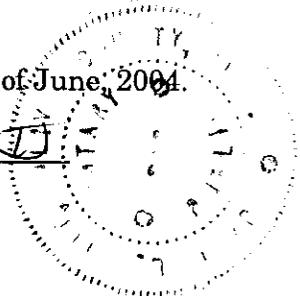
STATE OF MISSISSIPPI
COUNTY OF DeSOTO

Personally appeared before me, the undersigned authority in and for the State and County aforesaid, Joseph D. Neyman, Jr., who after first being duly sworn by me stated upon oath that the attached stop payment notice was mailed to the owner at the address shown thereon by certified mail, postage prepaid, return receipt requested on the 21 day of June, 2004, and that a copy of the above and foregoing Notice of Lien on Amount Due Contractor has also been mailed to the owner at the same address by certified mail, postage prepaid, return receipt requested on this the 21 day of June, 2004.


Joseph D. Neyman, Jr.

SWORN TO AND SUBSCRIBED before me this the 25 day of June, 2004.


Notary Public



My commission expires:
Notary Public State of Mississippi At Large
My Commission Expires: April 11, 2006
Bonded Thru Helden, Brooks & Garland, Inc.

STOP PAYMENT NOTICE

OWNER: Billy R. Gross & Martha J. Gross **VIA CERTIFIED MAIL**
504 Dixie Hill Road **RETURNED RECEIPT**
Hernando, MS 38632 **REQUESTED**

KNOWN LIEN HOLDERS: N/A

CONTRACTOR: Robert Smith
5414 Meadow Point Drive
Southaven, MS 38672

MATERIALMAN/
LABORER: Tello Construction
1151 Highway 51, Lot 193
Nesbit, MS 38651

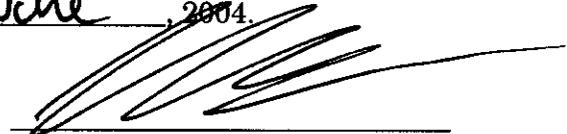
PROPERTY: Lot 10, Dixie Hills Estates, Section 36, Township 2 South, Range 7
West, DeSoto County, Mississippi as per plat recorded in Plat Book 10,
Page 19 in the Office of the Chancery Clerk of DeSoto County,
Mississippi.

TO THE OWNER:

You are hereby notified to immediately STOP PAYMENT to the Contractor under the authority of §85-7-181, Mississippi Code Annotated, 1972, as amended, as the contractor has not paid the above described Materialman/Laborer, who is due \$10,402.50 for labor and/or materials used in improving your property plus attorney's fees and interest.

Please immediately report the balance due under your contract with the Contractor to the undersigned.

GIVEN THIS the 25 day of June, 2004.



JOSEPH D. NEYMAN, JR. (MSB# 10399)
Walker, Brown & Brown, P.A.
Post Office Box 276
Hernando, Mississippi 38632
662-429-5277
901-521-9292
662-429-5280 Fax

EXHIBIT A

109675

Momuel Tello

CUSTOMER'S ORDER NO.		DEPARTMENT		DATE	
				2/7/04	
NAME Bill Gross					
ADDRESS Dixie Hill Lot #10					
CITY, STATE, ZIP Herndon, N.S.					
SOLD BY		CASH	C.O.D.	CHARGE	ON ACCT.
				MDSE RETD	PAID OUT
QUANTITY	DESCRIPTION			PRICE	AMOUNT
1	Grage 30x30 3,000 lbs.				
2	\$3 per foot sq. slab			\$37	2,700.00
3	3,500 Fiberglass mesh wire				
4	Plus extras				
5					
6	Stem wall				397.00
7	Double Garage Door				
8	Block Footings				
9	26	Post pits		\$15.00	390.00
10	Triple Round Steels				
11	Great Bains with 2 steels				
12	1	hrs. Tractor Work		\$15.00	150.00
13					4,297.00
14					
15					697.00
16					
17					3,600.00
18					
19					
20	Total				3,600.00
RECEIVED BY					1892.20



KEEP THIS SLIP FOR REFERENCE
DUPLICATE

EXHIBIT A

109677

Manuel Tello

CUSTOMER'S ORDER NO.		DEPARTMENT		DATE			
				3/25/04			
NAME Robert Smith							
ADDRESS Job on Jan 2 Feb 2004							
CITY, STATE, ZIP Dixie Hl #10 Herndon, MS							
SOLD BY		CASH	C.O.D.	CHARGE	ON ACCT.	MOSE RETD	PAID OUT
QUANTITY	DESCRIPTION			PRICE	AMOUNT		
1	Rental of Tractor				340.00		
2	Foundation Footings			300'	900.00		
3	45	Re bar	5"	5.33	240.00		
4	20	Re bar	1/2"	4.00	120.00		
5	60	Post Holes		10.00	600.00		
6	24 yards Cement on footings				2,000.00		
7	Labor Foundation Concrete				900.00		
8	932	Blocks		2.00	1,404.00		
9	1	-mason Sand			250.00		
10	7	Bags of -muler Mix			42.00		
11	100	Blocks delivered by Manuel			126.50		
12	2	Loads of Fertilizer		1.50	300.00		
13	530	2x4			500.00		
14	12	Loads of Dirt		65.00	780.00		
15	500	FT 2x4			250.00		
16	Rental of water pump and labor				170.00		
17	16 hrs	of tractor labor		4.50/hr	720.00		
18				TOTAL	9,802.50		
19				-	3,000.00		
20	Payment of \$3,000.00				6,802.50		
RECEIVED BY							



KEEP THIS SLIP FOR REFERENCE
DUPLICATE