

10/27/05 3:38:03
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DESOTO COUNTY, MS
W.E. DAVIS, CH CLERK

IN THE SPECIAL COURT OF EMINENT DOMAIN
DESOTO COUNTY, MISSISSIPPI

DESOTO COUNTY, MISSISSIPPI

PETITIONER

VS.

CIVIL ACTION NO. CO2005-0055

ODELL CALDWELL, KATIE CALDWELL,
PAULA SMALL, PATRICIA GUY,
BETTIE SHERVINGTON LEE,
TRIMEKA SHERVINGTON WINDBUSH,
CAPRICIA SHERVINGTON, STEPHEN ALBERT
SHERVINGTON, AMY WILLIAMS SHERVINGTON,
DANYEL WHITE, MARILYN DAVIS,
EASTER STREET, RICHARD CALDWELL,
JAMES CALDWELL, JONQUIA BROWN, KEVIN BROWN
UNKNOWN HEIRS OF JOHN R. CALDWELL
UNKNOWN HEIRS OF BLANCHE BERNICE CALDWELL
SHERVINGTON, UNKNOWN HEIRS OF
STEPHEN SHERVINGTON, UNKNOWN HEIRS OF
JOHN EDWARD CALDWELL and
UNKNOWN HEIRS OF LARRY CALDWELL

DEFENDANTS

RELEASE OF LIS PENDENS

STATE OF MISSISSIPPI
COUNTY OF DESOTO

To the Chancery Clerk of DeSoto County, Mississippi:

You are hereby authorized and directed to cancel of record the following Notice of Lis Pendens as it pertains to property located in Section 8, Township 2 South, Range 7 West, DeSoto County, Mississippi, to-wit:

Right-of-Way: Begin at a point on the existing South Right-of-Way of Church Road, said point being 534.29 ft. West and 42.79 ft. South of the Northeast corner of Section 8, Township 2 South, Range 7 West in DeSoto County, Mississippi, said point also being 40.00 ft. South of the centerline of Church Rd.; run thence South 89 degrees 42' 01" West, along said existing Right-of-Way, for a distance of 435.27 ft. to a point; run thence South 89 degrees 17' 51" West, along said existing Right-of-Way, for a distance of 602.57 ft. to a point; run thence South 89 degrees 44' 42" West, along said existing Right-of-Way, for a distance of 999.91 ft. to a point; run thence North 89 degrees 25' 01" West, along said existing Right-of-Way, for a distance of 85.28 ft. to a point; run thence due South, leaving said existing Right-of-Way, for a distance of 36.25 ft. to a point; run thence North 89 degrees 25' 04" East for a distance of 85.27 ft. to a point; run thence North 89 degrees 44' 42" East for a distance of 126.00 ft. to a point; run thence due North for a distance of 25.00 ft. to a point; run thence North 89 degrees 44' 42" East for a distance of 873.99 ft. to a point; run thence North 89 degrees 17' 51" East for a distance of 162.81 ft. to a point; run thence due

Nowak

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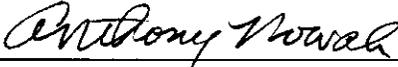
South for a distance of 25.00 ft. to a point; run thence North 89 degrees 17' 51" East for a distance of 40.00 ft. to a point; run thence due North for a distance of 25.00 ft to a point; run thence North 89 degrees 17' 51" East for a distance of 399.76 ft. to a point; run thence North 89 degrees 42' 01" East for a distance of 345.66 ft. to a point; run thence due South for a distance of 60.00 ft. to a point; run thence North 51 degrees 47' 24" East for a distance of 113.93 ft. to a point on said existing Right-of-Way and the point of beginning, containing 0.684acre more or less. All bearings are relative to true North. Said property being located in the Northeast Quarter.

Easement - Tract I: Begin at a point on the proposed South Right-of-Way of Church Road, said point being 1,409.20 ft. West and 60.46 ft. South of the Northeast corner of Section 8, Township 2 South, Range 7 West in DeSoto County, Mississippi, said point also being 50.00 ft. South of the centerline of Church Rd.; run thence South 89 degrees 17' 51" West, along said proposed Right-of-Way, for a distance of 162.81 ft. to a point; run thence South 89 degrees 44' 42" West, along said proposed Right-of-Way, for a distance of 873.99 ft. to a point; run thence due South, along said proposed Right-of-Way, for a distance of 20.00 ft. to a point; run thence North 89 degrees 44' 42" East for a distance of 874.16 ft. to a point; run thence North 89 degrees 17' 51" East for a distance of 162.64 ft. to a point on said proposed Right-of-Way; run thence due North, along said proposed Right-of-Way, for a distance of 20.00 ft. to a point on said proposed Right-of-Way and the point of beginning, containing 0.476 acre more or less. All bearings are relative to true North. Said property being located in the Northeast Quarter.

Easement- Tract II: Begin at a point on the proposed South Right-of-Way of Church Road, said point being 623.81 ft. West and 53.26 ft. South of the Northeast corner of Section 8, Township 2 South, Range 7 West in DeSoto County, Mississippi, said point also being 50.00 ft. South of the centerline of Church Rd.; run thence South 89 degrees 42' 01" West, along said proposed Right-of-Way, for a distance of 345.66 ft. to a point; run thence South 89 degrees 17' 51" West, along said proposed Right-of-Way, for a distance of 399.76 ft. to a point; run thence due South, along said proposed Right-of-Way, for a distance of 20.00 ft. to a point; run thence North 89 degrees 17' 51" East for a distance of 399.94 ft. to a point; run thence North 89 degrees 42' 01" East for a distance of 345.49 ft. to a point on said proposed Right-of-Way; run thence due North, along said proposed Right-of-Way, for a distance of 20.00 ft. to a point on said proposed Right-of-Way and the point of beginning, containing 0.342 acre more or less. All bearings are relative to true North. Said property being located in the Northeast Quarter.

The Notice of Lis Pendens, which is hereby canceled, involves a lawsuit in the Special Court of Eminent Domain, DeSoto County, Mississippi, as styled above. Said Notice of Lis Pendens is recorded in Lis Pendens record Book 12 at Page 16.

Witness my hand this the 27 day of October, 2005.


 ANTHONY NOWAK, #10528
 NOWAK & NEYMAN, P. C.
 P. O. BOX 567
 HERNANDO, MS 38632
 (662) 429-7888

STATE OF MISSISSIPPI
COUNTY OF DESOTO

Personally appeared before a Notary Public, in and for said County and State the above named Anthony Nowak, who acknowledged that he signed, sealed and delivered the foregoing instrument as his voluntary act and deed and for the purposes therein stated.

Witness my hand and official seal this the 27th day of October, 2005.

Cornie Rhea Wulff
NOTARY PUBLIC

My Commission Expires:
June 17, 2007

