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CAO DESOTO COUNTY, MS  
W.E. DAVIS, CH CLERK

**PREPARED BY:**

Anthony E. Nowak, MSB#10528  
Smith Phillips Mitchell Scott & Nowak, LLP  
2545 Caffey St.  
Hernando, MS 38632  
662-429-5041

INDEXING INSTRUCTIONS: 0.21 acres, more or less, in part of the Northeast Quarter of the Northwest Quarter of Section 19, Township 3 South, Range 7 West, DeSoto County, Mississippi

**IN THE SPECIAL COURT OF EMINENT DOMAIN  
DESOTO COUNTY, MISSISSIPPI**

**DESOTO COUNTY, MISSISSIPPI**

**PETITIONER**

**VS.**

**CIVIL ACTION NO. CO2011-0097CD**

**OTC INVESTMENTS, LLC,**

**DEFENDANT**

**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 19, Township 3 South, Range 7 West, DeSoto County, Mississippi, to-wit:

**REVISED LEGAL DESCRIPTION FOR DEDICATED RIGHT-OF-WAY IN HERNANDO INDUSTRIAL PARK, PHASE I, FIRST REVISION, DIVISION OF SITE 11, A 0.21-ACRE TRACT OF LAND LOCATED IN THE NORTHEAST QUARTER OF THE NORTHWEST**

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**QUARTER OF SECTION 19, TOWNSHIP 3 SOUTH, RANGE 7 WEST, CITY OF HERNANDO, DESOTO COUNTY, MISSISSIPPI, lying entirely within Lot 11H as shown and described in subdivision Plat Book 95, Page 43, of the land records of the DeSoto County Chancery Clerk's office, and further described as follows:**

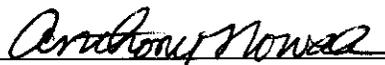
Commencing at the Southwest corner of the Northeast Quarter of Section 19, Township 3 South, Range 7 West, City of Hernando, DeSoto County, Mississippi, and run thence North for a distance of 588.66 feet to the Northeast corner of the Harris Tract; thence run West along the North line of said Harris Tract for a distance of 958.28 feet to the Southwest corner of the Beene Tract; thence run North along the West line of the Beene Tract for a distance of 1,495.57 feet to the Southwest corner of Hernando Industrial Park, Phase 1, First Revision, Division of Site 11, as same is platted in the Office of the Chancery Clerk DeSoto County, Mississippi, in Plat Book 95 on Page 43; thence North 86 degrees 23 minutes 03 seconds East along the South line of Hernando Industrial Park for a distance of 340.81 feet to the **POINT OF BEGINNING**; thence along the western right-of-way of a proposed road as follows: North 03 degrees 45 minutes 51 seconds East for a distance of 144.41 feet; along a curve to the left, having a chord bearing of North 22 degrees 49 minutes 30 seconds West, a chord distance of 22.38 feet and a radius of 25.00 feet to a point on the existing right-of-way of Industrial Park West Drive; thence along the existing right-of-way of Industrial Park West Drive along a curve to the left, having a chord bearing of North 82 degrees 19 minutes 56 seconds East, a chord bearing of 89.53 feet and a radius of 60.00 feet to a point on the eastern right-of-way of a proposed road; thence along the eastern right-of-way of a proposed road as follows: along a curve to the left, having a chord bearing of South 22 degrees 08 minutes 13 seconds West, a chord distance of 56.26 feet and a radius of 113.40 feet; South 03 degrees 45 minutes 51 seconds West for a distance of 121.00 feet to a point on the South line of the above mentioned Hernando Industrial Park; thence along the South line of said Hernando Industrial Park South 86 degrees 23 minutes 03 seconds West for a distance of 60.50 feet to the Point of Beginning.

All lying and being in the Northeast Quarter of the Northwest Quarter of Section 19, Township 3 South, Range 7 West, City of Hernando, DeSoto County, Mississippi, and containing 0.21 acres, more or less.

The Notice of Lis Pendens, which is hereby canceled, involves a lawsuit in the Special Court of Eminent Domain, DeSoto County, Mississippi, styled DeSoto County, Mississippi vs. OTC Investments, LLC.

Said Notice of Lis Pendens is recorded in Lis Pendens record Book 19, at Page 177.

Witness my hand this the 10 day of MARCH, 2011.

  
 ANTHONY E. NOWAK, #10528  
 SMITH PHILLIPS MITCHELL SCOTT  
 & NOWAK  
 P. O. BOX 346  
 HERNANDO, MS 38632  
 (662) 429-5041

STATE OF MISSISSIPPI  
COUNTY OF DESOTO

Personally appeared before a Notary Public, in and for said County and State the above named Anthony E. 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 16<sup>th</sup> day of March, 2011.

Connie Rhea Duff  
NOTARY PUBLIC

My Commission Expires:  
June 17, 2011

