

IN THE CHANCERY COURT OF DESOTO COUNTY, MISSISSIPPI

IN RE: MELVIN MCMAHON, ET AL

CAUSE NO. 86-3-150

I-554

DECREE OF PARTITION OF LANDS IN KIND

The Petition of Melvin, McMahon, Erma Outlaw, Connie McMahon, Edwin McMahon, Jinella Outlaw, McStella Hinds, Carolyn Joyner, Velma Brown, Lee A. Monger, Lorenzo Betts, Mittie Ruth Sales, Peola Banks, Inez Taylor, Lorenzo McMahon and Willie McMahon having been presented unto the Court on this day whereby a partition in kind of certain lands lying and being situated in DeSoto County, Mississippi, is prayed, and the Court being fully advised in the premises, is of the opinion and does so find as follows:

1. That the Complainants are the sole heirs at law of Lorenzo McMahon and Jennie McMahon. That the said Lorenzo McMahon died intestate on or about March 10, 1965, and was at the time of his death an adult resident and citizen of DeSoto County, Mississippi, with a fixed place of residence therein. That the said Lorenzo McMahon owned at the time of his death land situated in DeSoto County, Mississippi, more particularly described hereinafter. That the said Jennie McMahon died testate on February 14, 1981, and as an heir at law of Lorenzo McMahon owned an undivided interest in the lands more particularly described hereinafter. That the Last Will And Testament of the Testatrix was filed for probate in Cause Number 81-4-227 in the Chancery Court of DeSoto County, Mississippi.

2. That by deed of October 18, 1935, of record in Deed Book 24, at page 463, of the land records of DeSoto County, Mississippi, the said Lorenzo McMahon, also known as, Lorenza McMahon, was conveyed 40 acres off of the north side of the northwest quarter of Section 35, Township 2, Range 7, DeSoto County, Mississippi.

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H. G. FERGUSON, CLERK
BY E. D. Miller D.C.

Min. Book 95, Page 550

3. That by deed of February 12, 1947, of record in Deed Book 35, at page 113, of the land records of DeSoto County, Mississippi, Lorenzo McMahon was conveyed 3 and 1/2 acres in the northeast corner of the northwest quarter of said section.

4. That by deed of February 6, 1962, of record in Deed Book 52, at page 147, the said Lorenzo McMahon, and wife, Jennie McMahon, conveyed 34.5 acres of said lands to W. Alex Robinson, et ux.

5. That the said Lorenzo McMahon and Jennie McMahon conveyed 2.0 acres in the northwest quarter of said section to Willie F. McMahon, et ux, by instrument dated September 11, 1963, of record in Deed Book 56, at page 159, of the land records of DeSoto County, Mississippi.

6. That reference is hereby made to all of said recorded instruments for a more particular description of the lands described therein.

7. That the Complainants and the Testatrix were the sole heirs at law of the said Lorenzo McMahon and Complainants are the sole devisees under the provisions of the said Last Will And Testament of the said Testatrix.

8. That the said Melvin McMahon, Erma Outlaw, Connie McMahon, Inez Taylor, Lorenzo McMahon and Willie McMahon are the children of the said Lorenzo McMahon and Jennie McMahon. That the said Edwin McMahon, Jinella Outlaw, McStella Hinds, Carolyn Joyner, Velma Brown, Lee A. Monger, Lorenzo Betts, Mittie Ruth Sales and Peola Banks are the sole issue of Claudie Betts, the child of Lorenzo McMahon and Jennie McMahon who predeceased her said parents.

9. That the Complainants hold title as tenants in common to approximately 8.35 acres, including rights of ways for public roads,

in the northwest quarter of Section 35, Township 2 South, Range 7 West, DeSoto County, Mississippi.

10. That the Complainants are in possession of said lands and are entitled to the partition of same and would show unto the Court that said property can be equally divided to allow a partition of same among said Complainants in kind.

And it having been announced unto the Court by the parties through counsel, that an amicable partition of said lands has been agreed upon by the said Complainants for a division in kind of said lands among them, it is therefore ordered, adjudged and decreed as follows:

1. That title in and to the following described lands be and the same is hereby vested in Melvin McMahan, the said other tenants in common being hereby divested of any interest therein:

Lot One:

Lying and being situated in the northwest quarter of Section 35, Township 2 South, Range 7 West.

Beginning at the Northwest corner of Section 35, Township 2, Range 7 West; thence South $07^{\circ} 54'$ minutes East along the centerline of Malone Road 168.17 feet to a PK Nail; thence North $84^{\circ} 15'$ minutes East 306.40 feet to an iron pin; thence North $5^{\circ} 35'$ minutes West 168.43 feet to a point in the center of Sunset Drive; thence south $84^{\circ} 12'$ minutes West along the centerline of said Sunset Drive 313.12 feet to the point of beginning.

2. That title in and to the following described lands be and the same is hereby vested in Erma Outlaw, the said other tenants in common being hereby divested of any interest therein:

Lot Two:

Lying and being situated in the northwest quarter of Section 35, Township 2 South, Range 7 West.

Beginning at the northwest corner of said Section; thence South $07^{\circ} 54'$ minutes East 168.17 feet to a PK Nail in the center of Malone Road which said PK Nail is located at the southwest corner of the above described Lot One and is the point of beginning of Lot 7 north; thence South $07^{\circ} 54'$ minutes East 173.13 feet along the center of said Malone Road to a PK Nail; thence North $84^{\circ} 17'$ minutes East 240.0 feet to a point located in a

pond; thence North 5° 35 minutes West 173.13 feet to an iron pin; thence North 84° 15' East along the South line of said Lot One 306.40 feet to an iron pin and being the point of beginning.

3. That title in and to the following described lands be and the same is hereby vested in Connie McMahon, the said other tenants in common being hereby divested of any interest therein:

Lot Three:

Lying and being situated in the northwest quarter of Section 35, Township 2 South, Range 7 West.

Beginning at the northwest corner of said Section 35; thence South 07 degrees 54 minutes East 341.30 feet to a PK Nail which is located in the center of Malone Road and which said point is the southwest corner of said Lot Two; thence North 84 degrees 17 minutes East 240 feet to a point, which said point is the southeast corner of said Lot Two and the point of beginning of Lot Three; thence north 84 degrees 17 minutes East 152.88 feet to a point; thence south 5 degrees 47 minutes East 341.74 feet to a point in the center of Sunset Drive; thence South 84 degrees 12 minutes West along the center-line of Sunset Drive 151.7 feet to a point which is the northeast corner of said Lot One; thence South 5 degrees 35 minutes East along the east lines of said Lots One and Two 341.56 feet to the point of beginning.

4. That title in and to the following described lands be and the same is hereby vested in Edwin McMahon, Jinella Outlaw, McStella Hinds, Carolyn Joyner, Velma Brown, Lee A. Monger, Lorenzo Beets, Mittie Ruth Sales and Peola Banks, the said other tenants in common being hereby divested of any interest therein:

Lot Four:

Lying and being situated in the northwest quarter of Section 35, Township 2 South, Range 7 West.

Beginning at the northwest corner of said Section 35; thence South 07 degrees 54 minutes East 341.30 feet to a PK Nail which is located in the center of Malone Road and which said point is the southwest corner of said Lot Two; thence North 84 degrees 17 minutes East 392.88 feet to a point which is the southeast corner of said Lot Three and the southwest corner of Lot Four; thence North 84 degrees 17 minutes East 151.28 feet to a point; thence North 5 degrees 44 minutes West 342.0 feet to a point in the center of Sunset Drive; thence South 84 degrees 12 minutes West 151.6 feet to a point; thence South 5 degrees 47 minutes East along the east line of said Lot Three 341.74 feet to the point of beginning.

5. That title in and to the following described lands be and the same is hereby vested in Inez Taylor, the said other tenants in common being hereby divested of any interest therein:

Lot Five:

Lying and being situated in the northwest quarter of Section 35, Township 2 South, Range 7 West.

Beginning at the northwest corner of said Section 35; thence South 07 degrees 54 minutes East 341.30 feet to a PK Nail which is located in the center of Malone Road and which said point is the southwest corner of said Lot Two; thence North 84 degrees 17 minutes East 544.16 feet to a point which is the southeast corner of Lot Four and the southwest corner of Lot Five; thence North 84 degrees 17 minutes East 151.28 feet to a point; thence North 5 degrees 42 minutes West 342.22 feet to a point in the center of Sunset Drive; thence along the center of Sunset Drive 84 degrees 12 minutes West 151.5 feet to a point which is the northeast corner of said Lot Four; thence south 5 degrees 44 minutes East along the East line of said Lot Four 342.0 feet to the point of beginning.

6. That title in and to the following described lands be and the same is hereby vested in Lorenzo McMahon, the said other tenants in common being hereby divested of any interest therein:

Lot Six:

Lying and being situated in the northwest quarter of Section 35, Township 2 South, Range 7 West.

Beginning at the northwest corner of said Section 35; thence South 07 degrees 54 minutes East 341.30 feet to a PK Nail which is located in the center of Malone Road and which said point is the southwest corner of said Lot Two; thence 84 degrees 17 minutes East 695.44 to a point which is the southeast corner of said Lot Five and the southwest corner of Lot Six; thence North 84 degrees 17 minutes East 151.28 East to a point; thence North 5 degrees 41 minutes 30 seconds West 342.44 feet to a point in the center of Sunset Drive; thence along the center of Sunset Drive South 84 degrees 12 minutes West 151.4 feet to a point which is the northeast corner of said Lot Five; thence South 5 degrees 42 minutes East along the East line of said Lot Five 342.22 feet to the point of beginning.

7. That title in and to the following described lands be and the same is hereby vested in Willie McMahon, the said other tenants in common being hereby divested of any interest therein:

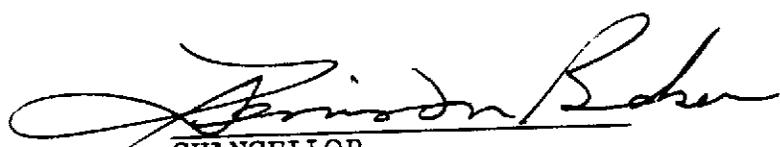
Lot Seven:

Lying and being situated in the northwest quarter of Section 35, Township 2 South, Range 7 West.

Beginning at the northwest corner of said Section 35; thence South 07 degrees 54 minutes East 341.30 feet to a PK Nail which is located in the center of Malone Road and which said point is the southwest corner of said Lot Two; thence North 84 degrees 17 minutes East 846.72 feet to a point which is the southeast corner of said Lot Six and the southwest corner of Lot Seven; thence North 84 degrees 17 minutes East 151.28 feet to a point; thence North 5 degrees 41 minutes West 342.66 feet to a PK Nail in the center of Sunset Drive; thence along the center of said Sunset Drive 84 degrees 12 minutes west 151.28 feet to a point which is the northeast corner of said Lot Six; thence South 5 degrees 41 minutes 30 seconds east along the east line of said Lot Six 342.44 feet to the point of beginning.

8. The Chancery Court Clerk of DeSoto County, Mississippi, is hereby authorized and directed to record this decree in the record book of conveyances of DeSoto County, Mississippi.

ORDERED, ADJUDGED AND DECREED this the 17th day of March, 1986.


CHANCELLOR

Filed @ 3:30pm, 18 March, 1986
Recorded in book 185 Page 324
H. G. Ferguson, Clerk