

IN THE SPECIAL COURT OF EMINENT DOMAIN
DESOTO COUNTY, MISSISSIPPI

MISSISSIPPI TRANSPORTATION COMMISSION

PETITIONER

VS.

CAUSE NO. 8106

BILLY A. REAVES, et al.

DEFENDANTS

FINAL JUDGMENT

THIS DAY this cause came on to be heard upon the claim of the Mississippi Transportation Commission to have condemned certain lands named in the Petition and described in Exhibit "A" attached hereto, and incorporated herein, being the property of Billy A. Reaves, et al.

1. The Court is informed that defendants Billy A. Reaves and Rhonda Joyce Reaves were personally served with process on June 24, 1993. Process was served upon defendant Sunburst Bank, by service upon Wendell Rogers, a bank officer, on June 23, 1993. Process was served upon defendant Stonehedge Homeowners Association, Inc., by service upon John W. Hyneman, its registered agent for service of process, on June 24, 1993. Process was served personally upon Edwin T. Cofer on June 24, 1993.

2. This Judgment has the same force and effect as if fully tried to a jury and is rendered pursuant to Miss. Code Ann. Section 11-27-25.

3. The Deed of Trust recorded in Book 506 at Page 608 of the Records of Deeds of Trust on Land of DeSoto County, Mississippi to Edwin Cofer, Trustee for the benefit of Sunburst Bank, described in Paragraphs 1(C) and (D) to the Petition has been fully paid and satisfied as evidenced by Order To Clerk To Cancel Deed Of Trust, attached as Exhibit "B". Sunburst Bank and

FILED 2nd DAY OF Oct 95

[Handwritten signature]
 CLERK OF COURT

Eddie T. Cofer were dismissed as necessary parties by Order of this court dated February 28, 1994.

4. Pursuant to notice and hearing, this Court heard the evidence and entered its Order that Stonehedge Homeowners Association, Inc. has no claim or ownership interest or claim for damages in connection with this condemnation and Stonehedge Homeowners Association, Inc., pursuant to order dated February 28, 1994, is dismissed with prejudice.

5. There was pending before this Court a motion to add as necessary parties, Michael Mavromatis, Jay Lynn Mavromatis, First Tennessee Bank National Association, and Thomas F. Baker IV. This motion to amend is moot since Michael Mavromatis and Jay Lynn Mavromatis have corrected the description in the deed and deed of trust by virtue of corrected Warranty Deed from Billy A. Reaves and Rhonda Joyce Reaves to Michael Mavromatis and wife, Jay Lynn Mavromatis, dated October 29, 1993, and corrected and re-recorded in Book 268 at Page 159 of the Land Deed Records of the Chancery Clerk of Desoto County, Mississippi, and corrected Deed of Trust executed by Michael Mavromatis and wife, Jay Lynn Mavromatis, to Thomas F. Baker IV, Trustee for the benefit of First Tennessee Bank National Association, dated October 29, 1993, and corrected and re-recorded in Book 693 at Page 436 of the records of Deeds of Trust on Land of the Chancery Clerk of Desoto County, Mississippi, copies attached as Exhibits "C" and "D".

6. The only remaining parties with an interest in the compensation proceeds are defendants Billy A. Reaves and Rhonda Joyce Reaves. Based upon their agreement hereto, the Court returns a verdict and judgment fixing their compensation and damages at \$15,450.00, inclusive of legal interest from the date of filing of the complaint.

That Mississippi Transportation Commission having previously acquired title and possession of the condemned property by instrument dated July 19, 1993 and filed in Book 262 at Page 598 in

the Land Deed Records of the Office of the Chancery Clerk of DeSoto County, Mississippi, after which on August 17, 1993, the Mississippi Transportation Commission tendered into Court the sum of \$15,450.00.

The Mississippi Transportation Commission is allowed credit for said sum against the judgment rendered in this cause. Now, therefore, ownership of the said property shall be vested in Plaintiff and it may be appropriated to the public use as prayed for in the Complaint.

Let the Plaintiff pay the costs, for which execution may issue.

ORDERED AND ADJUDGED on this the 2nd day of October, 1995.

Michael T. Barber
JUDGE, SPECIAL COURT OF EMINENT DOMAIN

APPROVED AS TO ENTRY:

MISSISSIPPI TRANSPORTATION COMMISSION

BY: Michael T. Lewis (199)

MICHAEL T. LEWIS
ATTORNEY FOR PETITIONER
LEWIS & LEWIS, P.A.
P. O. Drawer 1600
Clarksdale, MS 38614
601/627-4477

LL\STATE\REAVES\PLEAD\FINAL.JUD

STATE OF MISSISSIPPI
DESOTO COUNTY

I, Jeannette B. Martin, Clerk of the Circuit Court in and for said County and State, hereby certify that the foregoing is a true and correct copy of the Final Judgment as same appears on the court record in Book _____ Page _____ of the Records of DeSoto County, Mississippi.

3 Witness my hand and official seal this the 2nd day of Oct, 1995
Jeannette B. Martin
Circuit Clerk, DeSoto County, Mississippi

BY: *B. G. Perry*
B. G. PERRY
ATTORNEY FOR DEFENDANTS REAVES
P. O. Box 815
Southaven, MS 38671
601/393-9466, ext. 109

Billy A. Reaves
BILLY A. REAVES

Rhonda Joyce Reaves
RHONDA JOYCE REAVES

PREPARED BY AND RETURN TO:

Hon. Pauline S. Lewis
LEWIS & LEWIS, P.A.
P. O. Drawer 1600
Clarksdale, MS 38614

INDEXING INSTRUCTIONS: Index under the names of Billy A. Reaves, Rhonda Joyce Reaves,
and Mills Barbee, Judge, in Lot 7, Stonehedge Subdivision.

IN THE SPECIAL COURT OF EMINENT DOMAIN
DESOTO COUNTY, MISSISSIPPI

MISSISSIPPI TRANSPORTATION COMMISSION

PETITIONER

VS.

CIVIL ACTION NO. 8106

BILLY A. REAVES, ET AL

DEFENDANTS

EXHIBIT "A"

All of the following excepting and excluding therefrom all oil and gas and other minerals which may be produced through a well bore.

TOWNSHIP 1 SOUTH, RANGE 7 WEST, SECTION 32PARCEL NO. 1
RIGHT-OF-WAY

Begin at the point of intersection of the present Southern right-of-way line of Mississippi Highway No. 302 with the Eastern line of Defendants property, said point of intersection is 18.4 feet South of and 2923.2 feet West of the Northeast corner of Section 32, Township 1 South, Range 7 West; from said point of beginning run thence South 00° 18' West along said Eastern property line, a distance of 35.0 feet to the proposed Southern right-of-way line of a proposed highway project, said proposed highway project being known and designated as Federal Aid Project No. 19-0021-01-018-10, being a segment of Mississippi Highway No. 302; thence North 89° 25' West along said proposed right-of-way line, a distance of 137.9 feet; thence South 64° 11' West along said proposed right-of-way line, a distance of 56.1 feet; thence South 06° 28' West along said proposed right-of-way line, a distance of 100.5 feet; thence South 09° 17' West along said proposed right-of-way line, a distance of 49.6 feet to a point on the Southern line of Defendants property, said point is hereby designated Point "A" for future reference; thence North 89° 12' West along said Southern property line, a distance of 7.6 feet to the present Eastern right-of-way line of Fox Chase Road; thence

North 00° 45' East along said present Eastern right-of-way line, a distance of 179.7 feet; thence Northeasterly along said present Eastern right-of-way line and along the circumference of a circle to the right having a radius of 30.00 feet, an arc distance of 47.1 feet (said arc having a chord bearing North 45° 45' East for a distance of 42.4 feet); thence South 89° 14' East along the present Southern right-of-way line of Mississippi Highway No. 302, a distance of 182.7 feet to the point of beginning of this Parcel No. 1, containing 0.26 acres, more or less, and

An easement of use, over, on and across a parcel of land to be used for the purpose of highway construction, said easement being temporary in nature, the use of which is not to extend beyond the completion of the construction of the above mentioned proposed highway project, said easement being designated as Parcel No. 2.

PARCEL NO. 2
TEMPORARY EASEMENT
FOR HIGHWAY CONSTRUCTION

Begin at Point "A" as it is designated in Parcel No. 1 above; from said point of beginning run thence North 09° 17' East, a distance of 24.4 feet; thence South 89° 15' East, a distance of 18.7 feet; thence South 00° 45' West, a distance of 24.1 feet; thence North 89° 12' West along the Southern line of Defendants property, a distance of 22.4 feet to Point "A" and the point of beginning of this Parcel No. 2, containing 0.01 acres, more or less, and

Parcel No. 1 and Parcel No. 2 contain an aggregate of 0.27 acres, more or less, and are situated in and a part of Lot 7 of Stonehedge Subdivision, in the Northeast 1/4 of the Northwest 1/4 of Section 32, Township 1 South, Range 7 West, DeSoto County, Mississippi.

STATE MS.-DESOTO CO.
FILED

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BK 291 PG 271
W.E. DAVIS CH. CLK.
By M Jaylor