DELBERT HOSEMANN
Secretary of State

April 7, 2015

To: Interested Purchasers
Fm: Dave Scott, Assistant Secretary of State
Re: Request for Bids
Forrest Memorial Park Cemetery, In Receivership, Corinth, Mississippi

Everything contained within this memorandum and within the bid package is important. Please review this memorandum and all information contained within this bid package before submitting a bid. The following is included:

1. The bid form that should be used to submit a bid.
2. The Court's Order entered on March 30, 2015 with the attached Exhibits A-C incorporated into the Order.
3. Order of Receivership, November 21, 2011.
4. Calculation of Cemetery Burial Spaces as of April 1, 2015.
5. Title reports prepared for the Secretary of State and the Receiver with associated documents as of October 5, 2012, with title examiner's exhibits attached.
6. Letter with attachments from Mr. Larry G. Ross, Alcorn County Tax Collector, December 21, 2012 and Letter with attachments from Mr. Kenneth Brawner, Alcorn County Tax Assessor, December 14, 2012 addressing the correction of tax assessed on cemetery grounds.
7. Cancellation of Materialman's Lien.
8. Amended Cancellation of Default Judgment Encumbering Cemetery Property.
9. Map reflecting cemetery property subject to this Request for Bids.
10. Satellite Image of Forrest Memorial Park Cemetery.
11. Description of property submitted for bids.
12. Quitclaim Deed to Receivership Estate (Nancy Hight).
13. Quitclaim Deed to Receivership Estate (Michael Brad Hight).

The title reports were prepared for the sole use and benefit of the Secretary of State and the Receiver in carrying out their responsibilities. These reports, which are dated October 5, 2012, are provided as a point of reference only and should not be relied upon by any other individual or entity for other purposes. Additionally, items 6, 7, & 8, described above, relate to items that are noted in the title reports of October 5, 2012, subsequent to that date. All due diligence steps, including an inspection of the title and an update on the status of the title, are the sole responsibility of potential purchasers. All closing costs, including survey or attorney's fees, are the responsibility of the successful purchaser.

125 South Congress Street
Post Office Box 136
Jackson, Mississippi 39205

telephone (601) 359-1350
facsimile (601) 359-1499
www.sos.ms.gov

Please use the prescribed form for submitting a bid that is provided in this bid package. The Secretary of State's Office and the Alcorn County Chancery Clerk's Office reserve the right and will follow-up with any submission, if needed, to obtain clarity regarding any submitted bid. As noted in the Court's Order included in this bid information package, this is a sale of the realty only of the developed cemetery gardens of Forrest Memorial Park Cemetery, In Receivership, Corinth, Mississippi. This is not a sale of the contractual obligations of the former owners or managers of Forrest Memorial Park Cemetery for cemetery or funeral preneed goods or services. However, two pieces of cemetery equipment will transfer to the successful purchaser.

a. Flatbed Trailer (18-20 ft.); 8 Tires, 10,000 lb. capacity; Condition-Poor
b. V-Trailer/Dirt Trailer; Condition-Poor

It is important that potential bidders have a full understanding of the property that is included in this request for bids. This is a sale of the developed cemetery gardens only. The funeral home property, the funeral home parking lot, a direct access strip to the funeral home on the south side of the property, a buffer zone across the east side of the property parallel to Highway 45, and two (2) undeveloped cemetery gardens in the northwest quadrant of the cemetery are owned by another entity. Please refer to Item 9 in this package. Any questions regarding these parcels and their availability for purchase are outside the scope of this bid request. Any questions regarding these adjoining parcels should be addressed to Mr. Robert Williams, Bailey Williams Real Estate, 504 Foote Street, Corinth, Mississippi 38834, at 662-415-7000.

In November of 2011, this Office inherited a major project as part of the receivership duties to assess the status and inventory ownership of Forrest Memorial interment rights, committed grave spaces, sold graves, and unsold grave spaces. Knowing that this information would be important and useful for the successful rehabilitation of Forrest Memorial Park Cemetery, our staff devoted countless hours to this tedious effort. **All interested purchasers should understand that the information provided in Item No. 4, Calculation of Cemetery Burial Spaces, represents our best efforts to provide useful information to prospective bidders regarding the cemetery's value and future cash flow potential. This data was collected and researched by SOS staff over a period of several months. Reliable source documentation was not always available to SOS staff. Reliable source documentation would consist of updated burial plat maps, burial registries, and a complete collection of client files that the cemetery would maintain as core business records. This data reflected in Item 4 was collected directly from cemetery clients, some client files left with the business, and by visually verifying and comparing interments and committed grave sales to documented records of sales.**

All sealed bids must be received in the Office of the Alcorn County Chancery Clerk, Mr. Bobby Marolt, 501 Waldron Street, Corinth, Mississippi 38834, before 5:00 p.m. (Central) on Friday, May 8, 2015. Sealed bids should be addressed to the attention of Mr. Bobby Marolt, Alcorn County Chancery Clerk, and the notation, "SEALED BID—DO NOT OPEN" should be conspicuously stated on the front and back of the sealed envelope. Bids will be opened by Mr. Bobby Marolt, Chancery Clerk, on Monday, May 11, 2015, at the offices of the Alcorn County Chancery Clerk at 3:00 p.m. (Central).

Thank you for your interest. If you have any questions about this bid information package, you may contact me at 601-359-9055 or at dave.scott@sos.ms.gov.

1

Bid Form

FORREST MEMORIAL PARK SEALED BID SUBMISSION FORM

All sealed bids must be received in the Office of the Alcorn County Chancery Clerk, Mr. Bobby Marolt, 501 Waldron Street, Corinth, Mississippi 38834, **before 5:00 p.m. (Central) on Friday, May 8, 2015**. Sealed bids should be addressed to the attention of Mr. Bobby Marolt, Alcorn County Chancery Clerk, and the notation, "**SEALED BID—DO NOT OPEN**" should be conspicuously written on the front and back of the sealed envelope. Bids will be opened by Mr. Bobby Marolt, Chancery Clerk, on Monday, May 11, 2015, at the offices of the Alcorn County Chancery Clerk at 3:00 p.m. (Central).

Printed Name of Bidder: _____

Address: _____

_____

Phone Number: _____

Amount of Cash Offer: _____

By my signature below I acknowledge that I have read the Memorandum to Interested Purchasers for the Bid Information Package and have read and/or reviewed the documents contained within the Bid Information Package for Forrest Memorial Park Cemetery, In Receivership.

Signature of Bidder: _____

Date: _____

2

Court Order of Sale

IN THE CHANCERY COURT OF PRENTISS COUNTY, MISSISSIPPI

C. DELBERT HOSEMANN JR., *In his Official Capacity as Secretary of State*
Petitioner

v. Civil Action No. 2011-347(59)MM

OAKLAWN MEMORIAL PARK
Respondents
Highway 4 West
Booneville, Mississippi 38829

WAYNE HIGHT, *Individually*
NANCY HIGHT, *Individually*

Consolidated With

IN THE CHANCERY COURT OF ALCORN COUNTY, MISSISSIPPI

C. DELBERT HOSEMANN JR., *In his Official Capacity as Secretary of State*
Petitioner

v. Civil Action No. 2011-0454-02 MM

FORREST MEMORIAL PARK
Respondents
740 Highway 45 South
Corinth, Mississippi 38834

WAYNE HIGHT, *Individually*
NANCY HIGHT, *Individually*
BRAD HIGHT, *Individually*

SOUTHBank
W. JETT WILSON, Trustee
THE UNITED STATES SMALL BUSINESS ADMINISTRATION
THREE RIVERS PLANNING AND DEVELOPMENT DISTRICT

FILED: 12:54 pm March 30 2015
DAVID "BUBBA" POUNDS, CLERK
D.C.

ORDER APPOINTING INTERIM RECEIVER
AND DIRECTING SALE OF REAL PROPERTY TO HIGHEST BIDDER

This cause came before the Court on April 15, 2014, on a renewed petition by the Secretary of State and Receiver to substitute the mortgagee, SOUTHBank, as Receiver, or to order judicial sale of the real property known as Forrest Memorial Park Cemetery, In Receivership, located at 740 Highway 45 South, Corinth, Mississippi 38834. Following a status conference with the parties on September 11, 2014, the Undersigned issued an order on October 13, 2014, that partially granted the renewed petition to order a judicial sale and to substitute SOUTHBank as Receiver. The Court's order of October 13, 2014, attached for reference purposes as Exhibit A, provided that in the event SOUTHBank, mortgagee, declined the appointment as Receiver or otherwise failed to qualify as Receiver, then the property known as Forrest Memorial Park Cemetery, In Receivership, will be ordered sold by the terms described by the Court in a subsequent decree. In a telephone status conference held with the parties on Monday, November 17, 2014, SOUTHBank's counsel declined the appointment for the mortgagee to serve as Receiver. Therefore, the Court hereby enters this subsequent Order appointing an Interim Receiver and directing and ordering the sale of the real property known as Forrest Memorial Park Cemetery, In Receivership, under the terms and requirements described herein.

THEREFORE, it is hereby **ORDERED** and **ADJUDGED** that:

1. Jeff Rencher is appointed Interim Receiver of Forrest Memorial Park Cemetery, In Receivership, effective with the date of this Order. The appointment as Interim Receiver is made with all authority and responsibility as Receiver as described in the Order of Receivership originally entered in this cause on November 21, 2011. Additionally, the

Interim Receiver shall not be disqualified from purchasing the property at the sale hereinafter provided for.

2. The real property known as Forrest Memorial Park Cemetery, In Receivership, (hereinafter "cemetery") 740 Highway 45 South, Corinth, Mississippi 38834, consisting of approximately 12.50 acres, and more particularly described in Exhibit B to this Order, shall be sold by the Honorable Bobby Marolt (Marolt), Chancery Clerk of Alcorn County, Mississippi, for cash to the highest bidder under the term described in this Order.
3. This is a cash sale of real property **only**. This is **not** a sale of the contractual obligations of the former owners or managers of Forrest Memorial Park Cemetery for cemetery or funeral preneed goods or services. Cemetery preneed goods and services typically consist of grave opening and closings, grave liners, outer containers, or "vaults", tent set-ups for committal services, and memorial markers purchased by the living for installation following death.
4. The sale shall be conducted by the solicitation of sealed bids submitted to Marolt. Marolt shall cause a Notice of Sale to be published in a newspaper of general circulation in Alcorn County for three consecutive weeks, with each occurrence of publication being one week apart. Sealed bids shall be submitted to Marolt no later than the thirtieth (30th) day following the first date of publication. The Notice of Sale shall follow a format similar to the one attached as Exhibit C to this Order. Marolt is vested with full discretion to determine the content of the Notice as he sees fit. However, publication must be accomplished so that the thirtieth (30th) day following the first date of publication shall not extend beyond 5:00 p.m. (Central) on Friday, May 8, 2015. Moreover, the opening of sealed bids by Marolt shall not extend beyond 3:00 p.m.

(Central) on Monday, May 11, 2015, at a time and date announced by Marolt in the Notice of Sale.

5. This is a sale for cash only. Following the selection of the highest bid, Marolt shall determine the time, place, and manner for the closing. Conveyance of the cemetery shall be by Quitclaim Deed from Marolt on behalf of the Receivership Estate, the record title owner of the cemetery. There is no warranty of title that will be conveyed to the successful purchaser.
6. The Secretary of State shall assemble and publish a Bid Information Package and make the same available on the Secretary's website for all potential and interested bidders during the thirty (30) day bid season as determined by Marolt. Such bid package shall be available for public viewing on the first date of publication of the Notice of Sale. The Notice of Sale shall inform the public regarding how the bid information package may be accessed. Furthermore, Alcorn County and/or the office of the Alcorn County Chancery Clerk shall make the same available on its website provided that internet security and the information technology policy can support the same by Alcorn County or the Chancery Clerk's office.
7. Inspection of the title and all due diligence steps to inspect the cemetery are the sole responsibility of each interested buyer.
8. All closing costs, including any surveying or legal fees, are the sole responsibility of the successful purchaser prior to closing, unless stated herein.
9. This Order of Judicial Sale is entered to give full and final effect to the secured interests of SOUTHBank, mortgagee, in the real property of Forrest Memorial Park Cemetery, In Receivership, as evidenced by various deeds of trust recorded by SOUTHBank

encumbering the cemetery. All secured interests of SOUTHBank at closing shall be liquated to the cash proceeds at closing and paid to SOUTHBank. As such, at the closing scheduled by Marolt, SOUTHBank, at its expense, shall prepare and enter for filing and recording all cancellations of deeds of trust that encumber the real property known as Forrest Memorial Park Cemetery, In Receivership, more particularly described in Exhibit B to this Order.

10. It is further ORDERED that the closing on this property to the highest bidder shall not consummate until approved by Marolt and the Office of the Secretary of State.

SO ORDERED, ADJUDGED and DECREED, this the 26th day of March, 2015.

Michael Malski

MICHAEL MALSKI
CHANCELLOR

IN THE CHANCERY COURT OF PRENTISS COUNTY, MISSISSIPPI

EXHIBIT A

C. DELBERT HOSEMANN, JR., *in his Official Capacity as Secretary of State,*

Petitioner,

V. CAUSE NO. CV2011-000347-59-MM

OAKLAWN MEMORIAL PARK;
WAYNE HIGHT, Individually;
NANCY HIGHT, Individually;

CONSOLIDATE WITH

IN THE CHANCERY COURT OF ALCORN COUNTY, MISSISSIPPI

C. DELBERT HOSEMANN, JR., *in his Official Capacity as Secretary of State,*

V. CAUSE NO. 11-0454-02-MM

FORREST MEMORIAL PARK;
WAYNE HIGHT, Individually;
NANCY HIGHT, Individually;
BRAD HIGHT, Individually;
SOUTHbank;
W. JETT WILSON, Trustee;
THE UNITED STATES SMALL BUSINESS ADMINISTRATION; and,
THREE RIVERS PLANNING AND DEVELOPMENT DISTRICT,

Respondents.

PRENTISS COUNTY CHANCERY COURT David "Bubba" Pounds CLERK MISSISSIPPI

ORDER PARTIALLY GRANTING RENEWED PETITION TO ORDER JUDICIAL SALE BY MORTGAGEE AND TO SUBSTITUTE SOUTHbank AS RECEIVER

The Secretary of State of the State of Mississippi, Hon. C. Delbert Hosemann, in his capacity as Petitioner, and the former Receiver, Mr. John C.

FILED: 2:31pm October 15 2014
DAVID "BUBBA" POUNDS, CLERK

Ross, Jr., by and through counsel, filed a Renewed Petition to Order Judicial Sale by Mortgagee (SOUTHbank) and to Substitute SOUTHbank as Receiver in place of John C. Ross, Jr., on March 4, 2014. The petition was filed pursuant to Miss. Code Ann. Sections 11-5-117, 11-5-93, 75-63-69)(1)(c), and 41-43-38(7). Having fully considered the petition and response thereto, the Court finds as follows:

1. SOUTHbank is hereby substituted as Receiver in the above styled and consolidated cause of action, with all rights, authority and duties pertaining thereto.

2. In the event SOUTHbank elects to decline this appointment or otherwise fails to qualify as Receiver, then the property shall be sold by terms to be described by the court in its decree relieving SOUTHbank of its appointment.

SO ORDERED, ADJUDGED and DECREED, this the 13th day of October, 2014.

PRENTISS COUNTY CHANCERY COURT CLERK MISSISSIPPI

MICHAEL MALSKI
CHANCELLOR

PARCEL I

Situated in the County of Alcorn, State of Mississippi, to-wit:

TRACT NO. 1: Commencing at the Southwest corner of the Northeast Quarter of the Southeast Quarter of Section 33, Township 2 South, Range 7 East, Alcorn County, Mississippi, said point being an eight inch diameter creosote post, for the point of beginning; thence run North 01 degree 39 minutes 33 seconds East along an old wire fence and tree line 330.568 feet to a iron pin set; thence leaving said old wire fence and tree line, run North 89 degrees 59 minutes 13 seconds East 44.951 feet to a nail set being 5.0 feet East of an existing 10 feet wide asphalt drive; thence run along a line that is 5.0 feet East of and parallel to the existing said drive the following: South OS degrees 22 minutes10 seconds East 32.239 feet; South 22 degrees 56 minutes 10 seconds East 37.498 feet; thence continue along a line that is 5.0 feet North of and parallel to the existing said drive the following: south 46 degrees 43 minutes 37 seconds East 46.501 feet; South 64 degrees 06 minutes 50 seconds East 38.933 feet; South 81 degrees 33 minutes 16 seconds East 45.146 feet; North 89 degrees 02 minutes 58 seconds East 82.619 feet; North 80 degrees 11 minutes 33 seconds East 31.715 feet; North 63 degrees 11 minutes 45 seconds East 40.483 feet; thence continue along a line that is 5.0 feet West of and parallel to the existing said drive the following: North 38 degrees 42 minutes 49 seconds East 62.250 feet; North 13 degrees 41 minutes 06 seconds East 52.537 feet; thence leaving said line, run North 88 degrees 55 minutes 52 seconds East 32.352 feet to a point that is 5.0 feet East of said drive; thence continue along a line that is 5.0 feet East of and parallel to the existing said drive the following: South 14 degrees 05 minutes 41 seconds East 59.441 feet; thence leaving said line, run south 08 degrees 55 minutes 13 seconds West 279.132 feet to an elm tree on a fence and tree line; thence run south 89 degrees 58 minutes 42 seconds west along said fence and tree line, 390.586 feet to the point of beginning, containing 2.346 acres, more or less.

TRACT NO. 2: Commencing at the Southwest corner of the Northeast Quarter of the Southeast Quarter of section 33, Township 2 South, Range 7 East, Alcorn County, Mississippi, said point being an eight inch diameter creosote post; thence run North 89 degrees 58 minutes 42 seconds East along a wire fence and tree line 390.586 feet to a 10 inch diameter elm tree; thence continue along said wire fence and tree line North 89 degrees 58 minutes 42 seconds East 465.153 feet to an iron pin set for the point of beginning; thence leaving said wire fence and tree line, run North 00 degrees 00 minutes 11 seconds East 228.307 feet to a nail set on the North edge of a curb on a 25 feet wide existing asphalt drive; thence run along the North side of said curb the following: South 89 degrees 54 minutes 13 seconds East 120.218 feet; North 89 degrees 19 minutes 51 seconds East 159.434 feet; North 75 degrees 21 minutes 03 seconds .East 21.689 feet; North 59 degrees 15 minutes 30 seconds East 32.055 feet; North 46 degrees 28 minutes 00 seconds East 22.124 feet; North 31 degrees 22 minutes 56 seconds East 17.705 feet to a nail set; thence leaving said curb, run South 88 degrees 39 minutes 37 seconds East 89.105 feet to a iron pin set on the West right-of-way lien of U.S. Highway 45 South; thence run South 00 degrees 23 minutes 13 seconds West along the West right-of-way line of said Highway 279.948 feet to a concrete right-of-way marker at a fence corner; thence leaving said right-of-way run South 89 degrees 58 minutes 42 seconds West along said wire fence and tree line 440.638 feet to the point of beginning, containing 2.456 acres, more or less.

LESS AND EXCEPT:

Commencing at the Southwest Corner of the Northeast Quarter (1/4) of the Southeast Quarter (1/4) of Section 33, Township 2 South, Range 7 East, Alcorn County, Mississippi, said point being a marked 8 inch diameter creosote post at a fence comer; thence run North 89 degrees 58 minutes 42 seconds East along an old wire fence and tree line 390.586 feet to a 10 inch diameter elm tree; Thence continue along said old wire fence and tree line North 89 degrees 58 minutes 42 seconds East 465.153 feet to an iron pin; thence continue North 89 degrees 58 minutes 42 seconds East along said old wire fence and tree line 353.118 feet to an iron pin for the Point of Beginning; thence run North 234.267 feet to a point 2.5 feet South of an existing curb; thence run along a line that 2.5 feet South of and parallel to said curb the following: North 56 degrees 56 minutes 40 seconds East 13.413 feet; North 78 degrees 59 minutes 40 seconds East 35.321 feet; North 88 degrees 05 minutes 38 seconds East 43.317 feet an iron pin on the West right of way line of U.S. Highway 45 South; Thence run South 0 degrees 23 minutes 13 seconds West along the West right of way line of U.S. Highway 45 South 249.739 feet to an iron pin at a concrete right of way marker; thence leaving said right of way line, run South 89 degrees 58 minutes 42 seconds West along said old wire fence and tree line 87.520 feet to the point of beginning, containing 0.500 acres, more or less.

LESS AND EXCEPT:

Commencing at the Southwest Corner of the Northeast Quarter (1/4) of the Southeast Quarter (1/4) of Section 33, Township 2 South, Range 7 East, Alcorn County, Mississippi, said point being a marked 8 inch diameter creosote post at a fence corner; thence run North 89 degrees 58 minutes 42 seconds East along an old wire fence and tree line 390.586 feet to a 10 inch diameter elm tree; thence continue along said old wire fence and tree line North 89 degrees 58 minutes 42 seconds East 465.153 feet to an iron pin for the Point of Beginning; thence continue North 89 degrees 58 minutes 42 seconds East along said old wire fence and tree line 353.118 feet to an iron pin; thence run North 25.000 feet; thence run South 89 degrees 58 minutes 42 seconds West 353.116 feet; then run South 00 degrees 00 minutes 11 seconds West 25.000 feet to the point of beginning, containing 0.203 acres, more or less.

LESS AND EXCEPT a perpetual non-exclusive easement and right-of-way for the following purposes; namely, the right to enter upon the hereinafter described land and to do any and all work necessary to build, maintain and repair a road, together with the right to use said easement for the purpose of ingress and egress and for public utilities all over, upon and across the following described parcels of land:

PARCEL A: A strip of land 25 feet wide, being 25 feet South of and parallel to the following described line:

Commencing at the Southwest corner of the Northeast Quarter of the Southeast Quarter of Section 33, Township 2 South, Range 7 East, Alcorn County, Mississippi, said point being an eight inch diameter creosote post; thence run North 89 degrees 58 minutes 42 seconds East along a wire fence and tree line 1296.376 feet to a concrete right-of-way marker on the West right-of-way line of U. S. Highway 45 South; thence run North 00 degrees 23 minutes 13 seconds East along the West right-of-way line of said Highway 279.948 feet to an iron pin set for the point of beginning of this easement; thence run along the North line of said easement the following:

North 88 degrees 39 minutes 37 seconds west 89.105 feet to a nail being on the West edge of a curb on an existing 25 feet wide asphalt drive; thence run along said curb the following: south 31 degrees 22 minutes 56 seconds west 17.705 feet; south 46 degrees 28 minutes 00 seconds West 22.124 feet; South 59 degrees 15 minutes 30 seconds West 32.055 feet; South 75 degrees 21 minutes 03 seconds West 21.689 feet; south 89 degrees 19 minutes 51 seconds West 159.434 feet; North 89 degrees 54 minutes 13 seconds west 120.218 feet to a nail set; North 89 degrees 54 minutes 13 seconds West 7.600 feet; North 76 degrees 43 minutes 48 seconds West 39.985 feet; North 55 degrees 12 minutes 23 seconds West 36.389 feet; North 33 degrees 26 minutes 20 seconds West 32.940 feet; thence leaving said curb run North 88 degrees 08 minutes 23 seconds West 47.007 feet to a point being 5 feet West of an existing 10 feet wide asphalt drive; thence run along a line that *is* 5.0 feet West of and parallel to said asphalt drive the following: South 27 degrees 04 minutes 20 seconds West 51.119 feet; thence continue along a line that is 5.0 feet North of and parallel to the existing said drive the following: South 45 degrees 25 minutes 25 seconds West 47.037 feet; South 65 degrees 07 minutes 04 seconds West 55.870 feet; South 87 degrees 46 minutes 46 seconds West 61.634 feet; North 71 degrees 00 minutes 12 seconds West 52.603 feet; North 49 degrees 14 minutes 47.seconds West 49.623 feet; thence continue along a line that is 5.0 feet East of and parallel to the existing said drive the following: North 33 degrees 13 minutes 40 seconds West 38.849 feet; North 14 degrees 05 minutes 41 seconds west 11.050 feet, and to the end of easement.

PARCEL B: A strip of land 10 feet wide, being 10 feet South of and parallel to the following described line:

Commencing at the Southwest corner of the Northeast Quarter of the southeast Quarter of Section 33, Township 2 South, Range 7 East, Alcorn County, Mississippi, said point being an eight inch diameter creosote post; thence run North 89 degrees 58 minutes 42 seconds East along a wire fence and tree line 1296.376 feet to a concrete right-of-way marker on the West right-of-way line of U.S. Highway 45 south; thence run North 00 degrees 23 minutes 13 seconds East along the West right-of-way line of said Highway 279.948 feet to an iron pin set; thence run along the North line of said easement the following: North 88 degrees 39 minutes 37 seconds West 89.105 feet to a nail being on the West edge of a curb on an existing 25 feet wide asphalt drive; thence run along said curb the following: South 31 degrees 22 minutes 56 seconds West 17.705 feet; South 46 degrees 28 minutes 00 seconds West 22.124 feet; South 59 degrees 15 minutes 30 seconds West 32.055 feet; South 75 degrees 21 minutes 03 seconds West 21.689 feet; South 89 degrees 19 minutes 51 seconds West 159.434 feet; North 89 degrees 54 minutes 13 seconds West 120.218 feet to a nail set; North 89 degrees 54 minutes 13 seconds West 7.600 feet; North 76 degrees 43 minutes 48 seconds West 39.985 feet; North 55 degrees 12 minutes 23 seconds West 36.389 feet; North 33 degrees 26 minutes 20 seconds West 32.940 feet; thence leaving said curb run North 88 degrees 08 minutes 23 seconds West 47.007 feet to a point being 5 feet West of an existing 10 feet wide asphalt drive; thence run along a line that is 5.0 feet west of and parallel to said asphalt drive the following: South 27 degrees 04 minutes 20 seconds West 51.119 feet; thence continue along a line that is 5.0 feet North of and parallel to the existing said drive the following: South 45 degrees 25 minutes 25 seconds West 47.037 feet; South 65 degrees 07 minutes 04 seconds West 55.870 feet; South 87 degrees 46 minutes 46 seconds west 61.634 feet; North 71 degrees 00 minutes 12 seconds West 52.603 feet; North 49 degrees 14 minutes 47 seconds West 49.623 feet; thence continue along a line that is 5.0 feet East of and parallel to the existing said drive the following: North 33 degrees 13 minutes 40 seconds West 38.849 feet;

North 14 degrees 05 minutes 41 seconds West 1!~50 feet to the point of beginning for the easement; thence run North 14 degrees OS minutes 41 seconds west 59.441 feet; South 88 degrees 55 minutes 52 seconds West 32.352 feet; south 13 degrees 41 minutes 06 seconds West 52.537 feet; South 38 degrees 42 minutes 49 seconds West 62.250 feet; south 63 degrees 11 minutes 45 seconds West 40.483 feet; South 80 degrees 11 minutes 33 seconds West 31.715 feet; south 89 degrees 02 minutes 58 seconds West 82.619 feet; North 81 degrees 33 minutes 16 seconds West 45.146 feet; North 64 degrees 06 minutes so seconds West 38.933 feet; North 46 degrees 43 minutes 37 seconds West 46.501 feet; North 22 degrees 56 minutes 10 seconds West 37.498 feet; North OS degrees 22 minutes 10 seconds West 32.239 feet to the end of easement.

All of the above described is subject to the rights of third parties who have purchased rights of interment in Forrest Memorial Cemetery Park.

The property described herein constitutes a part of Forrest Memorial Park a plat of which is filed for record in the Office of the Chancery Clerk of Alcorn County, Mississippi, in Plat Book 3 at page 10.

PARCEL II

Situated in the County of Alcorn, State of Mississippi, to-wit:

Beginning at a point in the South line of Northeast Quarter of Southeast Quarter of Section 33, Township 2, Range 7, in Alcorn County, Mississippi, where the same intersects the West line of right-of-way of Highway #45; and run thence West 1295 feet to an old fence; thence North along said old fence 660 feet; thence East 1275 feet and to the West line of right-of-way of Highway #45; and thence South along said West right-of-way line 660 feet and to the beginning point.

LESS AND EXCEPT:

All property that has been heretofore conveyed as grave lots to various individuals by Forrest Memorial Park, Inc., Forrest Memorial Park, Terry H. Carpenter d/b/a Forrest Memorial Park, Coleman Funeral Home, Inc., Wayne Hight, Nancy Hight, or Brad Hight, d/b/a Forrest Memorial Park.

LESS AND EXCEPT:

Commencing at the Southwest corner of the Northeast Quarter of the Southeast Quarter of Section 33, Township 2 South, Range 7 East, Alcorn County, Mississippi, said point being an eight inch diameter creosote post, for the point of beginning; thence run North 01 degree 39 minutes 33 seconds East along an old wire fence and tree line 330.568 feet to a iron pin set; thence leaving said old wire fence and tree line, run North 89 degrees 59 minutes 13 seconds East 44.951 feet to a nail set being 5.0 feet East of an existing 10 feet wide asphalt drive; thence run along a line that is 5.0 feet East of and parallel to the existing said drive the following: South OS degrees 22 minutes10 seconds East 32.239 feet; South 22 degrees 56 minutes 10 seconds East 37.498 feet; thence continue along a line that is 5.0 feet North of and parallel to the existing said drive the following: south 46 degrees 43 minutes 37 seconds East 46.501 feet; South 64 degrees 06 minutes 50 seconds East 38.933 feet; South 81 degrees 33 minutes 16 seconds East 45.146 feet; North 89 degrees 02 minutes 58 seconds East 82.619 feet; North 80 degrees 11 minutes 33 seconds East 31.715 feet; North 63 degrees 11 minutes 45 seconds East 40.483 feet; thence continue along a line that is 5.0 feet West of and parallel to the existing said drive the following: North 38 degrees 42 minutes 49 seconds East 62.250 feet; North 13 degrees 41 minutes 06 seconds East 52.537 feet; thence leaving said line, run North 88 degrees 55 minutes 52 seconds East 32.352 feet to a point that is 5.0 feet East of said drive; thence continue along a line that is 5.0 feet East of and parallel to the existing said drive the following: South 14 degrees 05 minutes 41 seconds East 59.441 feet; thence leaving said line, run south 08 degrees 55 minutes 13 seconds West 279.132 feet to an elm tree on a fence and tree line; thence run south 89 degrees 58 minutes 42 seconds west along said fence and tree line, 390.586 feet to the point of beginning, containing 2.346 acres, more or less.

LESS AND EXCEPT:

Commencing at the Southwest corner of the Northeast Quarter of the southeast Quarter of section 33, Township 2 south, Range 7 East, Alcorn County, Mississippi, said point being an eight inch diameter creosote post; thence run North 89 degrees 58 minutes 42 seconds East along a wire fence and tree line 390.586 feet to a 10 inch diameter elm tree for the point of beginning; thence run North 08 degrees 55 minutes 13 seconds East 279.132 feet to a nail set 5.0 feet East of an existing 10 feet wide asphalt drive;

thence run along a line that is 5.0 feet East of and parallel to the existing said drive the following: south 14 degrees 05 minutes 41 seconds East 11.050 feet; South 33 degrees 13 minutes 40 seconds East 38.849 feet; thence continue along a line that is 5.0 feet North of and parallel to the existing said drive the following: South 49 degrees 14 minutes 47 seconds East 49.623 feet; South 71 degrees 00 minutes 12 seconds East 52.603 feet; North 87 degrees 46 minutes 46 seconds East 61.634 feet; North 65 degrees 07 minutes 04 seconds East 55.870 feet; North 45 degrees 25 minutes 25 seconds East 47.037 feet; thence continue along a line that is 5.0 feet West of and parallel to the existing said drive the following: North 27 degrees 04 minutes 20 seconds East 51.119 feet; thence leaving said line run South 88 degrees 08 minutes 23 seconds East 47.007 feet to the backside of a curb; thence run along the backside of said curb the following: south 33 degrees 26 minutes 20 seconds East 32.940 feet; South 55 degrees 12 minutes 23 seconds East 36.389 feet; South 76 degrees 43 minutes 48 seconds East 39.985 feet; South 89 degrees 54 minutes 13 seconds East 7.600 feet to a nail set; thence leaving said curb, run South 00 degrees 00 minutes 11 seconds West 228.307 feet to an iron pin on a wire fence and tree line; thence run South 89 degrees 58 minutes 42 seconds West 465.153 feet along said wire fence and tree line to the point of beginning, containing 2.325 acres, more or less.

LESS AND EXCEPT:

Commencing at the Southwest corner of the Northeast Quarter of the Southeast Quarter of section 33, Township 2 South, Range 7 East, Alcorn County, Mississippi, said point being an eight inch diameter creosote post; thence run North 89 degrees 58 minutes 42 seconds East along a wire fence and tree line 390.586 feet to a 10 inch diameter elm tree; thence continue along said wire fence and tree line North 89 degrees 58 minutes 42 seconds East 465.153 feet to an iron pin set for the point of beginning; thence leaving said wire fence and tree line, run North 00 degrees 00 minutes 11 seconds East 228.307 feet to a nail set on the North edge of a curb on a 25 feet wide existing asphalt drive; thence run along the North side of said curb the following: South 89 degrees 54 minutes 13 seconds East 120.218 feet; North 89 degrees 19 minutes 51 seconds East 159.434 feet; North 75 degrees 21 minutes 03 seconds .East 21.689 feet; North 59 degrees 15 minutes 30 seconds East 32.055 feet; North 46 degrees 28 minutes 00 seconds East 22.124 feet; North 31 degrees 22 minutes 56 seconds East 17.705 feet to a nail set; thence leaving said curb, run South 88 degrees 39 minutes 37 seconds East 89.105 feet to a iron pin set on the West right-of-way lien of U.S. Highway 45 South; thence run South 00 degrees 23 minutes 13 seconds West along the West right-of-way line of said Highway 279.948 feet to a concrete right-of-way marker at a fence corner; thence leaving said right-of-way run South 89 degrees 58 minutes 42 seconds West along said wire fence and tree line 440.638 feet to the point of beginning, containing 2.456 acres, more or less.

LESS AND EXCEPT:

Commencing at the Southwest Corner of the Northeast Quarter (1/4) of the Southeast Quarter (1/4) of Section 33, Township 2 South, Range 7 East, Alcorn County, Mississippi, said point being a marked 8 inch diameter creosote post at a fence comer; thence run North 89 degrees 58 minutes 42 seconds East along an old wire fence and tree line 390.586 feet to a 10 inch diameter elm tree; Thence continue along said old wire fence and tree line North 89 degrees 58 minutes 42 seconds East 465.153 feet to an iron pin; thence continue North 89 degrees 58 minutes 42 seconds East along said old wire fence and tree line 353.118 feet to an iron pin for the Point of Beginning; thence run North 234.267 feet to a point 2.5 feet South of an existing curb; thence run along a line that 2.5 feet South of and parallel to said curb the following: North 56 degrees 56 minutes 40 seconds East 13.413 feet; North 78 degrees 59 minutes 40 seconds East 35.321

feet; North 88 degrees 05 minutes 38 seconds East 43.317 feet an iron pin on the West right of way line of U.S. Highway 45 South; Thence run South 0 degrees 23 minutes 13 seconds West along the West right of way line of U.S. Highway 45 South 249.739 feet to an iron pin at a concrete right of way marker; thence leaving said right of way line, run South 89 degrees 58 minutes 42 seconds West along said old wire fence and tree line 87.520 feet to the point of beginning, containing 0.500 acres, more or less.

LESS AND EXCEPT:

Commencing at the Southwest Corner of the Northeast Quarter (1/4) of the Southeast Quarter (1/4) of Section 33, Township 2 South, Range 7 East, Alcorn County, Mississippi, said point being a marked 8 inch diameter creosote post at a fence corner; thence run North 89 degrees 58 minutes 42 seconds East along an old wire fence and tree line 390.586 feet to a 10 inch diameter elm tree; thence continue along said old wire fence and tree line North 89 degrees 58 minutes 42 seconds East 465.153 feet to an iron pin for the Point of Beginning; thence continue North 89 degrees 58 minutes 42 seconds East along said old wire fence and tree line 353.118 feet to an iron pin; thence run North 25.000 feet; thence run South 89 degrees 58 minutes 42 seconds West 353.116 feet; then run South 00 degrees 00 minutes 11 seconds West 25.000 feet to the point of beginning, containing 0.203 acres, more or less.

LESS AND EXCEPT:

Commencing at the Southwest Corner of the Northeast Quarter (1/4) of the Southeast Quarter (114) of Section 33, Township 2 South, Range 7 East, Alcorn County, Mississippi, said point being a marked 8 inch diameter creosote post at a fence corner; Thence run North 89 degrees 58 minutes 42 seconds East along an old wire fence and tree line 390.5136 feet to a 10 inch diameter elm tree; Thence continue along said old wire fence and tree fence .North 89 degrees 58 minutes 42 seconds East 353.118 feet to an iron pin; Thence run North 89 degrees 58 minutes 42 seconds East along said old fence and tree line 87.520 feet to a concrete right-of-way marker found on the West right of way line of U.S. Highway 45 South; Thence run North 00 degrees 23 minutes 13 seconds East along said right of way line 249.739 feet to an iron pin; Thence continue North 00 degrees 23 minutes 13 seconds .East along said right of way line 159.756 feet to an iron pin for the Point of Beginning; Thence run North 88 degrees 12 minutes 51 seconds West 45.537 feet along the back of a curb (BOC)(L 1); Thence run North 83 degrees: 11 minutes 07 seconds West 17.01 o feet along said BOC (L2); Thence run North 74 degrees 36 minutes 32 seconds West 14.076 feet along said BOC (L3); Thence run North 62 degrees 11 minutes 08 seconds West 16.922 feet along said BOC (L4); Thence run North 234.534 feet to an Iron pin; Thence run North 89 degrees 55 minutes 53 seconds East 96.204 feet to an iron pin found on the West right-of-way line of US Highway 45 South; Thence run South 00 degrees 23 minutes 13 seconds West along said right of way line 251.044 feet to the point of beginning, containing 0.540 acres, more or less.

LESS AND EXCEPT:

Commencing at .the Southwest Comer .of the Northeast Quarter (1/4) of the Southeast Quarter (1/4) of Section 33, Township 2 South, Range 7 East, Alcorn County, Mississippi, said point being a marked 8 inch diameter creosote post at a fence corner; Thence run North 01 degree 39 minutes 33 seconds East along an old wire fence and tree line 330.568 feet to an iron pin found

for the Point of Beginning; Thence run North 01 degrees 39 minutes 33 second East along said old fence and tree line 330,172 feet to an iron pin at a fence corner; Thence run South 89 degrees 58 minutes 35 seconds East along the remnants of an old wire fence line 610.574 feet to an iron pin; Thence run North 89 degrees 55 minutes 53 seconds East 211.200 feet to an iron pin; Thence run South 21 degrees 09 minutes 48 seconds West 171.991 feet; Thence run South 68.470 feet to a point on the back of a curb (BOC); Thence run South 53 degrees 10 minutes 11 seconds West 35.427 feet along said BOC (L13); Thence run South 75 degrees 59 minutes 47 seconds West 18.681 feet along said BOC (L14); Thence run North 67 degrees 21 minutes 49 seconds West 18.681 feet along said BOC (L15); Thence run North 35 degrees 27 minutes 36 seconds West 30.005 feet along said BOC (L16); Thence run North 46 degrees 11 minutes 38 seconds West 36.103 feet along said BOC (L17); Thence run North 60 degrees 11 minutes 21 seconds West 51.953 feet along said BOC (L18); Thence run North 79 degrees 25 minutes 22 seconds West 39.890 feet along said BOC (L19); Thence run South 87 degrees 52 minutes 39 seconds West 44.248 feel along said BOC (L20); Thence run South 73 degrees 50 minutes 43 seconds West 36.031 feet along said BOC (L21): Thence run South 60 degrees 16 minutes 51 seconds West 41.328 feet along said BOC (L22): Thence run South 46 degrees 49 minutes 21 seconds West 35.586 feet along said BOC (L23); Thence run South 37 degrees 58 minutes 03 seconds West 49.212 feet along said BOC to the end of said curb (L24); Thence run South 65 degrees 32 minutes 33 seconds West 17.631 feet along the edge of asphalt pavement (EOP) (L 25); Thence run North 76 degrees 43 minutes 06 seconds West 14.063 feet along said EOP (L 26); Thence run North.42 degrees 26 minutes 10 seconds West 38.929 feet along said EOP (L27); Thence run North 53 degrees 30 minutes 18 seconds West 36.637 .feet along said EOP (L28); Thence run North 67 degrees 50 minutes 11 seconds West 27.473 feet along said EOP(L29); Thence run North 80 degrees 36 minutes 18 seconds West 46.691 feet along said EOP (L30); Thence run South 89 degrees 04 minutes 03 seconds West 62.019 feet along said EOP (L31); Thence run South 79 degrees 43 minutes 27 seconds West 45.616 feet along said EOP (L32); Thence run South 64 degrees 29 minutes 01 seconds West 46.293 feet along said EOP (L33); Thence run South 41" degrees 40 minutes 02 seconds West 47.572 feet along said EOP (L34); Thence run South 23 degrees 45 minutes 57 seconds West 41.792 feet along said EOP (L35);. Thence run South 07 degrees .57 minutes 10 seconds West 32.635 feet along said EOP (L36); Thence run West 27.657 feet along said EOP (L37) to the point of beginning, containing 3.876 acres; more or less.

LESS AND EXCEPT a perpetual non-exclusive easement and right-of-way for the following purposes; namely, the right to enter upon the hereinafter described land and to do any and all work necessary to build, maintain and repair a road, together with the right to use said easement for the purpose of ingress and egress and for public utilities all over, upon and across the following described parcels of land:

Commencing at the Southwest Corner of the Northeast Quarter of the Southeast Quarter of Section 33, Township 2 South, Range 7 East, Alcorn County, Mississippi, said point being an eight inch diameter creosote post; Thence run North 89 degrees 58 minutes 42 seconds East along a wire fence and tree line 1296.376 (1296.107) feet to a concrete right of way marker on the West right of way line of U.S. Highway 45 South; Thence run North 00 degrees 23 minutes 13 seconds East along the West right-of-way line of said Highway 279.948 feet to an iron pin set; North 00 degrees 27 minutes 03 seconds East along the West right of way line of said Highway 129.551 feet to an iron pin set for the Point of Beginning for this easement, Thence run

North 88 degrees 12 minutes 51 seconds West 45.537 feet along the back of a curb (BOC) (L1); Thence run North 63 degrees 11 minutes 08 seconds West 17.010 feet along said BOC (L2); Thence run North 74 degrees 48 minutes 32 seconds West 14.076 feet along said BOC (L3); Thence run North 62 degrees 11 minutes 08 seconds. West 18.922 feet along said BOC (L4); Thence run North 59 degrees 47 minutes 10 seconds. West 23.730 feet along said BOC (L5); Thence run North 65 degrees 55 .minutes 45 seconds West 31.044 feet along said BOC (L6); Thence run North 78 degrees 41 minutes 26 seconds West 27.280 feet along said BOC (L7); Thence run North *87* degrees 36 minutes 01 seconds West 39.546 feet along said BOC (L8); Thence run South 89 degrees 40 minutes 29 seconds West 238.920 feet along said BOC (L9); Thence run South 83 degrees 44 minutes 12 seconds West 25.221 feet along said BOC (L10); Thence run South 72 degrees 46 minutes 45 seconds West 23.639 feet along said BOC (L 11); Thence run South 60 degrees 31 minutes 38 seconds West 30.165 Feet along said BOC (L 12); Thence run South 53 degrees 10 minutes 11 seconds West 35.427 feet along said BOC (L 13); Thence run South 75 degrees 59 minutes 47 seconds West 16.681 feet along said BOC (L 14); Thence run North 67 degrees 21 minutes 49 seconds West 18.661 feet along said BOC (L 15); Thence run North 35 degrees 27 minutes 36 seconds West 30.005 feet along said BOC (L 16); Thence run North 46 degrees 11 minutes 38 seconds West 36.103 feet along said BOC (L 17); Thence run North 60 degrees 11 minutes 21 seconds West 51.953 feet along said BOC (L 18); Thence run North 79 degrees 25 minutes· *22* seconds West 39.690 feet along said BOC (L 19); Thence run South 87 degrees 54 minutes 39 seconds West 44.248 feet along said BOC (L20); Thence run South 73 degrees 50 minutes 43 seconds West 36.031 feet along said BOC (L21); Thence run South 60 degrees 16 minutes 52 seconds West 41.328 feet along said BOC (L22); Thence run South 46 degrees 49 minutes 21 seconds West 35.586 feet along said SOC (L23); Thence run South 37 degrees 58 minutes 03 seconds West 49.212 feet along said BOC to the end said curb (L24); Thence run South 65 degrees 32 minutes 33 seconds West 17.631 feet along the edge of asphalt pavement (EOP)(L25); Thence run North 76 degrees 43 minutes 06 seconds West 14.063 feet along said EOP (L26); Thence run North 42 degrees 26 minutes 10 seconds We8t 38.929 feet along said EOP (L27): Thence run North 53 degrees 30 minutes 18 seconds West 36.637 feet along said EOP (L28); Thence run North 67 degrees 50 minutes 11 seconds West 27.473 feet along said EOP(L29); Thence run North 80 degrees 36 minutes 18 seconds West 46.691 feet along said EOP (L30); Thence run South 89 degrees 54 minutes 03 seconds West 82.019 feet along said EOP (L31); Thence run South 79 degrees 43 minutes 27 seconds West 45.616 feet along said EOP (L32); Thence run South 64 degrees 29 minutes 01 seconds West 46.293 feet along said EOP (L33); Thence run South 41 degrees 40 minutes 02 seconds West 47.572 feet along said EOP (L34); Thence run South 23 degrees 45 minutes 57 seconds West 41.792 feet along said EOP (L35); Thence run South 07 degrees 57 minutes 10 seconds West 32.635 feet along said EOP (L36); Thence run West 27.857 feet along said EOP (L37); Thence run South 01 degrees 39 minutes 33 seconds West 32.112 feet along said EOP (L38); Thence run North 69 degrees 59 minutes 13 seconds East 44.562 feet to a point on the back of a curb BOC (L39); Thence run North 09 degrees 30 minutes 03 seconds West 16.003 feet along said BOC (L40); Thence run North 02 degrees 23 minutes 38 seconds West 16.323 feet along said BOC (L41); Thence run North 04 degrees 36 minutes 37 seconds East 15.538 feet along said BOC (L42); Thence run North 11 degrees 11 minutes 40 seconds East 14.413 feet along said BOC (L43); Thence run. North 19 degrees 16 minutes.28 seconds East 20.1 01 feet along said BOC (L44); Thence run North 28 degrees 00 minutes 29 seconds. East 18.266 feet along said BOC (L45); Thence run North 36 degrees 50 minutes. 36 seconds East 21.132 feet along

said BOC (L46}; Thence run North 46 degrees 33 minutes 44 seconds East 22.198 feet along said BOC (L47); Thence run North 60 degrees 41 minutes 10 seconds East 20.872 feet along said BOC (L48); Thence run North 68 degrees 40 minutes 19 seconds East 21.825 feet along said BOC (L49); Thence run North 76 degrees 46 minutes 23 seconds East 21.488 feet along said BOC (L50); Thence run North 84 degrees 04 minutes 37 seconds East 20.824 feet along said BOC (L51); Thence run North 87 degrees *46* minutes 51 seconds East 41.258 feet along said BOC (L52); Thence run South. 88 degrees 24 minutes 30 seconds East 39.162 feet along said BOC (L53); Thence run South 8.3 degrees 40 minutes 47 seconds East 22.226 feet along said BOC (L54); Thence run South 76 degrees 19 minutes 45 seconds East 21.222 feet along said BOC (L55); Thence run South 68 degrees 33 minutes 34 seconds East 24.698 feet along said BOC (L56); Thence run South 55 degrees 58 minutes 51 seconds East 20.732 feet along said BOC (L57); Thence run South 50 degrees 13 minutes 31 seconds East 13.260 feet along said BOC (L56); Thence run South 44 degrees 07 minutes 62 seconds East 22.728 feet along said BOC (L59); Thence run South 37 degrees 19 minutes 45 seconds East 17.438 feet along said BOC (L60); Thence run South 19 degrees 13 minutes 20 seconds East 20.750 feet along said BOC (L61); Thence run South 11 degrees 15 minutes 31 seconds East 16.199 feet along said BOC (L62);.Thence run East 28.181 feet to the edge of asphalt pavement (EOP) (L63); Thence run North 12 degrees 55 minutes 26 seconds East 25.476 feet along said EOP (L64); Thence run North 24 degrees 18 minutes 12 seconds East 18.566 feet along said EOP (L65); Thence run North 30 degrees 11 minutes 15 seconds East 20.707 feet along said EOP (L66); Thence run North 37 degrees 10 minutes 14 seconds East 25.894 feet along said EOP (L67); Thence run North 44 degrees 14 minutes 48 seconds East 21.326 feet along said EOP (L68); Thence run North 50 degrees 37 minutes 38 seconds East 11.808 feet along said EOP (L69); Thence run North 58 degrees 31 minutes 19 seconds East 18.537 feet along said EOP (L70); Thence run North 63 degrees 57 minutes 43 seconds East 19.7.66 feet along said EOP (L71); Thence run North 71 degrees 04 minutes 22 seconds East 18.842 feet along said EOP (L72); Thence run North 77 degrees 30 minutes 58 seconds East 16.961 feet along said EOP (L73); .Thence run North 84 degrees 10 minutes 36 seconds East 20.548 along said EOP (L74); Thence run South 88 degrees 22 minutes· 22 seconds East 20.207 feet along said EOP (L75); Thence run South 81 degrees 12 minutes 16 seconds East 19.008 feet along said EOP (L76); Thence run South 74 degrees 20 minutes 05 seconds Ea8t 18.574 feet along said EOP (L77); Thence run South 64 degrees 32 minutes 40 seconds East 25.394 feet along said EOP (L78); Thence run South 56 degrees 06 minutes 49 seconds East 21.765 feet along said EOP (L79); Thence run South 46 degrees 43 minutes 08 seconds East 33.890 feet along said EOP (L80); Thence run South 36 degrees· 54 minutes 21 seconds East 29.020 feet along said EOP (81); Thence run South 29 degrees 53 minutes 18 seconds East 10.362 feet along said EOP (L82); Thence run South 08 degrees 44 minutes 21 seconds East 49.624 feet along said EOP (L83); Thence run East 36.240 feet to a point on the back of a curb (BOC) (L84); Thence run North 12 degrees 23 minutes 34 seconds East 13.406 feet along said BOC (L85); Thence run North 21 degrees 34 minutes 51 seconds East 19.625 feet along said BOC (L86); Thence run North 32 degrees 43 minutes 46 seconds East 14.338 feet along said BOC (L87); Thence run North 42 degrees 26 minutes 50 seconds East 16,644 feet along said BOC (L88); Thence run North 51 degrees 04 minutes 33 seconds East 13.937 feet along said BOC (L89); Thence run North 61 degrees 06 minutes 11 seconds East 22.702 feet along said BOC (L9O);Thence run North 72 degrees 45 minutes 33 seconds East 19.877 feet along said BOC (L91);Thence run North 83 degrees 32 minutes 14 seconds East 19.506 feet along said BOC (l92); Thence run North 89 degrees 40

minutes 29 seconds East 236.524 feet along said BOC (L93); Thence run South 87 degrees 34 minutes 45 seconds East 37.648 feet along said BOC (L94); Thence run South 60 degrees 24 minutes 55 seconds East 16.931 feet along said BOC (L95); Thence run South 72 degrees 03 minutes 33 seconds East 21.621 feet along said BOC (L96); Thence run South 54 degrees 44 minutes 16 seconds East 19.981 feet along said BOC (L97); Thence run South 46 degrees 35 minutes 59 seconds East 18.569 feet along said BOC (L98); Thence run South 38 degrees 16 minutes 46 seconds East 10.037 feet along said BOC (L99); Thence run South 32 degrees 49 minutes 16 seconds East 9.636 feet along said BOC (L100); Thence run South 25 degrees 26 minutes 32 seconds East 16.785 feet along said BOC (L101); Thence run East 45.474 feet along said BOC (L102); Thence run North 39 degrees 44 minutes 00 seconds East 8.405 feet along said BOC (L103); Thence run North 54 degrees 43 minutes 25 seconds East 7.326 feet along said BOC (L104); Thence .run North 65 degrees 27 minutes 54 seconds East 5.203 feet along said BOC (L105); Thence run North 75 degrees 57 minutes 12 seconds East 6.394 feet along said BOC (L106); Thence run North 86 degrees 47 minutes 45 seconds East 6.796 feet along said BOC (L107); Thence run North 87 degrees 44 minutes 20 seconds East 9.807 feet along said BOC to the west right of way line of US Highway 45 (L108); Thence run North 00 degree 23 minutes 13 seconds East 29.230 feet to the point of beginning of this easement (L109).

The property described herein constitutes a part of Forrest Memorial Park a plat of which is filed for record in the Office of the Chancery Clerk of Alcorn County, Mississippi, in Plat Book 3 at page 10.

IN THE CHANCERY COURT OF ALCORN COUNTY, MISSISSIPPI

C. DELBERT HOSEMANN JR., *In his Official Capacity as Secretary of State*
Petitioner

v. Civil Action No. 2011-0454-02 MM

FORREST MEMORIAL PARK
Respondents
740 Highway 45 South
Corinth, Mississippi 38834

WAYNE HIGHT, *Individually*
NANCY HIGHT, *Individually*
BRAD HIGHT, *Individually*

SOUTHBank
W. JETT WILSON, Trustee
THE UNITED STATES SMALL BUSINESS ADMINISTRATION
THREE RIVERS PLANNING AND DEVELOPMENT DISTRICT

NOTICE OF SALE
FORREST MEMORIAL PARK CEMETERY, IN RECEIVERSHIP

COMES NOW the Honorable Bobby Marolt, Chancery Clerk of Alcorn County, Mississippi, with this Notice of Solicitation of Sealed Bids for the Sale of Forrest Memorial Park Cemetery, In Receivership. The Receivership of Forrest Memorial Park Cemetery was ordered by the Chancery Court on November 21, 2011. By subsequent Order of the First Chancery Court District, Hon. Michael Malski, the Court has ordered and directed the sale of Forrest Memorial Park Cemetery, a perpetual care cemetery, to the highest bidder. The subject property is located at 740 Highway 45 South, Corinth, Mississippi 38834. This property consists of approximately twelve and a half (12.50) acres. A description of the property can be found in the bid information package.

This is a sale of real estate only. This is not a sale or transfer of the contractual obligations for vaults, markers, or grave opening/closing services sold on a preneed basis by the current or prior record title owners or former managers or operators of Forrest Memorial Park Cemetery. No preneed services and merchandise trust as required by Miss. Code Ann. § 75-63-59 exists for this cemetery. No perpetual care trust as required by Miss. Code Ann. § 41-43-37 exists for this cemetery. A nominal amount of perpetual care funds reserved by the Receivership Estate for interment rights sold by the Receivership will transfer to the new owner at closing. All closing costs are the responsibility of the successful purchaser. This can include surveying fees and legal fees that may be necessary to move forward to a closing on the property.

During the thirty (30) day notice period, interested purchasers should inspect the cemetery and conduct a thorough, due diligence review, **including an inspection of the title** prior to submission of their sealed bid. The cemetery property does need capital improvements. Furthermore, future expansion of the cemetery beyond the current established cemetery gardens, and potentially including access to the current cemetery gardens from Highway 45, must be separately negotiated with a third party. **All interested parties should carefully review the bid information package. All of the information in the bid information package is important.** Title information contained within the bid information package is presented for reference only and was prepared solely for use by the Secretary of State and the Receiver administering receivership responsibilities. It should not be relied upon by any other person or entities, and the title information should be updated by any prospective or interested purchasers. A bid information package may be obtained at: http://www.sos.ms.gov/regulation_and_enforcement_perpetual_care_cemeteries.aspx or by contacting the Secretary of State's Office at 601-359-9055.

The conveyance will be by Quitclaim Deed to the successful purchaser. There are no warranties of title. Sealed bids must be **received** by the Alcorn County Chancery Clerk's Office, Attention of Bobby Marolt, 501 Waldron Street, Corinth, Mississippi 38834, no later than 5:00 p.m. Central time on Friday, May 8, 2015. All sealed bids must be conspicuously marked on the outside of the envelope, 'SEALED BID—DO NOT OPEN". The opening of sealed bids will be conducted by Bobby Marolt, Chancery Clerk of Alcorn County, Mississippi, on Monday, May 11, 2015, at the offices of the chancery clerk at 3:00 p.m.

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Receivership Order

11/21/11

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CASE NB CV2011-000347 - JAH
CHANCERY COURT - CID = 59
BUBBA POUNDS

IN THE CHANCERY COURT OF PRENTISS COUNTY, MISSISSIPPI

C. DELBERT HOSEMANN Jr., *In his Official Capacity as Secretary of State* — **Petitioner**

v. — **Civil Action No. 2011-347(59)H**

OAKLAWN MEMORIAL PARK — **Respondents**
Highway 4 West
Booneville, Mississippi 38829

WAYNE HIGHT, *individually*

NANCY HIGHT, *individually*

Consolidated With

IN THE CHANCERY COURT OF ALCORN COUNTY, MISSISSIPPI

C. DELBERT HOSEMANN Jr., *In his Official Capacity as Secretary of State* — **Petitioner**

v. — **Civil Action No. 2011-0454-02 MM**

FORREST MEMORIAL PARK — **Respondents**
740 Highway 45 South
Corinth, Mississippi 38834

WAYNE HIGHT, *individually*

NANCY HIGHT, *individually*

ORDER OF RECEIVERSHIP

This consolidated cause came before the Court for a hearing on November 10, 2011, upon the Verified Complaint and Motion for the Appointment of a Receiver for Forrest Memorial Park and Oaklawn Memorial Park, by the Secretary of State ("Secretary"), C. Delbert Hosemann Jr., Petitioner, in his official capacity. By agreement of the parties, counsel for Petitioner made a proffer in open court on the record

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DAVID "BUBBA" POUNDS, CLERK
Lori Rogers D.C.

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CASE NB CV2011-000347 - JAH
CHANCERY COURT - CID = 59
BUBBA POUNDS

summarizing the testimony and documentation it intended to present in support of its Motion for the Appointment of a Receiver, to which the Respondents did not object. Therefore, based upon the proffer accepted by the Undersigned in open court, this Court finds as follows:

1. The Secretary is acting pursuant to the Secretary's responsibilities to protect consumers under the Mississippi Preneed Cemetery and Funeral Registration Act (hereafter "the Preneed Act"), Miss. Code Ann. §§ 75-63-51, *et seq.*, and under the Mississippi Perpetual Care Cemetery Act (hereinafter "the Perpetual Care Act"), Miss. Code Ann. §§ 41-43-31, *et seq.*

2. Respondents, Forrest Memorial Park, Corinth, Mississippi, and Oaklawn Memorial Park, Booneville, Mississippi, are a privately owned, for-profit perpetual care cemetery as defined by Mississippi Code Annotated Section 41-43-33. Forrest Memorial Park is located at 740 Highway 45 South, Corinth, Mississippi 38834. Oaklawn Memorial Park is located at Highway 4 West, Booneville, Mississippi 38829. The business operations for Forrest Memorial Park and Oaklawn Memorial Park are conducted at offices located within the facility known as Hight Funeral Home, 740 Highway 45 South, Corinth, Mississippi 38834, with a post office box address at P.O. Box 1044, Corinth, Mississippi 38835. Forrest Memorial Park and Oaklawn Memorial Park are either sole proprietorships owned by Wayne Hight or general partnerships owned by Wayne Hight and Nancy Hight, husband and wife.

3. This Court has jurisdiction over the matters asserted herein pursuant to Miss. Code Ann. § 75-63-69(1) and Miss. Code Ann. § 41-43-38(7). Venue is proper in this Court as the

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Oaklawn Memorial Park Cemetery is located in Booneville, Mississippi (Prentiss County), and Forrest Memorial Park, Cause No. 2011-0454-02 MM, Alcorn County Chancery Court, has been consolidated with Cause No. 2011-347(59)H, Prentiss County Chancery Court.

4. Since at least 1966, perpetual care cemeteries have been required to remit fifteen percent (15%) of all interment ground burial sales to an irrevocable perpetual care trust. Miss. Code. Ann. § 41-43-37(1)(a). Fifteen percent (15%) of interment sales must be set aside and safeguarded under the management of a trustee for the long term care, maintenance, and upkeep of cemetery property for current and future generations. Only income, interest, and earnings from trust principal can be accessed by the cemetery through the trustee for care and maintenance needs and trust principal must remain inviolate. Miss. Code Ann. § 41-43-37(1).

CHANCERY COURT

5. Wayne Hight and Nancy Hight purchased Forrest Memorial Park in the fall of 1975. When the cemetery was purchased by the Hights in the fall of 1975, the cemetery's perpetual care trust fund acquired with the purchase contained approximately seventy thousand dollars ($70,000.00). Further, in the years following 1975, the perpetual care trust fund principal for Forrest Memorial Park was depleted to a balance of zero, and no perpetual care trust fund exists for Forrest Memorial Park. The depletion of the Forrest Memorial Park's Perpetual Care Trust Fund is a violation of Mississippi Code Annotated Section 41-43-37.

6. Wayne Hight and Nancy Hight purchased Oaklawn Memorial Park in the fall of 1982. When the cemetery was purchased by the Hights in the fall of 1982, the cemetery's

perpetual care trust fund acquired with the purchase contained approximately five thousand dollars ($5,000.00). Further, in the years following 1982, the perpetual care trust fund principal for Oaklawn Memorial Park was depleted to a balance of zero, and no perpetual care trust fund exists for Oaklawn Memorial Park. The depletion of the Oaklawn Memorial Park's Perpetual Care Trust Fund is a violation of Mississippi Code Annotated Section 41-43-37.

7. Following the purchase of Forrest Memorial Park in the fall of 1975, the Hights did not maintain or fund a perpetual care trust with the required fifteen percent (15%) set aside of all interment right sales. The failure to trust fifteen percent (15%) on all cemetery lot sales to the public in the past thirty-six (36) years is a violation of Mississippi Code Annotated Section 41-43-37. Furthermore, the failure to trust fifteen percent (15%) of each and every cemetery lot sale since the fall of 1975 is a separate and distinct violation of Mississippi Code Annotated Section 41-43-37(1).

8. Following the purchase of Oaklawn Memorial Park in the fall of 1982, the Hights did not maintain or fund a perpetual care trust with the required fifteen percent (15%) set aside of all interment right sales. The failure to trust fifteen percent (15%) on all cemetery lot sales to the public in the past twenty-eight (28) years is a violation of Mississippi Code Annotated Section 41-43-37. Furthermore, the failure to trust fifteen percent (15%) of each and every cemetery lot sale since the fall of 1982 is a separate and distinct violation of Mississippi Code Annotated Section 41-43-37(1).

9. The perpetual care trust fund principal deficiency for Forrest Memorial Park is Ninety-Seven Thousand, Seven Hundred Sixty Dollars and Forty-Eight Cents ($97,760.48). This

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perpetual trust principal deficiency is principal that Mr. Wayne Hight did not trust on cemetery lot sales from the fall of 1975 through July of 2010. This amount does not include the approximately Seventy Thousand Dollars ($70,000.00) that Mr. Hight acquired as trust principal when he purchased the property in the fall of 1975. The perpetual care trust fund principal deficiency for Oaklawn Memorial Park is Eight Thousand Four Hundred Four Dollars and Thirty-Five Cents ($8,404.35). This perpetual trust principal deficiency is principal that Mr. Wayne Hight did not trust on cemetery lot sales from the fall of 1982 through July of 2010. This amount does not include the approximately Five Thousand Dollars ($5,000.00) that Mr. Hight acquired as trust principal when he purchased the property in the fall of 1982.

10. The complete absence of a perpetual care trust fund for Forrest Memorial Park and Oaklawn Memorial Park places the long term, maintenance, upkeep, and viability of the cemetery burial grounds at serious risk for not only those who have purchased grave spaces, but also for the departed who purchased the cemetery spaces with the expectation of perpetual care. In addition to being perpetual care cemeteries as defined in Mississippi Code Annotated Section 41-43-33, Forrest Memorial Park and Oaklawn Memorial Park represented to the public that they provided, "Maintenance Fully Paid By Trust Fund." as recently as November of 2011.

11. Since at least April of 1975, the Mississippi Preneed Act has required cemetery owners to trust a required amount for all collections and sales made on the preneed purchase of cemetery merchandise and services, such as burial vaults, memorial markers, and grave opening/closing services. Miss. Code Ann. § 75-63-3 (Rev. 2000), *repealed and*

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brought forward at Miss. Code Ann. § 75-63-59 (Rev. 2009). A preneed sale is any purchase of cemetery merchandise and services made by the living when the obligation for delivery and installation from the cemetery does not occur until the death of the purchaser (or the person for whom the merchandise or services were intended). Miss. Code Ann. § 75-63-53(l).

12. Cemeteries that sell preneed merchandise and services must maintain an irrevocable preneed trust managed and maintained by a trustee not associated with the cemetery business or a related business. Miss. Code Ann. § 75-63-59. The trust terms are dictated in large measure by state statute. The statute requires a percentage of all preneed sales and collections to be trusted by a time-based statute. Miss. Code Ann. § 75-63-59. Moreover, disbursements from the trust fund to the cemetery can only be made with the cemetery providing documentation of the purchaser's death along with a letter of performance stating that the cemetery provided all of the contracted merchandise and services to the decedent (vault, memorial marker, etc.). Miss. Code Ann. § 75-63-59(5). Preneed trust funds are consumer funds trusted on their behalf. The cemetery's ownership in preneed trust funds does not mature until the cemetery provides all of the contracted goods and services following death of the client.

13. From at least April of 1975 until June 30, 2006, preneed providers were required to trust no less than fifty percent (50%) of all customer collections for preneed merchandise and services. Miss. Code Ann. § 75-63-3 (Rev. 2000), *repealed and brought forward effective January 1, 2002, at* Miss. Code Ann. § 75-63-59 (Rev. 2009). Effective July 1, 2006, preneed providers have been required to trust eighty-five percent (85%) of all

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customer preneed payments for preneed merchandise and services sold after July 1, 2006. Miss. Code Ann. § 75-63-59 (Rev. 2009).

14. The un-serviced preneed trust deficiencies on contracts sold by Forrest Memorial Park for burial vaults, memorial markers, grave openings/closings, and other miscellaneous preneed merchandise total Three Hundred Five Thousand Seven Hundred Sixty-One Dollars and Ninety-Nine Cents ($305,761.00). The un-serviced preneed trust deficiencies on contracts sold by Oaklawn Memorial Park total Forty- Eight Thousand Six Hundred Eighty Dollars and Fifty-Six Cents ($48,680.56).

15. Forrest Memorial Park and Oaklawn Memorial Park have no consumer preneed trust funds as required by Mississippi Code Annotated Section 75-63-59. As such, its owners have no consumer trust fund or consumer funds set aside to finance the purchase, delivery, and installation of pre-sold burial vaults, memorial markers, etc.

16. Each and every failure by Wayne Hight and Nancy Hight to trust the required amount of all consumer payment for preneed merchandise and services in the past thirty-five (35) years for Forrest Memorial Park, and in the past twenty-eight (28) years for Oaklawn Memorial Park, represents a separate and distinct violation of Mississippi Code Annotated Section 75-63-59, and prior statutes requiring trusting of preneed payments.

17. For the reasons noted above, the Secretary has demonstrated serious and compelling concerns for the financial solvency of Forrest Memorial Park and Oaklawn Memorial Park and particularly their ability to deliver the contractually obligated items of cemetery merchandise and services as claims are made in the future with the passing of clients who purchased the same.

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18. Pursuant to Mississippi Code Annotated Section 41-43-38(7), whenever it appears to the Secretary of State or any other interested person that a perpetual care cemetery is insolvent, about to become insolvent, or that no perpetual care trust fund exists for the cemetery, such interested person may bring an action in the chancery court in the county in which the cemetery is located to request just and equitable relief in the public interest, including the appointment of a receiver or receivers to continue or terminate the operation of the business.

19. Pursuant to Mississippi Code Annotated Section 75-63-69(1)(c), whenever it appears to the Secretary of State that any person is engaged in violations of the Mississippi Preneed Act, the Secretary may bring an action in chancery court to enjoin acts or practices and enforce compliance with the preneed laws. Upon a proper showing by the Secretary of State, a receiver may be appointed for the defendant's assets. Miss. Code Ann. § 75-63-69(1)(c).

20. The Secretary of State has demonstrated the "proper showing" for the appointment of a receiver for Forrest Memorial Park Cemetery and Oaklawn Memorial Park Cemetery, and substantial, irreparable and irremediable injury to the public would occur if not so. AH

THEREFORE, by the authority conferred in Mississippi Code Annotated Sections 41-43-38(7); 75-63-69(1)(c); and, the court's general powers to appoint a receiver under Section 11-5-151 (Rev. 2002), this court hereby ORDERS the Receivership of Forrest Memorial Park and Oaklawn Memorial Park, perpetual care cemeteries, to conserve, operate, and maintain the businesses in the best interests of the perpetual care and preneed consumers (both living and deceased) and to place the businesses on the path of compliance with the Preneed Act, Miss.

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Code Ann. §§ 75-63-51, *et seq.*, and the Perpetual Care Act, Miss. Code Ann. §§ 41-43-31, *et seq.*

THEREFORE, The Honorable John C. Ross, Jr., of Corinth, Mississippi, is appointed the Receiver of Forrest Memorial Park and Oaklawn Memorial Park, who shall serve in the position of Receiver until excused by the court.

As such, the Receiver is authorized to:

(a.) "take possession of the property or property interests involved in the action, to maintain and preserve it from loss, injury, or inextricable confusion." Griffith, MISSISSIPPI CHANCERY PRACTICE § 466, P. 275;

(b). take the necessary steps to stabilize the business, to prevent further waste and dissipation of the Respondents' assets, and to avoid additional detriment to the public who have purchased or will purchase cemetery plots, merchandise, and services;

(c.) take possession of the banking accounts, client accounts, all other assets tangible and intangible, of whatever kind and description and wherever located, including but not limited to: monies, securities, real and personal properties, income, receivables, contracts, leases, all business books, records, client lists, client files, account statements, financial and accounting documents, computers, computer hard drives, computer disks, other informational resources and components, and the legally recognized privileges with regard to any entities of Forrest Memorial Park, Oaklawn Memorial Park, and any entities that they own or entities owned by Wayne Hight or Nancy Hight that are germane to the operations of Forrest Memorial Park and Oaklawn Memorial Park;

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(d.) to make such ordinary and necessary payments, distributions, and disbursements as the Receiver deems advisable, in accordance with industry standards, for the proper maintenance or preservation of the Receivership Estate, but only to the extent that the Receiver has identified available Receivership assets from which distributions or payments can be made;

(e.) to make appropriate notification to the United States Postal Service to forward delivery of any mail addressed to the Respondents, or any company or entity under the direction and control of Respondents, to himself. Further, the Receiver is authorized to open and inspect all such mail to determine the location or identity of any assets or the existence and amounts of any assets, including, but not limited to, accounts receivable;

(f.) to become the sole authorized signatory of any accounts in the name of the Forrest Memorial Park or Oaklawn Memorial Park, and the Receiver shall have sole authorization and right to withdraw and utilize the income from any such accounts wherever the same may exist;

(g.) to provide burial plots, the opening and closing of graves, the placing of vaults, and the purchase and placement of markers for at-need contracts, and to undertake any other actions that are inherent in the day-to-day operations of the cemeteries, according to industry standards, if and only if, in the discretion of the Receiver, such services can be provided consistent with the financial ability of the business;

(h.) to make decisions in his sole discretion to determine the extent, if any, that goods and services will be furnished under preneed contracts during the receivership period, taking into account the need to continue operations and to maintain the cemeteries in a manner consistent with prudent administration of perpetual care cemeteries in receivership; such authority is conferred recognizing that the availability of funds for preneed services and merchandise is likely

to be extremely limited due to the financial situation of Forrest Memorial Park and Oaklawn Memorial Park:

(i.) to deposit all monies received by him in relation to the Receivership Estate into an operating account, and to set aside for consumer safekeeping the appropriate percentages for perpetual care and preneed merchandise and service purchases;

(j.) to hire and fire any personnel, to set any reasonable salaries for employees or independent contractors as he may deem necessary in his sole discretion, in accordance with the prudent administration of perpetual care cemeteries, in receivership, and according to industry standards;

(k.) to market any real or personal property to a solvent, credible purchaser should it be in the best interest of the Receivership Estate and/or consumers of Forrest Memorial Park or Oaklawn Memorial Park to do so, recognizing, however, that any sale of real or personal property must be approved by the court;

(l.) to lease, or occupy without interruption or distraction, office space, if necessary, or to buy or sell assets, or undertake any other actions necessary and consistent with the prudent operation of perpetual care cemeteries in receivership according to industry standards;

(m.) to conduct and operate the Receivership Estate with any other authority or specific directives that the Receiver deems appropriate, proper, and just; Furthermore, the Receiver shall have the full power of an equity receiver under common law and is not required to post a bond unless otherwise directed by this court.

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FURTHERMORE, the Secretary of State, Petitioner, is authorized to:

(n). employ a Receiver as an independent contractor if determined by the Secretary and the Receiver that cash flow or income from the business is inadequate or insufficient to compensate the Receiver for his duties:

(o.) to compensate a Receiver as an independent contractor at a rate of no more than twenty-five dollars ($25.00) per hour and to pay reasonable expenses of the Receiver to be determined by standards issued by the Mississippi Department of Finance and Administration. Such compensation and expenses shall be borne by the Office of the Secretary of State pursuant to a contract entered into by the Secretary and the Receiver;

Both the Receiver, and the Secretary of State, if receivership funds are insufficient, are authorized to:

(p). employ personnel to determine the legal title or to give opinions as to the legal title to any real or personal property that is the subject of or potentially the subject of this Receivership Estate; the Receiver or the Secretary of State are authorized to seek reimbursement for such professional services under terms approved by the court pursuant to a court order:

(q.) to hire a competent accountant, tax professional, or a property appraiser to carry out the responsibilities of the Receivership Estate; the Receivership Estate or the Secretary may seek and obtain reimbursement for such professional services under terms approved by the court pursuant to a court order;

Further, the Secretary of State shall have the right to be reimbursed for all reasonable contract salaries and expenses incurred for the effective administration of the Receivership Estate from available assets of the Receivership Estate or from the proceeds of any sale of Receivership

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Estate assets to third parties that might occur, including the sale of real property. Such reasonable contract salaries for which the Secretary is authorized to contract for include services provided by the Receiver and his reasonable expenses; attorneys; accountants; tax professionals; and property appraisers whose services are essential to the Receivership Estate and ultimately the distribution of property to solvent, responsible third parties. However, no reimbursement to the Secretary of State or purchase price set-off inuring to the benefit of the Secretary of State for contracted salaries or expenses will occur unless approved by the court.

IT IS ALSO ORDERED that the Respondents and their respective officers, agents, and employees, and all persons in active concert or participation with them either directly or indirectly are hereby enjoined and restrained from making any payment or expenditure of any Receivership Estate asset that is owned by Respondents or in the actual or constructive possession of any entity, directly or indirectly owned or controlled or under common control with the Receivership Estate, or from effecting any sale, gift, hypothecation, assignment, transfer, conveyance, encumbrance, disbursement, dissipation, or concealment of such assets.

FURTHERMORE, the Respondents and their respective officers, agents, and employees, and all persons in active concert or participation with them shall cooperate with the Receiver and his duly authorized agents by promptly and honestly responding to all requests for information regarding receivership assets and records and by promptly acknowledging to third parties the Receiver's authority to act on behalf of the Receivership Estate and provide such authorizations, signatures, releases, attestations, and access as the Receiver or his duly authorized agents may reasonably request.

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SO ORDERED and ADJUDGED, this the 21st day of November, 2011.

Chancellor

Order Prepared By:

Counsel for Petitioner
Dave Scott, ASOS, MSB #8765
700 North Street
Jackson, MS 39202

Agreed As to Form Only:

Counsel for Respondents
Hon. Ronna D. Kinsella, MSB #101884
26 N. Second Street
Memphis, TN 38103

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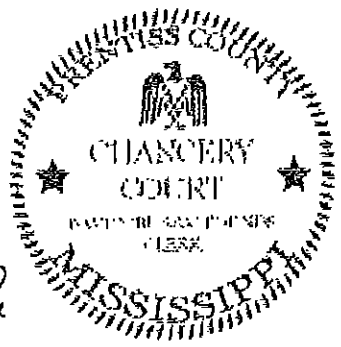
SO ORDERED and ADJUDGED, this the _____ day of November, 2011.

_____
Chancellor

Order Prepared By:

Counsel for Petitioner
Dave Scott, ASOS, MSB #8765
700 North Street
Jackson, MS 39202



Agreed As to Form Only:

Counsel for Respondents
Hon. Ronna D. Kinsella, MSB #101884
26 N. Second Street
Memphis, TN 38103

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Calculation of Burial Spaces

Forrest Memorial Park Cemetery, In Receivership
Corinth, MS
Calculation of Cemetery Spaces

Section/Name	Total number of spaces per garden	Total spaces sold Per garden	Sold spaces with interments	Sold spaces without interment	Number available for sale
1 - Veterans	1204	225	77	148	979
2 - Good Sheppard	2250	1840	989	851	410
3 - Devotion	2258	1895	1022	873	363
5 - Masonic	1610	1056	449	607	554
7 - Reformation	1684	75	61	14	1609
8 - Christ Wall	1586	1268	576	692	318
TOTALS	**10592**	**6359**	**3174**	**3185**	**4233**

Data as of 4/1/2015

Please see the description in the Memorandum to Interested Purchasers. This data was collected and researched by Secretary of State staff over a period of many months. However, **reliable source documentation was not available** to SOS staff. Reliable source documentation consists of updated plat maps, burial registries, and a complete collection of clients files that the cemetery would maintain as a business. This data was collected directly from cemetery clients; client files left with the business; visually verifying interments and committed grave spaces; and making comparisons against documentation of past sales. As such, this information represents a diligent, thorough effort by SOS staff to provide useful information to potential purchasers in the absence of source documentation.

5

Title Reports with Attachments

CERTIFICATE OF TITLE

STATE OF MISSISSIPPI
COUNTY OF PRENTISS

TO: Dave Scott, Office of the Mississippi Secretary of State

I, George Martin Via, a duly licensed and a practicing Attorney at Law in Prentiss County, Mississippi, do hereby certify that I have made a diligent search and careful examination of the public records in Alcorn County, Mississippi, including records of deeds, wills, mortgages, deeds of trust, mechanics liens, notices of lis pendens, the judgment roll in the office of the Clerk of the Circuit Court for a period not exceeding 7 ½ years prior to the date hereof, decrees in Chancery, the records of current and delinquent taxes and tax sales, and liens or encumbrances of every nature reflected by said records of said County, for a period of not less than 31 years preceding the date hereof, and that from such examination, I am of the opinion that the record title is vested in ***Nancy B. Hight*** said land lying and being in Alcorn County, Mississippi, to-wit:

Beginning at a point in the South line of Northeast Quarter of Southeast Quarter of Section 33, Township 2, Range 7, in Alcorn County, Mississippi, where the same intersects the West line of right of way of Highway #45; and run thence West 1295 feet to old fence; thence North along said old fence line 660 feet; thence East 1275 feet and to the West line of right of way of Highway #45; and thence South along said West right of way line 660 feet to the beginning point.

LESS AND EXCEPT THE FOLLOWING TRACTS 1, 2 and 3: That property as described in Deed Book 327 pages 366-369 conveyed to Michael Brad Hight which is described as follows:

TRACT NO. 1: Commencing at the Southwest corner of the Northeast Quarter of the Southeast Quarter of Section 33, Township 2 South, Range 7 East, Alcorn County, Mississippi, said point being an eight inch diameter creosote post, for the point of beginning; thence run North 01 degree 3 9 minutes 33 seconds East along an old wire fence and tree line 330.568 feet to a iron pin set; thence leaving said old wire fence and tree line, run North 89 degrees 59 minutes 13 seconds East 44.951 feet to a nail set being 5.0 feet East of an existing 10 feet wide asphalt drive; thence run along a line that is 5.0 feet East of and parallel to the existing said drive the following: South 05 degrees 22 minutes 10 seconds East 32.239 feet; South 22 degrees 56 minutes 10 seconds East 37.498 feet; thence continue along a line that is 5.0 feet North of and parallel to the existing said drive the following: South 46 degrees 43 minutes 37 seconds East 46.501 feet; South 64 degrees 06 minutes 50 seconds East 38.933 feet; South 81 degrees 33 minutes 16 seconds East 45.146 feet; North 89 degrees 02 minutes 58 seconds East 82.619 feet; North 80 degrees 11 minutes 33 seconds East 31.715 feet; North 63 degrees 11 minutes 45 seconds East 40.483 feet; thence continue along a line that is 5.0 feet West of and parallel to the existing said drive the following: North 38 degrees 42 minutes 49 seconds East 62.250 feet; North 13 degrees 41 minutes 06 seconds East 52.537 feet; thence leaving said line, run North 88 degrees 55 minutes 52 seconds East 32.352 feet to a point that is 5.0 feet East of said drive; thence continue along a line that is 5.0 feet East of and parallel to the existing said drive the following: South 14 degrees 05 minutes 41 seconds East 59.441 feet; thence leaving said line, run South 08 degrees 55 minutes 13 seconds West 279.132 feet to an elm tree on a fence and tree line; thence run South 89 degrees 58 minutes 42 seconds West along said fence and tree line, 390.586 feet to the point of beginning, containing 2.346 acres, more or less.

TRACT NO. 2: Commencing at the Southwest corner of the Northeast Quarter of the Southeast Quarter of Section 33, Township 2 South, Range 7 East, Alcorn

County, Mississippi, said point being an eight inch diameter creosote post; thence run North 89 degrees 58 minutes 42 seconds East along a wire fence and tree line 390.586 feet to a 10 inch diameter elm tree for the point of beginning; thence run North 08 degrees 55 minutes 13 seconds East 279.132 feet to a nail set 5.0 feet East of an existing 10 feet wide asphalt drive; thence run along a line that is 5.0 feet East of and parallel to the existing said drive the following: South 14 degrees 05 minutes 41 seconds East 11.050 feet; South 33 degrees 13 minutes 40 seconds East 38.849 feet; thence continue along a line that is 5.0 feet North of and parallel to the existing said drive the following: South 4 9 degrees 14 minutes 47 seconds East 49.623 feet; South 71 degrees 00 minutes 12 seconds East 52.603 feet; North 87 degrees 46 minutes 46 seconds East 61.634 feet; North 65 degrees 07 minutes 04 seconds East 55.870 feet; North 45 degrees 25 minutes 25 seconds East 47.037 feet; thence continue along a line that is 5.0 feet West of and parallel to the existing said drive the following: North 27 degrees 04 minutes 20 seconds East 51.119 feet; thence leaving said line run South 88 degrees 08 minutes 23 seconds East 47.007 feet to the backside of a curb; thence run along the backside of said curb the following: South 33 degrees 26 minutes 20 seconds East 32.940 feet; South 55 degrees 12 minutes 23 seconds East 36.389 feet; South 76 degrees 43 minutes 48 seconds East 39.985 feet; South 89 degrees 54 minutes 13 seconds East 7.600 feet to a nail set; thence leaving said curb, run South 00 degrees 00 minutes 11 seconds West 228.307 feet to an iron pin on a wire fence and tree line; thence run South 89 degrees 58 minutes 42 seconds West 465.153 feet along said wire fence and tree line to the point of beginning, containing 2.325 acres, more or less.

TRACT NO. 3: Commencing at the Southwest corner of the Northeast Quarter of the Southeast Quarter of Section 33, Township 2 South, Range 7 East, Alcorn County, Mississippi, said point being an eight inch diameter creosote post; thence run North 89 degrees 58 minutes 42 seconds East along a wire fence and tree line 390.586 feet to a 10 inch diameter elm tree; thence continue along said wire fence and tree line North 89 degrees 58 minutes 42 seconds East 465.153 feet to an iron pin set for the point of beginning; thence leaving said wire fence and tree line, run North 00 degrees 00 minutes 11 seconds East 228.307 feet to a nail set on the North edge of a curb on a 25 feet wide existing asphalt drive; thence run along the North side of said curb the following: South 89 degrees 54 minutes 13 seconds East 120.218 feet; North 89 degrees 19 minutes 51 seconds East 159.434 feet; North 75 degrees 21 minutes 03 seconds East 21.689 feet; North 59 degrees 15 minutes 30 seconds East 32.055 feet; North 46 degrees 28 minutes 00 seconds East 22.124 feet; North 31 degrees 22 minutes 56 seconds East 17.705 feet to a nail set; thence leaving said curb, run South 88 degrees 39 minutes 37 seconds East 89.105 feet to an iron pin set on the West right-of-way lien of U. S. Highway 45 South; thence run South 00 degrees 23 minutes 13 seconds West along the West right-of-way line of said Highway 279.948 feet to a concrete right-of-way marker at a fence corner; thence leaving said right-of-way run South 89 degrees 58 minutes 42 seconds West along said wire fence and tree line 440.638 feet to the point of beginning, containing 2.456 acres, more or less.

TOGETHER WITH a perpetual non-exclusive easement and right-of-way for the following purposes; namely, the right to enter upon the hereinafter described land and to do any and all work necessary to build, maintain and repair a road, together with the right to use said easement for the purpose of ingress and egress and for public utilities all over, upon and across the following described land:

A strip of land 25 feet wide, being 25 feet South of and parallel to the following described line:
Commencing at the Southwest corner of the Northeast Quarter of the Southeast Quarter of Section 33, Township 2 South, Range 7 East, Alcorn County, Mississippi, said point being an eight Inch diameter creosote post; thence run North 89 degrees 58 minutes 42 seconds East along a wire fence and tree line 1296.376 feet to a concrete right-of-way marker on the West right-of-way line of U. S. Highway 45 South; thence run North 00 degrees 23 minutes 13 seconds East along the West right-of-way line of said Highway 279.948 feet to an iron pin set for the point of beginning of this easement; thence run along the North line of said easement the following: North 88 degrees 39 minutes 37 seconds West 89.105 feet to a nail being on the West edge of a curb on an existing 25 feet wide asphalt drive; thence run

along said curb the following: South 31 degrees 22 minutes 56 seconds West 17.705 feet; South 46 degrees 28 minutes 00 seconds West 22.124 feet; South 59 degrees 15 minutes 30 seconds West 32.055 feet; South 75 degrees 21 minutes 03 seconds West 21.689 feet; South 89 degrees 19 minutes 51 seconds West 159.434 feet; North 89 degrees 54 minutes 13 seconds West 120.218 feet to a nail set; North 89 degrees 54 minutes 13 seconds West 7.600 feet; North 76 degrees 43 minutes 48 seconds West 39.985 feet; North 55 degrees 12 minutes 23 seconds West 36.389 feet; North 33 degrees 26 minutes 20 seconds West 32.940 feet; thence leaving said curb run North 88 degrees 08 minutes 23 seconds West 47.007 feet to a point being 5 feet West of an existing 10 feet wide asphalt drive; thence run along a line that is 5.0 feet West of and parallel to said asphalt drive the following: South 27 degrees 04 minutes 20 seconds West 51.119 feet; thence continue along a line that is 5.0 feet North of and parallel to the existing said drive the following: South 45 degrees 25 minutes 25 seconds West 47.037 feet; South 65 degrees 07 minutes 04 seconds West 55.870 feet; South 87 degrees 46 minutes 46 seconds West 61.634 feet; North 71 degrees 00 minutes 12 seconds West 52.603 feet; North 49 degrees 14 minutes 47 seconds West 49.623 feet; thence continue along a line that is 5.0 feet East of and parallel to the existing said drive the following: North 33 degrees 13 minutes 40 seconds West 38.849 feet; North 14 degrees 05 minutes 41 seconds West 11.050 feet, and to the end of easement.

LESS AND EXCEPT: All cemetery plots previously conveyed.

LESS AND EXCEPT: That property conveyed to Alcorn County, Mississippi, dated September 8, 1916 and recorded in Deed Book 36 at page 56 for road right of way purposes (See instrument attached as Exhibit A).

LESS AND EXCEPT: That property conveyed to the State of Mississippi for the use of the State Highway Department for right of way purposes dated January 20, 1934 and recorded in Deed Book 59 at pages 8-9. (See instrument attached as Exhibit B).

Subject to an Easement as described in Deed Book 327 at pages 366-369.

Subject to an Easement as described in Deed Book 329 at pages 116-118.

Subject to Easement to Alcorn County Electric Power Association recorded in instrument number 200506485.

Subject to Easement to Alcorn County Electric Power Association recorded in instrument number 200506486.

Further, my examination revealed no outstanding liens or encumbrances against said land, except as follows:

EXCEPTION NO. 1: The subject property has been exempt from taxation due to its use as a cemetery pursuant to Miss. Code Ann. §27-31-1(a).

EXCEPTION NO. 2: This Certificate of Title covers a period of time of search and examination of the Judgment Roll not exceeding 7 ½ years prior to the date hereof.

EXCEPTION NO. 3: Subject to a Judgement against Nancy B. Hight in favor of MS Dept. Of Revenue enrolled Marcy 23, 2012 in Judgment number 0000024894 in the principal amount of $693.61.

EXCEPTION NO. 4: Subject to Easement to Alcorn County Electric Power Association recorded in instrument number 200506485.

EXCEPTION NO. 5: Subject to Easement to Alcorn County Electric Power Association recorded in instrument number 200506486.

EXCEPTION NO. 6: Subject to Easement conveyed to Nancy B. Hight recorded on November 30, 2005 in instrument number 200509455. (See instrument attached as Exhibit C).

EXCEPTION NO. 7: Subject to an Easement as described in Deed Book 327 at pages 366-369, said Easement conveyed to Michael Brad Hight. (See instrument attached as Exhibit D).

EXCEPTION NO. 8: Subject to an Easement as described in Deed Book 329 at pages 116-118, said Easement conveyed to Nancy B. Hight. (See instrument attached as Exhibit E).

EXCEPTION NO. 9: Subject to a Deed of Trust from Nancy Hight to SouthBank recorded February 25, 2005 in Trust Deed Book 676 at page 51-59 given to secure an indebtedness in the original principal amount of $191,277.50 being finally due and payable February 25, 2006. Subject to an Appointment of Substitute Trustee recorded May 3, 2012 in instrument number 201202137.

EXCEPTION NO. 10: Subject to a Deed of Trust from Nancy Hight to SouthBank recorded June 18, 2008 in instrument number 200803450 given to secure an indebtedness in the original principal amount of $191,229.19 being finally due and payable June 25, 2009. Subject to an Appointment of Substitute Trustee recorded May 3, 2012 in instrument number 201202137.

EXCEPTION NO. 11: Subject to a Deed of Trust from Nancy Hight to SouthBank recorded September 29, 2009 in instrument number 200905336 given to secure an indebtedness in the original principal amount of $186,532.20 being finally due and payable October 1, 2014. Subject to an Appointment of Substitute Trustee recorded May 3, 2012 in instrument number 201202137.

EXCEPTION NO. 12: Subject to a lawsuit which has been filed in the Chancery Court of Alcorn County, Mississippi in Cause Number 2011-0454-02MM which has been consolidated with Cause Number CV2011-000347, in the Chancery Court of Prentiss County, Mississippi. No Notice of Lis Pendens has been filed in either Alcorn or Prentiss County.

NOTE: Please be advised that since I am not closing this transaction, I do not have sufficient information with which to comply with the reporting requirements to Internal Revenue Service as required by Section 6045 of Title 26 of the U.S. Code. The primary responsibility for reporting this transaction is on the person closing the transaction.

Further, this opinion is subject to rights of parties in possession, deficiency in quantity of land, boundary line disputes, roadways, unrecorded servitudes or easements, unrecorded labor, mechanics, or materialman's liens, forgeries, and any matter not of record which would be disclosed by an accurate survey and inspection of the subject property. This opinion is subject to any right, title, or interest which may have been acquired by the public or any person by use, occupancy, or adverse possession of all or any part of the subject property. This opinion does not cover the status of the mineral estate in, on, and under the subject property. This opinion is limited to those matters which are properly indexed in the sectional indexes for the County or Municipality in which the property is located, as indicated by the land description. This opinion excludes those matters not properly indexed in the sectional indexes of the records of the County in which the subject property is located; judgments or other liens that may be filed with the appropriate Federal District Court, the same not having been examined by the undersigned; records of the United States Bankruptcy Court have not been examined and matters contained in such records are specifically excluded from this Certificate; and this Certificate is subject to any liens created for the recovery of Medicaid payments from the estate of a deceased recipient pursuant to MCA §43-13-317. This opinion is subject to any homestead rights of the spouse of the owner of the subject property and any cloud on the title or restrictions on conveyance resulting from the operation of the homestead laws of the State of

Mississippi which are not a matter of record in the office of the Chancery Clerk of the subject County. This Certificate is subject to the accuracy of computer hardware and software and electronic retrieval of names as listed in the deeds vesting ownership in the subject property at the time the records were examined. This Certificate of Title is subject to violations of wetland regulations, any errors of recording or indexing or entry of information into any computer data base made by the offices of the Chancery Clerk, Circuit Clerk, Tas Assessor or Tax Collector and further subject to any instruments not appearing of record as of the applicable date of this opinion. This Certificate of Title is subject to any environmental conditions existing upon the subject property, violations of any state and/or federal environmental protection laws, and does not express an opinion as to any environmental condition which may be in violation of such laws and is subject to any such condition which may affect said property. The undersigned makes no representation or evaluation of any hazardous environmental exposures that exist or may in the future be created. It is recommended that an independent environmental evaluation be obtained. This Certificate is further subject to the rights of unknown or illegitimate heirs and subject to any unrecorded homestead rights. This Certificate is prepared for the individuals and/or financial institutions named above, and the use of this Certificate by any other person, firm, or corporation is prohibited, and the undersigned assumes no liability to any person or financial institution, other than those named hereinabove.

Signed on this the 5th day of October, 2012.

GEORGE MARTIN VIA
104 South Main Street
Booneville, MS 38829
662-728-3228

W. T. ROSS, ET UX - - - - - - DEED TO - - - - - ALCORN COUNTY.

For and in consideration of One ($1.00) Dollar to me in hand paid, receipt of which is hereby acknowledged, and for other good and valuable considerations, I hereby convey to Alcorn County, for road purposes, a sufficient amount of land for the proper construction of the road, known as the Corinth to the Gulf Highway, as staked out by L. W. Murphy, engineer, and according to the plans and specifications on file in the Chancery Clerk's office of Alcorn County, my land being as follows:

114 acres in the Northeast fourth of Section 33, Township 2, Range 7;

I also release them from all damages which I may sustain on account of the proper construction of said road.

Witness my signature, this 8th day of September, 1916.

W. T. Ross.
Anna Ross.

STATE OF MISSISSIPPI,)
ALCORN COUNTY.) Personally appeared before me, Lee Gray, Circuit Clerk of the said County, the within named W. T. Ross and Anna Ross, his wife, who acknowledged that they signed, sealed and delivered the foregoing instrument on the day and year therein mentioned as their act and deed.

Given under my hand and official seal, this 8th day of September, 1916.

Lee Gray,
Circuit Clerk.

STATE OF MISSISSIPPI,)
ALCORN COUNTY.) I, O. M. Hinton, Clerk of the Chancery Court of said County, certify that the within instrument of writing was filed for record on the 9th day of Sept. A. D. 1916 at 4 o'clock P. M. and has been duly recorded by me in Deed Book 36 Page 56 of Records of my office. [illegible]

Given under my hand and official seal, at office in Corinth, this 12th day of Sept. 1916.

O. M. Hinton clerk.
By J. M. Hawkins D. C.

-/-

N. E. JOBE - - - - - - - DEED TO - - - - - ALCORN COUNTY.

For and in consideration of One ($1.00) Dollar to me in hand paid, receipt of which is hereby acknowledged, and for other good and valuable considerations, I hereby convey to Alcorn County, for road purposes, a sufficient amount of land for the proper construction of the road, known as the Corinth to the Gulf Highway, as staked out by L. W. Murphy, engineer, and according to the plans and specifications on file in the Chancery Clerk's office of Alcorn County, my land being as follows:

The Northeast Quarter of the Southeast Quarter of Section 33, Township 2, Range 7;

I also release them from all damages which I may sustain on account of the proper construction of said road.

Witness my signature, this 8th day of September, 1916.

N. E. Jobe.
Mrs. N. E. Jobe.

STATE OF MISSISSIPPI,)
ALCORN COUNTY.) Personally appeared before me, Lee Gray, Circuit Clerk of said County, the within named N. E. Jobe and his wife Mrs. N. E. Jobe who acknowledged that they signed, sealed and delivered the foregoing instrument on the day and year therein mentioned as their act and deed.

Given under my hand and official seal, this 8th day of September, 1916.

Lee Gray,
Circuit Clerk.

STATE OF MISSISSIPPI,)
ALCORN COUNTY.) I, O. M. Hinton, Clerk of the Chancery Court of said County, certify that the within instrument of writing was filed for record on the 9th dat of Sept. A. D. 1916 at 4 o'clock P. M. and has been duly recorded by me in Deed Book 36 Page 56 of Records of my office.

Given under my hand and official seal, at office in Corinth, this 12th day of Sept. 1916.

O. M. Hinton Clerk.
BY J. M. Hawkins D. C.

EXHIBIT A

(A) 36/56

devices shall be constructed within 150 feet of the center line of said highway, and State Highway Commission, its officers, agents or employees are hereby authorized to enter upon such premises and remove therefrom any signs, billboards, or other advertising devices which now exist or which may hereafter be placed upon said premises, within said 150 feet of the center line of said highway, without any liability for damage to property attaching to said Commission, its officers, agents or employees for so doing.

Witness our signatures the 16th day of January, A. D. 1934.

Mrs. W. A. Miller
Mrs. Sue Miller Bynum
J. Will Miller

STATE OF MISSISSIPPI?
COUNTY OF ALCORN

This day personally appeared before me, the undersigned authority, the above named Mrs. W. J. Miller, Mrs. Sue Miller Bynum & J. Will Miller who acknowledged that they signed and delivered the foregoing deed on the day and year therein mentioned.

Given under my hand and official seal this 16th day of January, A. D., 1934

L. J. Greene, Notary Public. Title

STATE OF MISSISSIPPI
ALCORN COUNTY

I, W. L. Madden Clerk of the Chancery Court of said County, hereby certify that the within instrument of writing was filed in my office for record at 1.20 P. M., on the 21st day of Feb., A. D., 1934 and that the same was this day recorded in Deed Record 59 on pages 7 and 8.

WITNESS my hand and official seal, this 24th day of Feb. , A. D. 1934.

W. L. Madden
Clerk

X-X-X-X-X-X-X-X-X-X-X-X-X-X-X-X-X-X-X-X-X-X-X-X-X-X-X-X-X-X-X-X-X-X-X-X-X-X-X-X-X-X-X

MRS. ELBIE JOBE ET AL WARRANTY DEED TO MISS. STATE HIGHWAY DEPARTMENT

STATE OF MISSISSIPPI?
County of Alcorn

For and in consideration of Fifty and No/100 Dollars ($50.00) the receipt of which is hereby acknowledged, I/Or we, the undersigned, hereby bargain, sell, convey and warrant unto the State of Mississippi, for the use of the State Highway Department, for right-of-way purposes on Federal Aid Project No.67-Part 1 the following described land:

Beginning at the Northeast Corner of the Southeast 1/4 of Section 33, Township 2 South, Range 7 East, running thence South 0° 28' West along the East line of said Southeast 1/4, 1,366.0 feet to the South line of said Southeast 1/4; thence West along said South line 50.0 feet; thence North 0° 28' East, parallel with and 50 feet from the center line of the proposed highway as staked by the Mississippi State Highway Department 827.0 feet; thence to the right on the circumference of a circle to the right with a radius of 5,644.4 feet parallel with and 50 feet from the center line of said highway 138.0 feet; thence North 13° 32' West 416.0 feet to the North line of said Southeast 1/4; thence East 130.0 feet to the point of beginning, containing 1.7 acres, more or less, inclusive of present road right-of-way, and being situated in the Southeast 1/4 of Section 33, Township 2 South, Range 7 East, Alcorn County, Mississippi.

It is further understood and agreed that the consideration herein named is in full payment and settlement of any and all claims or demands for damage accrued, accruing , or to accrue to the grantors herein, their heirs, assigns, or legal representatives, for or on account of the construction of the proposed highway, change of grade, water damage, and /or other damage, right or claim whatsoever.

It is further understood and agreed that no signs, billboards or other advertising devices shall be constructed within 150. feet of the center line of said highway, and the State Highway Commission, its officers, agents or employees are hereby authorized to enter upon such premises and remove therefrom any signs, billboards, or other advertising devices which now exist or which may hereafter be placed upon said premises, within said150 feet of the center line of said highway, without any liability o for damage to property attaching to said Commission, its officers, agents or employees for so doing.

Witness my signature the -----day of JAN.20, 1934, A. D. 1934

Mrs. Elbie Jobe
Mrs. Dell Butler

STATE OF TENNESSEE
COUNTY OF SHELBY

This day personally appeared before me, the undersigned authority, the above an named Mrs. Dell Butler who acknowledged that she signed and delivered the foregoing deed on the day and year therein mentioned.

Given under my hand and official seal this JAN. 20 1934.

L. G. Kiersky Title
My Commission Expires April 19, 1936

PLACE SEAL HERE)

STATE OF MISSISSIPPI
COUNTY OF ALCORN

This day personally appeared before me, the undersigned authority, the above named Mrs. Eddie Jobe who acknowledged that she signed and delivered the foregoing deed on the day and year therein mentioned.

Given under my hand, official seal this 19th day of January, A. D. 1934.

L. J. Greene Notary Public

EXHIBIT B

(B) 59/8-9

THIS INSTRUMENT PREPARED BY: DONALD RAY DOWNS, P. A., 509 WALDRON STREET, CORINTH, MISSISSIPPI 38834, 662/287/8088

EASEMENT

FOR AND IN CONSIDERATION OF One Dollar ($1.00) and other good and valuable consideration, the sufficiency and receipt of all of which are hereby acknowledged, I, MICHAEL BRAD HIGHT, P. O. Box 1534, Corinth, Mississippi 38835-1534, 662/286/5741, hereby convey and warrant unto NANCY B. HIGHT, P. O. Box 1044, Corinth, Mississippi 38835-1044, 662/286/5741, a perpetual non-exclusive easement and right-of-way for the following purposes; namely, the right to enter upon the hereinafter described land and to do any and all work necessary to build, maintain and repair a road, together with the right to use said easement for the purpose of ingress and egress and for public utilities all over, upon and across the following described land:

Situated in the County of Alcorn, State of Mississippi, to-wit:

PARCEL A: A strip of land 25 feet wide, being 25 feet South of and parallel to the following described line:

Commencing at the Southwest corner of the Northeast Quarter of the Southeast Quarter of Section 33, Township 2 South, Range 7 East, Alcorn County, Mississippi, said point being an eight inch diameter creosote post; thence run North 89 degrees 58 minutes 42 seconds East along a wire fence and tree line 1296.376 feet to a concrete right-of-way marker on the West right-of-way line of U. S. Highway 45 South; thence run North 00 degrees 23 minutes 13 seconds East along the West right-of-way line of said Highway 279.948 feet to an iron pin set for the point of beginning of this easement; thence run along the North line of said easement the following: North 88 degrees 39 minutes 37 seconds West 89.105 feet to a nail being on the West edge of a curb on an existing 25 feet wide asphalt drive; thence run along said curb the following: South 31 degrees 22 minutes 56 seconds West 17.705 feet; South 46 degrees 28 minutes 00 seconds West 22.124 feet; South 59 degrees 15 minutes 30 seconds West 32.055 feet; South 75 degrees 21 minutes 03 seconds West 21.689 feet; South 89 degrees 19 minutes 51 seconds West 159.434 feet; North 89 degrees 54 minutes 13 seconds West 120.218 feet to a nail set; North 89 degrees 54 minutes 13 seconds West 7.600 feet; North 76 degrees 43 minutes 48 seconds West 39.985 feet; North 55 degrees 12 minutes 23 seconds West 36.389 feet; North 33 degrees 26 minutes 20 seconds West 32.940 feet; thence leaving said curb run North 88 degrees 08 minutes 23 seconds West 47.007 feet to a point being 5 feet West of an existing 10 feet wide asphalt drive; thence run along a line that is 5.0 feet West of and parallel to said asphalt drive the following: South 27 degrees 04 minutes 20 seconds West 51.119 feet; thence continue along a line that is 5.0 feet North of and parallel to the existing said drive the following: South 45 degrees 25 minutes 25 seconds West 47.037 feet; South 65 degrees 07 minutes 04 seconds West 55.870 feet; South 87 degrees 46 minutes 46 seconds West 61.634 feet; North 71 degrees 00 minutes 12 seconds West 52.603 feet; North 49 degrees 14 minutes 47 seconds West 49.623 feet; thence continue along a line that is 5.0 feet East of and parallel to the existing said drive the following: North 33 degrees

C

EXHIBIT

13 minutes 40 seconds West 38.849 feet; North 14 degrees 05 minutes 41 seconds West 11.050 feet, and to the end of easement.

PARCEL B: A strip of land 10 feet wide, being 10 feet South of and parallel to the following described line:

Commencing at the Southwest corner of the Northeast Quarter of the Southeast Quarter of Section 33, Township 2 South, Range 7 East, Alcorn County, Mississippi, said point being an eight inch diameter creosote post; thence run North 89 degrees 58 minutes 42 seconds East along a wire fence and tree line 1296.376 feet to a concrete right-of-way marker on the West right-of-way line of U. S. Highway 45 South; thence run North 00 degrees 23 minutes 13 seconds East along the West right-of-way line of said Highway 279.948 feet to an iron pin set; thence run along the North line of said easement the following: North 88 degrees 39 minutes 37 seconds West 89.105 feet to a nail being on the West edge of a curb on an existing 25 feet wide asphalt drive; thence run along said curb the following: South 31 degrees 22 minutes 56 seconds West 17.705 feet; South 46 degrees 28 minutes 00 seconds West 22.124 feet; South 59 degrees 15 minutes 30 seconds West 32.055 feet; South 75 degrees 21 minutes 03 seconds West 21.689 feet; South 89 degrees 19 minutes 51 seconds West 159.434 feet; North 89 degrees 54 minutes 13 seconds West 120.218 feet to a nail set; North 89 degrees 54 minutes 13 seconds West 7.600 feet; North 76 degrees 43 minutes 48 seconds West 39.985 feet; North 55 degrees 12 minutes 23 seconds West 36.389 feet; North 33 degrees 26 minutes 20 seconds West 32.940 feet; thence leaving said curb run North 88 degrees 08 minutes 23 seconds West 47.007 feet to a point being 5 feet West of an existing 10 feet wide asphalt drive; thence run along a line that is 5.0 feet West of and parallel to said asphalt drive the following: South 27 degrees 04 minutes 20 seconds West 51.119 feet; thence continue along a line that is 5.0 feet North of and parallel to the existing said drive the following: South 45 degrees 25 minutes 25 seconds West 47.037 feet; South 65 degrees 07 minutes 04 seconds West 55.870 feet; South 87 degrees 46 minutes 46 seconds West 61.634 feet; North 71 degrees 00 minutes 12 seconds West 52.603 feet; North 49 degrees 14 minutes 47 seconds West 49.623 feet; thence continue along a line that is 5.0 feet East of and parallel to the existing said drive the following: North 33 degrees 13 minutes 40 seconds West 38.849 feet; North 14 degrees 05 minutes 41 seconds West 11.050 feet to the point of beginning for the easement; thence run North 14 degrees 05 minutes 41 seconds West 59.441 feet; South 88 degrees 55 minutes 52 seconds West 32.352 feet; South 13 degrees 41 minutes 06 seconds West 52.537 feet; South 38 degrees 42 minutes 49 seconds West 62.250 feet; South 63 degrees 11 minutes 45 seconds West 40.483 feet; South 80 degrees 11 minutes 33 seconds West 31.715 feet; South 89 degrees 02 minutes 58 seconds West 82.619 feet; North 81 degrees 33 minutes 16 seconds West 45.146 feet; North 64 degrees 06 minutes 50 seconds West 38.933 feet; North 46 degrees 43 minutes 37 seconds West 46.501 feet; North 22 degrees 56 minutes 10 seconds West 37.498 feet; North 05 degrees 22 minutes 10 seconds West 32.239 feet to the end of easement.

The above described property does not constitute the homestead of the grantor herein or any part thereof nor has he ever used, occupied or claimed the same as such.

WITNESS my signature on this the 30th day of November, 2005.

MICHAEL BRAD HIGHT

STATE OF MISSISSIPPI

COUNTY OF ALCORN

PERSONALLY APPEARED BEFORE ME, the undersigned authority in and for the said county and state, on this 30th day of November, 2005, within my jurisdiction, the within named MICHAEL BRAD HIGHT who acknowledged that he executed the above and foregoing instrument.

NOTARY PUBLIC

My Commission Expires:

MY COMMISSION EXPIRES DECEMBER 7th 2006

INDEXING INSTRUCTIONS:
Index under Southeast Quarter of Section 33, Township 2, Range 7

Chancery Clerk
Alcorn County, Mississippi
I certify the instrument
was filed and recorded
NOVEMBER 30 2005 12:05:00PM
Instrument 200509455 Page 1 of 2
Witness my hand and seal
Larry McCollum D.C

29402.WPD

R#26293
THIS INSTRUMENT PREPARED BY: DONALD RAY DOWNS, P. A., 509 WALDRON STREET, CORINTH, MISSISSIPPI 38834, 662/287/8088

WARRANTY DEED

FOR AND IN CONSIDERATION OF One Dollar ($1.00) and other good and valuable consideration including the love and affection which the grantor has for the grantee herein, the sufficiency and receipt of all of which are hereby acknowledged, I, NANCY B. HIGHT, P. O. Box 1044, Corinth, Mississippi 38835-1044, 662/286/5741, hereby convey and warrant unto MICHAEL BRAD HIGHT, P. O. Box 1044, Corinth, Mississippi 38835-1044, 662/286/5741, the following described property:

Situated in the County of Alcorn, State of Mississippi, to-wit:

TRACT NO. 1: Commencing at the Southwest corner of the Northeast Quarter of the Southeast Quarter of Section 33, Township 2 South, Range 7 East, Alcorn County, Mississippi, said point being an eight inch diameter creosote post, for the point of beginning; thence run North 01 degree 39 minutes 33 seconds East along an old wire fence and tree line 330.568 feet to a iron pin set; thence leaving said old wire fence and tree line, run North 89 degrees 59 minutes 13 seconds East 44.951 feet to a nail set being 5.0 feet East of an existing 10 feet wide asphalt drive; thence run along a line that is 5.0 feet East of and parallel to the existing said drive the following: South 05 degrees 22 minutes 10 seconds East 32.239 feet; South 22 degrees 56 minutes 10 seconds East 37.498 feet; thence continue along a line that is 5.0 feet North of and parallel to the existing said drive the following: South 46 degrees 43 minutes 37 seconds East 46.501 feet; South 64 degrees 06 minutes 50 seconds East 38.933 feet; South 81 degrees 33 minutes 16 seconds East 45.146 feet; North 89 degrees 02 minutes 58 seconds East 82.619 feet; North 80 degrees 11 minutes 33 seconds East 31.715 feet; North 63 degrees 11 minutes 45 seconds East 40.483 feet; thence continue along a line that is 5.0 feet West of and parallel to the existing said drive the following: North 38 degrees 42 minutes 49 seconds East 62.250 feet; North 13 degrees 41 minutes 06 seconds East 52.537 feet; thence leaving said line, run North 88 degrees 55 minutes 52 seconds East 32.352 feet to a point that is 5.0 feet East of said drive; thence continue along a line that is 5.0 feet East of and parallel to the existing said drive the following: South 14 degrees 05 minutes 41 seconds East 59.441 feet; thence leaving said line, run South 08 degrees 55 minutes 13 seconds West 279.132 feet to an elm tree on a fence and tree line; thence run South 89 degrees 58 minutes 42 seconds West along said fence and tree line, 390.586 feet to the point of beginning, containing 2.346 acres, more or less.

TRACT NO. 2: Commencing at the Southwest corner of the Northeast Quarter of the Southeast Quarter of Section 33, Township 2 South, Range 7 East, Alcorn County, Mississippi, said point being an eight inch diameter creosote post; thence run North 89 degrees 58 minutes 42 seconds East along a wire fence and tree line 390.586 feet to a 10 inch diameter elm tree for the point of beginning; thence run North 08 degrees 55 minutes 13 seconds East 279.132 feet to a nail set 5.0 feet East of an existing 10 feet wide asphalt drive; thence run along a line that is 5.0 feet East of and parallel to the existing said drive the following: South 14 degrees 05 minutes 41 seconds East 11.050 feet; South 33 degrees 13 minutes 40 seconds East

EXHIBIT D

38.849 feet; thence continue along a line that is 5.0 feet North of and parallel to the existing said drive the following: South 49 degrees 14 minutes 47 seconds East 49.623 feet; South 71 degrees 00 minutes 12 seconds East 52.603 feet; North 87 degrees 46 minutes 46 seconds East 61.634 feet; North 65 degrees 07 minutes 04 seconds East 55.870 feet; North 45 degrees 25 minutes 25 seconds East 47.037 feet; thence continue along a line that is 5.0 feet West of and parallel to the existing said drive the following: North 27 degrees 04 minutes 20 seconds East 51.119 feet; thence leaving said line run South 88 degrees 08 minutes 23 seconds East 47.007 feet to the backside of a curb; thence run along the backside of said curb the following: South 33 degrees 26 minutes 20 seconds East 32.940 feet; South 55 degrees 12 minutes 23 seconds East 36.389 feet; South 76 degrees 43 minutes 48 seconds East 39.985 feet; South 89 degrees 54 minutes 13 seconds East 7.600 feet to a nail set; thence leaving said curb, run South 00 degrees 00 minutes 11 seconds West 228.307 feet to an iron pin on a wire fence and tree line; thence run South 89 degrees 58 minutes 42 seconds West 465.153 feet along said wire fence and tree line to the point of beginning, containing 2.325 acres, more or less.

TRACT NO. 3: Commencing at the Southwest corner of the Northeast Quarter of the Southeast Quarter of Section 33, Township 2 South, Range 7 East, Alcorn County, Mississippi, said point being an eight inch diameter creosote post; thence run North 89 degrees 58 minutes 42 seconds East along a wire fence and tree line 390.586 feet to a 10 inch diameter elm tree; thence continue along said wire fence and tree line North 89 degrees 58 minutes 42 seconds East 465.153 feet to an iron pin set for the point of beginning; thence leaving said wire fence and tree line, run North 00 degrees 00 minutes 11 seconds East 228.307 feet to a nail set on the North edge of a curb on a 25 feet wide existing asphalt drive; thence run along the North side of said curb the following: South 89 degrees 54 minutes 13 seconds East 120.218 feet; North 89 degrees 19 minutes 51 seconds East 159.434 feet; North 75 degrees 21 minutes 03 seconds East 21.689 feet; North 59 degrees 15 minutes 30 seconds East 32.055 feet; North 46 degrees 28 minutes 00 seconds East 22.124 feet; North 31 degrees 22 minutes 56 seconds East 17.705 feet to a nail set; thence leaving said curb, run South 88 degrees 39 minutes 37 seconds East 89.105 feet to a iron pin set on the West right-of-way lien of U. S. Highway 45 South; thence run South 00 degrees 23 minutes 13 seconds West along the West right-of-way line of said Highway 279.948 feet to a concrete right-of-way marker at a fence corner; thence leaving said right-of-way run South 89 degrees 58 minutes 42 seconds West along said wire fence and tree line 440.638 feet to the point of beginning, containing 2.456 acres, more or less.

TOGETHER WITH a perpetual non-exclusive easement and right-of-way for the following purposes; namely, the right to enter upon the hereinafter described land and to do any and all work necessary to build, maintain and repair a road, together with the right to use said easement for the purpose of ingress and egress and for public utilities all over, upon and across the following described land:

A strip of land 25 feet wide, being 25 feet South of and parallel to the following described line:

Commencing at the Southwest corner of the Northeast Quarter of the Southeast Quarter of Section 33, Township 2 South, Range 7 East, Alcorn County,

Mississippi, said point being an eight inch diameter creosote post; thence run North 89 degrees 58 minutes 42 seconds East along a wire fence and tree line 1296.376 feet to a concrete right-of-way marker on the West right-of-way line of U. S. Highway 45 South; thence run North 00 degrees 23 minutes 13 seconds East along the West right-of-way line of said Highway 279.948 feet to an iron pin set for the point of beginning of this easement; thence run along the North line of said easement the following: North 88 degrees 39 minutes 37 seconds West 89.105 feet to a nail being on the West edge of a curb on an existing 25 feet wide asphalt drive; thence run along said curb the following: South 31 degrees 22 minutes 56 seconds West 17.705 feet; South 46 degrees 28 minutes 00 seconds West 22.124 feet; South 59 degrees 15 minutes 30 seconds West 32.055 feet; South 75 degrees 21 minutes 03 seconds West 21.689 feet; South 89 degrees 19 minutes 51 seconds West 159.434 feet; North 89 degrees 54 minutes 13 seconds West 120.218 feet to a nail set; North 89 degrees 54 minutes 13 seconds West 7.600 feet; North 76 degrees 43 minutes 48 seconds West 39.985 feet; North 55 degrees 12 minutes 23 seconds West 36.389 feet; North 33 degrees 26 minutes 20 seconds West 32.940 feet; thence leaving said curb run North 88 degrees 08 minutes 23 seconds West 47.007 feet to a point being 5 feet West of an existing 10 feet wide asphalt drive; thence run along a line that is 5.0 feet West of and parallel to said asphalt drive the following: South 27 degrees 04 minutes 20 seconds West 51.119 feet; thence continue along a line that is 5.0 feet North of and parallel to the existing said drive the following: South 45 degrees 25 minutes 25 seconds West 47.037 feet; South 65 degrees 07 minutes 04 seconds West 55.870 feet; South 87 degrees 46 minutes 46 seconds West 61.634 feet; North 71 degrees 00 minutes 12 seconds West 52.603 feet; North 49 degrees 14 minutes 47 seconds West 49.623 feet; thence continue along a line that is 5.0 feet East of and parallel to the existing said drive the following: North 33 degrees 13 minutes 40 seconds West 38.849 feet; North 14 degrees 05 minutes 41 seconds West 11.050 feet, and to the end of easement.

The above described property does not constitute the homestead of the grantor herein or any part thereof nor has she ever used, occupied or claimed the same as such.

The grantee assumes and agrees to pay the 2003 taxes incident to the above described property.

WITNESS my signature on this the 11 day of September 2003.

Nancy B. Hight

NANCY B. HIGHT

23866.WPD

STATE OF MISSISSIPPI

COUNTY OF ALCORN

PERSONALLY APPEARED BEFORE ME, the undersigned authority in and for the said county and state, on this 11th day of September, 2003, within my jurisdiction, the within named NANCY B. HIGHT, who acknowledged that she executed the above and foregoing instrument.

Patricia O. Cox
NOTARY PUBLIC

My Commission Expires:
01-22-2007

INDEXING INSTRUCTIONS:
Index under Southeast Quarter of Section 33, Township 2, Range 7

I, LARRY W. MCCOLLUM, CHANCERY CLERK OF SAID COUNTY AND STATE, CERTIFY THAT THE FOREGOING INSTRUMENT WAS RECEIVED ON THE 12 DAY OF Sept, 2003, AT 3:40 O'CLOCK P M, AND WAS BEEN RECORDED IN M.D. BOOK 327, PAGE 366-369 ON THE 15 DAY OF September, 2003.
GIVEN UNDER MY HAND AND OFFICIAL SEAL.

LARRY W. MCCOLLUM, CHANCERY CLERK
BY: Janet Eagle DC

23866.WPD

THIS INSTRUMENT PREPARED BY: DONALD RAY DOWNS, P. A., 509 WALDRON STREET, CORINTH, MISSISSIPPI 38834, 662/287/8088

P#27036

WARRANTY DEED

FOR AND IN CONSIDERATION OF One Dollar ($1.00) and other good and valuable consideration including the love and affection which the grantor has for the grantee herein, the sufficiency and receipt of all of which are hereby acknowledged, I, MICHAEL BRAD HIGHT, P. O. Box 1534, Corinth, Mississippi 38835-1534, 662/286/5741, hereby convey and warrant unto NANCY B. HIGHT, P. O. Box 1044, Corinth, Mississippi 38835-1044, 662/286/5741, the following described property:

Situated in the County of Alcorn, State of Mississippi, to-wit:

TRACT NO. 1: Commencing at the Southwest corner of the Northeast Quarter of the Southeast Quarter of Section 33, Township 2 South, Range 7 East, Alcorn County, Mississippi, said point being an eight inch diameter creosote post, for the point of beginning; thence run North 01 degree 39 minutes 33 seconds East along an old wire fence and tree line 330.568 feet to a iron pin set; thence leaving said old wire fence and tree line, run North 89 degrees 59 minutes 13 seconds East 44.961 feet to a nail set being 5.0 feet East of an existing 10 feet wide asphalt drive; thence run along a line that is 5.0 feet East of and parallel to the existing said drive the following: South 05 degrees 22 minutes 10 seconds East 32.239 feet; South 22 degrees 56 minutes 10 seconds East 37.498 feet; thence continue along a line that is 5.0 feet North of and parallel to the existing said drive the following: South 46 degrees 43 minutes 37 seconds East 46.501 feet; South 64 degrees 06 minutes 50 seconds East 38.933 feet; South 81 degrees 33 minutes 16 seconds East 45.146 feet; North 89 degrees 02 minutes 58 seconds East 82.619 feet; North 80 degrees 11 minutes 33 seconds East 31.715 feet; North 63 degrees 11 minutes 45 seconds East 40.483 feet; thence continue along a line that is 5.0 feet West of and parallel to the existing said drive the following: North 38 degrees 42 minutes 49 seconds East 62.250 feet; North 13 degrees 41 minutes 06 seconds East 52.537 feet; thence leaving said line, run North 88 degrees 55 minutes 52 seconds East 32.352 feet to a point that is 5.0 feet East of said drive; thence continue along a line that is 5.0 feet East of and parallel to the existing said drive the following: South 14 degrees 05 minutes 41 seconds East 59.441 feet; thence leaving said line, run South 08 degrees 55 minutes 13 seconds West 279.132 feet to an elm tree on a fence and tree line; thence run South 89 degrees 58 minutes 42 seconds West along said fence and tree line, 390.586 feet to the point of beginning, containing 2.346 acres, more or less.

TRACT NO. 2: Commencing at the Southwest corner of the Northeast Quarter of the Southeast Quarter of Section 33, Township 2 South, Range 7 East, Alcorn County, Mississippi, said point being an eight inch diameter creosote post; thence run North 89 degrees 58 minutes 42 seconds East along a wire fence and tree line 390.586 feet to a 10 inch diameter elm tree; thence continue along said wire fence and tree line North 89 degrees 58 minutes 42 seconds East 465.153 feet to an iron pin set for the point of beginning; thence leaving said wire fence and tree line, run North 00 degrees 00 minutes 11 seconds East 228.307 feet to a nail set on the North edge of a curb on a 25 feet wide existing asphalt drive; thence run along the North side of said

EXHIBIT E

curb the following: South 89 degrees 54 minutes 13 seconds East 120.218 feet; North 89 degrees 19 minutes 51 seconds East 159.434 feet; North 75 degrees 21 minutes 03 seconds East 21.689 feet; North 59 degrees 15 minutes 30 seconds East 32.055 feet; North 46 degrees 28 minutes 00 seconds East 22.124 feet; North 31 degrees 22 minutes 56 seconds East 17.705 feet to a nail set; thence leaving said curb, run South 88 degrees 39 minutes 37 seconds East 89.105 feet to a iron pin set on the West right-of-way lien of U. S. Highway 45 South; thence run South 00 degrees 23 minutes 13 seconds West along the West right-of-way line of said Highway 279.948 feet to a concrete right-of-way marker at a fence corner; thence leaving said right-of-way run South 89 degrees 58 minutes 42 seconds West along said wire fence and tree line 440.638 feet to the point of beginning, containing 2.456 acres, more or less.

LESS AND EXCEPT a perpetual non-exclusive easement and right-of-way for the following purposes; namely, the right to enter upon the hereinafter described land and to do any and all work necessary to build, maintain and repair a road, together with the right to use said easement for the purpose of ingress and egress and for public utilities all over, upon and across the following described land:

A strip of land 25 feet wide, being 25 feet South of and parallel to the following described line:

Commencing at the Southwest corner of the Northeast Quarter of the Southeast Quarter of Section 33, Township 2 South, Range 7 East, Alcorn County, Mississippi, said point being an eight inch diameter creosote post; thence run North 89 degrees 58 minutes 42 seconds East along a wire fence and tree line 1296.376 feet to a concrete right-of-way marker on the West right-of-way line of U. S. Highway 45 South; thence run North 00 degrees 23 minutes 13 seconds East along the West right-of-way line of said Highway 279.948 feet to an iron pin set for the point of beginning of this easement; thence run along the North line of said easement the following: North 88 degrees 39 minutes 37 seconds West 89.105 feet to a nail being on the West edge of a curb on an existing 25 feet wide asphalt drive; thence run along said curb the following: South 31 degrees 22 minutes 56 seconds West 17.705 feet; South 46 degrees 28 minutes 00 seconds West 22.124 feet; South 59 degrees 15 minutes 30 seconds West 32.055 feet; South 75 degrees 21 minutes 03 seconds West 21.689 feet; South 89 degrees 19 minutes 51 seconds West 159.434 feet; North 89 degrees 54 minutes 13 seconds West 120.218 feet to a nail set; North 89 degrees 54 minutes 13 seconds West 7.600 feet; North 76 degrees 43 minutes 48 seconds West 39.985 feet; North 55 degrees 12 minutes 23 seconds West 36.389 feet; North 33 degrees 26 minutes 20 seconds West 32.940 feet; thence leaving said curb run North 88 degrees 08 minutes 23 seconds West 47.007 feet to a point being 5 feet West of an existing 10 feet wide asphalt drive; thence run along a line that is 5.0 feet West of and parallel to said asphalt drive the following: South 27 degrees 04 minutes 20 seconds West 51.119 feet; thence continue along a line that is 5.0 feet North of and parallel to the existing said drive the following: South 45 degrees 25 minutes 25 seconds West 47.037 feet; South 65 degrees 07 minutes 04 seconds West 55.870 feet; South 87 degrees 46 minutes 46 seconds West 61.634 feet; North 71 degrees 00 minutes 12 seconds West 52.603 feet; North 49 degrees 14 minutes 47 seconds West 49.623 feet; thence continue along a line that is 5.0 feet East of and parallel to

the existing said drive the following: North 33 degrees 13 minutes 40 seconds West 38.849 feet; North 14 degrees 05 minutes 41 seconds West 11.050 feet, and to the end of easement.

Easement

The grantor also conveys to the grantee hereby an easement for ingress and egress on all that portion of the easement referred to above which lies between Tract 1 and Tract 2 described herein.

The above described property does not constitute the homestead of the grantor herein or any part thereof nor has he ever used, occupied or claimed the same as such.

WITNESS my signature on this the 16th day of December, 2003.

MICHAEL BRAD HIGHT

STATE OF MISSISSIPPI

COUNTY OF ALCORN

PERSONALLY APPEARED BEFORE ME, the undersigned authority in and for the said county and state, on this 16th day of December, 2003, within my jurisdiction, the within named MICHAEL BRAD HIGHT, who acknowledged that she executed the above and foregoing instrument.

Patricia O. Cox
NOTARY PUBLIC

My Commission Expires:
MY COMMISSION EXPIRES SEPTEMBER 2, 2007

INDEXING INSTRUCTIONS:
Index under Southeast Quarter of Section 33, Township 2, Range 7

J, LARRY W. MCCOLLUM, CHANCERY CLERK OF SAID COUNTY AND STATE, CERTIFY THAT THE FOREGOING INSTRUMENT WAS RECEIVED ON THE 19th DAY OF Dec, 2003, AT 4:25 O'CLOCK P M, AND HAS BEEN RECORDED IN BOOK 329 PAGE 112-113 ON THE 19 DAY OF Dec, 2003. GIVEN UNDER MY HAND AND OFFICIAL SEAL.

LARRY W. MCCOLLUM, CHANCERY CLERK
BY: Janet Ragsdale DC.

24360.WPD

CERTIFICATE OF TITLE

STATE OF MISSISSIPPI
COUNTY OF PRENTISS

TO: Dave Scott, Office of the Mississippi Secretary of State

I, George Martin Via, a duly licensed and a practicing Attorney at Law in Prentiss County, Mississippi, do hereby certify that I have made a diligent search and careful examination of the public records in Alcorn County, Mississippi, including records of deeds, wills, mortgages, deeds of trust, mechanics liens, notices of lis pendens, the judgment roll in the office of the Clerk of the Circuit Court for a period not exceeding 7 ½ years prior to the date hereof, decrees in Chancery, the records of current and delinquent taxes and tax sales, and liens or encumbrances of every nature reflected by said records of said County, for a period of not less than 31 years preceding the date hereof, and that from such examination, I am of the opinion that the record title is vested in ***Michael Brad Hight*** said land lying and being in Alcorn County, Mississippi, to-wit:

TRACT NO. 1: Commencing at the Southwest corner of the Northeast Quarter of the Southeast Quarter of Section 33, Township 2 South, Range 7 East, Alcorn County, Mississippi, said point being an eight inch diameter creosote post, for the point of beginning; thence run North 01 degree 3 9 minutes 33 seconds East along an old wire fence and tree line 330.568 feet to a iron pin set; thence leaving said old wire fence and tree line, run North 89 degrees 59 minutes 13 seconds East 44.951 feet to a nail set being 5.0 feet East of an existing 10 feet wide asphalt drive; thence run along a line that is 5.0 feet East of and parallel to the existing said drive the following: South 05 degrees 22 minutes 10 seconds East 32.239 feet; South 22 degrees 56 minutes 10 seconds East 37.498 feet; thence continue along a line that is 5.0 feet North of and parallel to the existing said drive the following: South 46 degrees 43 minutes 37 seconds East 46.501 feet; South 64 degrees 06 minutes 50 seconds East 38.933 feet; South 81 degrees 33 minutes 16 seconds East 45.146 feet; North 89 degrees 02 minutes 58 seconds East 82.619 feet; North 80 degrees 11 minutes 33 seconds East 31.715 feet; North 63 degrees 11 minutes 45 seconds East 40.483 feet; thence continue along a line that is 5.0 feet West of and parallel to the existing said drive the following: North 38 degrees 42 minutes 49 seconds East 62.250 feet; North 13 degrees 41 minutes 06 seconds East 52.537 feet; thence leaving said line, run North 88 degrees 55 minutes 52 seconds East 32.352 feet to a point that is 5.0 feet East of said drive; thence continue along a line that is 5.0 feet East of and parallel to the existing said drive the following: South 14 degrees 05 minutes 41 seconds East 59.441 feet; thence leaving said line, run South 08 degrees 55 minutes 13 seconds West 279.132 feet to an elm tree on a fence and tree line; thence run South 89 degrees 58 minutes 42 seconds West along said fence and tree line, 390.586 feet to the point of beginning, containing 2.346 acres, more or less.

TRACT NO. 2: Commencing at the Southwest corner of the Northeast Quarter of the Southeast Quarter of Section 33, Township 2 South, Range 7 East, Alcorn County, Mississippi, said point being an eight inch diameter creosote post; thence run North 89 degrees 58 minutes 42 seconds East along a wire fence and tree line 390.586 feet to a 10 inch diameter elm tree for the point of beginning; thence run North 08 degrees 55 minutes 13 seconds East 279.132 feet to a nail set 5.0 feet East of an existing 10 feet wide asphalt drive; thence run along a line that is 5.0 feet East of and parallel to the existing said drive the following: South 14 degrees 05 minutes 41 seconds East 11.050 feet; South 33 degrees 13 minutes 40 seconds East 38.849 feet; thence continue along a line that is 5.0 feet North of and parallel to the existing said drive the following: South 4 9 degrees 14 minutes 47 seconds East 49.623 feet; South 71 degrees 00 minutes 12 seconds East 52.603 feet; North

87 degrees 46 minutes 46 seconds East 61.634 feet; North 65 degrees 07 minutes 04 seconds East 55.870 feet; North 45 degrees 25 minutes 25 seconds East 47.037 feet; thence continue along a line that is 5.0 feet West of and parallel to the existing said drive the following: North 27 degrees 04 minutes 20 seconds East 51.119 feet; thence leaving said line run South 88 degrees 08 minutes 23 seconds East 47.007 feet to the backside of a curb; thence run along the backside of said curb the following: South 33 degrees 26 minutes 20 seconds East 32.940 feet; South 55 degrees 12 minutes 23 seconds East 36.389 feet; South 76 degrees 43 minutes 48 seconds East 39.985 feet; South 89 degrees 54 minutes 13 seconds East 7.600 feet to a nail set; thence leaving said curb, run South 00 degrees 00 minutes 11 seconds West 228.307 feet to an iron pin on a wire fence and tree line; thence run South 89 degrees 58 minutes 42 seconds West 465.153 feet along said wire fence and tree line to the point of beginning, containing 2.325 acres, more or less.

TRACT NO. 3: Commencing at the Southwest corner of the Northeast Quarter of the Southeast Quarter of Section 33, Township 2 South, Range 7 East, Alcorn County, Mississippi, said point being an eight inch diameter creosote post; thence run North 89 degrees 58 minutes 42 seconds East along a wire fence and tree line 390.586 feet to a 10 inch diameter elm tree; thence continue along said wire fence and tree line North 8 9 degrees 58 minutes 42 seconds East 465.153 feet to an iron pin set for the point of beginning; thence leaving said wire fence and tree line, run North 00 degrees 00 minutes 11 seconds East 228.307 feet to a nail set on the North edge of a curb on a 25 feet wide existing asphalt drive; thence run along the North side of said curb the following: South 89 degrees 54 minutes 13 seconds East 120.218 feet; North 89 degrees 19 minutes 51 seconds East 159.434 feet; North 75 degrees 21 minutes 03 seconds East 21.689 feet; North 59 degrees 15 minutes 30 seconds East 32.055 feet; North 46 degrees 28 minutes 00 seconds East 22.124 feet; North 31 degrees 22 minutes 56 seconds East 17.705 feet to a nail set; thence leaving said curb, run South 88 degrees 39 minutes 37 seconds East 89.105 feet to an iron pin set on the West right-of-way lien of U. S. Highway 45 South; thence run South 00 degrees 23 minutes 13 seconds West along the West right-of-way line of said Highway 279.948 feet to a concrete right-of-way marker at a fence corner; thence leaving said right-of-way run South 89 degrees 58 minutes 42 seconds West along said wire fence and tree line 440.638 feet to the point of beginning, containing 2.456 acres, more or less.

TOGETHER WITH a perpetual non-exclusive easement and right-of-way for the following purposes; namely, the right to enter upon the hereinafter described land and to do any and all work necessary to build, maintain and repair a road, together with the right to use said easement for the purpose of ingress and egress and for public utilities all over, upon and across the following described land:

A strip of land 25 feet wide, being 25 feet South of and parallel to the following described line:
Commencing at the Southwest corner of the Northeast Quarter of the Southeast Quarter of Section 33, Township 2 South, Range 7 East, Alcorn County, Mississippi, said point being an eight Inch diameter creosote post; thence run North 89 degrees 58 minutes 42 seconds East along a wire fence and tree line 1296.376 feet to a concrete right-of-way marker on the West right-of-way line of U. S. Highway 45 South; thence run North 00 degrees 23 minutes 13 seconds East along the West right-of-way line of said Highway 279.948 feet to an iron pin set for the point of beginning of this easement; thence run along the North line of said easement the following: North 88 degrees 39 minutes 37 seconds West 89.105 feet to a nail being on the West edge of a curb on an existing 25 feet wide asphalt drive; thence run along said curb the following: South 31 degrees 22 minutes 56 seconds West 17.705 feet; South 46 degrees 28 minutes 00 seconds West 22.124 feet; South 59 degrees 15 minutes 30 seconds West 32.055 feet; South 75 degrees 21 minutes 03 seconds West 21.689 feet; South 89 degrees 19 minutes 51 seconds West 159.434 feet; North 89 degrees 54 minutes 13 seconds West 120.218 feet to a nail set; North 89 degrees 54 minutes 13 seconds West 7.600 feet; North 76 degrees 43 minutes 48 seconds West 39.985 feet; North 55 degrees 12 minutes 23 seconds West 36.389 feet; North 33 degrees 26 minutes 20 seconds West 32.940 feet; thence leaving said curb run North 88 degrees 08 minutes 23 seconds West 47.007 feet to a point being 5 feet West of an existing 10 feet wide asphalt drive; thence

run along a line that is 5.0 feet West of and parallel to said asphalt drive the following: South 27 degrees 04 minutes 20 seconds West 51.119 feet; thence continue along a line that is 5.0 feet North of and parallel to the existing said drive the following: South 45 degrees 25 minutes 25 seconds West 47.037 feet; South 65 degrees 07 minutes 04 seconds West 55.870 feet; South 87 degrees 46 minutes 46 seconds West 61.634 feet; North 71 degrees 00 minutes 12 seconds West 52.603 feet; North 49 degrees 14 minutes 47 seconds West 49.623 feet; thence continue along a line that is 5.0 feet East of and parallel to the existing said drive the following: North 33 degrees 13 minutes 40 seconds West 38.849 feet; North 14 degrees 05 minutes 41 seconds West 11.050 feet, and to the end of easement.

LESS AND EXCEPT: All cemetery plots previously conveyed.

LESS AND EXCEPT: That property conveyed to Alcorn County, Mississippi, dated September 8, 1916 and recorded in Deed Book 36 at page 56 for road right of way purposes (See instrument attached as Exhibit A).

LESS AND EXCEPT: That property conveyed to the State of Mississippi for the use of the State Highway Department for right of way purposes dated January 20, 1934 and recorded in Deed Book 59 at pages 8-9. (See instrument attached as Exhibit B).

Subject to Easement conveyed to Nancy B. Hight recorded on November 30, 2005 in instrument number 200509455. (See instrument attached as Exhibit C).

Subject to Easement to Alcorn County Electric Power Association recorded in instrument number 200506486.

Subject to Easement to Alcorn County Electric Power Association recorded in instrument number 200506485.

LESS AND EXCEPT: PART OF THE ABOVE DESCRIBED PROPERTY WHICH HAS BEEN FORECLOSED which is described in a Substitute Trustee's Deed recorded May 30, 2012 in instrument number 201202528, a copy of which is attached hereto as Exhibit D.

Further, my examination revealed no outstanding liens or encumbrances against said land, except as follows:

EXCEPTION NO. 1: Tract 1 and Tract 3 of the subject property should have been exempted from taxation due to its use as a cemetery pursuant to Miss. Code Ann. §27-31-1(a). These tracts were sold for taxes on August 27, 2012 to James Shipman. (Apparently the tax collector assumed that the funeral home building was located on Tracts 1 and 3, assessed taxes thereon, and sold this property for taxes. See Exhibit F attached hereto.

EXCEPTION NO. 2: Tract 2 (2.325 acres upon which the funeral home building is located) is subject to a tax sale for 2011 property taxes. (This tract was foreclosed and conveyed by Substituted Trustee's Deed to SouthBank).

EXCEPTION NO. 3: This Certificate of Title covers a period of time of search and examination of the Judgment Roll not exceeding 7 ½ years prior to the date hereof.

EXCEPTION NO. 4: Subject to a Materialman's Lien against Michael Brad Hight in favor of Corinth Ready Mix Products, LLC recorded January 29, 2008 in instrument number 200800553. (See instrument attached as Exhibit E).

EXCEPTION NO. 5: Subject to a Judgment against Michael Brad Hight in favor of Corinth Ready Mix enrolled May 16, 2008 in Judgment Number 0000018366 in the amount of $77,454.57.

EXCEPTION NO. 6: Subject to Easement to Alcorn County Electric Power Association recorded in instrument number 200506486.

EXCEPTION NO. 7: Subject to Easement to Alcorn County Electric Power Association recorded

in instrument number 200506485.

EXCEPTION NO. 8: Subject to Easement conveyed to Nancy B. Hight recorded on November 30, 2005 in instrument number 200509455. (See instrument attached as Exhibit C).

EXCEPTION NO. 9: Part of the above described property has been foreclosed on which is described in a Substitute Trustee's Deed recorded May 30, 2012 in instrument number 201202528, a copy of which is attached hereto as Exhibit D. The Substitute Trustee's Deed conveys to SouthBank Tract 2 in its entirety and that part of Tract 3 that was not used for burial purposes.

EXCEPTION NO. 10: Subject to a Deed of Trust from Brad Hight to SouthBank recorded November 30, 2005 in instrument number 200509456 given to secure an indebtedness in the original principal amount of $503,000.00 being finally due and payable December 10, 2015. Subject to an Appointment of Substitute Trustee recorded April 12, 2012 in instrument number 201201799. Part of the subject property has been foreclosed which is described in Exhibit D. The property remaining which was not described in the Substitute Trustee's Deed remains encumbered by this Deed of Trust.

EXCEPTION NO. 11: Subject to a Deed of Trust from Brad Hight to SouthBank recorded January 30, 2007 in instrument number 200700632 given to secure an indebtedness in the original principal amount of $484,906.28 being finally due and payable February 10, 2025. Subject to an Appointment of Substitute Trustee recorded April 12, 2012 in instrument number 201201799. Part of the subject property has been foreclosed which is described in Exhibit D. The property remaining which was not described in the Substitute Trustee's Deed remains encumbered by this Deed of Trust.

EXCEPTION NO. 12: Subject to a lawsuit which has been filed in the Chancery Court of Alcorn County, Mississippi in Cause Number 2011-0454-02MM which has been consolidated with Cause Number CV2011-000347, in the Chancery Court of Prentiss County, Mississippi. No Notice of Lis Pendens has been filed in either Alcorn or Prentiss County.

NOTE: Please be advised that since I am not closing this transaction, I do not have sufficient information with which to comply with the reporting requirements to Internal Revenue Service as required by Section 6045 of Title 26 of the U.S. Code. The primary responsibility for reporting this transaction is on the person closing the transaction.

Further, this opinion is subject to rights of parties in possession, deficiency in quantity of land, boundary line disputes, roadways, unrecorded servitudes or easements, unrecorded labor, mechanics, or materialman's liens, forgeries, and any matter not of record which would be disclosed by an accurate survey and inspection of the subject property. This opinion is subject to any right, title, or interest which may have been acquired by the public or any person by use, occupancy, or adverse possession of all or any part of the subject property. This opinion does not cover the status of the mineral estate in, on, and under the subject property. This opinion is limited to those matters which are properly indexed in the sectional indexes for the County or Municipality in which the property is located, as indicated by the land description. This opinion excludes those matters not properly indexed in the sectional indexes of the records of the County in which the subject property is located; judgments or other liens that may be filed with the appropriate Federal District Court, the same not having been examined by the undersigned; records of the United States Bankruptcy Court have not been examined and matters contained in such records are specifically excluded from this Certificate; and this Certificate is subject to any liens created for the recovery of Medicaid payments

from the estate of a deceased recipient pursuant to MCA §43-13-317. This opinion is subject to any homestead rights of the spouse of the owner of the subject property and any cloud on the title or restrictions on conveyance resulting from the operation of the homestead laws of the State of Mississippi which are not a matter of record in the office of the Chancery Clerk of the subject County. This Certificate is subject to the accuracy of computer hardware and software and electronic retrieval of names as listed in the deeds vesting ownership in the subject property at the time the records were examined. This Certificate of Title is subject to violations of wetland regulations, any errors of recording or indexing or entry of information into any computer data base made by the offices of the Chancery Clerk, Circuit Clerk, Tas Assessor or Tax Collector and further subject to any instruments not appearing of record as of the applicable date of this opinion. This Certificate of Title is subject to any environmental conditions existing upon the subject property, violations of any state and/or federal environmental protection laws, and does not express an opinion as to any environmental condition which may be in violation of such laws and is subject to any such condition which may affect said property. The undersigned makes no representation or evaluation of any hazardous environmental exposures that exist or may in the future be created. It is recommended that an independent environmental evaluation be obtained. This Certificate is further subject to the rights of unknown or illegitimate heirs and subject to any unrecorded homestead rights. This Certificate is prepared for the individuals and/or financial institutions named above, and the use of this Certificate by any other person, firm, or corporation is prohibited, and the undersigned assumes no liability to any person or financial institution, other than those named hereinabove.

Signed on this the 5th day of October, 2012.

GEORGE MARTIN VIA
104 South Main Street
Booneville, MS 38829
662-728-3228

W. T. ROSS, ET UX - - - - - - DEED TO - - - - - ALCORN COUNTY.

For and in consideration of One ($1.00) Dollar to me in hand paid, receipt of which
is hereby acknowledged, and for other good and valuable considerations, I hereby con-
vey to Alcorn County, for road purposes, a sufficient amount of land for the proper
construction of the road, known as the Corinth to the Gulf Highway, as staked out by
L. W. Murphy, engineer, and according to the plans and specifications on file in the
Chancery Clerk's office of Alcorn County, my land being as follows:
114 acres in the Northeast fourth of Section 33, Township 2, Range 7;
I also release them from all damages which I may sustain on account of the proper con-
struction of said road.

Witness my signature, this 8th day of September, 1916.

W. T. Ross.
Anna Ross.

STATE OF MISSISSIPPI,) Personally appeared before me, Lee Gray, Circuit Clerk
ALCORN COUNTY.) of the said County, the within named W. T. Ross and Anna Ross, his wife, who acknowl-
edged that they signed, sealed and delivered the foregoing instrument on the day and
year therein mentioned as their act and deed.

Given under my hand and official seal, this 8th day of September, 1915.

Lee Gray,
Circuit Clerk.

STATE OF MISSISSIPPI,) I, O. M. Hinton, Clerk of the Chancery Court of said
ALCORN COUNTY.) County, certify that the within instrument of writing was filed for record on the 9th
day of Sept. A. D. 1916 at 4 o'clock P. M. and has been duly recorded by me in Deed
Book 36 Page 56 of Records of my office.

Given under my hand and official seal, at office in Corinth, this 12th
day of Sept. 1916.

O. M. Hinton Clerk.
By J. M. Hamilton D. C.

-/-

N. E. JOBE - - - - - - - DEED TO - - - - - ALCORN COUNTY.

For and in consideration of One ($1.00) Dollar to me in hand paid, receipt of which is
hereby acknowledged, and for other good and valuable considerations, I hereby convey
to Alcorn County, for road purposes, a sufficient amount of land for the proper con-
struction of the road, known as the Corinth to the Gulf Highway, as staked out by L.
W. Murphy, engineer, and according to the plans and specifications on file in the
Chancery Clerk's office of Alcorn County, my land being as follows:
The Northeast Quarter of the Southeast Quarter of Section 33, Township 2, Range 7;
I also release them from all damages which I may sustain on account of the proper con-
struction of said road.

Witness my signature, this 8th day of September, 1916.

N. E. Jobe.
Mrs. N. E. Jobe.

STATE OF MISSISSIPPI,) Personally appeared before me, Lee Gray, Circuit Clerk
ALCORN COUNTY.) of said County, the within named N. E. Jobe and his wife Mrs. N. E. Jobe who acknow-
ledged that they signed, sealed and delivered the foregoing instrument on the day and
year therein mentioned as their act and deed.

Given under my hand and official seal, this 8th day of September, 1916.

Lee Gray,
Circuit Clerk.

STATE OF MISSISSIPPI,) I, O. M. Hinton, Clerk of the Chancery Court of said
ALCORN COUNTY.) County, certify that the within instrument of writing was filed for record on the 9th
day of Sept. A. D. 1916 at 4 o'clock P. M. and has been duly recorded by me in Deed
Book 36 Page 56 of Records of my office.

Given under my hand and official seal, at office in Corinth, this 12th day of
Sept. 1916.

O. M. Hinton Clerk.
BY J. M. Hamilton D. C.

EXHIBIT A

(A) 36/56

devices shall be constructed within 150 feet of the center line of said highway, and State Highway Commission, its officers, agents or employees are hereby authorized to enter upon such premises and remove therefrom any signs, billboards, or other advertising devices which now exist or which may hereafter be placed upon said premises, within said 150 feet of the center line of said highway, without any liability for damage to property attaching to said Commission, its officers, agents or employees for so doing.

Witness our signatures the 16th day of January, A. D. 1934.

Mrs. W. A. Miller
Mrs. Sue Miller Bynum
J. Will Miller

STATE OF MISSISSIPPI?
COUNTY OF ALCORN

This day personally appeared before me, the undersigned authority, the above named Mrs. W. J. Miller, Mrs. Sue Miller Bynum & J. Will Miller who acknowledged that they signed and delivered the foregoing deed on the day and year therein mentioned.

Given under my Hand and official seal this 16th day of January, A. D., 1934

L. J. Greene, Notary Public. Title

STATE OF MISSISSIPPI
ALCORN COUNTY

I, W. L. Madden Clerk of the Chancery Court of said County, hereby certify that the within instrument of writing was filed in my office for record at 1.20 P. M., on the 21st day of Feb., A. D., 1934 and that the same was this day recorded in Deed Record 59 on pages 7 and 8.

WITNESS my hand and official seal, this 24th day of Feb. , A. D. 1934.

W. L. Madden
Clerk

X-X-X-X-X-X-X-X-X-X-X-X-X-X-X-X-X-X-X-X-X-X-X-X-X-X-X-X-X-X-X-X-X-X-X-X-X-X-X-X-X-X-X-X

MRS. ELBIE JOBE ET AL   WARRANTY DEED TO   MISS. STATE HIGHWAY DEPARTMENT

STATE OF MISSISSIPPI?
County of Alcorn

For and in consideration of Fifty and No/100 Dollars ($50.00) the receipt of which is hereby acknowledged, I/Or we, the undersigned, hereby bargain, sell, convey and warrant unto the State of Mississippi, for the use of the State Highway Department, for Right-of-way purposes on Federal Aid Project No.67-Part 1 the following described land:

Beginning at the Northeast Corner of the Southeast 1/4 of Section 33, Township 2 South, Range 7 East, running thence South 0° 28' West along the East line of said Southeast 1/4, 1,386.0 feet to the South line of said Southeast 1/4; thence West along said South line 50.0 feet; thence North 0° 28' East, parallel with and 50 feet from the center line of the proposed highway as staked by the Mississippi State Highway Department 827.0 feet; thence to the right on the circumference of a circle to the right with a radius of 3,644.4 feet parallel with and 50 feet from the center line of said highway 138.0 feet; thence North 10° 32' West 416.0 feet to the North line of said Southeast 1/4; thence East 130.0 feet to the point of beginning, containing 1.7 acres, more or less, exclusive of present road right-of-way, and being situated in the Southeast 1/4 of Section 33, Township 2 South, Range 7 East, Alcorn County, Mississippi.

It is further understood and agreed that the consideration herein named is in full payment and settlement of any and all claims or demands for damage accrued, accruing , or to accrue to the grantors herein, their heirs, assigns, or legal representatives, for or on account of the construction of the proposed highway, change of grade, water damage, and /or other damage, right or claim whatsoever.

It is further understood and agreed that no signs, billboards or other advertising devices shall be constructed within 150. feet of the center line of said highway, and the State Highway Commission, its officers, agents or employees are hereby authorized to enter upon such premises and remove therefrom any signs, billboards, or other advertising devices which now exist or which may hereafter be placed upon said premises, within said150 feet of the center line of said highway, without any liability o for damage to property attaching to said Commission, its officers, agents or employees for so doing.

Witness my signature the ------day of JAN.20, 1934, A. D. 1934

Mrs. Elbie Jobe
Mrs. Dell Butler

STATE OF TENNESSEE
COUNTY OF SHELBY

This day personally appeared before me, the undersigned authority, the above an named Mrs. Dell Butler who acknowledged that she signed and delivered the foregoing deed on the day and year therein mentioned.

Given under my hand and official seal this JAN. 20 1934.

L. G. Kiersky   Title
My Commission Expires April 19, 1936

PLACE SEAL HERE)

STATE OF MISSISSIPPI
COUNTY OF ALCORN

This day personally appeared before me, the undersigned authority, the above named Mrs. Eddie Jobe who acknowledged that she signed and delivered the foregoing deed on the day and year therein mentioned.

Given under my hand,official seal this 19th day of January, A. D. 1934.

L. J. Greene Notary Public

EXHIBIT B

(B) 59/8-9

THIS INSTRUMENT PREPARED BY: DONALD RAY DOWNS, P. A., 509 WALDRON STREET, CORINTH, MISSISSIPPI 38834, 662/287/8088

EASEMENT

FOR AND IN CONSIDERATION OF One Dollar ($1.00) and other good and valuable consideration, the sufficiency and receipt of all of which are hereby acknowledged, I, MICHAEL BRAD HIGHT, P. O. Box 1534, Corinth, Mississippi 38835-1534, 662/286/5741, hereby convey and warrant unto NANCY B. HIGHT, P. O. Box 1044, Corinth, Mississippi 38835-1044, 662/286/5741, a perpetual non-exclusive easement and right-of-way for the following purposes; namely, the right to enter upon the hereinafter described land and to do any and all work necessary to build, maintain and repair a road, together with the right to use said easement for the purpose of ingress and egress and for public utilities all over, upon and across the following described land:

Situated in the County of Alcorn, State of Mississippi, to-wit:

PARCEL A: A strip of land 25 feet wide, being 25 feet South of and parallel to the following described line:

Commencing at the Southwest corner of the Northeast Quarter of the Southeast Quarter of Section 33, Township 2 South, Range 7 East, Alcorn County, Mississippi, said point being an eight inch diameter creosote post; thence run North 89 degrees 58 minutes 42 seconds East along a wire fence and tree line 1296.376 feet to a concrete right-of-way marker on the West right-of-way line of U. S. Highway 45 South; thence run North 00 degrees 23 minutes 13 seconds East along the West right-of-way line of said Highway 279.948 feet to an iron pin set for the point of beginning of this easement; thence run along the North line of said easement the following: North 88 degrees 39 minutes 37 seconds West 89.105 feet to a nail being on the West edge of a curb on an existing 25 feet wide asphalt drive; thence run along said curb the following: South 31 degrees 22 minutes 56 seconds West 17.705 feet; South 46 degrees 28 minutes 00 seconds West 22.124 feet; South 59 degrees 15 minutes 30 seconds West 32.055 feet; South 75 degrees 21 minutes 03 seconds West 21.689 feet; South 89 degrees 19 minutes 51 seconds West 159.434 feet; North 89 degrees 54 minutes 13 seconds West 120.218 feet to a nail set; North 89 degrees 54 minutes 13 seconds West 7.600 feet; North 76 degrees 43 minutes 48 seconds West 39.985 feet; North 55 degrees 12 minutes 23 seconds West 36.389 feet; North 33 degrees 26 minutes 20 seconds West 32.940 feet; thence leaving said curb run North 88 degrees 08 minutes 23 seconds West 47.007 feet to a point being 5 feet West of an existing 10 feet wide asphalt drive; thence run along a line that is 5.0 feet West of and parallel to said asphalt drive the following: South 27 degrees 04 minutes 20 seconds West 51.119 feet; thence continue along a line that is 5.0 feet North of and parallel to the existing said drive the following: South 45 degrees 25 minutes 25 seconds West 47.037 feet; South 65 degrees 07 minutes 04 seconds West 55.870 feet; South 87 degrees 46 minutes 46 seconds West 61.634 feet; North 71 degrees 00 minutes 12 seconds West 52.603 feet; North 49 degrees 14 minutes 47 seconds West 49.623 feet; thence continue along a line that is 5.0 feet East of and parallel to the existing said drive the following: North 33 degrees

EXHIBIT C

13 minutes 40 seconds West 38.849 feet; North 14 degrees 05 minutes 41 seconds West 11.050 feet, and to the end of easement.

PARCEL B: A strip of land 10 feet wide, being 10 feet South of and parallel to the following described line:

Commencing at the Southwest corner of the Northeast Quarter of the Southeast Quarter of Section 33, Township 2 South, Range 7 East, Alcorn County, Mississippi, said point being an eight inch diameter creosote post; thence run North 89 degrees 58 minutes 42 seconds East along a wire fence and tree line 1296.376 feet to a concrete right-of-way marker on the West right-of-way line of U. S. Highway 45 South; thence run North 00 degrees 23 minutes 13 seconds East along the West right-of-way line of said Highway 279.948 feet to an iron pin set; thence run along the North line of said easement the following: North 88 degrees 39 minutes 37 seconds West 89.105 feet to a nail being on the West edge of a curb on an existing 25 feet wide asphalt drive; thence run along said curb the following: South 31 degrees 22 minutes 56 seconds West 17.705 feet; South 46 degrees 28 minutes 00 seconds West 22.124 feet; South 59 degrees 15 minutes 30 seconds West 32.055 feet; South 75 degrees 21 minutes 03 seconds West 21.689 feet; South 89 degrees 19 minutes 51 seconds West 159.434 feet; North 89 degrees 54 minutes 13 seconds West 120.218 feet to a nail set; North 89 degrees 54 minutes 13 seconds West 7.600 feet; North 76 degrees 43 minutes 48 seconds West 39.985 feet; North 55 degrees 12 minutes 23 seconds West 36.389 feet; North 33 degrees 26 minutes 20 seconds West 32.940 feet; thence leaving said curb run North 88 degrees 08 minutes 23 seconds West 47.007 feet to a point being 5 feet West of an existing 10 feet wide asphalt drive; thence run along a line that is 5.0 feet West of and parallel to said asphalt drive the following: South 27 degrees 04 minutes 20 seconds West 51.119 feet; thence continue along a line that is 5.0 feet North of and parallel to the existing said drive the following: South 45 degrees 25 minutes 25 seconds West 47.037 feet; South 65 degrees 07 minutes 04 seconds West 55.870 feet; South 87 degrees 46 minutes 46 seconds West 61.634 feet; North 71 degrees 00 minutes 12 seconds West 52.603 feet; North 49 degrees 14 minutes 47 seconds West 49.623 feet; thence continue along a line that is 5.0 feet East of and parallel to the existing said drive the following: North 33 degrees 13 minutes 40 seconds West 38.849 feet; North 14 degrees 05 minutes 41 seconds West 11.050 feet to the point of beginning for the easement; thence run North 14 degrees 05 minutes 41 seconds West 59.441 feet; South 88 degrees 55 minutes 52 seconds West 32.352 feet; South 13 degrees 41 minutes 06 seconds West 52.537 feet; South 38 degrees 42 minutes 49 seconds West 62.250 feet; South 63 degrees 11 minutes 45 seconds West 40.483 feet; South 80 degrees 11 minutes 33 seconds West 31.715 feet; South 89 degrees 02 minutes 58 seconds West 82.619 feet; North 81 degrees 33 minutes 16 seconds West 45.146 feet; North 64 degrees 06 minutes 50 seconds West 38.933 feet; North 46 degrees 43 minutes 37 seconds West 46.501 feet; North 22 degrees 56 minutes 10 seconds West 37.498 feet; North 05 degrees 22 minutes 10 seconds West 32.239 feet to the end of easement.

The above described property does not constitute the homestead of the grantor herein or any part thereof nor has he ever used, occupied or claimed the same as such.

WITNESS my signature on this the 30th day of November, 2005.

MICHAEL BRAD HIGHT

STATE OF MISSISSIPPI

COUNTY OF ALCORN

PERSONALLY APPEARED BEFORE ME, the undersigned authority in and for the said county and state, on this 30th day of November, 2005, within my jurisdiction, the within named MICHAEL BRAD HIGHT who acknowledged that he executed the above and foregoing instrument.

NOTARY PUBLIC

My Commission Expires:

MY COMMISSION EXPIRES DECEMBER 7th 2006

INDEXING INSTRUCTIONS:
Index under Southeast Quarter of Section 33, Township 2, Range 7

Chancery Clerk
Alcorn County, Mississippi
I certify the instrument
was filed and recorded
NOVEMBER 30 2005 12:05:00PM
Instrument 200509455 Page 1 of 2
Witness my hand and seal
_____ D.C
Larry McCollum

29402.WPD

Chancery Clerk
Alcorn County, Mississippi
I certify the instrument
was filed and recorded
MAY 30 2012 11:48:41AM
Instrument 201202528 Page 1 of 10
Witness my hand and seal
Bobby Maple, Clerk
Janet Bagley D.C.
RECORDING INSTRUCTION
SE¼33-2-7
12-049

THIS INSTRUMENT PREPARED BY:
WILSON & HINTON, P. A.
W. JETT WILSON, MS BAR 7316
POST OFFICE BOX 1257
505 E. WALDRON STREET
(662) 286-3366

GRANTOR(S) ADDRESS:
W. JETT WILSON
SUBSTITUTE TRUSTEE
P.O. BOX 1257
505 E. WALDRON STREET
CORINTH, MS 38835
(662) 286-3366 Wk

GRANTEE(S) ADDRESS
SOUTHBANK
515 N. FILLMORE STREET
CORINTH, MS 38834
(662) 286-4300 Wk

SUBSTITUTE TRUSTEE'S DEED

WHEREAS, BRAD HIGHT, made, executed and delivered to **DONALD RAY DOWNS, PA ATTY**, as Trustee for the benefit of **SOUTHBANK**, certain Deeds of Trust as follows:

A) Dated November 30, 2005, recorded as Instrument No. 200509456, in the office of the Chancery Clerk of Alcorn County, Mississippi;

B) Dated January 30, 2007, recorded as Instrument No. 200700632, in the office of the Chancery Clerk of Alcorn County, Mississippi.

EXHIBIT D

WHEREAS, SOUTHBANK, legal holder and owner of said Deeds of Trust and the indebtedness secured thereby, substituted **W. JETT WILSON** as Substitute Trustee, in said Deeds of Trust by instrument dated April 12, 2012, and recorded in the Office of the Chancery Clerk of Alcorn County, Mississippi, as Instrument No.201201799;

WHEREAS, the said indebtedness due **BRAD HIGHT** to **SOUTHBANK** has matured in its entirety and is now past due, unpaid and in default, and the provisions of the said Deeds of Trust have been broken by **BRAD HIGHT**, and have not been cured and the present holder and owner of said indebtedness has requested the undersigned Substitute Trustee to foreclose said Deeds of Trust pursuant to the provisions thereof to enforce payment of said debt to said holder and owner of said Note and Deeds of Trust;

WHEREAS, on the 30th day of May, 2012, within legal hours for such sales, at the South Front Door of the Alcorn County Courthouse in the City of Corinth, Mississippi, after having advertised the day, time, place and terms of said sale as required by law, and the terms of said deeds of trust, by publishing notice thereof in the *Daily Corinthian* a daily newspaper published and having general circulation in said county, for four consecutive weeks preceding the day of sale, and by posting one copy of said notice at the Courthouse of said county in Corinth, Alcorn County, Mississippi, for said time, I proceeded to sell said property at public auction to the highest bidder for cash, when **SOUTHBANK,** appeared and bid therefore the sum of Four Hundred Fifty Eight Thousand One Hundred Sixty-Five and 65/100 Dollars ($458,165.65) which was the highest and best bid received, and I, thereupon declared it to be

the purchaser thereof; I now convey said lands to **SOUTHBANK** the said being described as follows:

TRACT NO. 1:

Commencing at the Southwest Corner of the Northeast Quarter (1/4) of the Southeast Quarter (1/4) of Section 33, Township 2 South, Range 7 East, Alcorn County, Mississippi, said point being a marked 8 inch diameter creosote post at a fence corner; Thence run North 89 degrees 58 minutes 42 seconds East along an old wire fence and tree line 390.586 feet to a 10-inch diameter elm tree for the Point of Beginning; Thence run North 08 degrees 55 minutes 13 seconds East 279.132 feet to a PK nail being 5.0 feet East of an existing 10 feet wide asphalt drive; Thence run along a line that is 5.0 feet East of and parallel to the existing said drive the following: South 14 degrees 05 minutes 41 seconds East 11.050 feet; South 33 degrees 13 minutes 40 seconds East 38.849 feet; Thence continue along a line that is 5.0 feet North of and parallel to the existing said drive the following: South 49 degrees 14 minutes 47 seconds East 49.623 feet; South 71 degrees 00 minutes 12 seconds East 52.603 feet; North 87 degrees 46 minutes 46 seconds East 61.634 feet; North 65 degrees 07 minutes 04 seconds East 55.870 feet; North 45 degrees 25 minutes 25 seconds East 47.037 feet; Thence continue along a line that is 5.0 feet West of and parallel to the existing said drive the following: North 27 degrees 04 minutes 20 seconds East 51.119 feet; Thence leaving said line run South 88 degrees 08 minutes 23 seconds East 47.007 feet to the backside of a curb; Thence run along the backside of said curb the following: South 33 degrees 26 minutes 20 seconds East 32.940 feet; South 55 degrees 12 minutes 23 seconds East 36.389 feet; South 76 degrees 43 minutes 48 seconds East 39.985 feet; South 89 degrees 54 minutes 13 seconds East 7.600 feet to a PK nail; Thence leaving said curb, run South 00 degrees 00 minutes 11 seconds West 228.307 feet to an iron pin on an old wire fence and tree line; Thence run South 89 degrees 58 minutes 42 seconds West 465.153 feet along said old wire fence and tree line to the point of beginning, containing 2.325 acres, more or less.

TRACT NO. 2:

Commencing at the Southwest Corner of the Northeast Quarter (1/4) of the Southeast Quarter (1/4) of Section 33, Township 2 South, Range 7 East, Alcorn County, Mississippi, said point being a marked 8 inch diameter creosote post at a fence corner; Thence run North 89 degrees 58 minutes 42 seconds East along an old wire fence and tree line 390.586 feet to a 10 inch diameter elm tree; Thence continue along said old wire fence and tree line North 89 degrees 58 minutes 42 seconds East 465.153 feet to an iron pin; Thence continue North 89 degrees

58 minutes 42 seconds East along said old wire fence and tree line 353.118 feet to an iron pin for the Point of Beginning; Thence run North 234.267 feet to a point 2.5 feet South of an existing curb; Thence run along a line that is 2.5 feet South of and parallel to said curb the following: North 56 degrees 56 minutes 40 seconds East 13.413 feet; North 78 degrees 59 minutes 40 seconds East 35.321 feet; North 88 degrees 05 minutes 38 seconds East 43.317 feet an iron pin on the West right of way line of U.S. Highway 45 South; Thence run South 0 degrees 23 minutes 13 seconds West along the West right of way line of U.S. Highway 45 South 249.739 feet to an iron pin at a concrete right of way marker; Thence leaving said right of way line, run South 89 degrees 58 minutes 42 seconds West along said old wire fence and tree line 87.520 feet to the point of beginning, containing 0.500 acres, more or less.

TRACT NO. 3:

Commencing at the Southwest Corner of the Northeast Quarter (1/4) of the Southeast Quarter (1/4) of Section 33, Township 2 South, Range 7 East, Alcorn County, Mississippi, said point being a marked 8 inch diameter creosote post at a fence corner; Thence run North 89 degrees 58 minutes 42 seconds East along an old wire fence and tree line 390.586 feet to a 10 inch diameter elm tree; Thence continue along said old wire fence and tree line North 89 degrees 58 minutes 42 seconds East 465.153 feet to an iron pin for the Point of Beginning; Thence continue North 89 degrees 58 minutes 42 seconds East along said old wire fence and tree line 353.118 feet to an iron pin; Thence run North 25.000 feet; Thence run South 89 degrees 58 minutes 42 seconds West 353.116 feet; Thence run South 00 degrees 00 minutes 11 seconds West 25.000 feet to the point of beginning, containing 0.203 acres, more or less.

LESS AND EXCEPT a perpetual non-exclusive easement and right-of-way for the following purposes; namely, the right to enter upon the hereinafter described land and to do any and all work necessary to build, maintain and repair a road, together with the right to use said easement for the purpose of, ingress and egress and for public utilities all over, upon and across the following described parcels of land:

PARCEL A: A strip of land 25 feet wide, being 25 feet South of and parallel to the following described line:

Commencing at the Southwest corner of the Northeast Quarter of the Southeast Quarter of Section 33, Township 2 South, Range 7 East, Alcorn County, Mississippi, said point being an eight inch diameter creosote post; thence run North 89 degrees 58 minutes 42 seconds East along a wire fence and tree line 1296.376 feet to a

concrete right-of-way marker on the West right-of-way line of U.S. Highway 45 South; thence run North 00 degrees 23 minutes 13 seconds East along the West right-of-way line of said Highway 279.948 feet to an iron pin set for the point of beginning of this easement; thence run along the North line of said easement the following: North 88 degrees 39 minutes 37 seconds West 89.105 feet to a nail being on the West edge of a curb on an existing 25 feet wide asphalt drive; thence run along said curb the following: South 31 degrees 22 minutes 56 seconds West 17.705 feet; South 46 degrees 28 minutes 00 seconds West 22.124 feet; South 59 degrees 15 minutes 30 seconds West 32.055 feet; South 75 degrees 21 minutes 03 seconds West 21.689 feet; South 89 degrees 19 minutes 51 seconds West 159.434 feet; North 89 degrees 54 minutes 13 seconds West 120.218 feet to a nail set, North 89 degrees 54 minutes 13 seconds West 7.600 feet; North 76 degrees 43 minutes 48 seconds West 39.985 feet; North 55 degrees 12 minutes 23 seconds West 36.389 feet; North 33 degrees 26 minutes 20 seconds West 32.940 feet; thence leaving said curb run North 88 degrees 08 minutes 23 seconds West 47.007 feet to a point being 5 feet West of an existing 10 feet wide asphalt drive; thence run along a line that is 5.0 feet West of and parallel to said asphalt drive the following: South 27 degrees 04 minutes 20 seconds West 51.119 feet; thence continue along a line that is 5.0 feet North of and parallel to the existing said drive the following: South 45 degrees 25 minutes 25 seconds West 47.037 feet; South 65 degrees 07 minutes 04 seconds West 55.870 feet; South 87 degrees 46 minutes 46 seconds West 61.634 feet; North 71 degrees 00 minutes 12 seconds West 52.603 feet; North 49 degrees 14 minutes 47 seconds West 49.623 feet; thence continue along a line that is 5.0 feet East of and parallel to the existing said drive the following: North 33 degrees 13 minutes 40 seconds West 38.849 feet; North 14 degrees 05 minutes 41 seconds West 11.050 feet, and to the end of easement.

PARCEL B: A strip of land 10 feet wide, being 10 feet South of and parallel to the following described line:

Commencing at the Southwest corner of the Northeast Quarter of the Southeast Quarter of Section 33, Township 2 South, Range 7 East, Alcorn County, Mississippi, said point being an eight inch diameter creosote post; thence run North 89 degrees 58 minutes 42 seconds East along a wire fence and tree line 1296.376 feet to a concrete right-of-way marker on the West right-of-way line of U.S. Highway 45 South; thence run North 00 degrees 23 minutes 13 seconds East along the West right-of-way line of said Highway 279.948 feet to an iron pin set; thence run along the North line of said easement the following: North 88 degrees 39 minutes 37 seconds West 89.105 feet to a nail being on the West edge of a curb on an existing 25 feet wide

asphalt drive; thence run along said curb the following: South 31 degrees 22 minutes 56 seconds West 17.705 feet; South 46 degrees 28 minutes 00 seconds West 22.124 feet; South 59 degrees 15 minutes 30 seconds West 32.055 feet; South 75 degrees 21 minutes 03 seconds West 21.689 feet; South 89 degrees 19 minutes 51 seconds West 159.434 feet; North 89 degrees 54 minutes 13 seconds West 120.218 feet to a nail set; North 89 degrees 54 minutes 13 seconds West 7.600 feet; North 76 degrees 43 minutes 48 seconds West 39.985 feet; North 55 degrees 12 minutes 23 seconds West 36.389 feet; North 33 degrees 26 minutes 20 seconds West 32.940 feet; thence leaving said curb run North 88 degrees 08 minutes 23 seconds West 47.007 feet to a point being 5 feet West of an existing 10 feet wide asphalt drive; thence run along a line that is 5.0 feet West of and parallel to said asphalt drive the following: South 27 degrees 04 minutes 20 seconds West 51.119 feet; thence continue along a line that is 5.0 feet North of and parallel to the existing said drive the following: South 45 degrees 25 minutes 25 seconds West 47.037 feet; South 65 degrees 07 minutes 04 seconds West 55.870 feet; South 87 degrees 46 minutes 46 seconds West 61.634 feet; North 71 degrees 00 minutes 12 seconds West 52.603 feet; North 49 degrees 14 minutes 47 seconds West 49.623 feet; thence continue along a line that is 5.0 feet East of and parallel to the existing said drive the following: North 33 degrees 13 minutes 40 seconds West 38.849 feet; North 14 degrees 05 minutes 41 seconds West 11.050 feet to the point of beginning for the easement; thence run North 14 degrees 05 minutes 41 seconds West 59.441 feet; South 88 degrees 55 minutes 52 seconds West 32.352 feet; South 13 degrees 41 minutes 06 seconds West 52.537 feet; South 38 degrees 42 minutes 49 seconds West 62.250 feet; South 63 degrees 11 minutes 45 seconds West 40.483 feet; South 80 degrees 11 minutes 33 seconds West 31.715 feet; South 89 degrees 02 minutes 58 seconds West 82.619 feet; North 81 degrees 33 minutes 16 seconds West 45.146 feet; North 64 degrees 06 minutes 50 seconds West 38.933 feet; North 46 degrees 43 minutes 37 seconds West 46.501 feet; North 22 degrees 56 minutes 10 seconds West 37.498 feet; North 05 degrees 22 minutes 10 seconds West 32.239 feet to the end of easement.

The property described herein constitutes a part of Forrest Memorial Park a plat of which is filed for record in the Office of the Chancery Clerk of Alcorn County, Mississippi, in Plat Book 3 at page 10.

It is understood that I am conveying by this Substitute Trustee's Deed only such title and interest as I may have in and to the above described property as Substitute Trustee in the aforesaid Deeds of Trust.

WITNESS MY HAND on this the 30th day of May, 2012.

W. JETT WILSON
SUBSTITUTE TRUSTEE

STATE OF MISSISSIPPI

COUNTY OF ALCORN

PERSONALLY APPEARED before me, the undersigned authority in and for the said county and state, on this 30th day of May, 2012, within my jurisdiction, the within named W. JETT WILSON, Substitute Trustee, who acknowledged that he executed the above and foregoing instrument in such representative capacity after having been duly authorized so to do.

(SEAL)

NOTARY PUBLIC

GRANTOR:
W. Jett Wilson
Substitute Trustee
505 E. Waldron Street
Post Office Box 1257
Corinth, MS 38835
Telephone No. (662) 286-3366

GRANTEE:
SOUTHBANK
515 N. FILLMORE STREET
CORINTH, MS 38834
(662) 286-4300

STATE OF MISSISSIPPI,
COUNTY OF ALCORN

PERSONALLY CAME before me, the undersigned, a Notary Public in and for Alcorn County, Mississippi, the CLERK of THE DAILY CORINTHIAN, a newspaper published in the City of Corinth, First Judicial District of Alcorn County, in said State, who being sworn, deposes and says that THE DAILY CORINTHIAN is a newspaper as defined and prescribed in Senate Bill No. 203 enacted at the regular sesion of the Mississippi Legislature of 1948, amending Section 1858, of the Mississippi Code of 1942, and that the publication of a notice, of which the annexed is a copy, in the manner of:

Notice of Sale By Substitute Trustee

13704

has been made in said paper 4 times consecutively, to-wit:

On the 8 day of May, 20 12

On the 15 day of May, 20 12

On the 22 day of May, 20 12

On the 29 day of May, 20 12

On the _____ day of _____, 20____

On the _____ day of _____, 20____

STATE OF MISSISSIPPI
TERESA C. SMITH
NOTARY PUBLIC
ID No. 1936
Commission Expires
February 1, 2014
ALCORN COUNTY

SWORN TO and subscribed before me this 29 day of May, 20 12

Teresa C Smith
Notary Public

Mary Hurt
Clerk

Corinth, Miss., 5-29, 20 12

To THE DAILY CORINTHIAN, Dr.
(Name Newspaper)

TO PUBLISHING Notice of Sale By Substitute Trustee

case of Brad Wight

_____ words space 2314

4 times and making proof, $ 97.88.

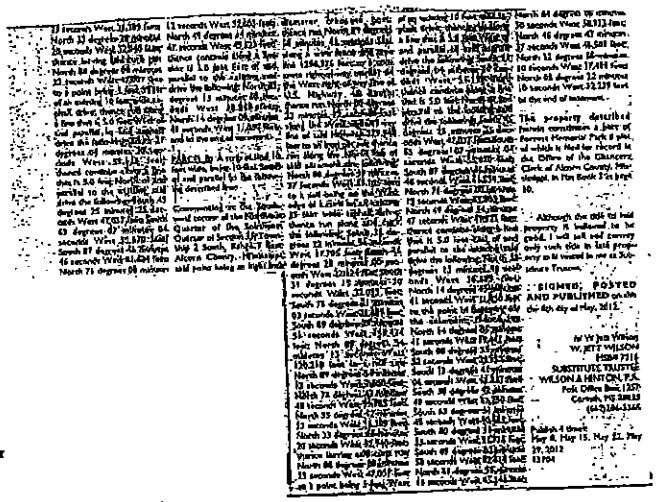
RECEIVED OF _____

payment in full of the above amount.

_____, 20____.

_____

OfficePRO - DAILCO020



NOTICE OF MATERIALMAN'S LIEN

TO: Chancery Clerk of Alcorn County, Mississippi
Alcorn County Chancery Building
Corinth, Mississippi

PARTIES: Corinth Ready Mix Products, LLC, Lienor

Michael Brad Hight, Owner

Michael Brad Hight D/B/A Hight Funeral Home, Debtor

You are hereby requested to record a Materialman's Lien as provided by Section 85-7-131 and other applicable sections of the *Mississippi Code of 1972, Annotated,* as amended, said lien being as follows:

BASIS FOR CLAIM: For materials furnished for construction and improvements on the hereinafter described land standing in the name of the above named owner(s) by Michael Brad Hight Debtor, by the above named lienor, in the amount of $58,090.93. Copy of the account invoices are attached hereto as Exhibit "A".

DESCRIPTION OF PROPERTY UPON WHICH LIEN IS HELD, TO-WIT: Michael Brad Hight, D/B/A Hight Funeral Home, 741 Hwy 45 S, Corinth, Alcorn County, Mississippi 38834, and more particularly described as follows:

See attached Exhibit "B"

SUIT: Suit has not yet been filed in any court for the collection of said indebtedness.

CONTRACT: A written contract was not executed between the parties hereto.

DATE OF FILING: This instrument has been filed with the Chancery Clerk of Alcorn County, Mississippi, this the 25th day of January 2008.

CORINTH READY MIX PRODUCTS, LLC

James Larry Cornelius

JAMES LARRY CORNELIUS, PRESIDENT

EXHIBIT E

STATE OF MISSISSIPPI
COUNTY OF ALCORN

PERSONALLY APPEARED before me, the undersigned authority in and for the said county and state, on this, the 25th day of January 2008, within my jurisdiction, the within named JAMES LARRY CORNELIUS, who acknowledged that he is the PRESIDENT of CORINTH READY MIX PRODUCTS, LLC, a Mississippi Corporation, and that for and on behalf of said corporation, and as its act and deed he signed, executed and delivered the above and foregoing instrument, after first having been duly authorized by said corporation so to do.

Tara Viola
NOTARY PUBLIC

My Commission Expires:

TARA VIOLA NOTARY PUBLIC MY COMM. EXP. 10/28/2008 ALCORN COUNTY, MS

Attorney:
WILLIAM W. ODOM, JR.
Attorney at Law
404 Waldron Street
PO Box 1393
Corinth, MS 38835-1393
Telephone 662-286-9311
Facsimile 662-286-9312
Email bodom43@bellsouth.net
MSB #3911

Chancery Clerk
Alcorn County, Mississippi
I certify the instrument
was filed and recorded
JANUARY 29 2008 01:30:00PM
Instrument 200900553 Page 1 of 6
Witness my hand and seal
Bobby Marolt, Clerk
Janet Dagely D.C.

NOTICE OF MATERIALMAN'S LIEN

Exhibit "A"

CORINTH READY MIX PRODUCTS LLC
P O BOX 1506
CORINTH, MS 38835-1506

Voice. 662-396-4334
Fax

STATEMENT

Statement Date: Oct 31, 2007
Customer Account ID: HIG001

HEIGHT FUNERAL HOME
P O BOX 1534
CORINTH, MS 38835-1534

Amount Enclosed
$ _____

Date	Due Date	Reference	Description	Amount	Balance
2/31/05			Balance Fwd		50,941.95
3/1/06	4/10/06	FIN CHARGE		363.38	51,305.33
3/31/06	4/10/06	FC MARCH		388.82	51,694.15
5/1/06	5/1/06	FC51[00001	PO# Late Charge	234.47	51,928.62
5/31/06	5/31/06	FC5V[00001	PO# Late Charge	337.35	52,265.97
6/30/06	6/30/06	FC6U[00001	PO# Late Charge	337.35	52,603.32
7/31/06	7/31/06	FC7V[00001	PO# Late Charge	348.60	52,951.92
8/31/06	8/31/06	FC8V[00001	PO# Late Charge	348.60	53,300.52
9/30/06	9/30/06	FC9U[00001	PO# Late Charge	337.35	53,637.87
10/31/06	10/31/06	FCAV[00001	PO# Late Charge	348.60	53,986.47
11/30/06	11/30/06	FCBU[00001	PO# Late Charge	337.35	54,323.82
12/31/06	12/31/06	FCCV[00001	PO# Late Charge	348.60	54,672.42
1/31/07	1/31/07	FC1V\00001	PO# Late Charge	348.60	55,021.02
2/28/07	2/28/07	FC2S\00001	PO# Late Charge	314.86	55,335.88
3/31/07	3/31/07	FC3V\00001	PO# Late Charge	348.60	55,684.48
4/30/07	4/30/07	FC4U\00001	PO# Late Charge	337.35	56,021.83
5/31/07	5/31/07	FC5V\00001	PO# Late Charge	348.60	56,370.43
6/30/07	6/30/07	FC6U\00001	PO# Late Charge	337.35	56,707.78
7/31/07	7/31/07	FC7V\00001	PO# Late Charge	348.60	57,056.38
8/31/07	8/31/07	FC8V\00001	PO# Late Charge	348.60	57,404.98
9/30/07	9/30/07	FC9U\00001	PO# Late Charge	337.35	57,742.33
10/31/07	10/31/07	FCAV\00001	PO# Late Charge	348.60	58,090.93

Current	31 - 60	61 - 90	Over 90 Days
348.60	337.35	348.60	57,056.38

NOTICE OF MATERIALMAN'S LIEN

Exhibit "B"

Situated in the County of Alcorn, State of Mississippi, to-wit:

TRACT NO. 1: Commencing at the Southwest corner of the Northeast Quarter of the Southeast Quarter of Section 33, Township 2 South, Range 7 East, Alcorn County, Mississippi, said point being an eight inch diameter creosote post, for the point of beginning; thence run North 01 degree 39 minutes 33 seconds East along an old wire fence and tree line 330.568 feet to a iron pin set; thence leaving said old wire fence and tree line, run North 89 degrees 59 minutes 13 seconds East 44.551 feet to a nail set being 5.0 feet East of an existing 10 feet wide asphalt drive; thence run along a line that is 5.0 feet East of and parallel to the existing said drive the following: South 05 degrees 22 minutes 10 seconds East 32.239 feet; South 22 degrees 56 minutes 10 seconds East 37.498 feet; thence continue along a line that is 5.0 feet North of and parallel to the existing said drive the following: South 46 degrees 43 minutes 37 seconds East 46.501 feet; South 64 degrees 06 minutes 50 seconds East 38.933 feet; South 81 degrees 33 minutes 16 seconds East 45.146 feet; North 89 degrees 02 minutes 58 seconds East 82.619 feet; North 80 degrees 11 minutes 33 seconds East 31.715 feet; North 63 degrees 11 minutes 45 seconds East 40.483 feet; thence continue along a line that is 5.0 feet West of and parallel to the existing said drive the following: North 38 degrees 42 minutes 49 seconds East 62.250 feet; North 13 degrees 41 minutes 06 seconds East 52.537 feet; thence leaving said line, run North 88 degrees 55 minutes 52 seconds East 32.352 feet to a point that is 5.0 feet East of said drive; thence continue along a line that is 5.0 feet East of and parallel to the existing said drive the following: South 14 degrees 05 minutes 41 seconds East 59.441 feet; thence leaving said line, run South 08 degrees 55 minutes 13 seconds West 279.132 feet to an elm tree on a fence and tree line; thence run South 89 degrees 58 minutes 42 seconds West along said fence and tree line, 390.586 feet to the point of beginning, containing 2.346 acres, more or less.

TRACT NO. 2: Commencing at the Southwest corner of the Northeast Quarter of the Southeast Quarter of Section 33, Township 2 South, Range 7 East, Alcorn County, Mississippi, said point being an eight inch diameter creosote post; thence run North 89 degrees 58 minutes 42 seconds East along a wire fence and tree line 390.586 feet to a 10 inch diameter elm tree for the point of beginning; thence run North 08 degrees 55 minutes 13 seconds East 279.132 feet to a nail set 5.0 feet East of an existing 10 feet wide asphalt drive; thence run along a line that is 5.0 feet East of and parallel to the existing said drive the following: South 14 degrees 05 minutes 41 seconds East 11.050 feet; South 33 degrees 13 minutes 40 seconds East 38.849 feet; thence continue along a line that is 5.0 feet North of and parallel to the existing said drive the following: South 49 degrees 14 minutes 47 seconds East 49.623 feet; South 71 degrees 00 minutes 12 seconds East 52.603 feet; North 87 degrees 46 minutes 46 seconds East 61.634 feet; North 65 degrees 07 minutes 04 seconds East 55.870 feet; North 45 degrees 25 minutes 25 seconds East 47.037 feet; thence continue along a line that is 5.0 feet West of and parallel to the existing said drive the following: North 27 degrees 04 minutes 20

seconds East 51.119 feet; thence leaving said line run South 88 degrees 08 minutes 23 seconds East 47.007 feet to the backside of a curb; thence run along the backside of said curb the following: South 33 degrees 26 minutes 20 seconds East 32.940 feet; South 55 degrees 12 minutes 23 seconds East 36.389 feet; South 76 degrees 43 minutes 48 seconds East 39.985 feet; South 89 degrees 54 minutes 13 seconds East 7.600 feet to a nail set; thence leaving said curb, run South 00 degrees 00 minutes 11 seconds West 228.307 feet to an iron pin on a wire fence and tree line; thence run South 89 degrees 58 minutes 42 seconds West 465.153 feet along said wire fence and tree line to the point of beginning, containing 2.325 acres, more or less.

TRACT NO. 3: Commencing at the Southwest corner of the Northeast Quarter of the Southeast Quarter of Section 33, Township 2 South, Range 7 East, Alcorn County, Mississippi, said point being an eight inch diameter creosote post; thence run North 89 degrees 58 minutes 42 seconds East along a wire fence and tree line 390.586 feet to a 10 inch diameter elm tree; thence continue along said wire fence and tree line North 89 degrees 58 minutes 42 seconds East 465.153 feet to an iron pin set for the point of beginning; thence leaving said wire fence and tree line, run North 00 degrees 00 minutes 11 seconds East 228.307 feet to a nail set on the North edge of a curb on a 25 feet wide existing asphalt drive; thence run along the North side of said curb the following: South 89 degrees 54 minutes 13 seconds East 120.218 feet; North 89 degrees 19 minutes 51 seconds East 159.434 feet; North 75 degrees 21 minutes 01 seconds East 21.683 feet; North 59 degrees 25 minutes 30 seconds East 32.055 feet; North 46 degrees 28 minutes 00 seconds East 22.124 feet; North 31 degrees 22 minutes 56 seconds East 17.705 feet to a nail set; thence leaving said curb, run South 88 degrees 39 minutes 37 seconds East 89.105 feet to a iron pin set on the West right-of-way line of U. S. Highway 45 South; thence run South 00 degrees 23 minutes 13 seconds West along the West right-of-way line of said Highway 279.948 feet to a concrete right-of-way marker at a fence corner; thence leaving said right-of-way run South 89 degrees 58 minutes 42 seconds West along said wire fence and tree line 440.638 feet to the point of beginning, containing 2.456 acres, more or less.

LESS AND EXCEPT a perpetual non-exclusive easement and right-of-way for the following purposes; namely, the right to enter upon the hereinafter described land and to do any and all work necessary to build, maintain and repair a road, together with the right to use said easement for the purpose of ingress and egress and for public utilities all over, upon and across the following described land:

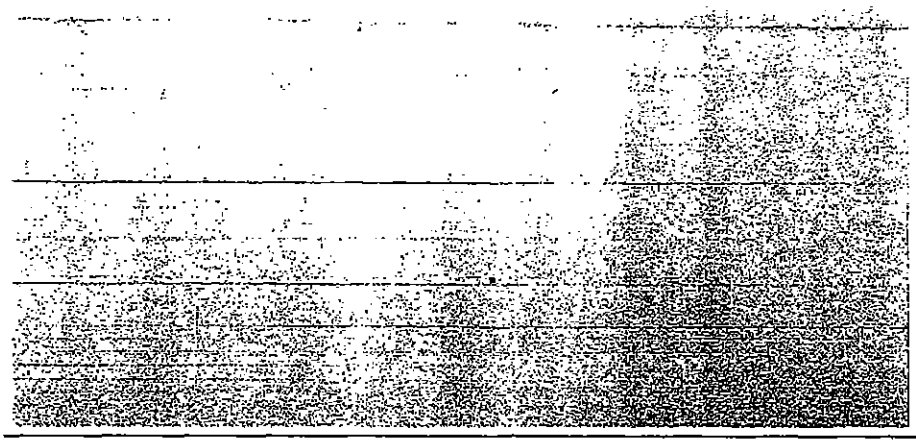
A strip of land 25 feet wide, being 25 feet South of and parallel to the following described line:

Commencing at the Southwest corner of the Northeast Quarter of the Southeast Quarter of Section 33, Township 2 South, Range 7 East, Alcorn County, Mississippi, said point being an eight inch diameter creosote post; thence run North 89 degrees 58 minutes 42

seconds East along a wire fence and tree line 1296.176 feet to a concrete right-of-way marker on the West right-of-way line of U. S. Highway 45 South; thence run North 00 degrees 23 minutes 13 seconds East along the West right-of-way line of said Highway 279.948 feet to an iron pin set for the point of beginning of this easement; thence run along the North line of said easement the following: North 88 degrees 39 minutes 37 seconds West 89.105 feet to a nail being on the West edge of a curb on an existing 25 feet wide asphalt drive; thence run along said curb the following: South 31 degrees 22 minutes 56 seconds West 17.705 feet; South 46 degrees 28 minutes 00 seconds West 22.124 feet; South 59 degrees 15 minutes 30 seconds West 32.055 feet; South 75 degrees 21 minutes 03 seconds West 21.689 feet; South 89 degrees 19 minutes 51 seconds West 159.434 feet; North 89 degrees 54 minutes 13 seconds West 120.218 feet to a nail set; North 89 degrees 54 minutes 13 seconds West 7.600 feet; North 76 degrees 43 minutes 48 seconds West 39.985 feet; North 55 degrees 12 minutes 23 seconds West 36.189 feet; North 33 degrees 26 minutes 20 seconds West 32.940 feet; thence leaving said curb run North 88 degrees 08 minutes 23 seconds West 47.007 feet to a point being 5 feet West of an existing 10 feet wide asphalt drive; thence run along a line that is 5.0 feet West of and parallel to said asphalt drive the following: South 27 degrees 04 minutes 20 seconds West 51.119 feet; thence continue along a line that is 5.0 feet North of and parallel to the existing said drive the following: South 45 degrees 25 minutes 25 seconds West 47.037 feet; South 65 degrees 07 minutes 04 seconds West 55.870 feet; South 87 degrees 46 minutes 46 seconds West 61.634 feet; North 71 degrees 00 minutes 13 seconds West 52.603 feet; North 49 degrees 14 minutes 47 seconds West 49.623 feet; thence continue along a line that is 5.0 feet East of and parallel to the existing said drive the following: North 33 degrees 13 minutes 40 seconds West 38.849 feet; North 14 degrees 05 minutes 41 seconds West 11.050 feet, and to the end of easement.

The property described herein constitutes a part of Forrest Memorial Park a plat of which is filed for record in the Office of the Chancery Clerk of Alcorn County, Mississippi, in Plat Book 3 at page 10.

The above described property does not constitute the homestead of Michael Brad Hight or any part thereof, nor has he ever used, occupied or claimed the same as such.



State of Mississippi

Landsale Receipt
Tax Year 2011

LRMSALPR 02-0

PT NE 1/4 OF SE 1/4
FUNERAL HOME
DEED BK-2005 PG-9454 DTE-11/30/2005

Alcorn
LARRY ROSS
P O BOX 190
CORINTH MS 38835

PPIN 24793-00	Receipt #	Date:
Tax District 4000	Total Acres 4.80	Forest Acres
Parcel Number 080833 01902		Sec. Twn. Rng. 33 002 007

	Class 1 Value	Class 2 Value	Total Value
True		502,880	502,880
Assessed		75,432	75,432

Chancery Clerk
Alcorn County, Mississippi
I certify the instrument
was filed and recorded
AUGUST 27 2012 03:56:03PM
Instrument 201204620 Page 1 of 1
Witness my hand and seal
Bobby Marolt, Clerk
Janet Sagely D.C.

120905-1135 LEIGH LEIGHG

Type of Tax	Millage	Gross Tax Amount	Regular Homestead	Special Exemption	Net Tax
COUNTY	105.7600	7,977.69			7,977.69
		Total Tax Due			$7,977.69

HIGHT MICHAEL BRAD
P O BOX 1534
CORINTH, MS 38835-1534

Interest Due	558.44
Printers Fee Due	3.00
Prior Payments	
Total Amount Due	8,539.13
SOLD FOR AMOUNT	8,539.13

Received by:

Sold To 22 SHIPMAN JAMES L on 8/27/2012 Control No 250

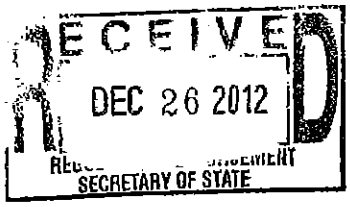
EXHIBIT F

6

Letter Related to Title Information

LARRY G. ROSS
Alcorn County Tax Collector
P. O. Box 190
Corinth, MS 38835-0190
Phone 662-286-7750; Fax 662-286-5713
e-mail address: lross@co.alcorn.ms.us

12/21/2012



DAVE SCOTT
ASST. SECRETARY OF STATE
REGULATION AND ENFORCEMENT
700 NORTH STREET
JACKSON, MS 39202

RE: FORREST MEMORIAL PARK
PARCEL # 080833-01902

DEAR MR. SCOTT

PLEASE SEE THE ATTACHED LETTER FROM MR KENNETH BRAWNER EXPLAINING THE ERROR ON THE FORREST MEMORIAL PARK PROPERTY YOU CALLED ME ABOUT.

ATTACHED ALSO YOU WILL FIND THE CHANGES APPROVED BY THE ALCORN COUNTY BOARD OF SUPERVISORS.

I HOPE THIS INFORMATION IS SATISFACTORY AND COORECTED IN TIME FOR YOUR JANUARY ADVERTISEMENT.

IF I MAY BE OF ASSISTANCE PLEASE LET ME KNOW.

X Larry Ross

Larry G Ross
Alcorn County Tax Collector

Kenneth Brawner
Alcorn County Assessor
P. O. Box 179
Corinth, Mississippi 38835-0179
Telephone (662)-286-7733
Fax (662) 286-2548
E-mail kbrawner@co.alcorn.ms.us

December 14, 2012

RECEIVED
DEC 26 2012
REGULATION & ENFORCEMENT
SECRETARY OF STATE

Mr. Dave Scott
Asst. Secretary of State
Regulation and Enforcement
700 North Street
Jackson, MS 39202

RE: Hight, Michael Brad
Alcorn County, MS Parcel Nos. 080833-01901 & 080833 01902

Dear Mr. Scott:

Hight Funeral Home was erroneously assessed from 2007-2011 on a 4.8 acre tract of cemetery property which adjoins the 2.32 acres on which the funeral home is actually sitting. Upon discovering the error, we tried to correct the error by moving the funeral home building from Alcorn County Parcel No. 080833 01902 (cemetery property) to Parcel No. 080833 01901 for the 2012 taxes; however, when Parcel 080833 01902 sold for 2011 taxes in August, 2012, the building was a part of that parcel. In order to retain the integrity of the tax sale, we simply moved the parcel numbers on our maps to show that the building is correctly assessed on the 2.32 acre tract and that parcel number was changed back to 080833 01902 for the 2012 tax roll.

Alcorn County, MS Parcel No. 080833 01901 is shown correctly as a 4.8 acre tract of cemetery property for 2012 and Parcel 080833 01902 is a 2.32 acre tract of land upon which Hight Funeral Home sits.

I am enclosing a copy of our current parcel map for this area. If we can assist you further, please contact our office.

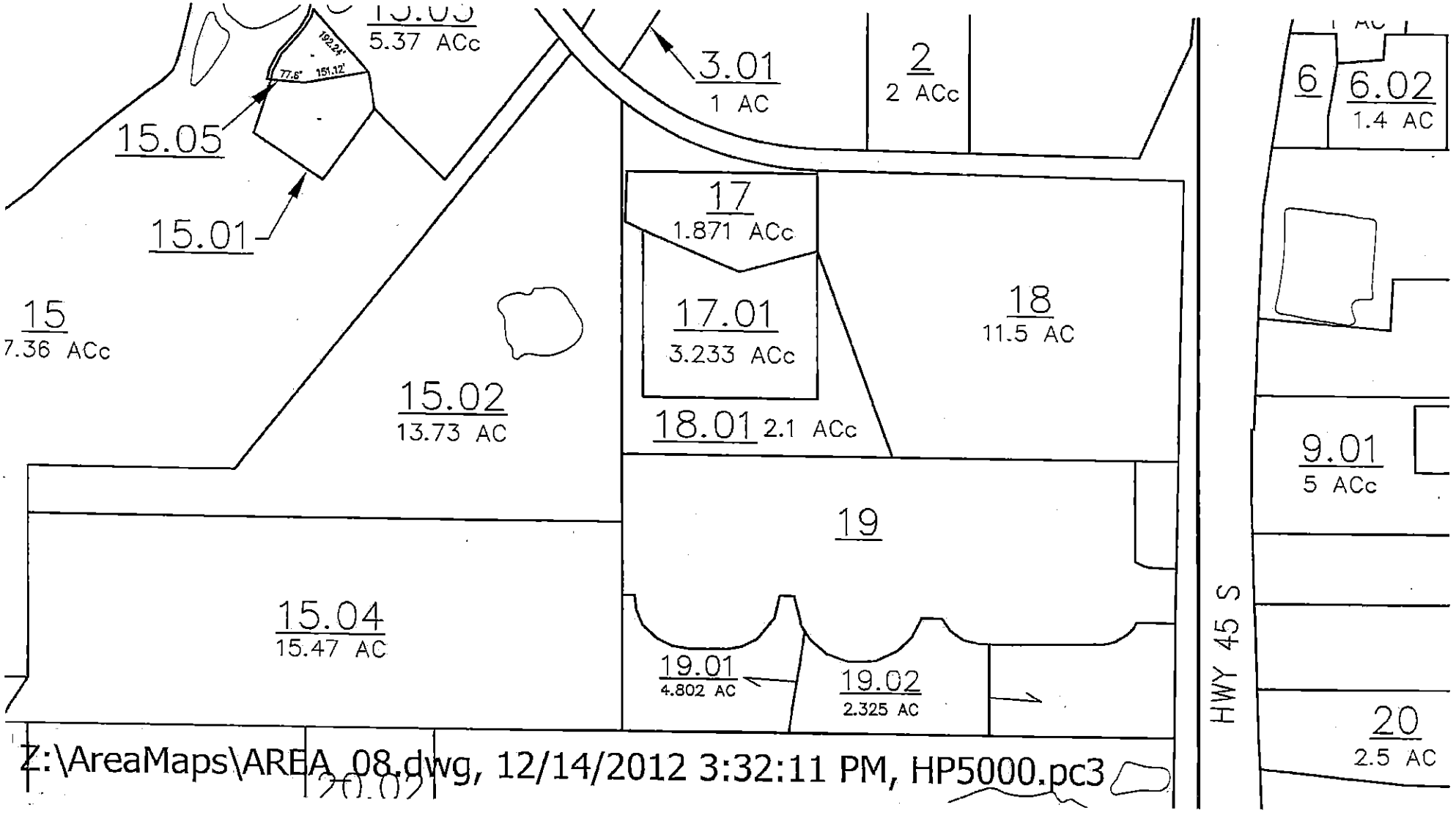
Sincerely,

Kenneth Brawner

KENNETH BRAWNER

KB/sao

Enclosure


15.03
5.37 ACc
192.24'
77.6'
151.12'
15.05
15.01
3.01
1 AC
2
2 ACc
6
6.02
1.4 AC
17
1.871 ACc
17.01
3.233 ACc
18
11.5 AC
15
7.36 ACc
15.02
13.73 AC
18.01 2.1 ACc
9.01
5 ACc
19
15.04
15.47 AC
19.01
4.802 AC
19.02
2.325 AC
HWY 45 S
20
2.5 AC
Z:\AreaMaps\AREA_08.dwg, 12/14/2012 3:32:11 PM, HP5000.pc3

12-7-7

Form 65-003(Rev. 6/91)
Formerly 71-026

Please Submit in Duplicate

FILL IN ALL BLANKS

PETITION FOR REDUCTION OF ASSESSMENT

Property of Hight Micheal Brad School Dist. County Road Dist. 4000

STATE OF MISSISSIPPI

COUNTY OF Alcorn

Now comes Kenneth Brawner and applies for a reduction in the assessments
(Tax Assessor-Affiant-Taxpayer)

against the petitioners on the real Assessment Roll for the year 12.
(Real or Personal)

PER ATTACHED FORM 60-606 TOTAL: 75380

RECEIVED
DEC 26 2012
REGULATION & ENFORCEMENT
SECRETARY OF STATE

AFFIDAVIT FOR CHANGE

STATE OF MISSISSIPPI

COUNTY OF Alcorn

Page	Line	Parcel	Land	Improvements	Total Value	Change
808	1	0808-33-1901	1500	73970	75470	75380

Owner Micheal Brad Hight Reason for change error in assessment

Application is hereby made by, or on behalf of, the taxpayer named for change or reduction of assessment, and the parties signed below swear to and certify that all facts stated are true.

AFFIANT Kenneth Brawner TAXPAYER Micheal Brad Hight

Witness my signature this the 29 day of November, 2012.

TAX ASSESSOR Kenneth Brawner

ORDER OF BOARD OF SUPERVISORS

STATE OF MISSISSIPPI

COUNTY OF Alcorn

ORDER

It appearing to the Board of Supervisors from evidence, both oral and documentary, offered in support of said application that the assessment should be changed or reduced;

IT IS, THEREFORE, ORDERED by the Board of Supervisors of Alcorn County, Mississippi, that a total reduction of the assessment on said roll of $ 75380 and said changes being for the year 2012.

IT IS FURTHER ORDERED, that the Clerk of this Board certify two copies of this order to the State Tax Commission. The Clerk of this Board is hereby authorized and directed to change the Original Assessment Roll in his office, and the Tax Collector of this County is hereby authorized and directed to change the copy in his possession to conform with the provisions of this order, and the Tax Collector be given the proper credit therefor, including district taxes, and Homestead Exemption, if any, be adjusted.

ORDERED AND ADJUDGED this the 3 day of Dec, 20 12.

Lowell Vestal
(President of Board of Supervisors)

CLERK'S CERTIFICATE

I, Bobby Mauldin, Clerk of the Board of Supervisors of Alcorn County, State of Mississippi, do hereby certify that the foregoing is a true and correct transcript of an order of said Board of Supervisors, passed on the day 3 of Dec 20 12 as the same appears on Page 28 of Minute Book 40 12 of said Board, now on file in the office of said Clerk in the City in said County.

Witness my hand and official seal this the 3 day of Dec, 20 12.

CHANCERY COURT CLERK ★ ALCORN COUNTY, MS ★

Bobby Mauldin
Clerk of the Board of Supervisors of said County

LRMLND01 ASSESSOR LANDROLL MAINTENANCE LRWLND97/MS

HIGHT MICHAEL BRAD
P O BOX 1044

Parcel 080833 01901 PPIN 24664
Alt Par
Exempt Code 13 JD 0 Tax Distriot 4000
Subdivision

Neighborhood Map Rule 6

CORINTH MS 38835 1044 St Addr
Sect/Twn/Rng 33 02 07 Blk

Cls	C-Acres	C-Value	U-Acres	U-Value	T-Acres	Improved	True	Assessed
1								
2	4.80	600			4.80		600	90
	4.80	600			4.80		600	90

Homestead Type Regular 100 Map Row Acres
Mtg Group Eligible Cls 1 N (Y/N)
New Value Added F-Fire O-Override Last Deed Bk 327 Pg 366
Drainage Code Benefit Price Total Last Deed Date 9 12 2003 Typ

	Current	2012 Yr	Roll:	Page	Line
L	600	10000	County	868	1
B		493130	City		
	Use1 8100	Use2	School		

Levee Benefits X .05 =
Added 10 / 24 / 2003 by NDL Changed 11 / 29 / 2012 by LEAH
F24-EXIT
F3 next record F4-Legal F5-Addendum F6-DBP References F7-Flags F13-Paperlink

800
12-10-12

Form 60-606 (Rev. 6/99)
Formerly 71-026

Please Submit in Duplicate

FILL IN ALL BLANKS

PETITION FOR ~~REDUCTION~~ INCREASE OF ASSESSMENT

Property of Hight, Micheal Brad School Dist. County Road Dist. 4000

STATE OF MISSISSIPPI
COUNTY OF Alcorn

Now comes Kenneth Brawner (Tax Assessor-Affiant-Taxpayer) and applies for a reduction in the assessments against the petitioners on the real (Real or Personal) Assessment Roll for the year 12.

PER ATTACHED FORM 60-606 TOTAL: 75353

RECEIVED
DEC 26 2012
REGULATION & ENFORCEMENT
SECRETARY OF STATE

AFFIDAVIT FOR CHANGE

STATE OF MISSISSIPPI
COUNTY OF Alcorn

Page	Line	Parcel	Land	Improvements	Total Value	Change
868	2	0808-33-19.02	117	—	117	75353

Owner Micheal Brad Hight Reason for change error in assessment

Application is hereby made by, or on behalf of, the taxpayer named for change or reduction of assessment, and the parties signed below swear to and certify that all facts stated are true.

AFFIANT Kenneth Brawner TAXPAYER Micheal Brad Hight

Witness my signature this the 29 day of November, 20 12.

TAX ASSESSOR Kenneth Brawner

ORDER OF BOARD OF SUPERVISORS

STATE OF MISSISSIPPI
COUNTY OF Alcorn

ORDER

It appearing to the Board of Supervisors from evidence, both oral and documentary, offered in support of said application that the assessment should be changed or reduced;

IT IS, THEREFORE, ORDERED by the Board of Suppervisors of Alcorn County, Mississippi, that a total ~~reduction~~ increase of the assessment on said roll of $ 75353 and said changes being for the year 2012.

IT IS FURTHER ORDERED, that the Clerk of this Board certify two copies of this order to the State Tax Commission. The Clerk of this Board is hereby authorized and directed to change the Original Assessment Roll in his office, and the Tax Collector of this County is hereby authorized and directed to change the copy in his possession to conform with the provisions of this oreder, and the Tax Collector be given the proper credit therefor, including district taxes, and Homestead Exemption, if any, be adjusted.

ORDEREED AND ADJUDGED this the 3 day of Dec, 20 12.

Lowell Hinton
(President of Board of Supervisors)

CLERK'S CERTIFICATE

I, Bobby Marsh, Clerk of the Board of Supervisors of Alcorn County, State of Mississippi, do hereby certify that the foregoing is a true and correct transcript of an order of said Board of Supervisors, passed on the day 3 of Dec 20 12 as the same appears on Page 28 of Minute Book 2012 of said Board, now on file in the office of said Clerk in the City Corporation in said County.

Withness my hand and official seal this the 3 day of Dec, 2012.

CHANCERY COURT CLERK ALCORN COUNTY, MS

Bobby Marsh
Clerk of the Board of Supervisors of said County

LRMBIL01 ASSESSOR LAND ROLL RECEIPTS MAINTENANCE LRWBIL97/M5

Name HIGHT MICHAEL BRAD Parcel 080833 01901

PPIN 24664 Yr 2012 Entry 1 JD 0 TD 4000 MCO STR 33 02 07

Type S SUPPLEMENT Group

Voided Exempt Code Eligible for Class 1 N (Y/N)

Hse:Split N 1-065,2-DAV,3-DIS,4-REG Added 12 7 2012 LEIGH

Deed Bk 327 Pg 366 Ext Typ 9 12 2003 Chged

Cls	C-Acres	C-Value	U-Acres	U-Value	T-Acres	Improved	True	Assessed
1								
2	4.80	600			4.80		600	90
	4.80	600			4.80		600	90

COUNTY: ----Base---Rate----Tax------ CITY:-Rate----Tax---- SSD:-Rate-----Tax--

Receipt No. 7683 7683

Adv. 90 105.7600 9.52

100 HE

Reg He

Levee Special Assessment

Forest

Dr1

2

3

Total Tax (9.52) 9.52

F24-EXIT

F3-Next F4-Address F5-Legal F6-Addendum F8-Print F9-Show Calculated taxes

exempt code 13
for 2012

12/10/12
Sto/Leah

LRMBIL01 **TAXCY** LAND ROLL RECEIPTS MAINTENANCE LRWBIL97/M5

Name HIGHT MICHAEL BRAD **Parcel 080833** **01901**

PPIN 24664 Yr 2012 Entry 2 JD 0 TD 4000 MCO **STR 33 02 07**

Type S SUPPLEMENT **Group**

Voided **Exempt Code 13** **Eligible for Class 1 N (Y/N)**

Hse: Split N 1-065,2-DAV,3-DIS,4-REG **Added 12 10 2012 LEIGH**

Deed Bk 327 Pg 366 Ext Typ 9 12 2003 Chged

Cls	C-Acres	C-Value	U-Acres	U-Value	T-Acres	Improved	True	Assessed
1								
2	4.80	600			4.80			
	4.80				4.80			

COUNTY: ----Base---Rate----Tax------ CITY:-Rate----Tax---- SSD:-Rate-----Tax--

Receipt No. 7683 7683

Adv. 105.7600

100 HE

Reg He

Levee **Special Assessment**

Forest

Dr1

2

3

Total Tax ( )

F24-EXIT

F3-Next F4-Address F5-Legal F6-Addendum F8-Print F9-Show Calculated taxes

LRMLND01 TAX2012 LANDROLL MAINTENANCE LRWLND97/M5

HIGHT MICHAEL BRAD
P O BOX 1534

Parcel 080833 01902 PPIN 24793
Alt Par
Exempt Code JD 0 Tax District 4000
Subdivision

Neighborhood Map 0808 Rule 6

CORINTH MS 38835 1534 St Addr
Sect/Twn/Rng 33 002 007 Blk

Cls	C-Acres	C-Value	U-Acres	U-Value	T-Acres	Improved	True	Assessed
1								
2	2.32	10000			2.32	493130	503130	75470
	2.32	10000			2.32	493130	503130	75470

Homestead Type Regular 100 Map Row Acres
Mtg Group Eligible Cls 1 N (Y/N)
New Value Added F-Fire O-Override Last Deed Bk 2005 Pg 9454
Drainage Code Benefit Price Total Last Deed Date 11 30 2005 Typ
Current 2011 Yr Roll: Page Line
L 10000 County 866 2
B 493130 City
Levee Benefits X .05 = Use1 8100 Use2 School
Added 2 / 11 / 2004 by LEAH Changed 11 / 29 / 2012 by SAC

F24-EXIT
F3 next record F4-Legal F5-Addendum F6-DBP References F7-Flags F13-Paperlink

needs 2012
receipt
added
12/10/12
SD/Leah

LRMBIL01 **TAXCY** LAND ROLL RECEIPTS MAINTENANCE LRWBIL97/M5

Name HIGHT MICHAEL BRAD **Parcel 080833** **01902**

PPIN 24793 Yr 2012 Entry 1 JD 0 TD 4000 MCO **STR**

Type S SUPPLEMENT **Group**

Voided **Exempt Code** **Eligible for Class 1 N (Y/N)**

Hse: Split N 1-O65,2-DAV,3-DIS,4-REG **Added 12 10 2012 LEIGH**

Deed Bk 2005 Pg 9454 **Ext** **Typ** **Chged**

Cls	C-Acres	C-Value	U-Acres	U-Value	T-Acres	Improved	True	Assessed
1								
2	2.23	10000			2.23	493130	503130	75470
	2.23	10000			2.23	493130	503130	75470

COUNTY: ----Base---Rate----Tax------ CITY:-Rate----Tax---- SSD:-Rate-----Tax--

Receipt No.

Adv. **75470 105.7600 7981.71**

100 HE

Reg He

Levee **Special Assessment**

Forest

Dr1

2

3

Total Tax (7981.71) 7981.71

F24-EXIT

F3-Next F4-Address F5-Legal F6-Addendum F8-Print F9-Show Calculated taxes

7

Cancellation of Lien

Chancery Clerk
Alcorn County, Mississippi
I certify the instrument
was filed and recorded
AUGUST 21 2014 03:36:30PM
Instrument 201403558 Page 1 of 8
Witness my hand and seal
Bobby Harold Clerk
Janet Bagley D.C.

CANCELLATION OF MATERIALMAN'S LIEN

TO: OFFICE OF THE CHANCERY CLERK FOR ALCORN COUNTY, MISSISSIPPI

FROM: LIENOR: Corinth Ready Mix Products, LLC
P.O. Box 1506, Corinth, Mississippi 38835-1506
Dissolved September 14, 2012

Successors-In-Interest:

Mr. James Larry Cornelius
4362 County Road 200
Corinth, MS 38834-7659

Mr. Eddie L. Shaw, II
737 US Highway 45 South
Henderson, TN 38340-2668

PLEASE TAKE NOTE of Claimant's cancellation of materialman's lien as follows:

This is a Cancellation of Materialman's Lien (attached as Exhibit 1), a six (6) page document dated January 25, 2008, recorded on January 29, 2008, with the Alcorn County Chancery Clerk, Instrument No. 200800553.

Dated: Aug. 13, 2014

For: Corinth Ready Mix Products, LLC
Dissolved September 12, 2012

James Larry Cornelius
Eddie L. Shaw, II

By: Will W Odom

Hon. William Odom
Odom and Allred PA
404 Waldron Street
Corinth, Mississippi 38834
Phone: (662)-286-9311

STATE OF MISSISSIPPI
COUNTY OF ALCORN

PERSONALLY APPEARED before me, the undersigned authority in and for the said county and state, on this the 13 day of August, 2014, within my jurisdiction, the within named WILLIAM ODOM, who acknowledged that he is the attorney for Corinth Ready Mix Products, LLC, dissolved September 14, 2012, and its successors-in-interest, James Larry Cornelius, and Eddie L. Shaw, II, and that for and on behalf of said company (dissolved) and its successors-in-interest, and as their act and deed he signed, executed, and delivered the above and foregoing Cancellation of Materialman's Lien, after first having been duly authorized by said company (dissolved) and its successors-in-interest, named herein, to do so.

Tara Yarber
NOTARY PUBLIC

My Commission Expires: 10/26/17

NOTICE OF MATERIALMAN'S LIEN

TO: Chancery Clerk of Alcorn County, Mississippi
Alcorn County Chancery Building
Corinth, Mississippi

PARTIES: Corinth Ready Mix Products, LLC, Lienor

Michael Brad Hight, Owner

Michael Brad Hight D/B/A Hight Funeral Home, Debtor

You are hereby requested to record a Materialman's Lien as provided by Section 85-7-131 and other applicable sections of the *Mississippi Code of 1972, Annotated,* as amended, said lien being as follows:

BASIS FOR CLAIM: For materials furnished for construction and improvements on the hereinafter described land standing in the name of the above named owner(s) by Michael Brad Hight Debtor, by the above named lienor, in the amount of $58,090.93. Copy of the account invoices are attached hereto as Exhibit "A":

DESCRIPTION OF PROPERTY UPON WHICH LIEN IS HELD, TO-WIT: Michael Brad Hight, D/B/A Hight Funeral Home, 741 Hwy 45 S, Corinth, Alcorn County, Mississippi 38834, and more particularly described as follows:

See attached Exhibit "B"

SUIT: Suit has not yet been filed in any court for the collection of said indebtedness.

CONTRACT: A written contract was not executed between the parties hereto.

DATE OF FILING: This instrument has been filed with the Chancery Clerk of Alcorn County, Mississippi, this the 25th day of January 2008.

CORINTH READY MIX PRODUCTS, LLC

James Larry Cornelius

JAMES LARRY CORNELIUS, PRESIDENT

EXHIBIT

1

STATE OF MISSISSIPPI
COUNTY OF ALCORN

PERSONALLY APPEARED before me, the undersigned authority in and for the said county and state, on this, the 25th day of January, 2008, within my jurisdiction, the within named JAMES LARRY CORNELIUS, who acknowledged that he is the PRESIDENT of CORINTH READY MIX PRODUCTS, LLC, a Mississippi Corporation, and that for and on behalf of said corporation, and as its act and deed he signed, executed and delivered the above and foregoing instrument, after first having been duly authorized by said corporation so to do.

Tara Viola
NOTARY PUBLIC

My Commission Expires:

TARA VIOLA MY COMM. EXP. NOTARY PUBLIC 10/28/2008 ALCORN COUNTY, MS

Attorney:
WILLIAM W. ODOM, JR.
Attorney at Law
404 Waldron Street
PO Box 1393
Corinth, MS 38835-1393
Telephone 662-286-9311
Facsimile 662-286-9312
Email bodom43@bellsouth.net
MSB #3911

Chancery Clerk
Alcorn County, Mississippi
I certify the instrument
was filed and recorded
JANUARY 29 2008 01:30:00PM
Instrument 200900553 Page 1 of 6
Witness my hand and seal
Bobby Harolt, Clerk
Janet Dagely D.C.

NOTICE OF MATERIALMAN'S LIEN

Exhibit "A"

CORINTH READY MIX PRODUCTS LLC
P O BOX 1508
CORINTH, MS 38835-1508

Voice: 662-396-4334
Fax:

STATEMENT

Statement Date: Oct 31, 2007
Customer Account ID: HIG001

HEIGHT FUNERAL HOME
P O BOX 1634
CORINTH, MS 38835-1634

Amount Enclosed
$ _____

12/31/05			Balance Fwd			50,941.95
3/1/06	4/10/06	FIN CHARGE			363.38	51,305.33
3/31/06	4/10/06	PO MARCH			388.82	51,694.15
5/1/05	5/1/05	FC51\00001	PO# Late Charge		234.47	51,928.62
5/31/06	5/31/06	FC5V\00001	PO# Late Charge		337.35	52,265.97
6/30/06	6/30/06	FC6U\00001	PO# Late Charge		337.35	52,603.32
7/31/06	7/31/06	FC7V\00001	PO# Late Charge		348.60	52,951.92
8/31/06	8/31/06	FC8V\00001	PO# Late Charge		348.60	53,300.52
9/30/06	9/30/06	FC9U\00001	PO# Late Charge		337.35	53,637.87
10/31/06	10/31/06	FCAV\00001	PO# Late Charge		348.60	53,986.47
11/30/06	11/30/06	FCBU\00001	PO# Late Charge		337.35	54,323.82
12/31/06	12/31/06	FCCV\00001	PO# Late Charge		348.60	54,672.42
1/31/07	1/31/07	FC1V\00001	PO# Late Charge		348.60	55,021.02
2/28/07	2/28/07	FC2S\00001	PO# Late Charge		314.88	55,335.88
3/31/07	3/31/07	FC3V\00001	PO# Late Charge		348.60	55,684.48
4/30/07	4/30/07	FC4U\00001	PO# Late Charge		337.35	56,021.83
5/31/07	5/31/07	FC5V\00001	PO# Late Charge		348.60	56,370.43
6/30/07	6/30/07	FC6U\00001	PO# Late Charge		337.35	56,707.78
7/31/07	7/31/07	FC7V\00001	PO# Late Charge		348.60	57,056.38
8/31/07	8/31/07	FC8V\00001	PO# Late Charge		348.60	57,404.98
9/30/07	9/30/07	FC9U\00001	PO# Late Charge		337.35	57,742.33
10/31/07	10/31/07	FCAV\00001	PO# Late Charge		348.60	58,090.93

348.60	337.35	348.60	57,056.38

NOTICE OF MATERIALMAN'S LIEN

Exhibit "B"

Situated in the County of Alcorn, State of Mississippi, to-wit:

TRACT NO. 1: Commencing at the Southwest corner of the Northeast Quarter of the Southeast Quarter of Section 33, Township 2 South, Range 7 East, Alcorn County, Mississippi, said point being an eight inch diameter creosote post, for the point of beginning; thence run North 01 degree 39 minutes 33 seconds East along an old wire fence and tree line 330.668 feet to a iron pin set; thence leaving said old wire fence and tree line, run North 89 degrees 59 minutes 11 seconds East 44.951 feet to a nail set being 5.0 feet East of an existing 10 feet wide asphalt drive; thence run along a line that is 5.0 feet East of and parallel to the existing said drive the following: South 05 degrees 22 minutes 10 seconds East 32.239 feet; South 22 degrees 56 minutes 10 seconds East 37.498 feet; thence continue along a line that is 5.0 feet North of and parallel to the existing said drive the following: South 46 degrees 43 minutes 37 seconds East 46.501 feet; South 64 degrees 06 minutes 59 seconds East 36.933 feet; South 81 degrees 33 minutes 16 seconds East 45.146 feet; North 89 degrees 02 minutes 58 seconds East 82.619 feet; North 80 degrees 11 minutes 33 seconds East 31.715 feet; North 63 degrees 11 minutes 45 seconds East 40.483 feet; thence continue along a line that is 5.0 feet West of and parallel to the existing said drive the following: North 38 degrees 42 minutes 49 seconds East 62.250 feet; North 13 degrees 41 minutes 06 seconds East 52.537 feet; thence leaving said line, run North 88 degrees 55 minutes 52 seconds East 32.352 feet to a point that is 5.0 feet East of said drive; thence continue along a line that is 5.0 feet East of and parallel to the existing said drive the following: South 14 degrees 05 minutes 41 seconds East 59.441 feet; thence leaving said line, run South 08 degrees 55 minutes 13 seconds West 279.132 feet to an elm tree on a fence and tree line; thence run South 89 degrees 58 minutes 42 seconds West along said fence and tree line, 390.586 feet to the point of beginning, containing 2.346 acres, more or less.

TRACT NO. 2: Commencing at the Southwest corner of the Northeast Quarter of the Southeast Quarter of Section 33, Township 2 South, Range 7 East, Alcorn County, Mississippi, said point being an eight inch diameter creosote post; thence run North 89 degrees 58 minutes 42 seconds East along a wire fence and tree line 390.586 feet to a 10 inch diameter elm tree for the point of beginning; thence run North 08 degrees 55 minutes 13 seconds East 279.132 feet to a nail set 5.0 feet East of an existing 10 feet wide asphalt drive; thence run along a line that is 5.0 feet East of and parallel to the existing said drive the following: South 14 degrees 05 minutes 41 seconds East 11.050 feet; South 33 degrees 13 minutes 40 seconds East 38.849 feet; thence continue along a line that is 5.0 feet North of and parallel to the existing said drive the following: South 49 degrees 14 minutes 47 seconds East 49.620 feet; South 71 degrees 00 minutes 12 seconds East 52.603 feet; North 87 degrees 45 minutes 46 seconds East 61.534 feet; North 65 degrees 07 minutes 04 seconds East 55.870 feet; North 45 degrees 25 minutes 25 seconds East 47.037 feet; thence continue along a line that is 5.0 feet West of and parallel to the existing said drive the following: North 27 degrees 04 minutes 20

seconds East 51.119 feet; thence leaving said line run South 89 degrees 08 minutes 23 seconds East 47.007 feet to the backside of a curb; thence run along the backside of said curb the following: South 33 degrees 26 minutes 20 seconds East 32.940 feet; South 55 degrees 12 minutes 23 seconds East 36.389 feet; South 76 degrees 43 minutes 48 seconds East 39.985 feet; South 89 degrees 54 minutes 13 seconds East 7.600 feet to a nail set; thence leaving said curb, run South 00 degrees 00 minutes 11 seconds West 228.307 feet to an iron pin on a wire fence and tree line; thence run South 89 degrees 58 minutes 42 seconds West 465.153 feet along said wire fence and tree line to the point of beginning, containing 2.325 acres, more or less.

TRACT NO. 3; Commencing at the Southwest corner of the Northeast Quarter of the Southeast Quarter of Section 33, Township 2 South, Range 7 East, Alcorn County, Mississippi, said point being an eight inch diameter creosote post; thence run North 89 degrees 58 minutes 42 seconds East along a wire fence and tree line 390.586 feet to a 10 inch diameter elm tree; thence continue along said wire fence and tree line North 89 degrees 58 minutes 42 seconds East 465.153 feet to an iron pin set for the point of beginning; thence leaving said wire fence and tree line, run North 00 degrees 00 minutes 11 seconds East 228.307 feet to a nail set on the North edge of a curb on a 25 feet wide existing asphalt drive; thence run along the North side of said curb the following: South 89 degrees 54 minutes 13 seconds East 120.218 feet; North 89 degrees 19 minutes 51 seconds East 159.434 feet; North 78 degrees 21 minutes 03 seconds East 21.683 feet; North 59 degrees 15 minutes 30 seconds East 32.055 feet; North 46 degrees 28 minutes 00 seconds East 22.124 feet; North 31 degrees 22 minutes 56 seconds East 17.705 feet to a nail set; thence leaving said curb, run South 88 degrees 39 minutes 37 seconds East 89.105 feet to a iron pin set on the West right-of-way line of U. S. Highway 45 South; thence run South 00 degrees 23 minutes 13 seconds West along the West right-of-way line of said Highway 278.948 feet to a concrete right-of-way marker at a fence corner; thence leaving said right-of-way run South 89 degrees 58 minutes 42 seconds West along said wire fence and tree line 440.638 feet to the point of beginning, containing 2.456 acres, more or less.

LESS AND EXCEPT a perpetual non-exclusive easement and right-of-way for the following purposes; namely, the right to enter upon the hereinafter described land and to do any and all work necessary to build, maintain and repair a road, together with the right to use said easement for the purpose of ingress and egress and for public utilities all over, upon and across the following described land:

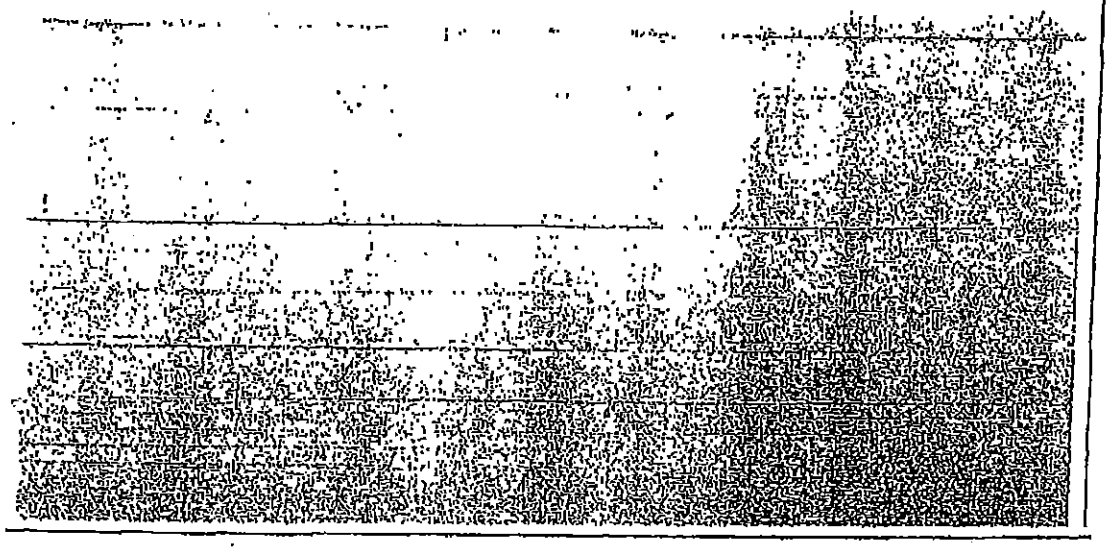
A strip of land 25 feet wide, being 25 feet South of and parallel to the following described line:

Commencing at the Southwest corner of the Northeast Quarter of the Southeast Quarter of Section 33, Township 2 South, Range 7 East, Alcorn County, Mississippi, said point being an eight inch diameter creosote post; thence run North 89 degrees 58 minutes 42

seconds East along a wire fence and tree line 1296.376 feet to a concrete right-of-way marker on the West right-of-way line of U. S. Highway 45 South; thence run North 00 degrees 23 minutes 13 seconds East along the West right-of-way line of said Highway 279.948 feet to an iron pin set for the point of beginning of this easement; thence run along the North line of said easement the following: North 88 degrees 39 minutes 37 seconds West 89.105 feet to a nail being on the West edge of a curb on an existing 25 feet wide asphalt drive; thence run along said curb the following: South 31 degrees 22 minutes 56 seconds West 17.905 feet; South 46 degrees 28 minutes 00 seconds West 22.124 feet; South 59 degrees 15 minutes 30 seconds West 32.055 feet; South 75 degrees 21 minutes 03 seconds West 21.689 feet; South 89 degrees 19 minutes 51 seconds West 159.434 feet; North 89 degrees 54 minutes 13 seconds West 120.218 feet to a nail set; North 89 degrees 54 minutes 13 seconds West 7.600 feet; North 76 degrees 43 minutes 48 seconds West 39.985 feet; North 55 degrees 12 minutes 23 seconds West 36.389 feet; North 33 degrees 26 minutes 20 seconds West 12.940 feet; thence leaving said curb run North 88 degrees 08 minutes 23 seconds West 47.007 feet to a point being 5 feet West of an existing 10 feet wide asphalt drive; thence run along a line that is 5.0 feet West of and parallel to said asphalt drive the following: South 27 degrees 04 minutes 20 seconds West 51.119 feet; thence continue along a line that is 5.0 feet North of and parallel to the existing said drive the following: South 45 degrees 25 minutes 35 seconds West 47.037 feet; South 65 degrees 07 minutes 04 seconds West 55.870 feet; South 87 degrees 46 minutes 46 seconds West 61.634 feet; North 71 degrees 09 minutes 12 seconds West 52.603 feet; North 49 degrees 14 minutes 47 seconds West 49.623 feet; thence continue along a line that is 5.0 feet East of and parallel to the existing said drive the following: North 39 degrees 13 minutes 40 seconds West 38.849 feet; North 14 degrees 05 minutes 41 seconds West 11.050 feet, and to the end of easement.

The property described herein constitutes a part of Forrest Memorial Park a plat of which is filed for record in the Office of the Chancery Clerk of Alcorn County, Mississippi, in Plat Book 1 at page 10.

The above described property does not constitute the homestead of Michael Brad Hight or any part thereof, nor has he ever used, occupied or claimed the same as such.



8

Cancellation of Judgment as to Cemetery

IN THE CIRCUIT COURT OF ALCORN COUNTY, MISSISSIPPI

CORINTH READY MIX — PLAINTIFF

VS. — Civil Action No. CV-08-127FA

MICHAEL BRAD HIGHT
D/B/A HGHT FUNERAL HOME — DEFENDANT

AMENDED CANCELLATION OF JUDGMENT ENTERED THROUGH DEFAULT

Comes now the Plaintiff, Corinth Ready Mix, and its successors-in-interest, James Larry Cornelius and Eddie L. Shaw, II, by and through counsel, Hon. William Odom, with entry of this amended cancellation of judgment, such judgment obtained through entry of default against Michael Brad Hight, D/B/A Hight Funeral Home. A copy of the judgment is attached as Exhibit A for reference purposes. It was entered by the Alcorn County Circuit Court on May 12, 2008, filed of record in the Alcorn County Circuit Clerk's Office on May 14, 2008, assigned Judgment No. 0000018366, enrolled at Judgment Roll Book 199, Judgment Pages 294-295. Such cancellation is not made through satisfaction of the judgment's terms. Rather, Corinth Ready Mix and its successors-in-interest enter such cancellation to assist with the removal of encumbrances against certain real property used for perpetual care human burial grounds. This is a cancellation of judgment as to real property only which is described and identified as Exhibit B herein.

THIS, the 9th day of Sept, 2014.

For: Corinth Ready Mix

James Larry Cornelius
Eddie L. Shaw, II

By: Will W. Odom

Hon. William Odom
Odom and Allred PA
404 Waldron Street
Corinth, Mississippi 38834
Phone: (662)-286-9311

FILED
SEP 11 2014
JOE CALDWELL, CIRCUIT CLERK
BY Crystal Stuling DC

00000183616

STATE OF MISSISSIPPI
COUNTY OF ALCORN

PERSONALLY APPEARED before me, the undersigned authority in and for the said county and state, on this the 9th day of Sept., 2014, within my jurisdiction, the within named WILLIAM ODOM, who acknowledged that he is the attorney for Corinth Ready Mix, dissolved September 14, 2012, and its successors-in-interest, James Larry Cornelius, and Eddie L. Shaw, II, and that for and on behalf of said company (dissolved) and its successors-in-interest, and as their act and deed he signed, executed, and delivered the above and foregoing Amended Cancellation of Judgment after first having been duly authorized by said company (dissolved) and its successors-in-interest, named herein, to do so.

NOTARY PUBLIC

My Commission Expires:

IN THE CIRCUIT COURT OF ALCORN COUNTY, MISSISSIPPI

CORINTH READY MIX — PLAINTIFF

VS. — CIVIL ACTION NO. CV08-127FA

MICHAEL BRAD HIGHT
D/B/A HIGHT FUNERAL HOME — DEFENDANT

DEFAULT JUDGMENT ENTERED BY COURT

This action came on for hearing on motion of the Plaintiff(s), Corinth Ready Mix, for a default judgment pursuant to Rule 55(b) of the Mississippi Rules of Civil Procedure, and the defendant(s), Michael Brad Hight D/B/A Hight Funeral Home, having been duly served with the summons and a copy of Plaintiff's complaint and not being an infant or an unrepresented incompetent person and having failed to plead or other wise defend and their fault having been duly entered and the defendant, Michael Brad Hight D/B/A Hight Funeral Home having taken no proceedings since such default was entered.

IT IS THEREFORE, ORDERED AND ADJUDGED that the Plaintiff(s), Corinth Ready Mix, be awarded judgment against the defendant(s),

FILED

MAY 14 2008

JOE CALDWELL, CIRCUIT CLERK
BY [illegible] D.C.

EXHIBIT A

T/Collections/CRM - Hight, Michael - Default Judgment

Michael Brad Hight D/B/A Hight Funeral Home, in the amount $77,454.57 including reasonable attorney fees of $19,363.64, together with legal interest thereon from this date and all cost in this action, for all of which execution issue.

ORDERED AND ADJUDGED THIS THE 12th day of May, 2008.

Paul Lindenbaum
CIRCUIT COURT JUDGE

PROCESSED
MAY 12 2008
ADMINISTRATOR

situated in the County of Alcorn, State of Mississippi, to-wit:

TRACT NO. 1: Commencing at the Southwest corner of the Northeast Quarter of the Southeast Quarter of Section 33, Township 2 South, Range 7 East, Alcorn County, Mississippi, said point being an eight inch diameter creosote post, for the point of beginning; thence run North 01 degree 39 minutes 33 seconds East along an old wire fence and tree line 330.568 feet to a iron pin set; thence leaving said old wire fence and tree line, run North 89 degrees 59 minutes 13 seconds East 44.951 feet to a nail set being 5.0 feet East of an existing 10 feet wide asphalt drive; thence run along a line that is 5.0 feet East of and parallel to the existing said drive the following: South 05 degrees 22 minutes 10 seconds East 32.239 feet; South 27 degrees 56 minutes 10 seconds East 37.498 feet; thence continue along a line that is 5.0 feet North of and parallel to the existing said drive the following: South 46 degrees 43 minutes 37 seconds East 46.501 feet; South 64 degrees 06 minutes 50 seconds East 34.933 feet; South 81 degrees 33 minutes 15 seconds East 45.146 feet; North 89 degrees 02 minutes 58 seconds East 82.619 feet; North 80 degrees 11 minutes 33 seconds East 31.715 feet; North 63 degrees 11 minutes 45 seconds East 40.483 feet; thence continue along a line that is 5.0 feet West of and parallel to the existing said drive the following: North 38 degrees 42 minutes 49 seconds East 62.250 feet; North 13 degrees 41 minutes 06 seconds East 52.537 feet; thence leaving said line, run North 88 degrees 55 minutes 52 seconds East 32.352 feet to a point that is 5.0 feet East of said drive; thence continue along a line that is 5.0 feet East of and parallel to the existing said drive the following: South 14 degrees 05 minutes 41 seconds East 59.441 feet; thence leaving said line, run South 08 degrees 55 minutes 13 seconds West 278.132 feet to an elm tree on a fence and tree line; thence run South 89 degrees 58 minutes 42 seconds West along said fence and tree line, 390.586 feet to the point of beginning, containing 2.346 acres, more or less.

TRACT NO. 2: Commencing at the Southwest corner of the Northeast Quarter of the Southeast Quarter of Section 33, Township 2 South, Range 7 East, Alcorn County, Mississippi, said point being an eight inch diameter creosote post; thence run North 89 degrees 58 minutes 42 seconds East along a wire fence and tree line 390.586 feet to a 10 inch diameter elm tree for the point of beginning; thence run North 08 degrees 55 minutes 13 seconds East 278.132 feet to a nail set 5.0 feet East of an existing 10 feet wide asphalt drive; thence run along a line that is 5.0 feet East of and parallel to the existing said drive the following: South 14 degrees 05 minutes 41 seconds East 11.050 feet; South 33 degrees 13 minutes 40 seconds East 38.849 feet; thence continue along a line that is 5.0 feet North of and parallel to the existing said drive the following: South 49 degrees 14 minutes 47 seconds East 49.623 feet; South 71 degrees 00 minutes 12 seconds East 52.601 feet; North 87 degrees 46 minutes 45 seconds East 61.634 feet; North 65 degrees 07 minutes 04 seconds East 55.870 feet; North 45 degrees 25 minutes 25 seconds East 47.037 feet; thence continue along a line that is 5.0 feet West of and parallel to the existing said drive the following: North 27 degrees 04 minutes 20

EXHIBIT
B

seconds East 51.119 feet; thence leaving said line run South 88 degrees 08 minutes 23 seconds East 47.007 feet to the backside of a curb; thence run along the backside of said curb the following: South 33 degrees 26 minutes 20 seconds East 32.940 feet; South 55 degrees 12 minutes 23 seconds East 36.383 feet; South 76 degrees 43 minutes 48 seconds East 39.985 feet; South 89 degrees 54 minutes 13 seconds East 7.600 feet to a nail set; thence leaving said curb, run South 00 degrees 00 minutes 11 seconds West 228.307 feet to an iron pin on a wire fence and tree line; thence run South 89 degrees 58 minutes 42 seconds West 465.153 feet along said wire fence and tree line to the point of beginning, containing 2.325 acres, more or less.

TRACT NO. 3: Commencing at the Southwest corner of the Northeast Quarter of the Southeast Quarter of Section 33, Township 2 South, Range 7 East, Alcorn County, Mississippi, said point being an eight inch diameter creosote post; thence run North 89 degrees 58 minutes 42 seconds East along a wire fence and tree line 390.586 feet to a 10 inch diameter elm tree; thence continue along said wire fence and tree line North 89 degrees 58 minutes 42 seconds East 465.153 feet to an iron pin set for the point of beginning; thence leaving said wire fence and tree line, run North 00 degrees 00 minutes 11 seconds East 228.307 feet to a nail set on the North edge of a curb on a 25 feet wide existing asphalt drive; thence run along the North side of said curb the following: South 89 degrees 54 minutes 13 seconds East 120.218 feet; North 89 degrees 19 minutes 51 seconds East 159.434 feet; North 75 degrees 21 minutes 01 seconds East 21.689 feet; North 59 degrees 15 minutes 30 seconds East 32.055 feet; North 46 degrees 26 minutes 00 seconds East 22.124 feet; North 31 degrees 22 minutes 56 seconds East 17.705 feet to a nail set; thence leaving said curb, run South 88 degrees 39 minutes 37 seconds East 89.105 feet to a iron pin set on the West right-of-way line of U. S. Highway 45 South; thence run South 00 degrees 23 minutes 13 seconds West along the West right-of-way line of said Highway 279.948 feet to a concrete right-of-way marker at a fence corner; thence leaving said right-of-way run South 89 degrees 58 minutes 42 seconds East Along said wire fence and tree line 440.638 feet to the point of beginning, containing 2.456 acres, more or less.

LESS AND EXCEPT a perpetual non-exclusive easement and right-of-way for the following purposes; namely, the right to enter upon the hereinafter described land and to do any and all work necessary to build, maintain and repair a road, together with the right to use said easement for the purpose of ingress and egress and for public utilities all over, upon and across the following described land:

A strip of land 25 feet wide, being 25 feet South of and parallel to the following described line:

Commencing at the Southwest corner of the Northeast Quarter of the Southeast Quarter of Section 33, Township 2 South, Range 7 East, Alcorn County, Mississippi, said point being an eight inch diameter creosote post; thence run North 89 degrees 58 minutes 42

seconds East along a wire fence and tree line 1296.396 feet to a concrete right-of-way marker on the West right-of-way line of U. S. Highway 45 South; thence run North 00 degrees 23 minutes 13 seconds East along the West right-of-way line of said Highway 279.948 feet to an iron pin set for the point of beginning of this easement; thence run along the North line of said easement the following: North 88 degrees 39 minutes 37 seconds West 89.105 feet to a nail being on the West edge of a curb on an existing 25 feet wide asphalt drive; thence run along said curb the following: South 31 degrees 22 minutes 56 seconds West 17.705 feet; South 46 degrees 28 minutes 00 seconds West 22.124 feet; South 59 degrees 15 minutes 30 seconds West 32.055 feet; South 75 degrees 21 minutes 03 seconds West 23.689 feet; South 89 degrees 19 minutes 51 seconds West 159.434 feet; North 89 degrees 54 minutes 13 seconds West 140.218 feet to a nail set; North 89 degrees 54 minutes 13 seconds West 7.600 feet; North 76 degrees 43 minutes 48 seconds West 39.985 feet; North 55 degrees 12 minutes 23 seconds West 36.389 feet; North 33 degrees 26 minutes 20 seconds West 32.940 feet; thence leaving said curb run North 88 degrees 08 minutes 23 seconds West 47.007 feet to a point being 5 feet West of an existing 10 foot wide asphalt drive; thence run along a line that is 5.0 feet West of and parallel to said asphalt drive the following: South 27 degrees 04 minutes 20 seconds West 51.113 feet; thence continue along a line that is 5.0 feet North of and parallel to the existing said drive the following: South 45 degrees 25 minutes 25 seconds West 47.037 feet; South 65 degrees 07 minutes 04 seconds West 55.870 feet; South 87 degrees 46 minutes 46 seconds West 61.634 feet; North 71 degrees 00 minutes 12 seconds West 52.603 feet; North 49 degrees 14 minutes 47 seconds West 49.623 feet; thence continue along a line that is 5.0 feet East of and parallel to the existing said drive the following: North 39 degrees 13 minutes 40 seconds West 38.849 feet; North 14 degrees 05 minutes 41 seconds West 11.050 feet, and to the end of easement.

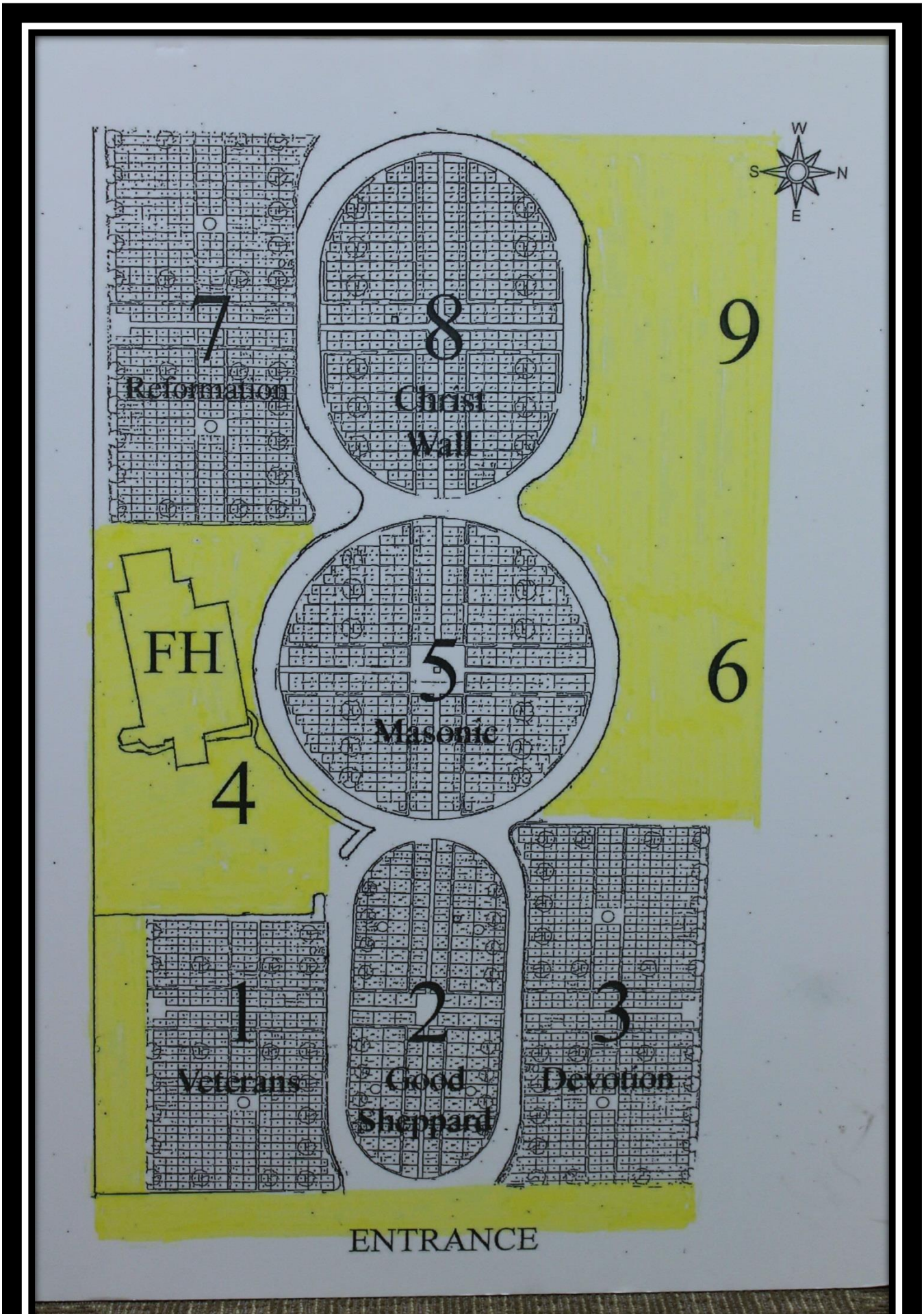
The property described herein constitutes a part of Forrest Memorial Park a plat of which is filed for record in the Office of the Chancery Clerk of Alcorn County, Mississippi, in Plat Book 1 at page 10.

The above described property does not constitute the homestead of Michael Brad Hight or any part thereof, nor has he ever used, occupied or claimed the same as such.

9

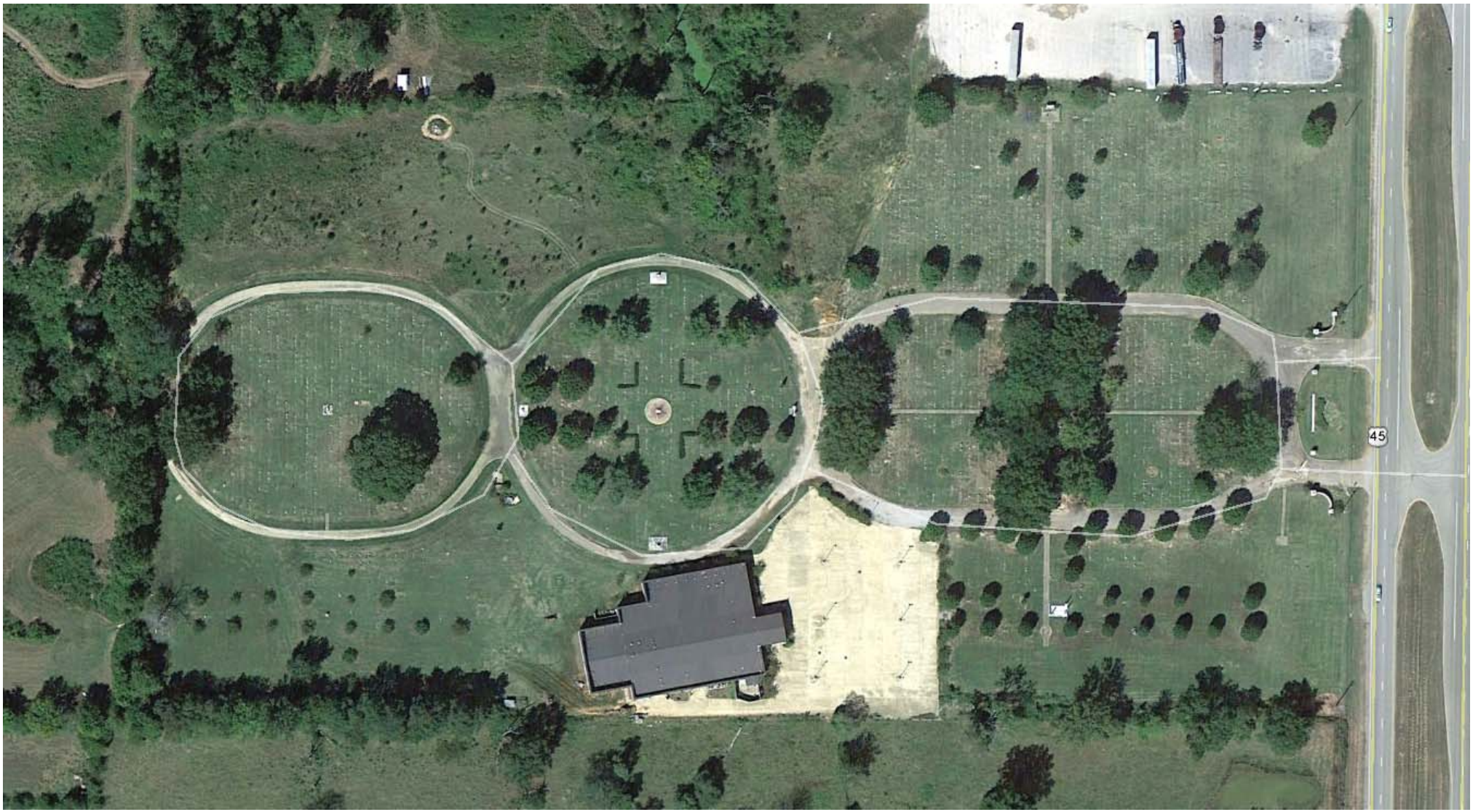
Map of Cemetery

SouthBank Owned Property Shaded in Yellow



10

Satellite Image of Cemetery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11

Description of Property for Bids

PARCEL I

Situated in the County of Alcorn, State of Mississippi, to-wit:

TRACT NO. 1: Commencing at the Southwest corner of the Northeast Quarter of the Southeast Quarter of Section 33, Township 2 South, Range 7 East, Alcorn County, Mississippi, said point being an eight inch diameter creosote post, for the point of beginning; thence run North 01 degree 39 minutes 33 seconds East along an old wire fence and tree line 330.568 feet to a iron pin set; thence leaving said old wire fence and tree line, run North 89 degrees 59 minutes 13 seconds East 44.951 feet to a nail set being 5.0 feet East of an existing 10 feet wide asphalt drive; thence run along a line that is 5.0 feet East of and parallel to the existing said drive the following: South OS degrees 22 minutes10 seconds East 32.239 feet; South 22 degrees 56 minutes 10 seconds East 37.498 feet; thence continue along a line that is 5.0 feet North of and parallel to the existing said drive the following: south 46 degrees 43 minutes 37 seconds East 46.501 feet; South 64 degrees 06 minutes 50 seconds East 38.933 feet; South 81 degrees 33 minutes 16 seconds East 45.146 feet; North 89 degrees 02 minutes 58 seconds East 82.619 feet; North 80 degrees 11 minutes 33 seconds East 31.715 feet; North 63 degrees 11 minutes 45 seconds East 40.483 feet; thence continue along a line that is 5.0 feet West of and parallel to the existing said drive the following: North 38 degrees 42 minutes 49 seconds East 62.250 feet; North 13 degrees 41 minutes 06 seconds East 52.537 feet; thence leaving said line, run North 88 degrees 55 minutes 52 seconds East 32.352 feet to a point that is 5.0 feet East of said drive; thence continue along a line that is 5.0 feet East of and parallel to the existing said drive the following: South 14 degrees 05 minutes 41 seconds East 59.441 feet; thence leaving said line, run south 08 degrees 55 minutes 13 seconds West 279.132 feet to an elm tree on a fence and tree line; thence run south 89 degrees 58 minutes 42 seconds west along said fence and tree line, 390.586 feet to the point of beginning, containing 2.346 acres, more or less.

TRACT NO. 2: Commencing at the Southwest corner of the Northeast Quarter of the Southeast Quarter of section 33, Township 2 South, Range 7 East, Alcorn County, Mississippi, said point being an eight inch diameter creosote post; thence run North 89 degrees 58 minutes 42 seconds East along a wire fence and tree line 390.586 feet to a 10 inch diameter elm tree; thence continue along said wire fence and tree line North 89 degrees 58 minutes 42 seconds East 465.153 feet to an iron pin set for the point of beginning; thence leaving said wire fence and tree line, run North 00 degrees 00 minutes 11 seconds East 228.307 feet to a nail set on the North edge of a curb on a 25 feet wide existing asphalt drive; thence run along the North side of said curb the following: South 89 degrees 54 minutes 13 seconds East 120.218 feet; North 89 degrees 19 minutes 51 seconds East 159.434 feet; North 75 degrees 21 minutes 03 seconds .East 21.689 feet; North 59 degrees 15 minutes 30 seconds East 32.055 feet; North 46 degrees 28 minutes 00 seconds East 22.124 feet; North 31 degrees 22 minutes 56 seconds East 17.705 feet to a nail set; thence leaving said curb, run South 88 degrees 39 minutes 37 seconds East 89.105 feet to a iron pin set on the West right-of-way lien of U.S. Highway 45 South; thence run South 00 degrees 23 minutes 13 seconds West along the West right-of-way line of said Highway 279.948 feet to a concrete right-of-way marker at a fence corner; thence leaving said right-of-way run South 89 degrees 58 minutes 42 seconds West along said wire fence and tree line 440.638 feet to the point of beginning, containing 2.456 acres, more or less.

LESS AND EXCEPT:

Commencing at the Southwest Corner of the Northeast Quarter (1/4) of the Southeast Quarter (1/4) of Section 33, Township 2 South, Range 7 East, Alcorn County, Mississippi, said point being a marked 8 inch diameter creosote post at a fence comer; thence run North 89 degrees 58 minutes 42 seconds East along an old wire fence and tree line 390.586 feet to a 10 inch diameter elm tree; Thence continue along said old wire fence and tree line North 89 degrees 58 minutes 42 seconds East 465.153 feet to an iron pin; thence continue North 89 degrees 58 minutes 42 seconds East along said old wire fence and tree line 353.118 feet to an iron pin for the Point of Beginning; thence run North 234.267 feet to a point 2.5 feet South of an existing curb; thence run along a line that 2.5 feet South of and parallel to said curb the following: North 56 degrees 56 minutes 40 seconds East 13.413 feet; North 78 degrees 59 minutes 40 seconds East 35.321 feet; North 88 degrees 05 minutes 38 seconds East 43.317 feet an iron pin on the West right of way line of U.S. Highway 45 South; Thence run South 0 degrees 23 minutes 13 seconds West along the West right of way line of U.S. Highway 45 South 249.739 feet to an iron pin at a concrete right of way marker; thence leaving said right of way line, run South 89 degrees 58 minutes 42 seconds West along said old wire fence and tree line 87.520 feet to the point of beginning, containing 0.500 acres, more or less.

LESS AND EXCEPT:

Commencing at the Southwest Corner of the Northeast Quarter (1/4) of the Southeast Quarter (1/4) of Section 33, Township 2 South, Range 7 East, Alcorn County, Mississippi, said point being a marked 8 inch diameter creosote post at a fence corner; thence run North 89 degrees 58 minutes 42 seconds East along an old wire fence and tree line 390.586 feet to a 10 inch diameter elm tree; thence continue along said old wire fence and tree line North 89 degrees 58 minutes 42 seconds East 465.153 feet to an iron pin for the Point of Beginning; thence continue North 89 degrees 58 minutes 42 seconds East along said old wire fence and tree line 353.118 feet to an iron pin; thence run North 25.000 feet; thence run South 89 degrees 58 minutes 42 seconds West 353.116 feet; then run South 00 degrees 00 minutes 11 seconds West 25.000 feet to the point of beginning, containing 0.203 acres, more or less.

LESS AND EXCEPT a perpetual non-exclusive easement and right-of-way for the following purposes; namely, the right to enter upon the hereinafter described land and to do any and all work necessary to build, maintain and repair a road, together with the right to use said easement for the purpose of ingress and egress and for public utilities all over, upon and across the following described parcels of land:

PARCEL A: A strip of land 25 feet wide, being 25 feet South of and parallel to the following described line:

Commencing at the Southwest corner of the Northeast Quarter of the Southeast Quarter of Section 33, Township 2 South, Range 7 East, Alcorn County, Mississippi, said point being an eight inch diameter creosote post; thence run North 89 degrees 58 minutes 42 seconds East along a wire fence and tree line 1296.376 feet to a concrete right-of-way marker on the West right-of-way line of U. S. Highway 45 South; thence run North 00 degrees 23 minutes 13 seconds East along the West right-of-way line of said Highway 279.948 feet to an iron pin set for the point of beginning of this easement; thence run along the North line of said easement the following:

North 88 degrees 39 minutes 37 seconds west 89.105 feet to a nail being on the West edge of a curb on an existing 25 feet wide asphalt drive; thence run along said curb the following: south 31 degrees 22 minutes 56 seconds west 17.705 feet; south 46 degrees 28 minutes 00 seconds West 22.124 feet; South 59 degrees 15 minutes 30 seconds West 32.055 feet; South 75 degrees 21 minutes 03 seconds West 21.689 feet; south 89 degrees 19 minutes 51 seconds West 159.434 feet; North 89 degrees 54 minutes 13 seconds west 120.218 feet to a nail set; North 89 degrees 54 minutes 13 seconds West 7.600 feet; North 76 degrees 43 minutes 48 seconds West 39.985 feet; North 55 degrees 12 minutes 23 seconds West 36.389 feet; North 33 degrees 26 minutes 20 seconds West 32.940 feet; thence leaving said curb run North 88 degrees 08 minutes 23 seconds West 47.007 feet to a point being 5 feet West of an existing 10 feet wide asphalt drive; thence run along a line that *is* 5.0 feet West of and parallel to said asphalt drive the following: South 27 degrees 04 minutes 20 seconds West 51.119 feet; thence continue along a line that is 5.0 feet North of and parallel to the existing said drive the following: South 45 degrees 25 minutes 25 seconds West 47.037 feet; South 65 degrees 07 minutes 04 seconds West 55.870 feet; South 87 degrees 46 minutes 46 seconds West 61.634 feet; North 71 degrees 00 minutes 12 seconds West 52.603 feet; North 49 degrees 14 minutes 47.seconds West 49.623 feet; thence continue along a line that is 5.0 feet East of and parallel to the existing said drive the following: North 33 degrees 13 minutes 40 seconds West 38.849 feet; North 14 degrees 05 minutes 41 seconds west 11.050 feet, and to the end of easement.

PARCEL B: A strip of land 10 feet wide, being 10 feet South of and parallel to the following described line:

Commencing at the Southwest corner of the Northeast Quarter of the southeast Quarter of Section 33, Township 2 South, Range 7 East, Alcorn County, Mississippi, said point being an eight inch diameter creosote post; thence run North 89 degrees 58 minutes 42 seconds East along a wire fence and tree line 1296.376 feet to a concrete right-of-way marker on the West right-of-way line of U.S. Highway 45 south; thence run North 00 degrees 23 minutes 13 seconds East along the West right-of-way line of said Highway 279.948 feet to an iron pin set; thence run along the North line of said easement the following: North 88 degrees 39 minutes 37 seconds West 89.105 feet to a nail being on the West edge of a curb on an existing 25 feet wide asphalt drive; thence run along said curb the following: South 31 degrees 22 minutes 56 seconds West 17.705 feet; South 46 degrees 28 minutes 00 seconds West 22.124 feet; South 59 degrees 15 minutes 30 seconds West 32.055 feet; South 75 degrees 21 minutes 03 seconds West 21.689 feet; South 89 degrees 19 minutes 51 seconds West 159.434 feet; North 89 degrees 54 minutes 13 seconds West 120.218 feet to a nail set; North 89 degrees 54 minutes 13 seconds West 7.600 feet; North 76 degrees 43 minutes 48 seconds West 39.985 feet; North 55 degrees 12 minutes 23 seconds West 36.389 feet; North 33 degrees 26 minutes 20 seconds West 32.940 feet; thence leaving said curb run North 88 degrees 08 minutes 23 seconds West 47.007 feet to a point being 5 feet West of an existing 10 feet wide asphalt drive; thence run along a line that is 5.0 feet west of and parallel to said asphalt drive the following: South 27 degrees 04 minutes 20 seconds West 51.119 feet; thence continue along a line that is 5.0 feet North of and parallel to the existing said drive the following: South 45 degrees 25 minutes 25 seconds West 47.037 feet; South 65 degrees 07 minutes 04 seconds West 55.870 feet; South 87 degrees 46 minutes 46 seconds west 61.634 feet; North 71 degrees 00 minutes 12 seconds West 52.603 feet; North 49 degrees 14 minutes 47 seconds West 49.623 feet; thence continue along a line that is 5.0 feet East of and parallel to the existing said drive the following: North 33 degrees 13 minutes 40 seconds West 38.849 feet;

North 14 degrees 05 minutes 41 seconds West 1!~50 feet to the point of beginning for the easement; thence run North 14 degrees OS minutes 41 seconds west 59.441 feet; South 88 degrees 55 minutes 52 seconds West 32.352 feet; south 13 degrees 41 minutes 06 seconds West 52.537 feet; South 38 degrees 42 minutes 49 seconds West 62.250 feet; south 63 degrees 11 minutes 45 seconds West 40.483 feet; South 80 degrees 11 minutes 33 seconds West 31.715 feet; south 89 degrees 02 minutes 58 seconds West 82.619 feet; North 81 degrees 33 minutes 16 seconds West 45.146 feet; North 64 degrees 06 minutes so seconds West 38.933 feet; North 46 degrees 43 minutes 37 seconds West 46.501 feet; North 22 degrees 56 minutes 10 seconds West 37.498 feet; North OS degrees 22 minutes 10 seconds West 32.239 feet to the end of easement.

All of the above described is subject to the rights of third parties who have purchased rights of interment in Forrest Memorial Cemetery Park.

The property described herein constitutes a part of Forrest Memorial Park a plat of which is filed for record in the Office of the Chancery Clerk of Alcorn County, Mississippi, in Plat Book 3 at page 10.

PARCEL II

Situated in the County of Alcorn, State of Mississippi, to-wit:

Beginning at a point in the South line of Northeast Quarter of Southeast Quarter of Section 33, Township 2, Range 7, in Alcorn County, Mississippi, where the same intersects the West line of right-of-way of Highway #45; and run thence West 1295 feet to an old fence; thence North along said old fence 660 feet; thence East 1275 feet and to the West line of right-of-way of Highway #45; and thence South along said West right-of-way line 660 feet and to the beginning point.

LESS AND EXCEPT:

All property that has been heretofore conveyed as grave lots to various individuals by Forrest Memorial Park, Inc., Forrest Memorial Park, Terry H. Carpenter d/b/a Forrest Memorial Park, Coleman Funeral Home, Inc., Wayne Hight, Nancy Hight, or Brad Hight, d/b/a Forrest Memorial Park.

LESS AND EXCEPT:

Commencing at the Southwest corner of the Northeast Quarter of the Southeast Quarter of Section 33, Township 2 South, Range 7 East, Alcorn County, Mississippi, said point being an eight inch diameter creosote post, for the point of beginning; thence run North 01 degree 39 minutes 33 seconds East along an old wire fence and tree line 330.568 feet to a iron pin set; thence leaving said old wire fence and tree line, run North 89 degrees 59 minutes 13 seconds East 44.951 feet to a nail set being 5.0 feet East of an existing 10 feet wide asphalt drive; thence run along a line that is 5.0 feet East of and parallel to the existing said drive the following: South OS degrees 22 minutes10 seconds East 32.239 feet; South 22 degrees 56 minutes 10 seconds East 37.498 feet; thence continue along a line that is 5.0 feet North of and parallel to the existing said drive the following: south 46 degrees 43 minutes 37 seconds East 46.501 feet; South 64 degrees 06 minutes 50 seconds East 38.933 feet; South 81 degrees 33 minutes 16 seconds East 45.146 feet; North 89 degrees 02 minutes 58 seconds East 82.619 feet; North 80 degrees 11 minutes 33 seconds East 31.715 feet; North 63 degrees 11 minutes 45 seconds East 40.483 feet; thence continue along a line that is 5.0 feet West of and parallel to the existing said drive the following: North 38 degrees 42 minutes 49 seconds East 62.250 feet; North 13 degrees 41 minutes 06 seconds East 52.537 feet; thence leaving said line, run North 88 degrees 55 minutes 52 seconds East 32.352 feet to a point that is 5.0 feet East of said drive; thence continue along a line that is 5.0 feet East of and parallel to the existing said drive the following: South 14 degrees 05 minutes 41 seconds East 59.441 feet; thence leaving said line, run south 08 degrees 55 minutes 13 seconds West 279.132 feet to an elm tree on a fence and tree line; thence run south 89 degrees 58 minutes 42 seconds west along said fence and tree line, 390.586 feet to the point of beginning, containing 2.346 acres, more or less.

LESS AND EXCEPT:

Commencing at the Southwest corner of the Northeast Quarter of the southeast Quarter of section 33, Township 2 south, Range 7 East, Alcorn County, Mississippi, said point being an eight inch diameter creosote post; thence run North 89 degrees 58 minutes 42 seconds East along a wire fence and tree line 390.586 feet to a 10 inch diameter elm tree for the point of beginning; thence run North 08 degrees 55 minutes 13 seconds East 279.132 feet to a nail set 5.0 feet East of an existing 10 feet wide asphalt drive;

thence run along a line that is 5.0 feet East of and parallel to the existing said drive the following: south 14 degrees 05 minutes 41 seconds East 11.050 feet; South 33 degrees 13 minutes 40 seconds East 38.849 feet; thence continue along a line that is 5.0 feet North of and parallel to the existing said drive the following: South 49 degrees 14 minutes 47 seconds East 49.623 feet; South 71 degrees 00 minutes 12 seconds East 52.603 feet; North 87 degrees 46 minutes 46 seconds East 61.634 feet; North 65 degrees 07 minutes 04 seconds East 55.870 feet; North 45 degrees 25 minutes 25 seconds East 47.037 feet; thence continue along a line that is 5.0 feet West of and parallel to the existing said drive the following: North 27 degrees 04 minutes 20 seconds East 51.119 feet; thence leaving said line run South 88 degrees 08 minutes 23 seconds East 47.007 feet to the backside of a curb; thence run along the backside of said curb the following: south 33 degrees 26 minutes 20 seconds East 32.940 feet; South 55 degrees 12 minutes 23 seconds East 36.389 feet; South 76 degrees 43 minutes 48 seconds East 39.985 feet; South 89 degrees 54 minutes 13 seconds East 7.600 feet to a nail set; thence leaving said curb, run South 00 degrees 00 minutes 11 seconds West 228.307 feet to an iron pin on a wire fence and tree line; thence run South 89 degrees 58 minutes 42 seconds West 465.153 feet along said wire fence and tree line to the point of beginning, containing 2.325 acres, more or less.

LESS AND EXCEPT:

Commencing at the Southwest corner of the Northeast Quarter of the Southeast Quarter of section 33, Township 2 South, Range 7 East, Alcorn County, Mississippi, said point being an eight inch diameter creosote post; thence run North 89 degrees 58 minutes 42 seconds East along a wire fence and tree line 390.586 feet to a 10 inch diameter elm tree; thence continue along said wire fence and tree line North 89 degrees 58 minutes 42 seconds East 465.153 feet to an iron pin set for the point of beginning; thence leaving said wire fence and tree line, run North 00 degrees 00 minutes 11 seconds East 228.307 feet to a nail set on the North edge of a curb on a 25 feet wide existing asphalt drive; thence run along the North side of said curb the following: South 89 degrees 54 minutes 13 seconds East 120.218 feet; North 89 degrees 19 minutes 51 seconds East 159.434 feet; North 75 degrees 21 minutes 03 seconds .East 21.689 feet; North 59 degrees 15 minutes 30 seconds East 32.055 feet; North 46 degrees 28 minutes 00 seconds East 22.124 feet; North 31 degrees 22 minutes 56 seconds East 17.705 feet to a nail set; thence leaving said curb, run South 88 degrees 39 minutes 37 seconds East 89.105 feet to a iron pin set on the West right-of-way lien of U.S. Highway 45 South; thence run South 00 degrees 23 minutes 13 seconds West along the West right-of-way line of said Highway 279.948 feet to a concrete right-of-way marker at a fence corner; thence leaving said right-of-way run South 89 degrees 58 minutes 42 seconds West along said wire fence and tree line 440.638 feet to the point of beginning, containing 2.456 acres, more or less.

LESS AND EXCEPT:

Commencing at the Southwest Corner of the Northeast Quarter (1/4) of the Southeast Quarter (1/4) of Section 33, Township 2 South, Range 7 East, Alcorn County, Mississippi, said point being a marked 8 inch diameter creosote post at a fence comer; thence run North 89 degrees 58 minutes 42 seconds East along an old wire fence and tree line 390.586 feet to a 10 inch diameter elm tree; Thence continue along said old wire fence and tree line North 89 degrees 58 minutes 42 seconds East 465.153 feet to an iron pin; thence continue North 89 degrees 58 minutes 42 seconds East along said old wire fence and tree line 353.118 feet to an iron pin for the Point of Beginning; thence run North 234.267 feet to a point 2.5 feet South of an existing curb; thence run along a line that 2.5 feet South of and parallel to said curb the following: North 56 degrees 56 minutes 40 seconds East 13.413 feet; North 78 degrees 59 minutes 40 seconds East 35.321

feet; North 88 degrees 05 minutes 38 seconds East 43.317 feet an iron pin on the West right of way line of U.S. Highway 45 South; Thence run South 0 degrees 23 minutes 13 seconds West along the West right of way line of U.S. Highway 45 South 249.739 feet to an iron pin at a concrete right of way marker; thence leaving said right of way line, run South 89 degrees 58 minutes 42 seconds West along said old wire fence and tree line 87.520 feet to the point of beginning, containing 0.500 acres, more or less.

LESS AND EXCEPT:

Commencing at the Southwest Corner of the Northeast Quarter (1/4) of the Southeast Quarter (1/4) of Section 33, Township 2 South, Range 7 East, Alcorn County, Mississippi, said point being a marked 8 inch diameter creosote post at a fence corner; thence run North 89 degrees 58 minutes 42 seconds East along an old wire fence and tree line 390.586 feet to a 10 inch diameter elm tree; thence continue along said old wire fence and tree line North 89 degrees 58 minutes 42 seconds East 465.153 feet to an iron pin for the Point of Beginning; thence continue North 89 degrees 58 minutes 42 seconds East along said old wire fence and tree line 353.118 feet to an iron pin; thence run North 25.000 feet; thence run South 89 degrees 58 minutes 42 seconds West 353.116 feet; then run South 00 degrees 00 minutes 11 seconds West 25.000 feet to the point of beginning, containing 0.203 acres, more or less.

LESS AND EXCEPT:

Commencing at the Southwest Corner of the Northeast Quarter (1/4) of the Southeast Quarter (114) of Section 33, Township 2 South, Range 7 East, Alcorn County, Mississippi, said point being a marked 8 inch diameter creosote post at a fence corner; Thence run North 89 degrees 58 minutes 42 seconds East along an old wire fence and tree line 390.5136 feet to a 10 inch diameter elm tree; Thence continue along said old wire fence and tree fence .North 89 degrees 58 minutes 42 seconds East 353.118 feet to an iron pin; Thence run North 89 degrees 58 minutes 42 seconds East along said old fence and tree line 87.520 feet to a concrete right-of-way marker found on the West right of way line of U.S. Highway 45 South; Thence run North 00 degrees 23 minutes 13 seconds East along said right of way line 249.739 feet to an iron pin; Thence continue North 00 degrees 23 minutes 13 seconds .East along said right of way line 159.756 feet to an iron pin for the Point of Beginning; Thence run North 88 degrees 12 minutes 51 seconds West 45.537 feet along the back of a curb (BOC)(L 1); Thence run North 83 degrees: 11 minutes 07 seconds West 17.01 o feet along said BOC (L2); Thence run North 74 degrees 36 minutes 32 seconds West 14.076 feet along said BOC (L3); Thence run North 62 degrees 11 minutes 08 seconds West 16.922 feet along said BOC (L4); Thence run North 234.534 feet to an Iron pin; Thence run North 89 degrees 55 minutes 53 seconds East 96.204 feet to an iron pin found on the West right-of-way line of US Highway 45 South; Thence run South 00 degrees 23 minutes 13 seconds West along said right of way line 251.044 feet to the point of beginning, containing 0.540 acres, more or less.

LESS AND EXCEPT:

Commencing at .the Southwest Comer .of the Northeast Quarter (1/4) of the Southeast Quarter (1/4) of Section 33, Township 2 South, Range 7 East, Alcorn County, Mississippi, said point being a marked 8 inch diameter creosote post at a fence corner; Thence run North 01 degree 39 minutes 33 seconds East along an old wire fence and tree line 330.568 feet to an iron pin found

for the Point of Beginning; Thence run North 01 degrees 39 minutes 33 second East along said old fence and tree line 330,172 feet to an iron pin at a fence corner; Thence run South 89 degrees 58 minutes 35 seconds East along the remnants of an old wire fence line 610.574 feet to an iron pin; Thence run North 89 degrees 55 minutes 53 seconds East 211.200 feet to an iron pin; Thence run South 21 degrees 09 minutes 48 seconds West 171.991 feet; Thence run South 68.470 feet to a point on the back of a curb (BOC); Thence run South 53 degrees 10 minutes 11 seconds West 35.427 feet along said BOC (L13); Thence run South 75 degrees 59 minutes 47 seconds West 18.681 feet along said BOC (L14); Thence run North 67 degrees 21 minutes 49 seconds West 18.681 feet along said BOC (L15); Thence run North 35 degrees 27 minutes 36 seconds West 30.005 feet along said BOC (L16); Thence run North 46 degrees 11 minutes 38 seconds West 36.103 feet along said BOC (L17); Thence run North 60 degrees 11 minutes 21 seconds West 51.953 feet along said BOC (L18); Thence run North 79 degrees 25 minutes 22 seconds West 39.890 feet along said BOC (L19); Thence run South 87 degrees 52 minutes 39 seconds West 44.248 feel along said BOC (L20); Thence run South 73 degrees 50 minutes 43 seconds West 36.031 feet along said BOC (L21); Thence run South 60 degrees 16 minutes 51 seconds West 41.328 feet along said BOC (L22); Thence run South 46 degrees 49 minutes 21 seconds West 35.586 feet along said BOC (L23); Thence run South 37 degrees 58 minutes 03 seconds West 49.212 feet along said BOC to the end of said curb (L24); Thence run South 65 degrees 32 minutes 33 seconds West 17.631 feet along the edge of asphalt pavement (EOP) (L 25); Thence run North 76 degrees 43 minutes 06 seconds West 14.063 feet along said EOP (L 26); Thence run North.42 degrees 26 minutes 10 seconds West 38.929 feet along said EOP (L27); Thence run North 53 degrees 30 minutes 18 seconds West 36.637 .feet along said EOP (L28); Thence run North 67 degrees 50 minutes 11 seconds West 27.473 feet along said EOP(L29); Thence run North 80 degrees 36 minutes 18 seconds West 46.691 feet along said EOP (L30); Thence run South 89 degrees 04 minutes 03 seconds West 62.019 feet along said EOP (L31); Thence run South 79 degrees 43 minutes 27 seconds West 45.616 feet along said EOP (L32); Thence run South 64 degrees 29 minutes 01 seconds West 46.293 feet along said EOP (L33); Thence run South 41" degrees 40 minutes 02 seconds West 47.572 feet along said EOP (L34); Thence run South 23 degrees 45 minutes 57 seconds West 41.792 feet along said EOP (L35);. Thence run South 07 degrees .57 minutes 10 seconds West 32.635 feet along said EOP (L36); Thence run West 27.657 feet along said EOP (L37) to the point of beginning, containing 3.876 acres; more or less.

LESS AND EXCEPT a perpetual non-exclusive easement and right-of-way for the following purposes; namely, the right to enter upon the hereinafter described land and to do any and all work necessary to build, maintain and repair a road, together with the right to use said easement for the purpose of ingress and egress and for public utilities all over, upon and across the following described parcels of land:

Commencing at the Southwest Corner of the Northeast Quarter of the Southeast Quarter of Section 33, Township 2 South, Range 7 East, Alcorn County, Mississippi, said point being an eight inch diameter creosote post; Thence run North 89 degrees 58 minutes 42 seconds East along a wire fence and tree line 1296.376 (1296.107) feet to a concrete right of way marker on the West right of way line of U.S. Highway 45 South; Thence run North 00 degrees 23 minutes 13 seconds East along the West right-of-way line of said Highway 279.948 feet to an iron pin set; North 00 degrees 27 minutes 03 seconds East along the West right of way line of said Highway 129.551 feet to an iron pin set for the Point of Beginning for this easement, Thence run

North 88 degrees 12 minutes 51 seconds West 45.537 feet along the back of a curb (BOC) (L1); Thence run North 63 degrees 11 minutes 08 seconds West 17.010 feet along said BOC (L2); Thence run North 74 degrees 48 minutes 32 seconds West 14.076 feet along said BOC (L3); Thence run North 62 degrees 11 minutes 08 seconds. West 18.922 feet along said BOC (L4); Thence run North 59 degrees 47 minutes 10 seconds. West 23.730 feet along said BOC (L5); Thence run North 65 degrees 55 .minutes 45 seconds West 31.044 feet along said BOC (L6); Thence run North 78 degrees 41 minutes 26 seconds West 27.280 feet along said BOC (L7); Thence run North *87* degrees 36 minutes 01 seconds West 39.546 feet along said BOC (L8); Thence run South 89 degrees 40 minutes 29 seconds West 238.920 feet along said BOC (L9); Thence run South 83 degrees 44 minutes 12 seconds West 25.221 feet along said BOC (L10); Thence run South 72 degrees 46 minutes 45 seconds West 23.639 feet along said BOC (L 11); Thence run South 60 degrees 31 minutes 38 seconds West 30.165 Feet along said BOC (L 12); Thence run South 53 degrees 10 minutes 11 seconds West 35.427 feet along said BOC (L 13); Thence run South 75 degrees 59 minutes 47 seconds West 16.681 feet along said BOC (L 14); Thence run North 67 degrees 21 minutes 49 seconds West 18.661 feet along said BOC (L 15); Thence run North 35 degrees 27 minutes 36 seconds West 30.005 feet along said BOC (L 16); Thence run North 46 degrees 11 minutes 38 seconds West 36.103 feet along said BOC (L 17); Thence run North 60 degrees 11 minutes 21 seconds West 51.953 feet along said BOC (L 18); Thence run North 79 degrees 25 minutes· *22* seconds West 39.690 feet along said BOC (L 19); Thence run South 87 degrees 54 minutes 39 seconds West 44.248 feet along said BOC (L20); Thence run South 73 degrees 50 minutes 43 seconds West 36.031 feet along said BOC (L21); Thence run South 60 degrees 16 minutes 52 seconds West 41.328 feet along said BOC (L22); Thence run South 46 degrees 49 minutes 21 seconds West 35.586 feet along said SOC (L23); Thence run South 37 degrees 58 minutes 03 seconds West 49.212 feet along said BOC to the end said curb (L24); Thence run South 65 degrees 32 minutes 33 seconds West 17.631 feet along the edge of asphalt pavement (EOP)(L25); Thence run North 76 degrees 43 minutes 06 seconds West 14.063 feet along said EOP (L26); Thence run North 42 degrees 26 minutes 10 seconds We8t 38.929 feet along said EOP (L27): Thence run North 53 degrees 30 minutes 18 seconds West 36.637 feet along said EOP (L28); Thence run North 67 degrees 50 minutes 11 seconds West 27.473 feet along said EOP(L29); Thence run North 80 degrees 36 minutes 18 seconds West 46.691 feet along said EOP (L30); Thence run South 89 degrees 54 minutes 03 seconds West 82.019 feet along said EOP (L31); Thence run South 79 degrees 43 minutes 27 seconds West 45.616 feet along said EOP (L32); Thence run South 64 degrees 29 minutes 01 seconds West 46.293 feet along said EOP (L33); Thence run South 41 degrees 40 minutes 02 seconds West 47.572 feet along said EOP (L34); Thence run South 23 degrees 45 minutes 57 seconds West 41.792 feet along said EOP (L35); Thence run South 07 degrees 57 minutes 10 seconds West 32.635 feet along said EOP (L36); Thence run West 27.857 feet along said EOP (L37); Thence run South 01 degrees 39 minutes 33 seconds West 32.112 feet along said EOP (L38); Thence run North 69 degrees 59 minutes 13 seconds East 44.562 feet to a point on the back of a curb BOC (L39); Thence run North 09 degrees 30 minutes 03 seconds West 16.003 feet along said BOC (L40); Thence run North 02 degrees 23 minutes 38 seconds West 16.323 feet along said BOC (L41); Thence run North 04 degrees 36 minutes 37 seconds East 15.538 feet along said BOC (L42); Thence run North 11 degrees 11 minutes 40 seconds East 14.413 feet along said BOC (L43); Thence run. North 19 degrees 16 minutes.28 seconds East 20.1 01 feet along said BOC (L44); Thence run North 28 degrees 00 minutes 29 seconds. East 18.266 feet along said BOC (L45); Thence run North 36 degrees 50 minutes. 36 seconds East 21.132 feet along

said BOC (L46}; Thence run North 46 degrees 33 minutes 44 seconds East 22.198 feet along said BOC (L47); Thence run North 60 degrees 41 minutes 10 seconds East 20.872 feet along said BOC (L48); Thence run North 68 degrees 40 minutes 19 seconds East 21.825 feet along said BOC (L49); Thence run North 76 degrees 46 minutes 23 seconds East 21.488 feet along said BOC (L50); Thence run North 84 degrees 04 minutes 37 seconds East 20.824 feet along said BOC (L51); Thence run North 87 degrees *46* minutes 51 seconds East 41.258 feet along said BOC (L52); Thence run South. 88 degrees 24 minutes 30 seconds East 39.162 feet along said BOC (L53); Thence run South 8.3 degrees 40 minutes 47 seconds East 22.226 feet along said BOC (L54); Thence run South 76 degrees 19 minutes 45 seconds East 21.222 feet along said BOC (L55); Thence run South 68 degrees 33 minutes 34 seconds East 24.698 feet along said BOC (L56); Thence run South 55 degrees 58 minutes 51 seconds East 20.732 feet along said BOC (L57); Thence run South 50 degrees 13 minutes 31 seconds East 13.260 feet along said BOC (L56); Thence run South 44 degrees 07 minutes 62 seconds East 22.728 feet along said BOC (L59); Thence run South 37 degrees 19 minutes 45 seconds East 17.438 feet along said BOC (L60); Thence run South 19 degrees 13 minutes 20 seconds East 20.750 feet along said BOC (L61); Thence run South 11 degrees 15 minutes 31 seconds East 16.199 feet along said BOC (L62);.Thence run East 28.181 feet to the edge of asphalt pavement (EOP) (L63); Thence run North 12 degrees 55 minutes 26 seconds East 25.476 feet along said EOP (L64); Thence run North 24 degrees 18 minutes 12 seconds East 18.566 feet along said EOP (L65); Thence run North 30 degrees 11 minutes 15 seconds East 20.707 feet along said EOP (L66); Thence run North 37 degrees 10 minutes 14 seconds East 25.894 feet along said EOP (L67); Thence run North 44 degrees 14 minutes 48 seconds East 21.326 feet along said EOP (L68); Thence run North 50 degrees 37 minutes 38 seconds East 11.808 feet along said EOP (L69); Thence run North 58 degrees 31 minutes 19 seconds East 18.537 feet along said EOP (L70); Thence run North 63 degrees 57 minutes 43 seconds East 19.7.66 feet along said EOP (L71); Thence run North 71 degrees 04 minutes 22 seconds East 18.842 feet along said EOP (L72); Thence run North 77 degrees 30 minutes 58 seconds East 16.961 feet along said EOP (L73); .Thence run North 84 degrees 10 minutes 36 seconds East 20.548 along said EOP (L74); Thence run South 88 degrees 22 minutes· 22 seconds East 20.207 feet along said EOP (L75); Thence run South 81 degrees 12 minutes 16 seconds East 19.008 feet along said EOP (L76); Thence run South 74 degrees 20 minutes 05 seconds Ea8t 18.574 feet along said EOP (L77); Thence run South 64 degrees 32 minutes 40 seconds East 25.394 feet along said EOP (L78); Thence run South 56 degrees 06 minutes 49 seconds East 21.765 feet along said EOP (L79); Thence run South 46 degrees 43 minutes 08 seconds East 33.890 feet along said EOP (L80); Thence run South 36 degrees· 54 minutes 21 seconds East 29.020 feet along said EOP (81); Thence run South 29 degrees 53 minutes 18 seconds East 10.362 feet along said EOP (L82); Thence run South 08 degrees 44 minutes 21 seconds East 49.624 feet along said EOP (L83); Thence run East 36.240 feet to a point on the back of a curb (BOC) (L84); Thence run North 12 degrees 23 minutes 34 seconds East 13.406 feet along said BOC (L85); Thence run North 21 degrees 34 minutes 51 seconds East 19.625 feet along said BOC (L86); Thence run North 32 degrees 43 minutes 46 seconds East 14.338 feet along said BOC (L87); Thence run North 42 degrees 26 minutes 50 seconds East 16,644 feet along said BOC (L88); Thence run North 51 degrees 04 minutes 33 seconds East 13.937 feet along said BOC (L89); Thence run North 61 degrees 06 minutes 11 seconds East 22.702 feet along said BOC (L9O);Thence run North 72 degrees 45 minutes 33 seconds East 19.877 feet along said BOC (L91);Thence run North 83 degrees 32 minutes 14 seconds East 19.506 feet along said BOC (l92); Thence run North 89 degrees 40

minutes 29 seconds East 236.524 feet along said BOC (L93); Thence run South 87 degrees 34 minutes 45 seconds East 37.648 feet along said BOC (L94); Thence run South 60 degrees 24 minutes 55 seconds East 16.931 feet along said BOC (L95); Thence run South 72 degrees 03 minutes 33 seconds East 21.621 feet along said BOC (L96); Thence run South 54 degrees 44 minutes 16 seconds East 19.981 feet along said BOC (L97); Thence run South 46 degrees 35 minutes 59 seconds East 18.569 feet along said BOC (L98); Thence run South 38 degrees 16 minutes 46 seconds East 10.037 feet along said BOC (L99); Thence run South 32 degrees 49 minutes 16 seconds East 9.636 feet along said BOC (L100); Thence run South 25 degrees 26 minutes 32 seconds East 16.785 feet along said BOC (L101); Thence run East 45.474 feet along said BOC (L102); Thence run North 39 degrees 44 minutes 00 seconds East 8.405 feet along said BOC (L103); Thence run North 54 degrees 43 minutes 25 seconds East 7.326 feet along said BOC (L104); Thence .run North 65 degrees 27 minutes 54 seconds East 5.203 feet along said BOC (L105); Thence run North 75 degrees 57 minutes 12 seconds East 6.394 feet along said BOC (L106); Thence run North 86 degrees 47 minutes 45 seconds East 6.796 feet along said BOC (L107); Thence run North 87 degrees 44 minutes 20 seconds East 9.807 feet along said BOC to the west right of way line of US Highway 45 (L108); Thence run North 00 degree 23 minutes 13 seconds East 29.230 feet to the point of beginning of this easement (L109).

The property described herein constitutes a part of Forrest Memorial Park a plat of which is filed for record in the Office of the Chancery Clerk of Alcorn County, Mississippi, in Plat Book 3 at page 10.

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Quitclaim Deed to Receivership

Prepared by:
Dave Scott, Esq.
MSB#8765
Office of the Secretary of State
State of Mississippi
700 North Street
Jackson, MS 39202
601-359-1350

Return to:
Dave Scott, Esq.
Office of the Secretary of State
State of Mississippi
700 North Street
Jackson, MS 39202
601-359-1350

INDEXING INSTRUCTIONS: SOUTHEAST QUARTER OF SECTION 33, TOWNSHIP 2, RANGE 7 (Alcorn County, Mississippi)

STATE OF MISSISSIPPI
COUNTY OF ALCORN

QUITCLAIM DEED

FOR AND IN CONSIDERATION of the price and sum of Ten and No/100 Dollars ($10.00), and other good and valuable considerations, the receipt and sufficiency of which is hereby acknowledged, Nancy B. Hight, ("Grantor"), does hereby sell, convey and quitclaim unto, the Receivership Estate, Forrest Memorial Park Cemetery ("Grantee"), created in the Alcorn County Chancery Court Cause No. 2011-0454-02 MM (Exhibit B), that certain property situated in the County of Alcorn, State of Mississippi, more particularly described as follows:

See Exhibit A attached

WITNESS THE EXECUTION OF THIS INSTRUMENT, effective the 30th day of December, 2012.

GRANTOR:

Nancy B. Hight

Nancy B. Hight

State of Mississippi
County of Alcorn

Personally appeared before me, the undersigned authority in and for the said county and state, on this 30th day of December, 2012, within my jurisdiction, the within named Nancy B. Hight who acknowledged that she executed the foregoing instrument.

Notary Public

My Commission Expires:

3-27-16

STATE OF MISSISSIPPI
NOTARY PUBLIC
ID # 101807
LISA HORNER
Commission Expires
March 27, 2016
ALCORN COUNTY

Grantor:

Nancy B. Hight
1313 Orchard Lane
Corinth, MS 38834
662-287-0123

Grantee:

Receivership Estate, Forrest Memorial Park Cemetery
P.O. Box 1681
Corinth, MS 38835
662-284-0085

EXHIBIT A

Situated in the County of Alcorn, State of Mississippi, to-wit:

Beginning at a point in the South line of Northeast Quarter of Southeast Quarter of Section 33, Township 2, Range 7, in Alcorn County, Mississippi, where the same intersects the West line of right-of-way of Highway #45; and run thence West 1295 feet to an old fence; thence North along said old fence 660 feet; thence East 1275 feet and to the West line of right-of-way of Highway #45; and thence South along said West right-of-way line 660 feet and to the beginning point.

LESS AND EXCEPT:

All property that has been heretofore conveyed as grave lots to various individuals by Forrest Memorial Park, Inc., Forrest Memorial Park, Terry H. Carpenter d/b/a Forrest Memorial Park, Coleman Funeral Home, Inc., Wayne Hight, Nancy Hight, or Brad Hight, d/b/a Forrest Memorial Park.

LESS AND EXCEPT:

Commencing at the Southwest corner of the Northeast Quarter of the Southeast Quarter of Section 33, Township 2 South, Range 7 East, Alcorn County, Mississippi, said point being an eight inch diameter creosote post, for the point of beginning; thence run North 01 degree 39 minutes 33 seconds East along an old wire fence and tree line 330.568 feet to a iron pin set; thence leaving said old wire fence and tree line, run North 89 degrees 59 minutes 13 seconds East 44.951 feet to a nail set being 5.0 feet East of an existing 10 feet wide asphalt drive; thence run along a line that is 5.0 feet East of and parallel to the existing said drive the following: South OS degrees 22 minutes10 seconds East 32.239 feet; South 22 degrees 56 minutes 10 seconds East 37.498 feet; thence continue along a line that is 5.0 feet North of and parallel to the existing said drive the following: south 46 degrees 43 minutes 37 seconds East 46.501 feet; South 64 degrees 06 minutes 50 seconds East 38.933 feet; South 81 degrees 33 minutes 16 seconds East 45.146 feet; North 89 degrees 02 minutes 58 seconds East 82.619 feet; North 80 degrees 11 minutes 33 seconds East 31.715 feet; North 63 degrees 11 minutes 45 seconds East 40.483 feet; thence continue along a line that is 5.0 feet West of and parallel to the existing said drive the following: North 38 degrees 42 minutes 49 seconds East 62.250 feet; North 13 degrees 41 minutes 06 seconds East 52.537 feet; thence leaving said line, run North 88 degrees 55 minutes 52 seconds East 32.352 feet to a point that is 5.0 feet East of said drive; thence continue along a line that is 5.0 feet East of and parallel to the existing said drive the following: South 14 degrees 05 minutes 41 seconds East 59.441 feet; thence leaving said line, run south 08 degrees 55 minutes 13 seconds West 279.132 feet to an elm tree on a fence and tree line; thence run south 89 degrees 58 minutes 42 seconds west along said fence and tree line, 390.586 feet to the point of beginning, containing 2.346 acres, more or less.

LESS AND EXCEPT:

Commencing at the Southwest corner of the Northeast Quarter of the southeast Quarter of section 33, Township 2 south, Range 7 East, Alcorn County, Mississippi, said point being an eight inch diameter creosote post; thence run North 89 degrees 58 minutes 42 seconds East along a wire fence and tree line 390.586 feet to a 10 inch diameter elm tree for the point of beginning; thence run North 08 degrees 55 minutes 13 seconds East 279.132 feet to a nail set 5.0 feet East of an existing 10 feet wide asphalt drive: thence run along a line that is 5.0 feet East of and parallel to the existing said drive the following: south 14 degrees 05 minutes 41 seconds East 11.050 feet; South

33 degrees 13 minutes 40 seconds East 38.849 feet; thence continue along a line that is 5.0 feet North of and parallel to the existing said drive the following: South 49 degrees 14 minutes 47 seconds East 49.623 feet; South 71 degrees 00 minutes 12 seconds East 52.603 feet; North 87 degrees 46 minutes 46 seconds East 61.634 feet; North 65 degrees 07 minutes 04 seconds East 55.870 feet; North 45 degrees 25 minutes 25 seconds East 47.037 feet; thence continue along a line that is 5.0 feet West of and parallel to the existing said drive the following: North 27 degrees 04 minutes 20 seconds East 51.119 feet; thence leaving said line run South 88 degrees 08 minutes 23 seconds East 47.007 feet to the backside of a curb; thence run along the backside of said curb the following: south 33 degrees 26 minutes 20 seconds East 32.940 feet; South 55 degrees 12 minutes 23 seconds East 36.389 feet; South 76 degrees 43 minutes 48 seconds East 39.985 feet; South 89 degrees 54 minutes 13 seconds East 7.600 feet to a nail set; thence leaving said curb, run South 00 degrees 00 minutes 11 seconds West 228.307 feet to an iron pin on a wire fence and tree line; thence run South 89 degrees 58 minutes 42 seconds West 465.153 feet along said wire fence and tree line to the point of beginning, containing 2.325 acres, more or less.

LESS AND EXCEPT:

Commencing at the Southwest corner of the Northeast Quarter of the Southeast Quarter of section 33, Township 2 South, Range 7 East, Alcorn County, Mississippi, said point being an eight inch diameter creosote post; thence run North 89 degrees 58 minutes 42 seconds East along a wire fence and tree line 390.586 feet to a 10 inch diameter elm tree; thence continue along said wire fence and tree line North 89 degrees 58 minutes 42 seconds East 465.153 feet to an iron pin set for the point of beginning; thence leaving said wire fence and tree line, run North 00 degrees 00 minutes 11 seconds East 228.307 feet to a nail set on the North edge of a curb on a 25 feet wide existing asphalt drive; thence run along the North side of said curb the following: South 89 degrees 54 minutes 13 seconds East 120.218 feet; North 89 degrees 19 minutes 51 seconds East 159.434 feet; North 75 degrees 21 minutes 03 seconds .East 21.689 feet; North 59 degrees 15 minutes 30 seconds East 32.055 feet; North 46 degrees 28 minutes 00 seconds East 22.124 feet; North 31 degrees 22 minutes 56 seconds East 17.705 feet to a nail set; thence leaving said curb, run South 88 degrees 39 minutes 37 seconds East 89.105 feet to a iron pin set on the West right-of-way lien of U.S. Highway 45 South; thence run South 00 degrees 23 minutes 13 seconds West along the West right-of-way line of said Highway 279.948 feet to a concrete right-of-way marker at a fence corner; thence leaving said right-of-way run South 89 degrees 58 minutes 42 seconds West along said wire fence and tree line 440.638 feet to the point of beginning, containing 2.456 acres, more or less.

LESS AND EXCEPT:

Commencing at the Southwest Corner of the Northeast Quarter (1/4) of the Southeast Quarter (1/4) of Section 33, Township 2 South, Range 7 East, Alcorn County, Mississippi, said point being a marked 8 inch diameter creosote post at a fence comer; thence run North 89 degrees 58 minutes 42 seconds East along an old wire fence and tree line 390.586 feet to a 10 inch diameter elm tree; Thence continue along said old wire fence and tree line North 89 degrees 58 minutes 42 seconds East 465.153 feet to an iron pin; thence continue North 89 degrees 58 minutes 42 seconds East along said old wire fence and tree line 353.118 feet to an iron pin for the Point of Beginning; thence run North 234.267 feet to a point 2.5 feet South of an existing curb; thence run along a line that 2.5 feet South of and parallel to said curb the following: North 56 degrees 56 minutes 40 seconds East 13.413 feet; North 78 degrees 59 minutes 40 seconds East 35.321 feet; North 88 degrees 05 minutes 38 seconds East 43.317 feet an iron pin on the West right of way line of U.S. Highway 45 South; Thence run South 0 degrees 23 minutes 13 seconds West along the West right of way line of U.S. Highway 45 South 249.739 feet to an iron pin at a concrete right of way marker; thence leaving said right of way line, run South 89 degrees 58 minutes 42

seconds West along said old wire fence and tree line 87.520 feet to the point of beginning, containing 0.500 acres, more or less.

LESS AND EXCEPT:

Commencing at the Southwest Corner of the Northeast Quarter (1/4) of the Southeast Quarter (1/4) of Section 33, Township 2 South, Range 7 East, Alcorn County, Mississippi, said point being a marked 8 inch diameter creosote post at a fence corner; thence run North 89 degrees 58 minutes 42 seconds East along an old wire fence and tree line 390.586 feet to a 10 inch diameter elm tree; thence continue along said old wire fence and tree line North 89 degrees 58 minutes 42 seconds East 465.153 feet to an iron pin for the Point of Beginning; thence continue North 89 degrees 58 minutes 42 seconds East along said old wire fence and tree line 353.118 feet to an iron pin; thence run North 25.000 feet; thence run South 89 degrees 58 minutes 42 seconds West 353.116 feet; then run South 00 degrees 00 minutes 11 seconds West 25.000 feet to the point of beginning, containing 0.203 acres, more or less.

LESS AND EXCEPT:

Commencing at the Southwest Corner of the Northeast Quarter (1/4) of the Southeast Quarter (114) of Section 33, Township 2 South, Range 7 East, Alcorn County, Mississippi, said point being a marked 8 inch diameter creosote post at a fence corner; Thence run North 89 degrees 58 minutes 42 seconds East along an old wire fence and tree line 390.5!36 feet to a 10 inch diameter elm tree; Thence continue along said old wire fence and tree fence .North 89 degrees 58 minutes 42 seconds East 353.118 feet to an iron pin; Thence run North 89 degrees 58 minutes 42 seconds East along said old fence and tree line 87.520 feet to a concrete right-of-way marker found on the West right of way line of U.S. Highway 45 South; Thence run North 00 degrees 23 minutes 13 seconds East along said right of way line 249.739 feet to an iron pin; Thence continue North 00 degrees 23 minutes 13 seconds .East along said right of way line 159.756 feet to an iron pin for the Point of Beginning; Thence run North 88 degrees 12 minutes 51 seconds West 45.537 feet along the back of a curb (BOC)(L 1); Thence run North 83 degrees: 11 minutes 07 seconds West 17.01 o feet along said BOC (L2); Thence run North 74 degrees 36 minutes 32 seconds West 14.076 feet along said BOC (L3); Thence run North 62 degrees 11 minutes 08 seconds West 16.922 feet along said BOC (L4); Thence run North 234.534 feet to an Iron pin; Thence run North 89 degrees 55 minutes 53 seconds East 96.204 feet to an iron pin found on the West right-of-way line of US Highway 45 South; Thence run South 00 degrees 23 minutes 13 seconds West along said right of way line 251.044 feet to the point of beginning, containing 0.540 acres, more or less.

LESS AND EXCEPT:

Commencing at .the Southwest Comer .of the Northeast Quarter (1/4) of the Southeast Quarter (1/4) of Section 33, Township 2 South, Range 7 East, Alcorn County, Mississippi, said point being a marked 8 inch diameter creosote post at a fence corner; Thence run North 01 degree 39 minutes 33 seconds East along an old wire fence and tree line 330.568 feet to an iron pin found for the Point of Beginning; Thence run North 01 degrees 39 minutes 33 second East along said old fence and tree line 330,172 feet to an iron pin at a fence corner; Thence run South 89 degrees 58 minutes 35 seconds East along the remnants of an old wire fence line 610.574 feet to an iron pin; Thence run North 89 degrees 55 minutes 53 seconds East 211.200 feet to an iron pin; Thence run South 21 degrees 09 minutes 48 seconds West 171.991 feet; Thence run South 68.470 feet to a point on the back of a curb (BOC); Thence run South 53

degrees 10 minutes 11 seconds West 35.427 feet along said BOC (L13); Thence run South 75 degrees 59 minutes 47 seconds West 18.681 feet along said BOC (L14); Thence run North 67 degrees 21 minutes 49 seconds West 18.681 feet along said BOC (L15); Thence run North 35 degrees 27 minutes 36 seconds West 30.005 feet along said BOC (L16); Thence run North 46 degrees 11 minutes 38 seconds West 36.103 feet along said BOC (L17); Thence run North 60 degrees 11 minutes 21 seconds West 51.953 feet along said BOC (L18); Thence run North 79 degrees 25 minutes 22 seconds West 39.890 feet along said BOC (L19); Thence run South 87 degrees 52 minutes 39 seconds West 44.248 feel along said BOC (L20); Thence run South 73 degrees 50 minutes 43 seconds West 36.031 feet along said BOC (L21): Thence run South 60 degrees 16 minutes 51 seconds West 41.328 feet along said BOC (L22): Thence run South 46 degrees 49 minutes 21 seconds West 35.586 feet along said BOC (L23); Thence run South 37 degrees 58 minutes 03 seconds West 49.212 feet along said BOC to the end of said curb (L24); Thence run South 65 degrees 32 minutes 33 seconds West 17.631 feet along the edge of asphalt pavement (EOP) (L 25); Thence run North 76 degrees 43 minutes 06 seconds West 14.063 feet along said EOP (L 26); Thence run North.42 degrees 26 minutes 10 seconds West 38.929 feet along said EOP (L27); Thence run North 53 degrees 30 minutes 18 seconds West 36.637 .feet along said EOP (L28); Thence run North 67 degrees 50 minutes 11 seconds West 27.473 feet along said EOP(L29); Thence run North 80 degrees 36 minutes 18 seconds West 46.691 feet along said EOP (L30); Thence run South 89 degrees 04 minutes 03 seconds West 62.019 feet along said EOP (L31); Thence run South 79 degrees 43 minutes 27 seconds West 45.616 feet along said EOP (L32); Thence run South 64 degrees 29 minutes 01 seconds West 46.293 feet along said EOP (L33); Thence run South 41" degrees 40 minutes 02 seconds West 47.572 feet along said EOP (L34); Thence run South 23 degrees 45 minutes 57 seconds West 41.792 feet along said EOP (L35);. Thence run South 07 degrees .57 minutes 10 seconds West 32.635 feet along said EOP (L36); Thence run West 27.657 feet along said EOP (L37) to the point of beginning, containing 3.876 acres; more or less.

LESS AND EXCEPT a perpetual non-exclusive easement and right-of-way for the following purposes; namely, the right to enter upon the hereinafter described land and to do any and all work necessary to build, maintain and repair a road, together with the right to use said easement for the purpose of ingress and egress and for public utilities all over, upon and across the following described parcels of land:

Commencing at the Southwest Corner of the Northeast Quarter of the Southeast Quarter of Section 33, Township 2 South, Range 7 East, Alcorn County, Mississippi, said point being an eight inch diameter creosote post; Thence run North 89 degrees 58 minutes 42 seconds East along a wire fence and tree line 1296.376 (1296.107) feet to a concrete right of way marker on the West right of way line of U.S. Highway 45 South; Thence run North 00 degrees 23 minutes 13 seconds East along the West right-of-way line of said Highway 279.948 feet to an iron pin set; North 00 degrees 27 minutes 03 seconds East along the West right of way line of said Highway 129.551 feet to an iron pin set for the Point of Beginning for this easement, Thence run North 88 degrees 12 minutes 51 seconds West 45.537 feet along the back of a curb (BOC) (L1); Thence run North 63 degrees 11 minutes 08 seconds West 17.010 feet along said BOC (L2); Thence run North 74 degrees 48 minutes 32 seconds West 14.076 feet along said BOC (L3); Thence run North 62 degrees 11 minutes 08 seconds. West 18.922 feet along said BOC (L4); Thence run North 59 degrees 47 minutes 10 seconds. West 23.730 feet along said BOC (L5); Thence run North 65 degrees 55 .minutes 45 seconds West 31.044 feet along said BOC (L6); Thence run North 78 degrees 41 minutes 26 seconds West 27.280 feet along said BOC (L7); Thence run North 87 degrees 36 minutes 01 seconds West 39.546 feet along said BOC (L8); Thence run South 89 degrees

40 minutes 29 seconds West 238.920 feet along said BOC (L9); Thence run South 83 degrees 44 minutes 12 seconds West 25.221 feet along said BOC (L10); Thence run South 72 degrees 46 minutes 45 seconds West 23.639 feet along said BOC (L 11); Thence run South 60 degrees 31 minutes 38 seconds West 30.165 Feet along said BOC (L 12); Thence run South 53 degrees 10 minutes 11 seconds West 35.427 feet along said BOC (L 13); Thence run South 75 degrees 59 minutes 47 seconds West 16.681 feet along said BOC (L 14); Thence run North 67 degrees 21 minutes 49 seconds West 18.661 feet along said BOC (L 15); Thence run North 35 degrees 27 minutes 36 seconds West 30.005 feet along said BOC (L 16); Thence run North 46 degrees 11 minutes 38 seconds West 36.103 feet along said BOC (L 17); Thence run North 60 degrees 11 minutes 21 seconds West 51.953 feet along said BOC (L 18); Thence run North 79 degrees 25 minutes· *22* seconds West 39.690 feet along said BOC (L 19); Thence run South 87 degrees 54 minutes 39 seconds West 44.248 feet along said BOC (L20); Thence run South 73 degrees 50 minutes 43 seconds West 36.031 feet along said BOC (L21); Thence run South 60 degrees 16 minutes 52 seconds West 41.328 feet along said BOC (L22); Thence run South 46 degrees 49 minutes 21 seconds West 35.586 feet along said SOC (L23); Thence run South 37 degrees 58 minutes 03 seconds West 49.212 feet along said BOC to the end said curb (L24); Thence run South 65 degrees 32 minutes 33 seconds West 17.631 feet along the edge of asphalt pavement (EOP)(L25); Thence run North 76 degrees 43 minutes 06 seconds West 14.063 feet along said EOP (L26); Thence run North 42 degrees 26 minutes 10 seconds We8t 38.929 feet along said EOP (L27): Thence run North 53 degrees 30 minutes 18 seconds West 36.637 feet along said EOP (L28); Thence run North 67 degrees 50 minutes 11 seconds West 27.473 feet along said EOP(L29); Thence run North 80 degrees 36 minutes 18 seconds West 46.691 feet along said EOP (L30); Thence run South 89 degrees 54 minutes 03 seconds West 82.019 feet along said EOP (L31); Thence run South 79 degrees 43 minutes 27 seconds West 45.616 feet along said EOP (L32); Thence run South 64 degrees 29 minutes 01 seconds West 46.293 feet along said EOP (L33); Thence run South 41 degrees 40 minutes 02 seconds West 47.572 feet along said EOP (L34); Thence run South 23 degrees 45 minutes 57 seconds West 41.792 feet along said EOP (L35); Thence run South 07 degrees 57 minutes 10 seconds West 32.635 feet along said EOP (L36); Thence run West 27.857 feet along said EOP (L37); Thence run South 01 degrees 39 minutes 33 seconds West 32.112 feet along said EOP (L38); Thence run North 69 degrees 59 minutes 13 seconds East 44.562 feet to a point on the back of a curb BOC (L39); Thence run North 09 degrees 30 minutes 03 seconds West 16.003 feet along said BOC (L40); Thence run North 02 degrees 23 minutes 38 seconds West 16.323 feet along said BOC (L41); Thence run North 04 degrees 36 minutes 37 seconds East 15.538 feet along said BOC (L42); Thence run North 11 degrees 11 minutes 40 seconds East 14.413 feet along said BOC (L43); Thence run. North 19 degrees 16 minutes.28 seconds East 20.1 01 feet along said BOC (L44); Thence run North 28 degrees 00 minutes 29 seconds. East 18.266 feet along said BOC (L45); Thence run North 36 degrees 50 minutes. 36 seconds East 21.132 feet along said BOC (L46}; Thence run North 46 degrees 33 minutes 44 seconds East 22.198 feet along said BOC (L47); Thence run North 60 degrees 41 minutes 10 seconds East 20.872 feet along said BOC (L48); Thence run North 68 degrees 40 minutes 19 seconds East 21.825 feet along said BOC (L49); Thence run North 76 degrees 46 minutes 23 seconds East 21.488 feet along said BOC (L50); Thence run North 84 degrees 04 minutes 37 seconds East 20.824 feet along said BOC (L51); Thence run North 87 degrees *46* minutes 51 seconds East 41.258 feet along said BOC (L52); Thence run South. 88 degrees 24 minutes 30 seconds East 39.162 feet along said BOC (L53); Thence run South 8.3 degrees 40 minutes 47 seconds East 22.226 feet along said BOC (L54); Thence run South 76 degrees 19 minutes 45 seconds East 21.222 feet along said BOC (L55); Thence run South 68 degrees 33 minutes 34 seconds East 24.698 feet along said BOC (L56); Thence run South 55 degrees 58 minutes 51 seconds East 20.732 feet along said BOC

(L57); Thence run South 50 degrees 13 minutes 31 seconds East 13.260 feet along said BOC (L56); Thence run South 44 degrees 07 minutes 62 seconds East 22.728 feet along said BOC (L59); Thence run South 37 degrees 19 minutes 45 seconds East 17.438 feet along said BOC (L60); Thence run South 19 degrees 13 minutes 20 seconds East 20.750 feet along said BOC (L61); Thence run South 11 degrees 15 minutes 31 seconds East 16.199 feet along said BOC (L62);.Thence run East 28.181 feet to the edge of asphalt pavement (EOP) (L63); Thence run North 12 degrees 55 minutes 26 seconds East 25.476 feet along said EOP (L64); Thence run North 24 degrees 18 minutes 12 seconds East 18.566 feet along said EOP (L65); Thence run North 30 degrees 11 minutes 15 seconds East 20.707 feet along said EOP (L66); Thence run North 37 degrees 10 minutes 14 seconds East 25.894 feet along said EOP (L67); Thence run North 44 degrees 14 minutes 48 seconds East 21.326 feet along said EOP (L68); Thence run North 50 degrees 37 minutes 38 seconds East 11.808 feet along said EOP (L69); Thence run North 58 degrees 31 minutes 19 seconds East 18.537 feet along said EOP (L70); Thence run North 63 degrees 57 minutes 43 seconds East 19.7.66 feet along said EOP (L71); Thence run North 71 degrees 04 minutes 22 seconds East 18.842 feet along said EOP (L72); Thence run North 77 degrees 30 minutes 58 seconds East 16.961 feet along said EOP (L73); .Thence run North 84 degrees 10 minutes 36 seconds East 20.548 along said EOP (L74); Thence run South 88 degrees 22 minutes· 22 seconds East 20.207 feet along said EOP (L75); Thence run South 81 degrees 12 minutes 16 seconds East 19.008 feet along said EOP (L76); Thence run South 74 degrees 20 minutes 05 seconds Ea8t 18.574 feet along said EOP (L77); Thence run South 64 degrees 32 minutes 40 seconds East 25.394 feet along said EOP (L78); Thence run South 56 degrees 06 minutes 49 seconds East 21.765 feet along said EOP (L79); Thence run South 46 degrees 43 minutes 08 seconds East 33.890 feet along said EOP (L80); Thence run South 36 degrees· 54 minutes 21 seconds East 29.020 feet along said EOP (81); Thence run South 29 degrees 53 minutes 18 seconds East 10.362 feet along said EOP (L82); Thence run South 08 degrees 44 minutes 21 seconds East 49.624 feet along said EOP (L83); Thence run East 36.240 feet to a point on the back of a curb (BOC) (L84); Thence run North 12 degrees 23 minutes 34 seconds East 13.406 feet along said BOC (L85); Thence run North 21 degrees 34 minutes 51 seconds East 19.625 feet along said BOC (L86); Thence run North 32 degrees 43 minutes 46 seconds East 14.338 feet along said BOC (L87); Thence run North 42 degrees 26 minutes 50 seconds East 16,644 feet along said BOC (L88); Thence run North 51 degrees 04 minutes 33 seconds East 13.937 feet along said BOC (L89); Thence run North 61 degrees 06 minutes 11 seconds East 22.702 feet along said BOC (L9O);Thence run North 72 degrees 45 minutes 33 seconds East 19.877 feet along said BOC (L91);Thence run North 83 degrees 32 minutes 14 seconds East 19.506 feet along said BOC (l92); Thence run North 89 degrees 40 minutes 29 seconds East 236.524 feet along said BOC (L93); Thence run South 87 degrees 34 minutes 45 seconds East 37.648 feet along said BOC (L94); Thence run South 60 degrees 24 minutes 55 seconds East 16.931 feet along said BOC (L95); Thence run South 72 degrees 03 minutes 33 seconds East 21.621 feet along said BOC (L96); Thence run South 54 degrees 44 minutes 16 seconds East 19.981 feet along said BOC (L97); Thence run South 46 degrees 35 minutes 59 seconds East 18.569 feet along said BOC (L98); Thence run South 38 degrees 16 minutes 46 seconds East 10.037 feet along said BOC (L99); Thence run South 32 degrees 49 minutes 16 seconds East 9.636 feet along said BOC (L100); Thence run South 25 degrees 26 minutes 32 seconds East 16.785 feet along said BOC (L101); Thence run East 45.474 feet along said BOC (L102); Thence run North 39 degrees 44 minutes 00 seconds East 8.405 feet along said BOC (L103); Thence run North 54 degrees 43 minutes 25 seconds East 7.326 feet along said BOC (L104); Thence .run North 65 degrees 27 minutes 54 seconds East 5.203 feet along said BOC (L105); Thence run North 75 degrees 57 minutes 12 seconds East 6.394 feet along said BOC (L106); Thence run North 86 degrees 47 minutes 45 seconds East 6.796 feet along said BOC (L107); Thence run North 87 degrees 44 minutes 20 seconds East 9.807

feet along said BOC to the west right of way line of US Highway 45 (L108); Thence run North 00 degree 23 minutes 13 seconds East 29.230 feet to the point of beginning of this easement (L109).

The property described herein constitutes a part of Forrest Memorial Park a plat of which is filed for record in the Office of the Chancery Clerk of Alcorn County, Mississippi, in Plat Book 3 at page 10.

EXHIBIT B

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IN THE CHANCERY COURT OF PRENTISS COUNTY, MISSISSIPPI

C. DELBERT HOSEMANN Jr., *In his Official Capacity as Secretary of State* — Petitioner

v.

Civil Action No. 2011-347(59)H

OAKLAWN MEMORIAL PARK
Highway 4 West
Booneville, Mississippi 38829

WAYNE HIGHT, *individually*

NANCY HIGHT, *individually* — Respondents

Consolidated With

IN THE CHANCERY COURT OF ALCORN COUNTY, MISSISSIPPI

C. DELBERT HOSEMANN Jr., *In his Official Capacity as Secretary of State* — Petitioner

v.

Civil Action No. 2011-0454-02 MM

FORREST MEMORIAL PARK
740 Highway 45 South
Corinth, Mississippi 38834

WAYNE HIGHT, *individually*

NANCY HIGHT, *individually* — Respondents

CHANCERY COURT CLERK

ORDER OF RECEIVERSHIP

This consolidated cause came before the Court for a hearing on November 10, 2011, upon the Verified Complaint and Motion for the Appointment of a Receiver for Forrest Memorial Park and Oaklawn Memorial Park, by the Secretary of State ("Secretary"), C. Delbert Hosemann Jr., Petitioner, in his official capacity. By agreement of the parties, counsel for Petitioner made a proffer in open court on the record

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summarizing the testimony and documentation it intended to present in support of its Motion for the Appointment of a Receiver, to which the Respondents did not object. Therefore, based upon the proffer accepted by the Undersigned in open court, this Court finds as follows:

1. The Secretary is acting pursuant to the Secretary's responsibilities to protect consumers under the Mississippi Preneed Cemetery and Funeral Registration Act (hereafter "the Preneed Act"), Miss. Code Ann. §§ 75-63-51, *et seq.*, and under the Mississippi Perpetual Care Cemetery Act (hereinafter "the Perpetual Care Act"), Miss. Code Ann. §§ 41-43-31, *et seq.*

2. Respondents, Forrest Memorial Park, Corinth, Mississippi, and Oaklawn Memorial Park, Booneville, Mississippi, are a privately owned, for-profit perpetual care cemetery as defined by Mississippi Code Annotated Section 41-43-3. Forrest Memorial Park is located at 740 Highway 45 South, Corinth, Mississippi 38834. Oaklawn Memorial Park is located at Highway 4 West, Booneville, Mississippi 38829. The business operations for Forrest Memorial Park and Oaklawn Memorial Park are conducted at offices located within the facility known as Hight Funeral Home, 740 Highway 45 South, Corinth, Mississippi 38834, with a post office box address at P.O. Box 1044, Corinth, Mississippi 38835. Forrest Memorial Park and Oaklawn Memorial Park are either sole proprietorships owned by Wayne Hight or general partnerships owned by Wayne Hight and Nancy Hight, husband and wife.

3. This Court has jurisdiction over the matters asserted herein pursuant to Miss. Code Ann. § 75-63-69(1) and Miss. Code Ann. § 41-43-38(7). Venue is proper in this Court as the

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Oaklawn Memorial Park Cemetery is located in Booneville, Mississippi (Prentiss County), and Forrest Memorial Park, Cause No. 2011-0454-02 MM, Alcorn County Chancery Court, has been consolidated with Cause No. 2011-347(59)H, Prentiss County Chancery Court.

4. Since at least 1966, perpetual care cemeteries have been required to remit fifteen percent (15%) of all interment ground burial sales to an irrevocable perpetual care trust. Miss. Code. Ann. § 41-43-37(1)(a). Fifteen percent (15%) of interment sales must be set aside and safeguarded under the management of a trustee for the long term care, maintenance, and upkeep of cemetery property for current and future generations. Only income, interest, and earnings from trust principal can be accessed by the cemetery through the trustee for care and maintenance needs and trust principal must remain inviolate. Miss. Code Ann. § 41-43-37(1).

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5. Wayne Hight and Nancy Hight purchased Forrest Memorial Park in the fall of 1975. When the cemetery was purchased by the Hights in the fall of 1975, the cemetery's perpetual care trust fund acquired with the purchase contained approximately seventy thousand dollars ($70,000.00). Further, in the years following 1975, the perpetual care trust fund principal for Forrest Memorial Park was depleted to a balance of zero, and no perpetual care trust fund exists for Forrest Memorial Park. The depletion of the Forrest Memorial Park's Perpetual Care Trust Fund is a violation of Mississippi Code Annotated Section 41-43-37.

6. Wayne Hight and Nancy Hight purchased Oaklawn Memorial Park in the fall of 1982. When the cemetery was purchased by the Hights in the fall of 1982, the cemetery's

perpetual care trust fund acquired with the purchase contained approximately five thousand dollars ($5,000.00). Further, in the years following 1982, the perpetual care trust fund principal for Oaklawn Memorial Park was depleted to a balance of zero, and no perpetual care trust fund exists for Oaklawn Memorial Park. The depletion of the Oaklawn Memorial Park's Perpetual Care Trust Fund is a violation of Mississippi Code Annotated Section 41-43-37.

7. Following the purchase of Forrest Memorial Park in the fall of 1975, the Hights did not maintain or fund a perpetual care trust with the required fifteen percent (15%) set aside of all interment right sales. The failure to trust fifteen percent (15%) on all cemetery lot sales to the public in the past thirty-six (36) years is a violation of Mississippi Code Annotated Section 41-43-37. Furthermore, the failure to trust fifteen percent (15%) of each and every cemetery lot sale since the fall of 1975 is a separate and distinct violation of Mississippi Code Annotated Section 41-43-37(1).

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8. Following the purchase of Oaklawn Memorial Park in the fall of 1982, the Hights did not maintain or fund a perpetual care trust with the required fifteen percent (15%) set aside of all interment right sales. The failure to trust fifteen percent (15%) on all cemetery lot sales to the public in the past twenty-eight (28) years is a violation of Mississippi Code Annotated Section 41-43-37. Furthermore, the failure to trust fifteen percent (15%) of each and every cemetery lot sale since the fall of 1982 is a separate and distinct violation of Mississippi Code Annotated Section 41-43-37(1).

9. The perpetual care trust fund principal deficiency for Forrest Memorial Park is Ninety-Seven Thousand, Seven Hundred Sixty Dollars and Forty-Eight Cents ($97,760.48). This

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perpetual trust principal deficiency is principal that Mr. Wayne Hight did not trust on cemetery lot sales from the fall of 1975 through July of 2010. This amount does not include the approximately Seventy Thousand Dollars ($70,000.00) that Mr. Hight acquired as trust principal when he purchased the property in the fall of 1975. The perpetual care trust fund principal deficiency for Oaklawn Memorial Park is Eight Thousand Four Hundred Four Dollars and Thirty-Five Cents ($8,404.35). This perpetual trust principal deficiency is principal that Mr. Wayne Hight did not trust on cemetery lot sales from the fall of 1982 through July of 2010. This amount does not include the approximately Five Thousand Dollars ($5,000.00) that Mr. Hight acquired as trust principal when he purchased the property in the fall of 1982.

10. The complete absence of a perpetual care trust fund for Forrest Memorial Park and Oaklawn Memorial Park places the long-term maintenance, upkeep, and viability of the cemetery burial grounds at serious risk to not only those who have purchased grave spaces, but also for the departed who purchased cemetery spaces with the expectation of perpetual care. In addition to being perpetual care cemeteries as defined in Mississippi Code Annotated Section 41-43-33, Forrest Memorial Park and Oaklawn Memorial Park represented to the public that they provided, "Maintenance Fully Paid By Trust Fund," as recently as November of 2011.

11. Since at least April of 1975, the Mississippi Preneed Act has required cemetery owners to trust a required amount for all collections and sales made on the preneed purchase of cemetery merchandise and services, such as burial vaults, memorial markers, and grave opening/closing services. Miss. Code Ann. § 75-63-3 (Rev. 2000), *repealed and*

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brought forward at Miss. Code Ann. § 75-63-59 (Rev. 2009). A preneed sale is any purchase of cemetery merchandise and services made by the living when the obligation for delivery and installation from the cemetery does not occur until the death of the purchaser (or the person for whom the merchandise or services were intended). Miss. Code Ann. § 75-63-53(l).

12. Cemeteries that sell preneed merchandise and services must maintain an irrevocable preneed trust managed and maintained by a trustee not associated with the cemetery business or a related business. Miss. Code Ann. § 75-63-59. The trust terms are dictated in large measure by state statute. The statute requires a percentage of all preneed sales and collections to be trusted by a date set by statute. Miss. Code Ann. § 75-63-59. Moreover, disbursements from the trust fund to the cemetery can only be made with the cemetery providing documentation of the purchaser's death along with a letter of performance stating that the cemetery provided all of the contracted merchandise and services to the decedent (vault, memorial, marker, etc.). Miss. Code Ann. § 75-63-59(5). Preneed trust funds are consumer funds trusted on their behalf. The cemetery's ownership in preneed trust funds does not mature until the cemetery provides all of the contracted goods and services following death of the client.

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13. From at least April of 1975 until June 30, 2006, preneed providers were required to trust no less than fifty percent (50%) of all customer collections for preneed merchandise and services. Miss. Code Ann. § 75-63-3 (Rev. 2000), *repealed and brought forward effective January 1, 2002, at* Miss. Code Ann. § 75-63-59 (Rev. 2009). Effective July 1, 2006, preneed providers have been required to trust eighty-five percent (85%) of all

customer preneed payments for preneed merchandise and services sold after July 1, 2006. Miss. Code Ann. § 75-63-59 (Rev. 2009).

14. The un-serviced preneed trust deficiencies on contracts sold by Forrest Memorial Park for burial vaults, memorial markers, grave openings/closings, and other miscellaneous preneed merchandise total Three Hundred Five Thousand Seven Hundred Sixty-One Dollars and Ninety-Nine Cents ($305,761.00). The un-serviced preneed trust deficiencies on contracts sold by Oaklawn Memorial Park total Forty- Eight Thousand Six Hundred Eighty Dollars and Fifty-Six Cents ($48,680.56).

15. Forrest Memorial Park and Oaklawn Memorial Park have no consumer preneed trust funds as required by Mississippi Code Annotated Section 75-63-59. As such, its owners have no consumer trust funds or consumer funds set aside to finance the purchase, delivery, and installation of pre-sold burial vaults, memorial markers, etc.

16. Each and every failure by Wayne Hight and Nancy Hight to trust the required amount of all consumer payment for preneed merchandise and services in the past thirty-five (35) years for Forrest Memorial Park, and in the past twenty-eight (28) years for Oaklawn Memorial Park, represents a separate and distinct violation of Mississippi Code Annotated Section 75-63-59, and prior statutes requiring trusting of preneed payments.

17. For the reasons noted above, the Secretary has demonstrated serious and compelling concerns for the financial solvency of Forrest Memorial Park and Oaklawn Memorial Park and particularly their ability to deliver the contractually obligated items of cemetery merchandise and services as claims are made in the future with the passing of clients who purchased the same.

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18. Pursuant to Mississippi Code Annotated Section 41-43-38(7), whenever it appears to the Secretary of State or any other interested person that a perpetual care cemetery is insolvent, about to become insolvent, or that no perpetual care trust fund exists for the cemetery, such interested person may bring an action in the chancery court in the county in which the cemetery is located to request just and equitable relief in the public interest, including the appointment of a receiver or receivers to continue or terminate the operation of the business.

19. Pursuant to Mississippi Code Annotated Section 75-63-69(1)(c), whenever it appears to the Secretary of State that any person is engaged in violations of the Mississippi Preneed Act, the Secretary may bring an action in chancery court to enjoin acts or practices and enforce compliance with the preneed laws. Upon a proper showing by the Secretary of State, a receiver may be appointed for the defendant's assets. Miss. Code Ann. § 75-63-69(1)(c).

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20. The Secretary of State has demonstrated the "proper showing" for the appointment of a receiver for Forrest Memorial Park Cemetery and Oaklawn Memorial Park Cemetery.

THEREFORE, by the authority conferred in Mississippi Code Annotated Sections 41-43-38(7); 75-63-69(1)(c); and, the court's general powers to appoint a receiver under Section 11-5-151 (Rev. 2002), this court hereby ORDERS the Receivership of Forrest Memorial Park and Oaklawn Memorial Park, perpetual care cemeteries, to conserve, operate, and maintain the businesses in the best interests of the perpetual care and preneed consumers (both living and deceased) and to place the businesses on the path of compliance with the Preneed Act, Miss.

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Code Ann. §§ 75-63-51, *et seq.*, and the Perpetual Care Act, Miss. Code Ann. §§ 41-43-31, *et seq.*

THEREFORE, The Honorable John C. Ross, Jr., of Corinth, Mississippi, is appointed the Receiver of Forrest Memorial Park and Oaklawn Memorial Park, who shall serve in the position of Receiver until excused by the court.

As such, the Receiver is authorized to:

(a.) "take possession of the property or property interests involved in the action, to maintain and preserve it from loss, injury, or inextricable confusion." Griffith, MISSISSIPPI CHANCERY PRACTICE § 466, P. 275;

(b). take the necessary steps to stabilize the business, to prevent further waste and dissipation of the Respondents' assets, and to avoid additional detriment to the public who have purchased or will purchase cemetery plots, merchandise, and services;

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(c.) take possession of the banking accounts, client accounts, all other assets tangible and intangible, of whatever kind and description and where located, including but not limited to: monies, securities, real and personal properties, income, receivables, contracts, leases, all business books, records, client lists, client files, account statements, financial and accounting documents, computers, computer hard drives, computer disks, other informational resources and components, and the legally recognized privileges with regard to any entities of Forrest Memorial Park, Oaklawn Memorial Park, and any entities that they own or entities owned by Wayne Hight or Nancy Hight that are germane to the operations of Forrest Memorial Park and Oaklawn Memorial Park;

(d.) to make such ordinary and necessary payments, distributions, and disbursements as the Receiver deems advisable, in accordance with industry standards, for the proper maintenance or preservation of the Receivership Estate, but only to the extent that the Receiver has identified available Receivership assets from which distributions or payments can be made;

(e.) to make appropriate notification to the United States Postal Service to forward delivery of any mail addressed to the Respondents, or any company or entity under the direction and control of Respondents, to himself. Further, the Receiver is authorized to open and inspect all such mail to determine the location or identity of any assets or the existence and amounts of any assets, including, but not limited to, accounts receivable;

(f.) to become the sole authorized signatory on any accounts in the name of the Forrest Memorial Park or Oaklawn Memorial Park, and the Receiver shall have sole authorization and right to withdraw and utilize the income from any such accounts wherever the same may exist;

(g.) to provide burial plots, the opening and closing of graves, the placing of vaults, and the purchase and placement of markers for at-need interments, and to undertake any other actions that are inherent in the day-to-day operations of the cemeteries, according to industry standards, if and only if, in the discretion of the Receiver, such services can be provided consistent with the financial ability of the business;

(h.) to make decisions in his sole discretion to determine the extent, if any, that goods and services will be furnished under preneed contracts during the receivership period, taking into account the need to continue operations and to maintain the cemeteries in a manner consistent with prudent administration of perpetual care cemeteries in receivership; such authority is conferred recognizing that the availability of funds for preneed services and merchandise is likely

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to be extremely limited due to the financial situation of Forrest Memorial Park and Oaklawn Memorial Park:

(i.) to deposit all monies received by him in relation to the Receivership Estate into an operating account, and to set aside for consumer safekeeping the appropriate percentages for perpetual care and preneed merchandise and service purchases;

(j.) to hire and fire any personnel, to set any reasonable salaries for employees or independent contractors as he may deem necessary in his sole discretion, in accordance with the prudent administration of perpetual care cemeteries, in receivership, and according to industry standards;

(k.) to market any real or personal property to a solvent, credible purchaser should it be in the best interest of the Receivership Estate and the consumers of Forrest Memorial Park or Oaklawn Memorial Park to do so, recognizing however, that any sale of real or personal property must be approved by the court;

(l.) to lease, or occupy without interruption or distraction, office space, if necessary, or to buy or sell assets, or undertake any other actions necessary and consistent with the prudent operation of perpetual care cemeteries in receivership according to industry standards;

(m.) to conduct and operate the Receivership Estate with any other authority or specific directives that the Receiver deems appropriate, proper, and just; Furthermore, the Receiver shall have the full power of an equity receiver under common law and is not required to post a bond unless otherwise directed by this court.

CHANCERY COURT
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FURTHERMORE, the Secretary of State, Petitioner, is authorized to:

(n): employ a Receiver as an independent contractor if determined by the Secretary and the Receiver that cash flow or income from the business is inadequate or insufficient to compensate the Receiver for his duties;

(o.) to compensate a Receiver as an independent contractor at a rate of no more than twenty-five dollars ($25.00) per hour and to pay reasonable expenses of the Receiver to be determined by standards issued by the Mississippi Department of Finance and Administration. Such compensation and expenses shall be borne by the Office of the Secretary of State pursuant to a contract entered into by the Secretary and the Receiver;

Both the Receiver, and the Secretary if Receivership funds are insufficient, are authorized to:

(p). employ personnel to determine the legal title or to give opinions as to the legal title to any real or personal property that is the subject of or potentially the subject of this Receivership Estate; the Receiver or the Secretary of State are authorized to seek reimbursement for such professional services under terms approved by the court pursuant to a court order;

(q.) to hire a competent accountant, tax professional, or a property appraiser to carry out the responsibilities of the Receivership Estate; the Receivership Estate or the Secretary may seek and obtain reimbursement for such professional services under terms approved by the court pursuant to a court order;

Further, the Secretary of State shall have the right to be reimbursed for all reasonable contract salaries and expenses incurred for the effective administration of the Receivership Estate from available assets of the Receivership Estate or from the proceeds of any sale of Receivership

Estate assets to third parties that might occur, including the sale of real property. Such reasonable contract salaries for which the Secretary is authorized to contract for include services provided by the Receiver and his reasonable expenses; attorneys; accountants; tax professionals; and property appraisers whose services are essential to the Receivership Estate and ultimately the distribution of property to solvent, responsible third parties. However, no reimbursement to the Secretary of State or purchase price set-off inuring to the benefit of the Secretary of State for contracted salaries or expenses will occur unless approved by the court.

IT IS ALSO ORDERED that the Respondents and their respective officers, agents, and employees, and all persons in active concert or participation with them either directly or indirectly are hereby enjoined and restrained from making any payment or expenditure of any Receivership Estate asset that is owned by Respondents or in the actual or constructive possession of any entity, directly or indirectly owned, controlled or under common control with the Receivership Estate, or from effecting any sale, gift, hypothecation, assignment, transfer, conveyance, encumbrance, disbursement, dissipation, or concealment of such assets.

FURTHERMORE, the Respondents and their respective officers, agents, and employees, and all persons in active concert or participation with them shall cooperate with the Receiver and his duly authorized agents by promptly and honestly responding to all requests for information regarding receivership assets and records and by promptly acknowledging to third parties the Receiver's authority to act on behalf of the Receivership Estate and provide such authorizations, signatures, releases, attestations, and access as the Receiver or his duly authorized agents may reasonably request.

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ON 11/21/2011 - 10:47 AM
CASE NB CV2011-000347 - JAH
CHANCERY COURT - CID = 59
BUBBA POUNDS

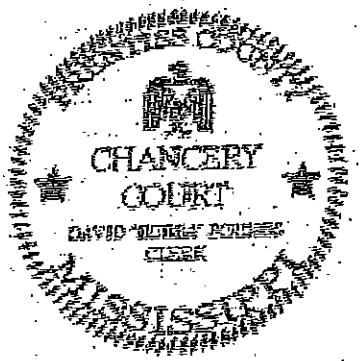
SO ORDERED and ADJUDGED, this the 21st day of November, 2011.

Chancellor

Order Prepared By:

Counsel for Petitioner
Dave Scott, ASOS, MSB #8765
700 North Street
Jackson, MS 39202

Agreed As to Form Only:



Counsel for Respondents
Hon. Ronna D. Kinsella, MSB #101884
26 N. Second Street
Memphis, TN 38103

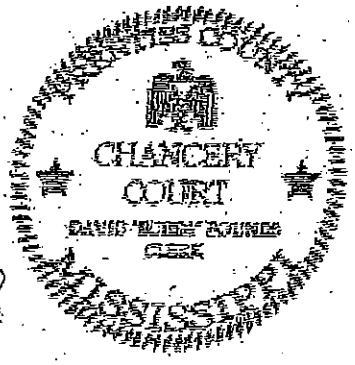
FILED BY DEPUTY CLERK LORI ROGERS
ON 11/21/2011 - 10:47 AM
CASE NB CV2011-000347 - JAH
CHANCERY COURT - CID = 59
BUBBA POUNDS

SO ORDERED and ADJUDGED, this the _____ day of November, 2011.

_____
Chancellor

Order Prepared By:

Counsel for Petitioner
Dave Scott, ASOS, MSB #8765
700 North Street
Jackson, MS 39202



Agreed As to Form Only:

Counsel for Respondents
Hon. Ronna D. Kinsella, MSB #101884
26 N. Second Street
Memphis, TN 38103

13

Quitclaim Deed to Receivership

Prepared by:
Dave Scott, Esq.
MSB#8765
Office of the Secretary of State
State of Mississippi
700 North Street
Jackson, MS 39202
601-359-1350

Return to:
Dave Scott, Esq.
Office of the Secretary of State
State of Mississippi
700 North Street
Jackson, MS 39202
601-359-1350

INDEXING INSTRUCTIONS: SOUTHEAST QUARTER OF SECTION 33, TOWNSHIP 2 RANGE 7 (Alcorn County, Mississippi)

STATE OF MISSISSIPPI
COUNTY OF ALCORN

QUITCLAIM DEED

FOR AND IN CONSIDERATION of the price and sum of Ten and No/100 Dollars ($10.00), and other good and valuable considerations, the receipt and sufficiency of which is hereby acknowledged, Michael Brad Hight, ("Grantor"), does hereby sell, convey and quitclaim unto, the Receivership Estate, Forrest Memorial Park Cemetery ("Grantee"), created in the Alcorn County Chancery Court Cause No. 2011-0454-02 MM (Exhibit B), that certain property situated in the County of Alcorn, State of Mississippi, more particularly described as follows:

See Exhibit A attached

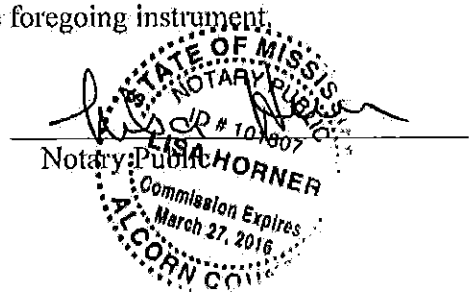
WITNESS THE EXECUTION OF THIS INSTRUMENT, effective the 30th day of December, 2012.

GRANTOR:

Michael Brad Hight

State of Mississippi
County of Alcorn

Personally appeared before me, the undersigned authority in and for the said county and state, on this 30th day of December, 2012, within my jurisdiction, the within named Michael Brad Hight who acknowledged that he executed the foregoing instrument.



Notary Public

My Commission Expires:

3-27-16

Grantor:

Michael Brad Hight
1313 Orchard Lane
Corinth, MS 38834
662-287-0123

Grantee:

Receivership Estate, Forrest Memorial Park Cemetery
P.O. Box 1681
Corinth, MS 38835
662-284-0085

EXHIBIT A

Situated in the County of Alcorn, State of Mississippi, to-wit:

TRACT NO. 1: Commencing at the Southwest corner of the Northeast Quarter of the Southeast Quarter of Section 33, Township 2 South, Range 7 East, Alcorn County, Mississippi, said point being an eight inch diameter creosote post, for the point of beginning; thence run North 01 degree 39 minutes 33 seconds East along an old wire fence and tree line 330.568 feet to a iron pin set; thence leaving said old wire fence and tree line, run North 89 degrees 59 minutes 13 seconds East 44.951 feet to a nail set being 5.0 feet East of an existing 10 feet wide asphalt drive; thence run along a line that is 5.0 feet East of and parallel to the existing said drive the following: South OS degrees 22 minutes10 seconds East 32.239 feet; South 22 degrees 56 minutes 10 seconds East 37.498 feet; thence continue along a line that is 5.0 feet North of and parallel to the existing said drive the following: south 46 degrees 43 minutes 37 seconds East 46.501 feet; South 64 degrees 06 minutes 50 seconds East 38.933 feet; South 81 degrees 33 minutes 16 seconds East 45.146 feet; North 89 degrees 02 minutes 58 seconds East 82.619 feet; North 80 degrees 11 minutes 33 seconds East 31.715 feet; North 63 degrees 11 minutes 45 seconds East 40.483 feet; thence continue along a line that is 5.0 feet West of and parallel to the existing said drive the following: North 38 degrees 42 minutes 49 seconds East 62.250 feet; North 13 degrees 41 minutes 06 seconds East 52.537 feet; thence leaving said line, run North 88 degrees 55 minutes 52 seconds East 32.352 feet to a point that is 5.0 feet East of said drive; thence continue along a line that is 5.0 feet East of and parallel to the existing said drive the following: South 14 degrees 05 minutes 41 seconds East 59.441 feet; thence leaving said line, run south 08 degrees 55 minutes 13 seconds West 279.132 feet to an elm tree on a fence and tree line; thence run south 89 degrees 58 minutes 42 seconds west along said fence and tree line, 390.586 feet to the point of beginning, containing 2.346 acres, more or less.

TRACT NO. 2: Commencing at the Southwest corner of the Northeast Quarter of the Southeast Quarter of section 33, Township 2 South, Range 7 East, Alcorn County, Mississippi, said point being an eight inch diameter creosote post; thence run North 89 degrees 58 minutes 42 seconds East along a wire fence and tree line 390.586 feet to a 10 inch diameter elm tree; thence continue along said wire fence and tree line North 89 degrees 58 minutes 42 seconds East 465.153 feet to an iron pin set for the point of beginning; thence leaving said wire fence and tree line, run North 00 degrees 00 minutes 11 seconds East 228.307 feet to a nail set on the North edge of a curb on a 25 feet wide existing asphalt drive; thence run along the North side of said curb the following: South 89 degrees 54 minutes 13 seconds East 120.218 feet; North 89 degrees 19 minutes 51 seconds East 159.434 feet; North 75 degrees 21 minutes 03 seconds .East 21.689 feet; North 59 degrees 15 minutes 30 seconds East 32.055 feet; North 46 degrees 28 minutes 00 seconds East 22.124 feet; North 31 degrees 22 minutes 56 seconds East 17.705 feet to a nail set; thence leaving said curb, run South 88 degrees 39 minutes 37 seconds East 89.105 feet to a iron pin set on the West right-of-way lien of U.S. Highway 45 South; thence run South 00 degrees 23 minutes 13 seconds West along the West right-of-way line of said Highway 279.948 feet to a concrete right-of-way marker at a fence corner; thence leaving said right-of-way run South 89 degrees 58 minutes 42 seconds West along said wire fence and tree line 440.638 feet to the point of beginning, containing 2.456 acres, more or less.

LESS AND EXCEPT:

Commencing at the Southwest Corner of the Northeast Quarter (1/4) of the Southeast Quarter (1/4) of Section 33, Township 2 South, Range 7 East, Alcorn County, Mississippi, said point being a marked 8 inch diameter creosote post at a fence comer; thence run North 89 degrees 58 minutes 42 seconds East along an old wire fence and tree line 390.586 feet to a 10 inch diameter elm tree; Thence continue along said old wire fence and tree line North 89 degrees 58 minutes 42 seconds East 465.153 feet to an iron pin; thence continue North 89 degrees 58 minutes 42 seconds East along said old wire fence and tree line 353.118 feet to an iron pin for the Point of Beginning; thence run North 234.267 feet to a point 2.5 feet South of an existing curb; thence run along a line that 2.5 feet South of and parallel to said curb the following: North 56 degrees 56 minutes 40 seconds East 13.413 feet; North 78 degrees 59 minutes 40 seconds East 35.321 feet; North 88 degrees 05 minutes 38 seconds East 43.317 feet an iron pin on the West right of way line of U.S. Highway 45 South; Thence run South 0 degrees 23 minutes 13 seconds West along the West right of way line of U.S. Highway 45 South 249.739 feet to an iron pin at a concrete right of way marker; thence leaving said right of way line, run South 89 degrees 58 minutes 42 seconds West along said old wire fence and tree line 87.520 feet to the point of beginning, containing 0.500 acres, more or less.

LESS AND EXCEPT:

Commencing at the Southwest Corner of the Northeast Quarter (1/4) of the Southeast Quarter (1/4) of Section 33, Township 2 South, Range 7 East, Alcorn County, Mississippi, said point being a marked 8 inch diameter creosote post at a fence corner; thence run North 89 degrees 58 minutes 42 seconds East along an old wire fence and tree line 390.586 feet to a 10 inch diameter elm tree; thence continue along said old wire fence and tree line North 89 degrees 58 minutes 42 seconds East 465.153 feet to an iron pin for the Point of Beginning; thence continue North 89 degrees 58 minutes 42 seconds East along said old wire fence and tree line 353.118 feet to an iron pin; thence run North 25.000 feet; thence run South 89 degrees 58 minutes 42 seconds West 353.116 feet; then run South 00 degrees 00 minutes 11 seconds West 25.000 feet to the point of beginning, containing 0.203 acres, more or less.

LESS AND EXCEPT a perpetual non-exclusive easement and right-of-way for the following purposes; namely, the right to enter upon the hereinafter described land and to do any and all work necessary to build, maintain and repair a road, together with the right to use said easement for the purpose of ingress and egress and for public utilities all over, upon and across the following described parcels of land:

PARCEL A: A strip of land 25 feet wide, being 25 feet South of and parallel to the following described line:

Commencing at the Southwest corner of the Northeast Quarter of the Southeast Quarter of Section 33, Township 2 South, Range 7 East, Alcorn County, Mississippi, said point being an eight inch diameter creosote post; thence run North 89 degrees 58 minutes 42 seconds East along a wire fence and tree line 1296.376 feet to a concrete right-of-way marker on the West right-of-way line of U. S. Highway 45 South; thence run North 00 degrees 23 minutes 13 seconds East along the West right-of-way line of said Highway 279.948 feet to an iron pin set for the point of beginning of this easement; thence run along the North line of said easement the following: North 88 degrees 39 minutes 37 seconds west 89.105 feet to a nail being on the West edge of a curb on an existing 25 feet wide asphalt drive; thence run along said

curb the following: south 31 degrees 22 minutes 56 seconds west 17.705 feet; south 46 degrees 28 minutes 00 seconds West 22.124 feet; South 59 degrees 15 minutes 30 seconds West 32.055 feet; South 75 degrees 21 minutes 03 seconds West 21.689 feet; south 89 degrees 19 minutes 51 seconds West 159.434 feet; North 89 degrees 54 minutes 13 seconds west 120.218 feet to a nail set; North 89 degrees 54 minutes 13 seconds West 7.600 feet; North 76 degrees 43 minutes 48 seconds West 39.985 feet; North 55 degrees 12 minutes 23 seconds West 36.389 feet; North 33 degrees 26 minutes 20 seconds West 32.940 feet; thence leaving said curb run North 88 degrees 08 minutes 23 seconds West 47.007 feet to a point being 5 feet West of an existing 10 feet wide asphalt drive; thence run along a line that *is* 5.0 feet West of and parallel to said asphalt drive the following: South 27 degrees 04 minutes 20 seconds West 51.119 feet; thence continue along a line that is 5.0 feet North of and parallel to the existing said drive the following: South 45 degrees 25 minutes 25 seconds West 47.037 feet; South 65 degrees 07 minutes 04 seconds West 55.870 feet; South 87 degrees 46 minutes 46 seconds West 61.634 feet; North 71 degrees 00 minutes 12 seconds West 52.603 feet; North 49 degrees 14 minutes 47.seconds West 49.623 feet; thence continue along a line that is 5.0 feet East of and parallel to the existing said drive the following: North 33 degrees 13 minutes 40 seconds West 38.849 feet; North 14 degrees 05 minutes 41 seconds west 11.050 feet, and to the end of easement.

PARCEL B: A strip of land 10 feet wide, being 10 feet South of and parallel to the following described line:

Commencing at the Southwest corner of the Northeast Quarter of the southeast Quarter of Section 33, Township 2 South, Range 7 East, Alcorn County, Mississippi, said point being an eight inch diameter creosote post; thence run North 89 degrees 58 minutes 42 seconds East along a wire fence and tree line 1296.376 feet to a concrete right-of-way marker on the West right-of-way line of U.S. Highway 45 south; thence run North 00 degrees 23 minutes 13 seconds East along the West right-of-way line of said Highway 279.948 feet to an iron pin set; thence run along the North line of said easement the following: North 88 degrees 39 minutes 37 seconds West 89.105 feet to a nail being on the West edge of a curb on an existing 25 feet wide asphalt drive; thence run along said curb the following: South 31 degrees 22 minutes 56 seconds West 17.705 feet; South 46 degrees 28 minutes 00 seconds West 22.124 feet; South 59 degrees 15 minutes 30 seconds West 32.055 feet; South 75 degrees 21 minutes 03 seconds West 21.689 feet; South 89 degrees 19 minutes 51 seconds West 159.434 feet; North 89 degrees 54 minutes 13 seconds West 120.218 feet to a nail set; North 89 degrees 54 minutes 13 seconds West 7.600 feet; North 76 degrees 43 minutes 48 seconds West 39.985 feet; North 55 degrees 12 minutes 23 seconds West 36.389 feet; North 33 degrees 26 minutes 20 seconds West 32.940 feet; thence leaving said curb run North 88 degrees 08 minutes 23 seconds West 47.007 feet to a point being 5 feet West of an existing 10 feet wide asphalt drive; thence run along a line that is 5.0 feet west of and parallel to said asphalt drive the following: South 27 degrees 04 minutes 20 seconds West 51.119 feet; thence continue along a line that is 5.0 feet North of and parallel to the existing said drive the following: South 45 degrees 25 minutes 25 seconds West 47.037 feet; South 65 degrees 07 minutes 04 seconds West 55.870 feet; South 87 degrees 46 minutes 46 seconds west 61.634 feet; North 71 degrees 00 minutes 12 seconds West 52.603 feet; North 49 degrees 14 minutes 47 seconds West 49.623 feet; thence continue along a line that is 5.0 feet East of and parallel to the existing said drive the following: North 33 degrees 13 minutes 40 seconds West 38.849 feet; North 14 degrees 05 minutes 41 seconds West 1!~50 feet to the point of beginning for the easement; thence run North 14 degrees OS minutes 41 seconds west 59.441 feet; South 88 degrees 55 minutes 52 seconds West 32.352 feet; south 13 degrees 41 minutes 06 seconds

West 52.537 feet; South 38 degrees 42 minutes 49 seconds West 62.250 feet; south 63 degrees 11 minutes 45 seconds West 40.483 feet; South 80 degrees 11 minutes 33 seconds West 31.715 feet; south 89 degrees 02 minutes 58 seconds West 82.619 feet; North 81 degrees 33 minutes 16 seconds West 45.146 feet; North 64 degrees 06 minutes so seconds West 38.933 feet; North 46 degrees 43 minutes 37 seconds West 46.501 feet; North 22 degrees 56 minutes 10 seconds West 37.498 feet; North OS degrees 22 minutes 10 seconds West 32.239 feet to the end of easement.

All of the above described is subject to the rights of third parties who have purchased rights of interment in Forrest Memorial Cemetery Park.

The property described herein constitutes a part of Forrest Memorial Park a plat of which is filed for record in the Office of the Chancery Clerk of Alcorn County, Mississippi, in Plat Book 3 at page 10.

EXHIBIT B

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CASE NB:CV2011-000347 - JAH
CHANCERY COURT - CID = 59
BUBBA POUNDS

IN THE CHANCERY COURT OF PRENTISS COUNTY, MISSISSIPPI

C. DELBERT HOSEMANN Jr., *In his Official Capacity as Secretary of State* — Petitioner

v. — Civil Action No. 2011-347(59)H

OAKLAWN MEMORIAL PARK
Highway 4 West
Booneville, Mississippi 38829

WAYNE HIGHT, *individually*

NANCY HIGHT, *individually* — Respondents

Consolidated With

IN THE CHANCERY COURT OF ALCORN COUNTY, MISSISSIPPI

C. DELBERT HOSEMANN Jr., *In his Official Capacity as Secretary of State* — Petitioner

v. — Civil Action No. 2011-0454-02 MM

FORREST MEMORIAL PARK
740 Highway 45 South
Corinth, Mississippi 38834

WAYNE HIGHT, *individually*

NANCY HIGHT, *individually* — Respondents

CHANCERY COURT CLERK

ORDER OF RECEIVERSHIP

This consolidated cause came before the Court for a hearing on November 10, 2011, upon the Verified Complaint and Motion for the Appointment of a Receiver for Forrest Memorial Park and Oaklawn Memorial Park, by the Secretary of State ("Secretary"), C. Delbert Hosemann Jr., Petitioner, in his official capacity. By agreement of the parties, counsel for Petitioner made a proffer in open court on the record

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DAVID "BUBBA" POUNDS, CLERK
Lori Rogers D.C.

summarizing the testimony and documentation it intended to present in support of its Motion for the Appointment of a Receiver, to which the Respondents did not object. Therefore, based upon the proffer accepted by the Undersigned in open court, this Court finds as follows:

1. The Secretary is acting pursuant to the Secretary's responsibilities to protect consumers under the Mississippi Preneed Cemetery and Funeral Registration Act (hereafter "the Preneed Act"), Miss. Code Ann. §§ 75-63-51, *et seq.*, and under the Mississippi Perpetual Care Cemetery Act (hereinafter "the Perpetual Care Act"), Miss. Code Ann. §§ 41-43-31, *et seq.*

2. Respondents, Forrest Memorial Park, Corinth, Mississippi, and Oaklawn Memorial Park, Booneville, Mississippi, are a privately-owned, for-profit perpetual care cemetery as defined by Mississippi Code Annotated Section 41-43-3. Forrest Memorial Park is located at 740 Highway 45 South, Corinth, Mississippi 38834. Oaklawn Memorial Park is located at Highway 4 West, Booneville, Mississippi 38829. The business operations for Forrest Memorial Park and Oaklawn Memorial Park are conducted at offices located within the facility known as Hight Funeral Home, 740 Highway 45 South, Corinth, Mississippi 38834, with a post office box address at P.O. Box 1044, Corinth, Mississippi 38835. Forrest Memorial Park and Oaklawn Memorial Park are either sole proprietorships owned by Wayne Hight or general partnerships owned by Wayne Hight and Nancy Hight, husband and wife.

3. This Court has jurisdiction over the matters asserted herein pursuant to Miss. Code Ann. § 75-63-69(1) and Miss. Code Ann. § 41-43-38(7). Venue is proper in this Court as the

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Oaklawn Memorial Park Cemetery is located in Booneville, Mississippi (Prentiss County), and Forrest Memorial Park, Cause No. 2011-0454-02 MM, Alcorn County Chancery Court, has been consolidated with Cause No. 2011-347(59)H, Prentiss County Chancery Court.

4. Since at least 1966, perpetual care cemeteries have been required to remit fifteen percent (15%) of all interment ground burial sales to an irrevocable perpetual care trust. Miss. Code. Ann. § 41-43-37(1)(a). Fifteen percent (15%) of interment sales must be set aside and safeguarded under the management of a trustee for the long term care, maintenance, and upkeep of cemetery property for current and future generations. Only income, interest, and earnings from trust principal may be accessed by the cemetery through the trustee for care and maintenance needs and trust principal must remain inviolate. Miss. Code Ann. § 41-43-37(1).

CHANCERY COURT

5. Wayne Hight and Nancy Hight purchased Forrest Memorial Park in the fall of 1975. When the cemetery was purchased by the Hights in the fall of 1975, the cemetery's perpetual care trust fund acquired with the purchase contained approximately seventy thousand dollars ($70,000.00). Further, in the years following 1975, the perpetual care trust fund principal for Forrest Memorial Park was depleted to a balance of zero, and no perpetual care trust fund exists for Forrest Memorial Park. The depletion of the Forrest Memorial Park's Perpetual Care Trust Fund is a violation of Mississippi Code Annotated Section 41-43-37.

6. Wayne Hight and Nancy Hight purchased Oaklawn Memorial Park in the fall of 1982. When the cemetery was purchased by the Hights in the fall of 1982, the cemetery's

perpetual care trust fund acquired with the purchase contained approximately five thousand dollars ($5,000.00). Further, in the years following 1982, the perpetual care trust fund principal for Oaklawn Memorial Park was depleted to a balance of zero, and no perpetual care trust fund exists for Oaklawn Memorial Park. The depletion of the Oaklawn Memorial Park's Perpetual Care Trust Fund is a violation of Mississippi Code Annotated Section 41-43-37.

7. Following the purchase of Forrest Memorial Park in the fall of 1975, the Hights did not maintain or fund a perpetual care trust with the required fifteen percent (15%) set aside of all interment right sales. The failure to trust fifteen percent (15%) on all cemetery lot sales to the public in the past thirty-six (36) years is a violation of Mississippi Code Annotated Section 41-43-37. Furthermore, the failure to trust fifteen percent (15%) of each and every cemetery lot sale since the fall of 1975 is a separate and distinct violation of Mississippi Code Annotated Section 41-43-37(1).

CHANCERY COURT

8. Following the purchase of Oaklawn Memorial Park in the fall of 1982, the Hights did not maintain or fund a perpetual care trust with the required fifteen percent (15%) set aside of all interment right sales. The failure to trust fifteen percent (15%) on all cemetery lot sales to the public in the past twenty-eight (28) years is a violation of Mississippi Code Annotated Section 41-43-37. Furthermore, the failure to trust fifteen percent (15%) of each and every cemetery lot sale since the fall of 1982 is a separate and distinct violation of Mississippi Code Annotated Section 41-43-37(1).

9. The perpetual care trust fund principal deficiency for Forrest Memorial Park is Ninety-Seven Thousand, Seven Hundred Sixty Dollars and Forty-Eight Cents ($97,760.48). This

perpetual trust principal deficiency is principal that Mr. Wayne Hight did not trust on cemetery lot sales from the fall of 1975 through July of 2010. This amount does not include the approximately Seventy Thousand Dollars ($70,000.00) that Mr. Hight acquired as trust principal when he purchased the property in the fall of 1975. The perpetual care trust fund principal deficiency for Oaklawn Memorial Park is Eight Thousand Four Hundred Four Dollars and Thirty-Five Cents ($8,404.35). This perpetual trust principal deficiency is principal that Mr. Wayne Hight did not trust on cemetery lot sales from the fall of 1982 through July of 2010. This amount does not include the approximately Five Thousand Dollars ($5,000.00) that Mr. Hight acquired as trust principal when he purchased the property in the fall of 1982.

10. The complete absence of a perpetual care trust fund for Forrest Memorial Park and Oaklawn Memorial Park places the long term maintenance, upkeep, and viability of the cemetery burial grounds at serious risk to not only those who have purchased grave spaces, but also for the departed who purchased cemetery spaces with the expectation of perpetual care. In addition to being perpetual care cemeteries as defined in Mississippi Code Annotated Section 41-43-33, Forrest Memorial Park and Oaklawn Memorial Park represented to the public that they provided, "Maintenance Fully Paid By Trust Fund," as recently as November of 2011.

11. Since at least April of 1975, the Mississippi Preneed Act has required cemetery owners to trust a required amount for all collections and sales made on the preneed purchase of cemetery merchandise and services, such as burial vaults, memorial markers, and grave opening/closing services. Miss. Code Ann. § 75-63-3 (Rev. 2000), *repealed and*

brought forward at Miss. Code Ann. § 75-63-59 (Rev. 2009). A preneed sale is any purchase of cemetery merchandise and services made by the living when the obligation for delivery and installation from the cemetery does not occur until the death of the purchaser (or the person for whom the merchandise or services were intended). Miss. Code Ann. § 75-63-53(l).

12. Cemeteries that sell preneed merchandise and services must maintain an irrevocable preneed trust managed and maintained by a trustee not associated with the cemetery business or a related business. Miss. Code Ann. § 75-63-59. The trust terms are dictated in large measure by state statute. The statute requires a percentage of all preneed sales and collections to be trusted by a time-as-it-matures. Miss. Code Ann. § 75-63-59. Moreover, disbursements from the trust fund to the cemetery can only be made with the cemetery providing documentation of the purchaser's death along with a letter of performance stating that the cemetery provided all of the contracted merchandise and services to the decedent (vault, monument, marker, etc.). Miss. Code Ann. § 75-63-59(5). Preneed trust funds are consumer funds trusted on their behalf. The cemetery's ownership in preneed trust funds does not mature until the cemetery provides all of the contracted goods and services following death of the client.

CHANCERY COURT

13. From at least April of 1975 until June 30, 2006, preneed providers were required to trust no less than fifty percent (50%) of all customer collections for preneed merchandise and services. Miss. Code Ann. § 75-63-3 (Rev. 2000), *repealed and brought forward effective January 1, 2002, at* Miss. Code Ann. § 75-63-59 (Rev. 2009). Effective July 1, 2006, preneed providers have been required to trust eighty-five percent (85%) of all

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customer preneed payments for preneed merchandise and services sold after July 1, 2006. Miss. Code Ann. § 75-63-59 (Rev. 2009).

14. The un-serviced preneed trust deficiencies on contracts sold by Forrest Memorial Park for burial vaults, memorial markers, grave openings/closings, and other miscellaneous preneed merchandise total Three Hundred Five Thousand Seven Hundred Sixty-One Dollars and Ninety-Nine Cents ($305,761.00). The un-serviced preneed trust deficiencies on contracts sold by Oaklawn Memorial Park total Forty- Eight Thousand Six Hundred Eighty Dollars and Fifty-Six Cents ($48,680.56).

15. Forrest Memorial Park and Oaklawn Memorial Park have no consumer preneed trust funds as required by Mississippi Code Annotated Section 75-63-59. As such, its owners have no consumer trust fund or consumer funds set aside to finance the purchase, delivery, and installation of pre-sold burial vaults, memorial markers, etc.

CHANCERY COURT

16. Each and every failure by Wayne Hight and Nancy Hight to trust the required amount of all consumer payment for preneed merchandise and services in the past thirty-five (35) years for Forrest Memorial Park, and in the past twenty-eight (28) years for Oaklawn Memorial Park, represents a separate and distinct violation of Mississippi Code Annotated Section 75-63-59, and prior statutes requiring trusting of preneed payments.

17. For the reasons noted above, the Secretary has demonstrated serious and compelling concerns for the financial solvency of Forrest Memorial Park and Oaklawn Memorial Park and particularly their ability to deliver the contractually obligated items of cemetery merchandise and services as claims are made in the future with the passing of clients who purchased the same.

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18. Pursuant to Mississippi Code Annotated Section 41-43-38(7), whenever it appears to the Secretary of State or any other interested person that a perpetual care cemetery is insolvent, about to become insolvent, or that no perpetual care trust fund exists for the cemetery, such interested person may bring an action in the chancery court in the county in which the cemetery is located to request just and equitable relief in the public interest, including the appointment of a receiver or receivers to continue or terminate the operation of the business.

19. Pursuant to Mississippi Code Annotated Section 75-63-69(1)(c), whenever it appears to the Secretary of State that any person is engaged in violations of the Mississippi Preneed Act, the Secretary may bring an action in chancery court to enjoin acts or practices and enforce compliance with the preneed laws. Upon a proper showing by the Secretary of State, a receiver may be appointed for the defendant's assets. Miss. Code Ann. § 75-63-69(1)(c).

20. The Secretary of State has demonstrated the "proper showing" for the appointment of a receiver for Forrest Memorial Park Cemetery and Oaklawn Memorial Park Cemetery.

THEREFORE, by the authority conferred in Mississippi Code Annotated Sections 41-43-38(7); 75-63-69(1)(c); and, the court's general powers to appoint a receiver under Section 11-5-151 (Rev. 2002), this court hereby ORDERS the Receivership of Forrest Memorial Park and Oaklawn Memorial Park, perpetual care cemeteries, to conserve, operate, and maintain the businesses in the best interests of the perpetual care and preneed consumers (both living and deceased) and to place the businesses on the path of compliance with the Preneed Act, Miss.

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Code Ann. §§ 75-63-51, *et seq*., and the Perpetual Care Act, Miss. Code Ann. §§ 41-43-31, *et seq*.

THEREFORE, The Honorable John C. Ross, Jr., of Corinth, Mississippi, is appointed the Receiver of Forrest Memorial Park and Oaklawn Memorial Park, who shall serve in the position of Receiver until excused by the court.

As such, the Receiver is authorized to:

(a.) "take possession of the property or property interests involved in the action, to maintain and preserve it from loss, injury, or inextricable confusion." Griffith, MISSISSIPPI CHANCERY PRACTICE § 466, P. 275;

(b). take the necessary steps to stabilize the business, to prevent further waste and dissipation of the Respondents' assets, and to avoid additional detriment to the public who have purchased or will purchase cemetery plots, merchandise, and services;

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(c.) take possession of the banking accounts, client accounts, all other assets tangible and intangible, of whatever kind and description and where located, including but not limited to: monies, securities, real and personal properties, income, receivables, contracts, leases, all business books, records, client lists, client files, account statements, financial and accounting documents, computers, computer hard drives, computer disks, other informational resources and components, and the legally recognized privileges with regard to any entities of Forrest Memorial Park, Oaklawn Memorial Park, and any entities that they own or entities owned by Wayne Hight or Nancy Hight that are germane to the operations of Forrest Memorial Park and Oaklawn Memorial Park:

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(d.) to make such ordinary and necessary payments, distributions, and disbursements as the Receiver deems advisable, in accordance with industry standards, for the proper maintenance or preservation of the Receivership Estate, but only to the extent that the Receiver has identified available Receivership assets from which distributions or payments can be made;

(e.) to make appropriate notification to the United States Postal Service to forward delivery of any mail addressed to the Respondents, or any company or entity under the direction and control of Respondents, to himself. Further, the Receiver is authorized to open and inspect all such mail to determine the location or identity of any assets or the existence and amounts of any assets, including, but not limited to, accounts receivable;

(f.) to become the sole authorized signatory on any accounts in the name of the Forrest Memorial Park or Oaklawn Memorial Park, and the Receiver shall have sole authorization and right to withdraw and utilize the income from any such accounts wherever the same may exist;

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(g.) to provide burial plots, the opening and closing of graves, the placing of vaults, and the purchase and placement of markers for all deceased persons, and to undertake any other actions that are inherent in the day-to-day operations of the cemeteries, according to industry standards, if and only if, in the discretion of the Receiver, such services can be provided consistent with the financial ability of the business;

(h.) to make decisions in his sole discretion to determine the extent, if any, that goods and services will be furnished under preneed contracts during the receivership period, taking into account the need to continue operations and to maintain the cemeteries in a manner consistent with prudent administration of perpetual-care cemeteries in receivership; such authority is conferred recognizing that the availability of funds for preneed services and merchandise is likely

to be extremely limited due to the financial situation of Forrest Memorial Park and Oaklawn Memorial Park:

(i.) to deposit all monies received by him in relation to the Receivership Estate into an operating account, and to set aside for consumer safekeeping the appropriate percentages for perpetual care and preneed merchandise and service purchases;

(j.) to hire and fire any personnel, to set any reasonable salaries for employees or independent contractors as he may deem necessary in his sole discretion, in accordance with the prudent administration of perpetual care cemeteries, in receivership, and according to industry standards;

(k.) to market any real or personal property to a solvent, credible purchaser should it be in the best interest of the Receivership Estate and the consumers of Forrest Memorial Park or Oaklawn Memorial Park to do so, recognizing however, that any sale of real or personal property must be approved by the court;

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(l.) to lease, or occupy without lease, as his action, office space, if necessary, or to buy or sell assets, or undertake any other actions necessary and consistent with the prudent operation of perpetual care cemeteries in receivership according to industry standards;

(m.) to conduct and operate the Receivership Estate with any other authority or specific directives that the Receiver deems appropriate, proper, and just; Furthermore, the Receiver shall have the full power of an equity receiver under common law and is not required to post a bond unless otherwise directed by this court.

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FURTHERMORE, the Secretary of State, Petitioner, is authorized to:

(n): employ a Receiver as an independent contractor if determined by the Secretary and the Receiver that cash flow or income from the business is inadequate or insufficient to compensate the Receiver for his duties;

(o:) to compensate a Receiver as an independent contractor at a rate of no more than twenty-five dollars ($25.00) per hour and to pay reasonable expenses of the Receiver to be determined by standards issued by the Mississippi Department of Finance and Administration. Such compensation and expenses shall be borne by the Office of the Secretary of State pursuant to a contract entered into by the Secretary and the Receiver;

Both the Receiver; and the Secretary, if receivership funds are insufficient, are authorized to:

(p). employ personnel to determine the legal title or to give opinions as to the legal title to any real or personal property that is the subject of or potentially the subject of this Receivership Estate; the Receiver or the Secretary of State are authorized to seek reimbursement for such professional services under terms approved by the court pursuant to a court order;

(q.) to hire a competent accountant, tax professional, or a property appraiser to carry out the responsibilities of the Receivership Estate; the Receivership Estate or the Secretary may seek and obtain reimbursement for such professional services under terms approved by the court pursuant to a court order;

Further, the Secretary of State shall have the right to be reimbursed for all reasonable contract salaries and expenses incurred for the effective administration of the Receivership Estate from available assets of the Receivership Estate or from the proceeds of any sale of Receivership

Estate assets to third parties that might occur, including the sale of real property. Such reasonable contract salaries for which the Secretary is authorized to contract for include services provided by the Receiver and his reasonable expenses; attorneys; accountants; tax professionals; and property appraisers whose services are essential to the Receivership Estate and ultimately the distribution of property to solvent, responsible third parties. However, no reimbursement to the Secretary of State or purchase price set-off inuring to the benefit of the Secretary of State for contracted salaries or expenses will occur unless approved by the court.

IT IS ALSO ORDERED that the Respondents and their respective officers, agents, and employees, and all persons in active concert or participation with them either directly or indirectly are hereby enjoined and restrained from making any payment or expenditure of any Receivership Estate asset that is owned by Respondents or in the actual or constructive possession of any entity, directly or indirectly owned or controlled or under common control with the Receivership Estate, or from effecting any sale, gift, hypothecation, assignment, transfer, conveyance, encumbrance, disbursement, dissipation, or concealment of such assets.

FURTHERMORE, the Respondents and their respective officers, agents, and employees, and all persons in active concert or participation with them shall cooperate with the Receiver and his duly authorized agents by promptly and honestly responding to all requests for information regarding receivership assets and records and by promptly acknowledging to third parties the Receiver's authority to act on behalf of the Receivership Estate and provide such authorizations, signatures, releases, attestations, and access as the Receiver or his duly authorized agents may reasonably request.

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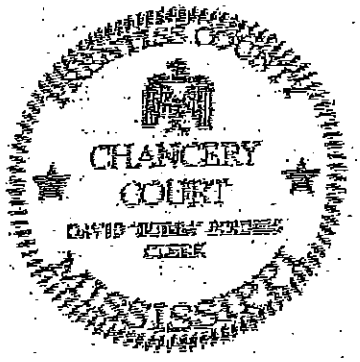
SO ORDERED and ADJUDGED, this the 21st day of November, 2011.

Chancellor

Order Prepared By:

Counsel for Petitioner
Dave Scott, ASOS, MSB #8765
700 North Street
Jackson, MS 39202



Agreed As to Form Only:

Counsel for Respondents
Hon. Ronna D. Kinsella, MSB #101884
26 N. Second Street
Memphis, TN 38103

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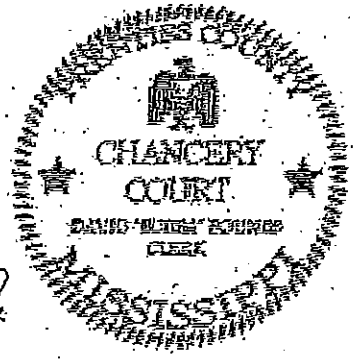
SO ORDERED and ADJUDGED, this the _____ day of November, 2011.

_____
Chancellor

Order Prepared By:

Counsel for Petitioner
Dave Scott, ASOS, MSB #8765
700 North Sunet
Jackson, MS 39202



Agreed As to Form Only:

Counsel for Respondents
Hon. Ronna D. Kinsella, MSB #101884
26 N. Second Street
Memphis, TN 38103