

RECEIVED

MAR 23 2016

STENNETT, WILKINSON & PEDEN

A PROFESSIONAL ASSOCIATION

ATTORNEYS AND COUNSELORS AT LAW

JAMES A. PEDEN, JR.
jpeden@swplaw.net

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E-MAIL: attorneys@swplaw

March 23, 2016

VIA HAND DELIVERY

Mr. Scott Weeks
Zoning Administrator
Madison County
Post Office Box 608
Canton, Mississippi 39046

Re: In the Matter of the Rezoning of Certain Land Situated in
Section 20, Township 8 North, Range 1 East, Madison
County, Mississippi; Peter P. DeBeukelaer, Petitioner

Dear Mr. Weeks:

This law firm has recently been retained by Peter P. DeBeukelaer, the Petitioner in the above-mentioned matter, in which he is seeking to rezone approximately ten acres located on Dover Lane from a classification of Residential Estate District (R-1) to a classification of Single-Family Residential District (R-1A). Mr. DeBeukelaer is aggrieved by the recommendation made by the Madison County Planning Commission on March 10, 2016, that his Application be denied.

Accordingly, we are hereby transmitting to you:

- (1) My Entry of Appearance as attorney for Mr. DeBeukelaer; and
- (2) A Notice of Appeal.

Please file and process these documents, request the Madison County Board of Supervisors to set a public hearing, and cause appropriate Notice to be published in a local newspaper in accordance with law. During our telephone conference of earlier today, you and I thought that the Madison County Board of Supervisors, when it next meets on Monday, April 4, would probably set this matter for a public hearing during its first meeting in May, on Monday, May 2. When you know the exact date of the public hearing, please advise.

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ATTORNEYS AND COUNSELORS AT LAW

-2-

Mr. Scott Weeks
March 23, 2016

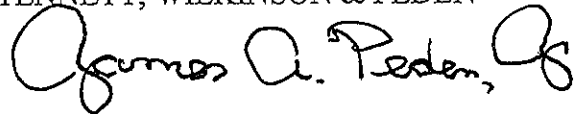
Enclosed is our check made payable to Madison County Planning and Zoning in the amount of \$172.30 to pay the appeal fee required under Section 2613.03 of the Zoning Ordinance.

At such time as the Minutes of the meeting of the Madison County Planning Commission held on March 10, 2016, are available, please provide us with a copy.

Thank you for your courtesy and assistance.

Sincerely yours,

STENNETT, WILKINSON & PEDEN

A handwritten signature in black ink that reads "James A. Peden, Jr." with a stylized flourish at the end.

James A. Peden, Jr.

JAPjr:br

Enclosures

cc Mr. Peter P. DeBeukelaer

Mr. Brad Sellers

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MAR 23 2016

BEFORE THE BOARD OF SUPERVISORS
OF MADISON COUNTY, MISSISSIPPI

IN THE MATTER OF THE REZONING
OF CERTAIN LAND SITUATED IN
SECTION 28, TOWNSHIP 8 NORTH,
RANGE 7 EAST, MADISON COUNTY,
MISSISSIPPI

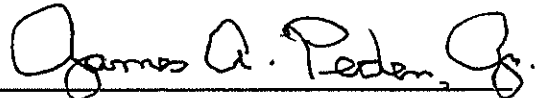
PETER P. DeBEUKELAER, PETITIONER

ENTRY OF APPEARANCE

COMES NOW James A. Peden, Jr., of the law firm of
Stennett, Wilkinson & Peden, with offices in the City of
Ridgeland, Madison County, Mississippi, and hereby enters his
appearance as attorney for Peter P. DeBeukelaer, the Petitioner
in the above-mentioned matter.

THIS is the 23rd day of March, 2016.

Respectfully submitted,



JAMES A. PEDEN, JR.
STENNETT, WILKINSON & PEDEN

JAMES A. PEDEN, JR.
STENNETT, WILKINSON & PEDEN
Post Office Box 13308
Jackson, Mississippi 39236-3308
Telephone: 601-206-1816

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MAR 23 2016

BEFORE THE BOARD OF SUPERVISORS
OF MADISON COUNTY, MISSISSIPPI

IN THE MATTER OF THE REZONING
OF CERTAIN LAND SITUATED IN
SECTION 28, TOWNSHIP 8 NORTH,
RANGE 1 EAST, MADISON COUNTY,
MISSISSIPPI

PETER P. DeBEUKELAER, PETITIONER

NOTICE OF APPEAL

On March 10, 2016, the Madison County Planning Commission, after conducting a public hearing, recommended that the Application of Peter P. DeBeukelaer to rezone certain property located on Dover Lane in Section 28, Township 8 North, Range 1 East, Madison County, Mississippi, from a classification of Residential Estate District (R-1) to a classification of Single-Family Residential District (R-1A) be denied. The Petitioner, Peter P. DeBeukelaer, is aggrieved by that recommendation and hereby gives notice that he wishes to appeal that recommendation to the Board of Supervisors of Madison County, Mississippi.

The Petitioner requests a public hearing before the Board of Supervisors of Madison County in accordance with Sections 2606.06 and 2613.02 of the Madison County Zoning Ordinance.

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MAR 23 2016

This written appeal from the recommendation of the Madison County Planning Commission is being filed within 15 days of the vote of the Planning Commission.

The Petitioner requests that the Board of Supervisors set a public hearing on this appeal within 30 days of the receipt of this Notice of Appeal and otherwise process the appeal in accordance with law.

The Petitioner is submitting with this Notice of Appeal a check in the amount of \$172.30 to pay the appeal fee specified in Section 2613.03 of the Madison County Zoning Ordinance.

THIS is the 23rd day of March, 2016.

Respectfully submitted,

PETER P. DeBEUKELAER,
PETITIONER

STENNETT, WILKINSON & PEDEN,
ATTORNEYS FOR PETITIONER

BY: James A. Peden, Jr.
JAMES A. PEDEN, JR.

JAMES A. PEDEN, JR.
STENNETT, WILKINSON & PEDEN
Post Office Box 13308
Jackson, Mississippi 39236-3308
Telephone: 601-206-1816

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JAN 28 2016

SEW

BEFORE THE BOARD OF SUPERVISORS OF THE COUNTY OF MADISON
STATE OF MISSISSIPPI

IN THE MATTER OF REZONING OF
CERTAIN LAND SITUATED IN SECTION 28
TOWNSHIP 8 NORTH, RANGE 7 EAST
MADISON COUNTY, MISSISSIPPI

PETITIONER:

PETER P. DEBEUKELAER

PETITION TO REZONE AND RECLASSIFY REAL PROPERTY

Comes now Peter DeBeukelaer, owner of the hereinafter described land and property, and files this petition with the Board of Supervisors of Madison County, Mississippi, to rezone and reclassify a tract or parcel of land situated in Section 28, Township 8 N, Range 1E, Madison County, Mississippi, more particularly described as follows, to-wit:

SEE EXHIBIT A

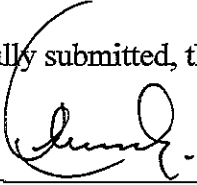
from its present Zoning District Classification of R-1 Residential District to a R-1A Residential District, in support thereof would respectfully show as follows, to-wit:

1. The subject property consists of 10 acres, more or less.
2. The zoning proposed is not in compliance with the adopted Land Use Plan, of Madison County, but is the highest and best use.
3. List of changes or conditions that support rezoning:

SEE EXHIBIT B

WHEREFORE, PREMISES CONSIDERED, Petitioners respectfully request that this petition be received, and after due consideration, the Board of Supervisors of Madison County will enter an order amending the land use plan to reflect R-1A zoning, and reclassifying this property from its present R-1 Residential District classification to a R-1A Residential District.

Respectfully submitted, this the 29th day of January, 2016.


_____, Petitioner

Peter P. DeBeukelaer

EXHIBIT "A"

COPY OF DEED

INDEXED!

1076

CORRECTION WARRANTY DEED

FOR AND IN CONSIDERATION of the sum of Ten Dollars (\$10.00) cash in hand paid and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, FARM AND FOOD N.V., a Netherlands Antilles corporation registered to do business in Mississippi, Grantor, do hereby convey and forever warrant unto PETER P. DEBEUKELAER and MRS. DEBEUKELAER COTTRY, Grantees, the following described real property lying and being situated in Madison County, Mississippi, to wit:

Northeast 1/4 of the Northeast 1/4 of the Southeast 1/4 of Section 28, Township 8 North, Range 1 East, containing 10 acres, more or less.

Less and Except:

Any portion of the following described property lying and being situated in said Northeast 1/4 of the Northeast 1/4 of the Southeast 1/4 of Section 28, Township 8 North, Range 1 East, Madison County, Mississippi:

Being situated in the SE1/4 of Section 28, T8N-R1E, Madison County, Mississippi and being more particularly described by metes and bounds as follows:

Commence at the Northeast corner of the said SE1/4 of Section 28, and run thence Due South for a distance of 696.971'; run thence Due West for a distance of 1029.869' to an iron pin which marks the Southeast corner of Lot 20 of New Castle (a proposed subdivision) and also marks the POINT OF BEGINNING for the parcel herein described; thence N 64 degrees 46 minutes 47 seconds E for a distance of 394.52' to an iron pin; thence N 14 degrees 20 minutes 51 seconds W for a distance of 279.57' along the Westerly right of way line of a proposed road; thence run 74.46' along the arc of 254.46 foot radius curve to the left in the said Westerly right of way line of a proposed road, said arc having a 74.198 foot chord which bears N 22 degrees 43 minutes 51 seconds W; thence run 269.63' along the arc of 536.30 foot radius curve to the right in the Southerly right of way line of Dover Lane (under construction), said arc having a 266.80 foot chord which bears S 65 degrees 50 minutes 58 seconds W; thence S 79 degrees 28 minutes 28 seconds W for a distance of 88.0' along the said Southerly right of way line of Dover Lane to an iron pin which marks the Northeast corner of the said Lot 20 of New Castle; thence S 10 degrees 31 minutes 32 seconds E for a distance of 388.70' along the East line of the said Lot 20 to the POINT OF BEGINNING, containing 3.034 acres more or less.

Also less and except:

Any portion of the subject property which is located in New Castle Subdivision, Madison County, Mississippi, as per plat Slide B-78 in the office of the Chancery Clerk of Madison County, Mississippi.

The purpose of this Correction Warranty Deed is to less and except any portion of a tract which has been previously sold by Farm & Food N.V. This instrument corrects that certain Warranty Deed which is recorded in Book 207 at page 695 in the office of the Chancery Clerk of Madison County, Mississippi. The exceptions, reservations and/or conveyances referenced in said Book 207 at page 695 are incorporated herein by reference.

WITNESS OUR SIGNATURES on this the 24th day of FEBRUARY, 1986.

FARM & FOOD N.V., A NETHERLANDS ANTILLES CORPORATION

By:

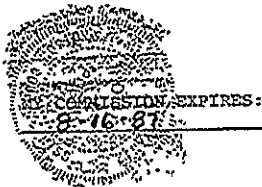
Peter DeBeukelaer, Individually

Mrs. DeBeukelaer Cottry Individually

STATE OF MISSISSIPPI
COUNTY OF MADISON

PERSONALLY APPEARED BEFORE ME, the undersigned authority in and for the jurisdiction, PETER DE BEUKELAER, who acknowledged to me that he is a MANAGING DIRECTOR of FARM & FOOD N.V., a Netherlands Antilles corporation and that as such, he did sign and deliver the above and foregoing CORRECTION WARRANTY DEED for and on behalf of the corporation and as its act and deed, after being first duly authorized so to do, on the date therein written.

GIVEN UNDER MY HAND AND OFFICIAL SEAL, this the 24th day of FEBRUARY, 1986.



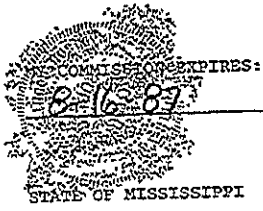
W. S. Conroy
NOTARY PUBLIC

STATE OF MISSISSIPPI
COUNTY OF MADISON

PERSONALLY APPEARED BEFORE ME, the undersigned authority
in and for the jurisdiction above stated, the within named
PETER DEBEUKELAER, who stated and acknowledged to me that he
did sign and deliver the above and foregoing instrument on the
date and for the purposes as therein stated.

GIVEN UNDER MY HAND and official seal on this the 25th
day of February, 1986.

W.S. Smith-Vay
NOTARY PUBLIC



STATE OF MISSISSIPPI
COUNTY OF MADISON

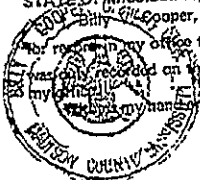
PERSONALLY APPEARED BEFORE ME, the undersigned authority
in and for the jurisdiction above stated, the within named
MRS. DeBEUKELAER COTERY, who stated and acknowledged to me
that she did sign and deliver the above and foregoing
instrument on the date and for the purposes as therein stated.

GIVEN UNDER MY HAND and official seal on this the 25th
day of February, 1986.

W.S. Smith-Vay
NOTARY PUBLIC



STATE OF MISSISSIPPI, County of Madison:
I, Billy V. Cooper, Clerk of the Chancery Court of Said County, certify that the within instrument was filed
for record in my office this 25 day of February, 1986, at 4:00 o'clock P. M., and
was duly recorded on the FEB 26 1986 day of FEB 26 1986, 1986, Book No. 212 on Page 656. In
witness whereof, I have hereunto set my hand and seal of office, this 26 day of FEB 26 1986, 1986.



BILLY V. COOPER, Clerk
By B. V. Cooper D.C.

EXHIBIT "B"

Changes and conditions supporting Petition

The property described in the petition is situated on Dover Lane, and is adjacent to New Castle Subdivision. Petitioner is the developer of New Castle, and lives in the subdivision. The development of New Castle Subdivision was begun in 1985, in compliance with the zoning that existed at that time, R-1 Residential District and A-1 Agricultural District. Lot size ranged from 1 acre to 3 acres or more, based on approval by the Madison County Health Department for on-site sanitary systems.

New Castle and the subject property are now located in the Bear Creek Utility District, that provides water and sewer to this area. The development proposed will provide 9 lots, each approximately 1 acre in size. The petitioner has proposed using the same covenants for this property, including architectural design and a minimum size for the homes of 2500 square foot of heated area. New Castle Subdivision has lots 1 acre in size and up, therefore the development of 9 lots of this size will blend into the neighborhood, match or exceed the existing residences, and be provided with sanitary sewer.

The existing structures on the property will be removed, the layout of the lots will be designed to save all existing trees possible. As can be seen in the existing phases of New Castle, the petitioner has developed this property slowly and carefully, and now submits this proposal for consideration.

EXHIBIT "C"

VERIFICATION OF THE NECESSARY UTILITIES TO DEVELOPE



BEAR CREEK
WATER ASSOCIATION

P. O. Box 107
Canton, MS 39046

Phone: (601) 856-5969
Fax: (601) 856-8936

January 25, 2016

Peter DeBeukelaer

RE: Property in Sections 27 and 28, T8N, R1E
Madison County, Mississippi

Dear Peter:

Please be advised that all the properties lying within Sections 27 and 28 of Township 8 North, Range 1 East, do lie within Bear Creek Water Association's water and sewer certificated area. The association will provide any developments within that area such services in accordance with its standard water and sewer extension policies and procedures.

Please contact me if you need any additional information.

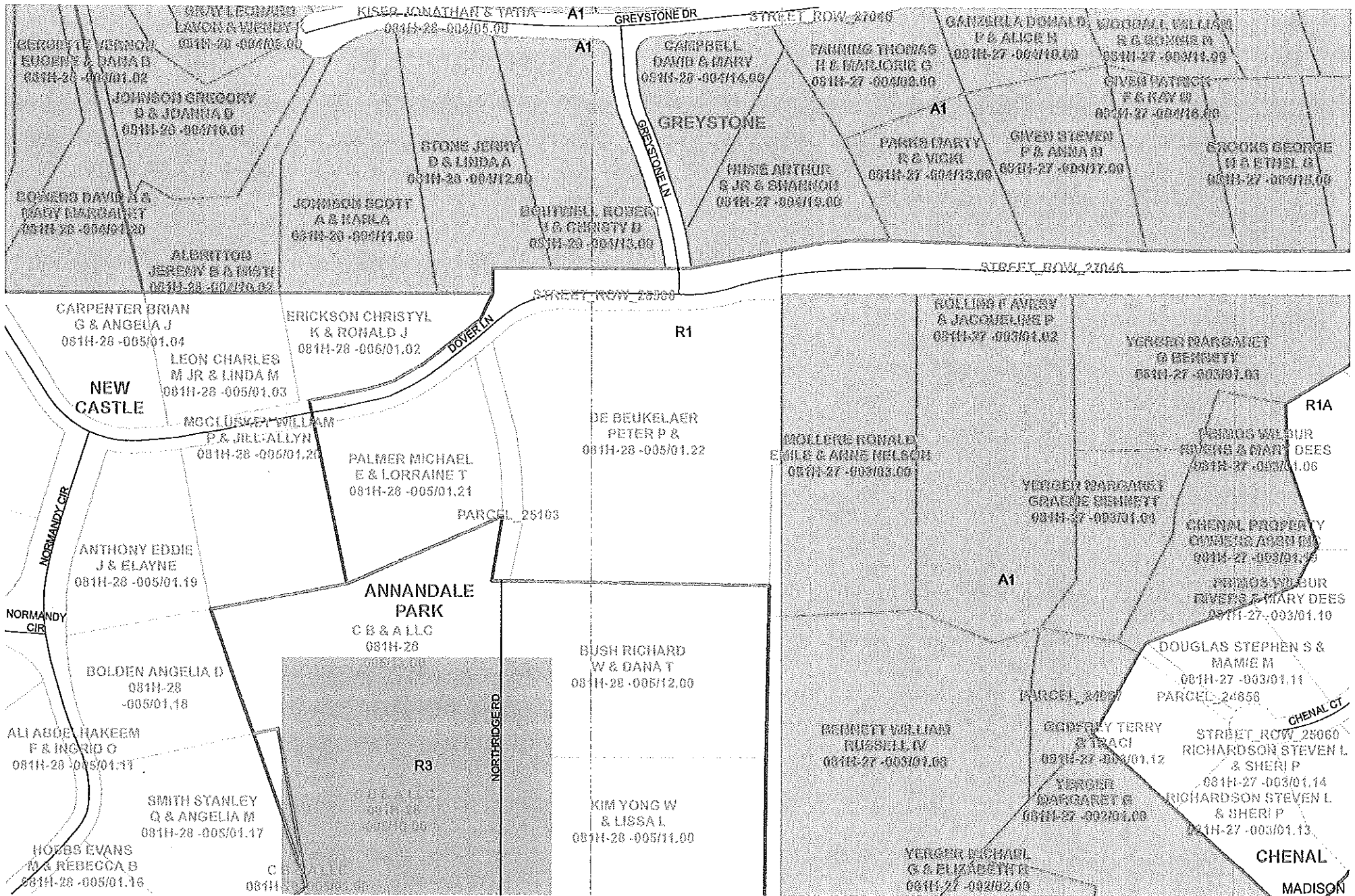
Sincerely,



Nolan P. Williamson, P.E.
General Manager

EXHIBIT "D"

ZONING MAP WITH ADJACENT OWNERSHIP



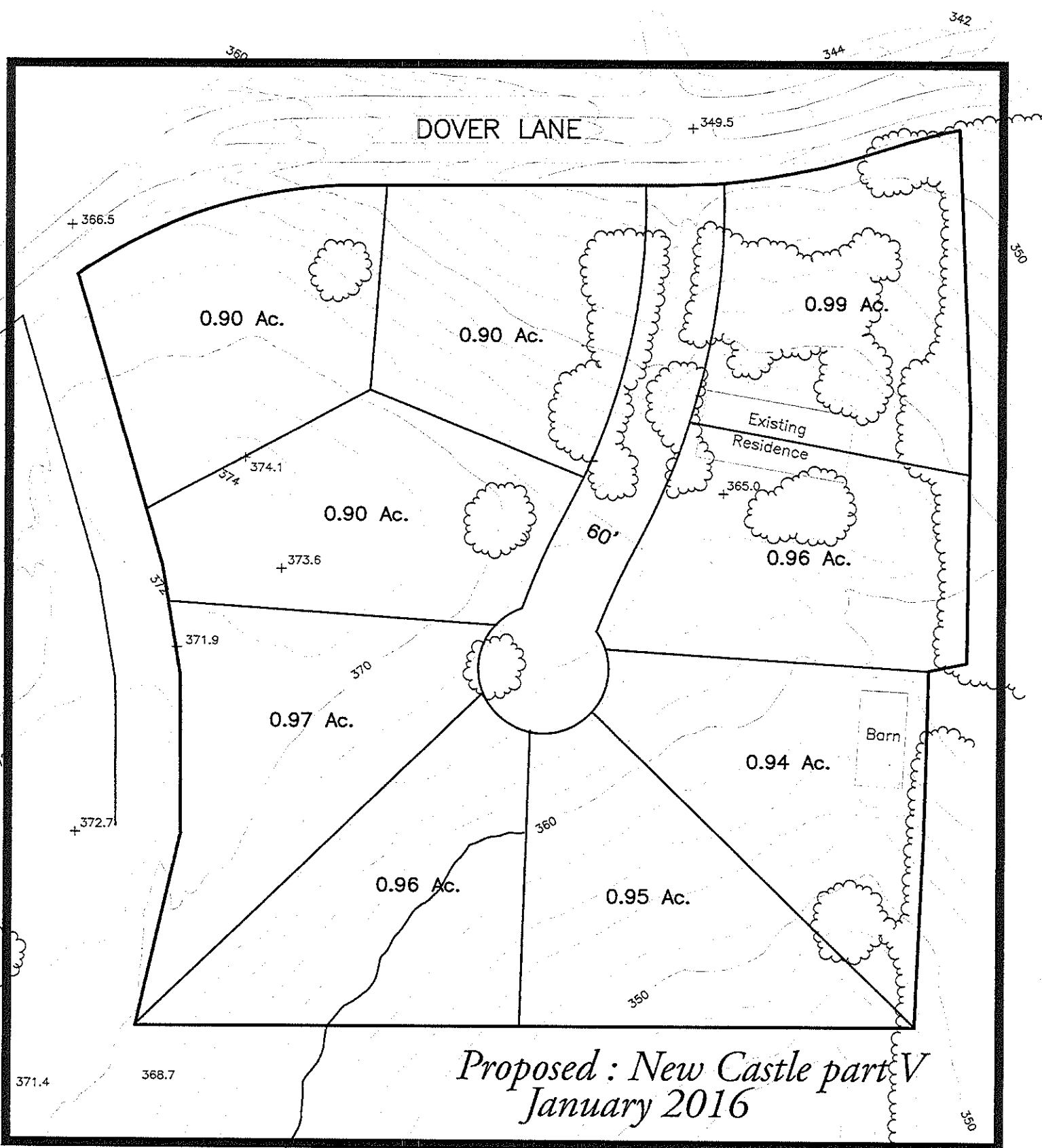
Madison County, MS



1 inch = 300 feet

EXHIBIT "E"

PROPOSED SUBDIVISION LAYOUT



*Proposed: New Castle part V
January 2016*

