

BEFORE THE MADISON COUNTY, MISSISSIPPI BOARD OF SUPERVISORS

In re: Alteration of the Plat of The Sanctuary at Cameron Plantation

Tyler B. Turner and Susan Neal Turner, Petitioners

PETITION TO ALTER THE PLAT OF THE SANCTUARY AT CAMERON PLANTATION

COME NOW Petitioners, **TYLER B. TURNER AND SUSAN NEAL TURNER**, pursuant to Section 17-1-23 (4) of the *Mississippi Code of 1972, Annotated, as Amended*, and file this their Petition before the Board of Supervisors of Madison County, Mississippi to alter the Plat of The Sanctuary at Cameron Plantation, and in support hereof show as follows:

1. Petitioners, **TYLER B. TURNER AND SUSAN NEAL TURNER**, are adult resident citizens of Madison County, Mississippi, whose address is 425 Sanctuary Circle, Canton, Mississippi 39046.

2. Petitioners are the owners of Lots 23 and 24 of the Sanctuary at Cameron Plantation, as evidenced by Warranty Deed dated September 19, 2011 and recorded in Book 2708 at Page 924 and Warranty Deed dated November 27, 2017 and recorded in Book 3548 at Page 82 in the records in the office of the Chancery Clerk of Madison County, Mississippi. Lots 23 and 24 are contiguous Lots. A copy of each Warranty Deed is attached hereto as a composite Exhibit "A".

3. The Sanctuary at Cameron Plantation is a subdivision of Madison County, Mississippi according to a map or plat thereof on file and of record in Plat Cabinet D at Slide 76. Lots 23 and 24 are subject to the Declaration of Covenants, Conditions and Restrictions for The Sanctuary, A Community, dated June 1, 2001, and recorded in Book 1312 at Page 40 in the records in the office of the Chancery Clerk of Madison County, Mississippi.

4. The Sanctuary Covenants state in Section 11 of Article XI:

No lot shall be subdivided into a parcel containing less than five (5) acres; nor shall the boundary line of any Lot be changed except with the written consent of Declarant, so long as Declarant owns any Lot subject to the Declaration...

5. Petitioners show that they desire to delete 1.41 acres from the East side of Lot 23 and add the 1.41 acres to the West side of Lot 24. The remaining Lot size for Lot 23 will be 5.89 acres and the remaining Lot size for Lot 24 will 7.19 acres. A plat of the altered Lots is attached hereto as Exhibit "B".

6. Pursuant to Section 11 of Article XI of the Sanctuary Covenants, and pursuant to Section 17-1-23 (4) of the *Mississippi Code of 1972, Annotated, as Amended*, the only parties interested in the subject matter of this Petition are:

- a. Petitioners;
- b. Sanctuary Owners Association, Inc.;

7. Becnan, LLC, Declarant, no longer owns any Lots within the subdivision and is no longer a necessary party to this Petition.

8. Sanctuary Owners Association, Inc. has approved the request as indicated by its letter of approval attached hereto as Exhibit "C".

9. That this Board should approve the alteration of Lots 23 and 24 as described on Exhibit "B" attached hereto and should reflect the change on its Minutes and by marginal notation on the plat of The Sanctuary at Cameron Plantation.

WHEREFORE, PREMISES CONSIDERED Petitioners respectfully request that this Petition be received, and that after consideration, the Board of Supervisors of Madison County, Mississippi will enter its Order Altering the Plat of The Sanctuary at Cameron Plantation to reflect the addition of 1.41 acres to Lot 24 and the reduction of Lot 23 by 1.41 acres as

described on Exhibit "B" attached hereto.

FURTHER, that Petitioners request that the Board of Supervisors of Madison County, Mississippi grant any other relief to which Petitioners may be entitled.

THIS the 14 day of March 2019.

Respectfully submitted,



Tyler B. Turner



Susan Neal Turner

Don A. McGraw, Jr.
Montgomery McGraw, PLLC
P.O. Box 1039
151 W. Peace Street
Canton, MS 39046
Telephone: 601-859-3616
Facsimile: 601-859-3622
Email: Dmcgraw@montgomerymcgraw.com
Attorney for Tyler B. Turner and Susan Neal Turner

Prepared by/Return to:
William M. Welch, II
MSB# 101515
300 Belle Meade Pointe, Ste. A
Flowood, MS 39232
601-992-6969

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12/10
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EXHIBIT "A"

INDEXING: Lots 47 and 49, Belle Pointe of Lake Caroline, Phase II, Madison County, MS

WARRANTY DEED

FOR AND IN CONSIDERATION of the sum of Ten Dollars (\$10.00), cash in hand paid, and other good and valuable considerations, the receipt and sufficiency of all of which is hereby acknowledged, I,

Bobby E. Benton

306 Captains Walk
Houston TX 77079
281-799-6838

do hereby sell, convey and warrant unto

Scott F. Miller and Sandra Starr Miller,
as joint tenants with full rights of survivorship and not as tenants in common

137 Belle Pointe
Madison MS 39116
601-427-5799

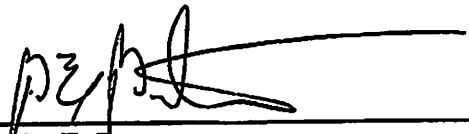
the following described property located and situated in Madison County, Mississippi, to-wit:

Lots 47 and 49, Belle Pointe of Lake Caroline, Phase II, a subdivision according to a map or plat thereof which is on file and of record in the office of the Chancery Clerk of Madison County at Canton, Mississippi, in Plat Cabinet C at Slide 79 thereof, reference to which is hereby made in aid of and as a part of this description.

EXCEPTED from the warranty hereof are all easements, rights of way, zoning ordinances, and restrictive and protective covenants of record which may affect subject property.

IT IS AGREED and understood that the taxes for the current year have been prorated between Grantor and Grantee as of this date on an estimated basis. When said taxes are actually determined, if the proration as of this date is incorrect, then the Grantor agrees to pay to the Grantee or its assigns, any amount which is a deficit on an actual proration and likewise, the Grantee agrees

2017.


Bobby E. Benton

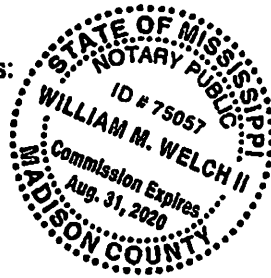
STATE OF Ms

COUNTY OF Madison

PERSONALLY appeared before me, the undersigned authority in for the County/Parish and State aforesaid, on this 29 day of June, 2017, within my jurisdiction the within named **Bobby E. Benton**, who acknowledged he executed the above and foregoing instrument on the day and year therein mentioned .


NOTARY PUBLIC

My Commission Expires:



Prepared by:

W. Robert Coleman, Jr. (MBN 10312)
Coleman Title & Escrow, PLLC
617 Renaissance Way, Suite 200
Ridgeland, Mississippi 39157
Telephone: (601) 750-1898
Telecopier: (662) 796-0215

Return to:

W. Robert Coleman, Jr.
Coleman Title & Escrow, PLLC
617 Renaissance Way, Suite 200
Ridgeland, Mississippi 39157

331-12 E

INDEXING INSTRUCTIONS: Lot 24, The Sanctuary at Cameron Plantation
Madison County, Mississippi

WARRANTY DEED

FOR AND IN CONSIDERATION of Ten Dollars (\$10.00) cash in hand paid, and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged,

PAUL HOPPER ("Grantor"),
158 Clearwater Cove
Madison, MS 39110
Telephone: (601) 942-5527

hereby sells, conveys and warrants unto

TYLER TURNER and SUSAN TURNER
Husband and Wife
("Grantees"),
146 Mollett Road
Benton, MS 39039
Telephone: (601) 624-0120.


As joint tenants with full rights of survivorship and not as tenants in common, the following described land lying and situated in Madison County, Mississippi, being more particularly described as follows to-wit:

Lot 24, The Sanctuary at Cameron Plantation, a subdivision according to a map or plat thereof which is on file and of record in the office of the Chancery Clerk of the Madison County at Canton, Mississippi in Plat Cabinet D at Slide 76 B, reference to which is hereby made in aid of and as a part of this description.

The warranty of this conveyance is subject to the following exceptions:

1. All prior oil, gas, sand, gravel, and mineral reservations, conveyances, or leases of record.
2. All recorded encumbrances, restrictive covenants, building restrictions, rights of way or easements applicable to the property described herein.
3. All matters as would be shown by an accurate survey or inspection of the subject property.
3. Ad valorem taxes for the year 2011 have been pro rated on an estimated basis by the Grantor and the Grantees as of the date of this conveyance. If actual taxes differ from the estimate, the parties shall adjust the proration and the party owing taxes shall pay such amount to the other party.

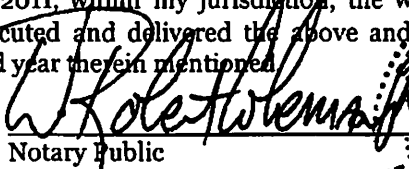
IN WITNESS WHEREOF, the duly authorized officer of the Grantor has executed this instrument on this the 19th day of September, 2011.



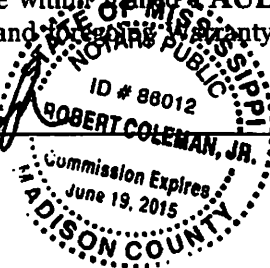
PAUL HOPPER

STATE OF MS
COUNTY OF MADISON

PERSONALLY APPEARED BEFORE ME, the undersigned authority in and for the said County and State on this the 15th day of September, 2011, within my jurisdiction, the within named **PAUL HOPPER** acknowledged that he signed, executed and delivered the above and foregoing Warranty Deed for the purposes mentioned on the day and year therein mentioned.



 Notary Public



LINE	BEARING	DISTANCE
L1	S 77°29'16" W	69.34'
L2	S 61°01'14" W	31.97'
L3	N 12°30'44" W	631.99'
L4	N 89°58'21" E	102.42'
L5	S 12°30'44" E	600.79'

PROPERTY DESCRIPTION

A parcel of land containing 1.41 acres, more or less, and being a portion of Lot 23 of The Sanctuary at Cameron Plantation situated in the East 1/2 of Section 7, Township 9 North, Range 2 East, Madison County, Mississippi and being more particularly described as follows:

BEGIN at the Southeast corner of said Lot 23 of The Sanctuary at Cameron Plantation; from said POINT OF BEGINNING, thence run South 77 Degrees 29 Minutes 16 Seconds West along the South line of said Lot 23 for a distance of 69.34 feet to a point;

thence run South 61 Degrees 01 Minutes 14 Seconds West along said South lot line for a distance of 31.97 feet to a point;

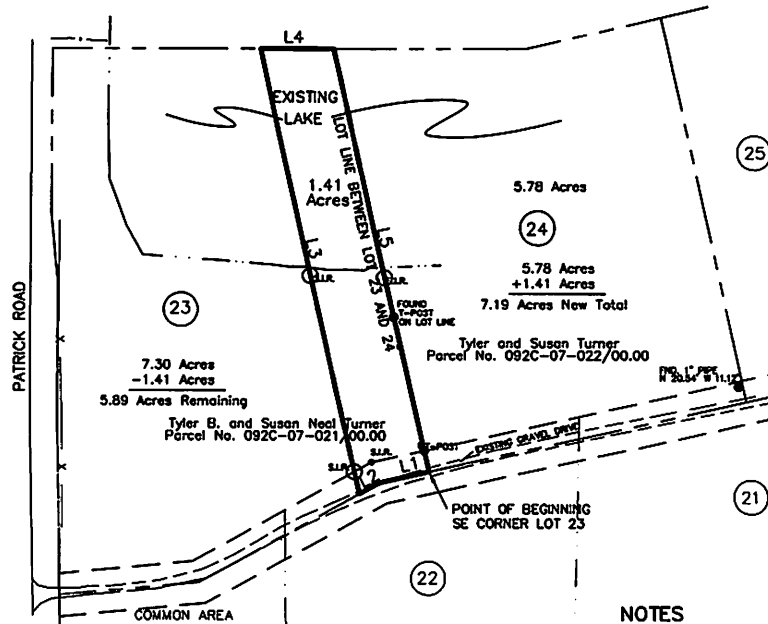
thence leaving said South lot line run North 12 Degrees 30 Minutes 44 Seconds West along a new line for a distance of 631.99 feet to a point in an existing lake being on the North line of said Lot 23, passing a set witness corner at 310.00 feet;

thence run North 89 Degrees 58 Minutes 21 Seconds East along said North lot line for a distance of 102.42 feet to the Northeast corner of said Lot 23 being a point in said existing lake;

thence run South 12 Degrees 30 Minutes 44 Seconds East along the East line of said Lot 23 for a distance of 600.79 feet, passing a set witness corner at 324.79 feet, back to the POINT OF BEGINNING.

The bearings in the above description are grid based on the MS State Plane Coordinate System West Zone.

GRID NORTH



SCALE: 1"=200'

LEGEND

- FOUND IRON PIPE OR AS NOTED
- S.I.A. SET #4 REBAR WITH CAP (02648)
- EXISTING LOT LINES
- - - PROPOSED PROPERTY LINE
- ⊙ WATER METER
- ⊙ TELEPHONE PEDESTAL
- ⊠ ELECTRIC BOX
- - - EXISTING 60 FOOT WIDE EASEMENT PER PLAT

NOTES

THIS SURVEY IS SUBJECT TO A CURRENT AND ACCURATE TITLE SEARCH. LOT LINES/RIGHT OF WAY LINES ARE PER PLAT.

THERE IS A FIFTEEN (15) FEET WIDE DRAINAGE & UTILITY EASEMENT ON THE EXISTING SIDE LOT LINES. (7.5 FEET EACH SIDE OF THE EXISTING LOT LINE).

DATE OF FIELD SURVEYS: DECEMBER 5, 2018.

SURVEY CLASS: B

CONVERGENCE ANGLE=00°08'39"
SCALE FACTOR=1.00005217 AT P.O.B.

MS STATE PLANE COORDINATE SYSTEM, WEST ZONE



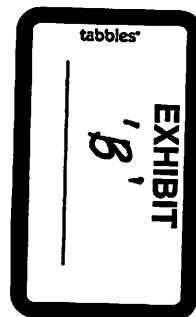
R. Lamar Bullock, PS
Professional Surveyor MS Registration No. 02648

BULLOCK SURVEYING & MAPPING, LLC

P.O. BOX 427 - MADISON, MISSISSIPPI 39130
PHONE (601) 941-3103 - tamar@bullocksurvey.com

BOUNDARY SURVEY FOR A PORTION OF LOT 23 THE SANCTUARY AT CAMERON PLANTATION
LOCATED IN N1/2 OF NW1/4 OF SE1/4 SECTION 26, T5N-R1W CITY OF JACKSON FIRST JUDICIAL DISTRICT, HINDS COUNTY, MISSISSIPPI

DRAWING No.: Sanctuary.dwg	JOB No.: BSM 18-07Q
DRAWN BY: R.L. Bullock	CHECKED BY: R. L. Bullock
SCALE: 1"=200'	DATE: 13 DEC 18 SHEET 1 of 1



Sanctuary Owners Association, Inc.
c/o Henry M. Lyell, president, board of directors
760 Arlington Street
Jackson, MS 39202
601-720-5260

January 18, 2019


Madison County, MS Tax Assessor
125 West North Street
Canton, MS 39046
601-859-1921

Dear Sir or Madam:

This letter acknowledges that the Board of Directors of The Sanctuary Owners Association, Inc., has reviewed and approved the request from Tyler Turner to remove approximately 1.41 acres from the East side of lot 23 and add that portion of lot 23 to lot 24 of The Sanctuary Subdivision as shown in the attached plat prepared by Bullock Surveying & Mapping, LLC dated 12/13/2018.

If anything else is needed from the board please don't hesitate to contact us.

Sincerely,



Henry M. Lyell
President, Board of Directors
Sanctuary Owners Association

