

APPLICATION FOR SPECIAL EXCEPTION

Used (pre-owned) vehicle sales

Name and Address of Applicant: <i>Heritage RV center LLC DBA Heritage Motors 170 Davis Crossing Rd Canton, MS 39046</i>	Street Address of Property (if different address):
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APPLICATION DATE	Present Zoning of Property	Legal Description of Property:	TAX PARCEL NUMBER	FLOOD ZONE	MAP/PLAT OF PROPERTY
<i>5-1-2019</i>	<i>C-2</i>	See (Exhibit A)	<i>102G-25-015/00.00</i>	X	See (Exhibit B)

Other Comments: As per Article 2605 of the Madison County Zoning Ordinance.

Comments - *Lighting will be commercial exterior fixtures on 626 steel 25 ft. poles facing existing lot & building. No lighting will face or interfere with Davis crossing or I-55*

Respectfully Submitted

Thomas Conner

[Signature] (901) 359-6220

Petition submitted to Madison County Planning and Development Commission on _____

Recommendation of Madison County Planning and Development Commission on Petition _____

Public Hearing date as established by the Madison County Board of Supervisors _____

Final disposition of Petition _____

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 I, **CARL J. GORDON, JR., GRANTOR**, do hereby convey and forever warrant unto, **HERITAGE HOMES OF MISSISSIPPI, INC., GRANTEE**, the following described real property lying and being situated in Madison County, Mississippi, to wit:

A parcel of land containing 12.37 acres, more or less, lying and being situated in the NE1/4 of Section 26, and the W1/2 W1/2 of Section 25, Township 10 North, Range 2 East, Madison County, Mississippi, and more particularly described as follows:

Beginning at the SE corner of the NE1/4 of said Section 26 and run N89°44'05"W for 23.32 feet to a found ">" iron pin on the curve of the east R.O.W. line of Interstate Highway No. 55 Frontage Road; thence N14°53'08"E along the curve of said R.O.W. for 122.24 feet to a Frontage Road R.O.W. monument; thence N06°23'11"E along said R.O.W. line for 102.47 feet to a Frontage Road R.O.W. monument; thence N20°26'47"E along said R.O.W. line and its tangents for 643.97 feet to a found ">" iron pin; thence N16°02'55" E along said R.O.W. line and its tangents for 363.60 feet to the intersection of the east line of 20 acres evenly off the west side of the NW1/4 of said Section 25; thence S00°45'23"W for 1176.67 feet to a found wooden fence corner post on the south line of the NW1/4 of said Section 25; thence S89°06'36"E along said south line for 266.73 feet to a found ">" iron pin; thence S00°49'19"W for 1004.45 feet to a found ">" iron pin in the center of an old abandoned roadway known as "Canton and Moore's Ferry Road" ; thence N31°51'24"W along said center of abandoned road for 886.88 feet to a set ">" iron pin; thence N45°27' 35"W along said center of abandoned road for 162.39 feet to a found ">" iron pin on the west line of said Section 25; thence N00°50'21"E along said West section line for 144.98 feet to the Point of Beginning; LESS AND EXCEPT any part formed by Frontage Road curves. Together with all buildings, improvements, rights and appurtenances thereon.

The subject property is no part of the homestead interest of the Grantor.

WARRANTY OF THIS CONVEYANCE is subject to the following exceptions, to wit:

1. County of Madison ad valorem taxes for the year 1999, which are liens, but are not yet due or payable and which shall be prorated as of the date of closing.

2. County of Madison, Mississippi, Zoning Ordinances and Subdivision Regulations, as amended.

3. Reservations, regard to the oil, gas the subject property.



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8.00 record in another
Carl J. Gordon, Jr.

7
NOTARY PUBLIC
BOOK 0451 PAGE 139

4. Rights- of- way and easements for roads, power lines
and other utilities and restrictive

covenants of record.

WITNESS MY SIGNATURE

STATE OF MISSISSIPPI COUNTY OF MADISON

.,,--

on this the day of September, 1999.

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

GIVEN UNDER MY HAND AND OFFICIAL SEAL, this the
September, 1999.

MY COMMISSION EXPIRES:

1-1t-JIPo3

(SEAL)

GRANTOR:
Carl J. Gordon, Jr.
P.O. Box 277 Okolona, MS 38860
Phone No. (601) 447- 3560

Prepared by:

Montgomery McGraw Collins Jones Cowan & Hembree, PLLC 3390 North
Liberty Street
P. O. Box 1039
Canton, MS 39046

GRANTEE:

Heritage Homes of MS,
507 N. Lexington Durant, MS 39063

Phone No. (662) 653- 3882

INDEX: 12.37A, more or less, NE1/4, Sec. 26 and W1/2 W1/2, Sec.
25, T1ON, R2E, Madison Co., MS.

comp\wd99\Gordon to Heritage Homes WD (103)

STATE OF MISSISSIPPI, COUNTY OF MADISON:

I certify that the within instrument was filed for record in my office this
?;j day of 1)-J-, 19 at ' o'clock _a_ M., and
was duly recorded on the **Sept 30 1999**, Book No.
'(YI, Page/'1 8'.

STEVE DUNCAN, CHANCERY CLERK

BY:

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D.C.

LEASE

This agreement is made and entered into by Tom & Catherine Humphries / Heritage Homes of Mississippi, Inc. hereinafter called "Lessor" and Thomas Conner / Heritage RV Center LLC DBA Heritage Motors, hereinafter called "Lessee." This agreement / Lease is not transferable to any other person or persons.

For and in consideration of the covenant and agreement contained, Lessor does hereby lease unto Lessee, and Lessee does hereby lease the following described premises at 170 Davis Crossing Road, Canton, Mississippi 39046, with the exclusion of that portion of land and building currently under lease to Glenn and Julie Gore / Rack Shack, LLC: all the land that has previously been developed and graveled except that portion of land south of the concrete drive leading into the property from Davis Crossing Road, a 32 foot by 76 foot Fleetwood Manufactured Home, the main building originally constructed as a Jimmy Dean processing plant, a 32 foot by 16 foot sign board located on the top level and facing the interstate, and a smaller sign board located on the northern most portion of the property.

The initial term of the lease shall be for a period of two years beginning on April 1, 2019. At a rental rate of \$2,000 per month, due in full payment on or before the 10th day of each month. Lessee shall have the option to renew the lease for any additional period of time during the next twenty (20) years provided the Lessee notifies the Lessor in writing no later than thirty (30) days prior to the expiration of the current term of this lease.

The Lessor maintains the right to make improvements in the property with prior approval from the Lessee. The rental rate will start to increase annually at the rate of \$100 per month at the end of the second year, with a cap of \$3,200 per month. This 1

Lessor shall be responsible for needed repairs to the premises. Repairs to be limited to the electrical system, HVAC, plumbing, roof and rain leaks, and major drainage problems. Lessee shall be responsible for minor repairs, cleaning, lawn care, and trash removal.

Lessee agrees to hold harmless, protect, indemnify and defend Lessor from and against any and all losses, damages, claims, suits or actions at law, judgements and cost which may arise or develop out of any injury or death of persons connected with the Lessee's use, maintenance, or operations on the leased premises, whether sustained by the lessee, his agents, employees, invitees, customers, or by any other person or corporation which seeks to hold Lessor liable.

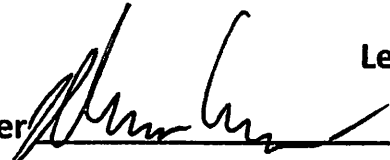
Binding arbitration shall resolve all claims, disputes, or other matters in question between Lessor and Lessee. The arbitration process will be in accordance with the Federal Arbitration Act, and the commercial rules of the American Arbitration Association. Any such arbitration shall take place in Madison County, Mississippi.

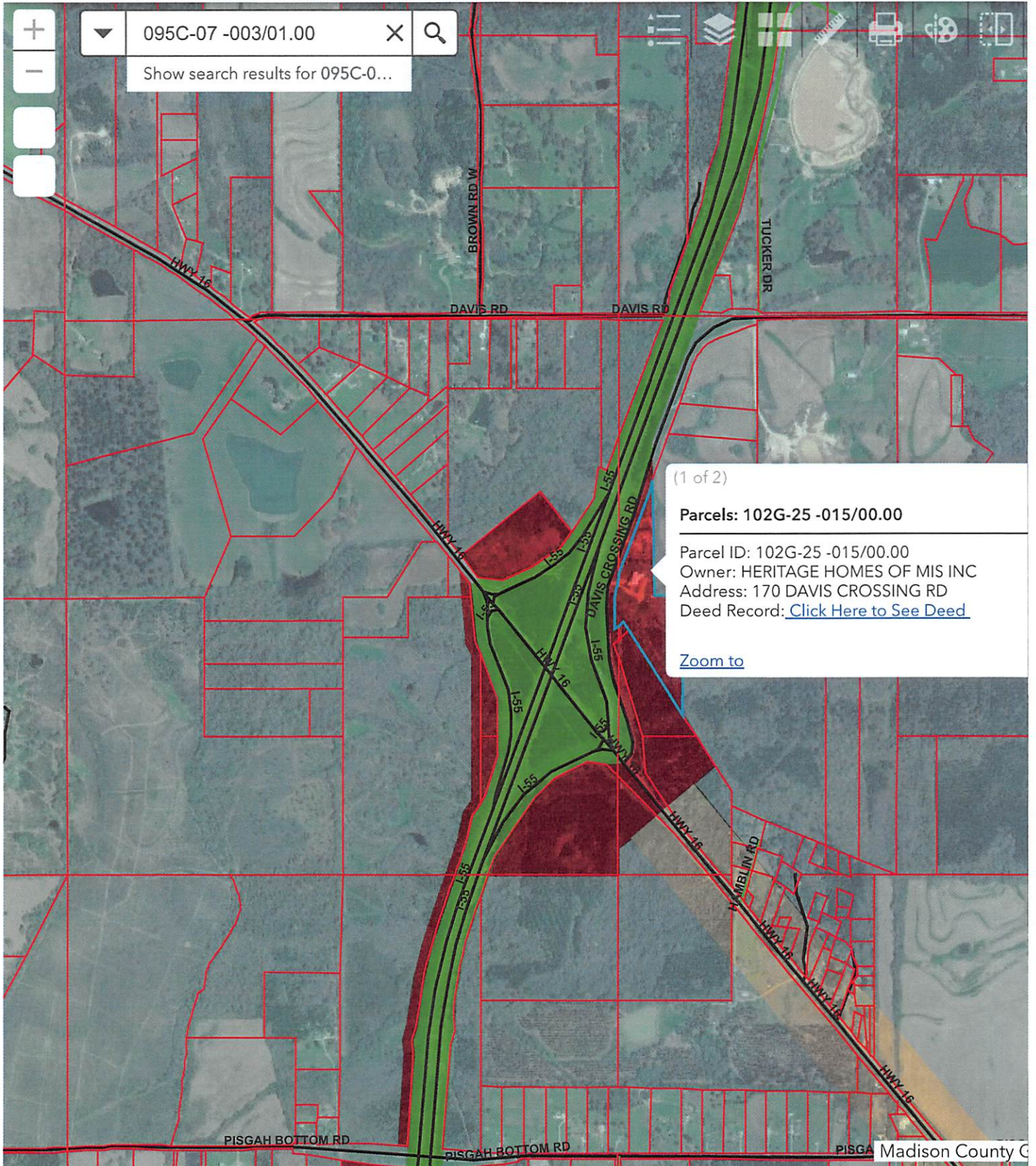
Lessor and Lessee have signed this agreement this 1st day of April 2019

Lessor

Tom Humphries  Catherine Humphries _____

Lessee

Thomas Conner  Sage Conner N/A



095C-07 -003/01.00 X Q

Show search results for 095C-0...

(1 of 2)

Parcels: 102G-25 -015/00.00

Parcel ID: 102G-25 -015/00.00
 Owner: HERITAGE HOMES OF MIS INC
 Address: 170 DAVIS CROSSING RD
 Deed Record: [Click Here to See Deed](#)

[Zoom to](#)

0.3mi

-90.042 32.689 Degrees

Class "A" survey in accordance with the minimum standards for land surveying in the State of Missouri.
 Reference Meridian derived from State Observation.

This property is located within the corporate limits of the City of _____, Missouri and is zoned _____.

This property is located in zone "Y", defined as an area determined to be outside the 500 year flood plain, according to the flood insurance rate map, Community Panel No. _____ for _____ County, Missouri and incorporated areas, as was effective on _____.

This property may be subject to recorded or unrecorded easements, rights-of-way or other encumbrances which are not evident to the surveyor, but which would be revealed by a Title Search performed by a competent attorney.

This boundary and topographic survey was performed and this plat was prepared by Willford, Gearhart & Knight, Inc., Engineers & Surveyors, P.O. Box 1014, Canton, Missouri 63520.

I, Richard T. Tabert, do hereby certify that the features depicted on this plat are a correct representation of conditions as they existed on July 23, 1998.

Richard T. Tabert, PLS (2003)

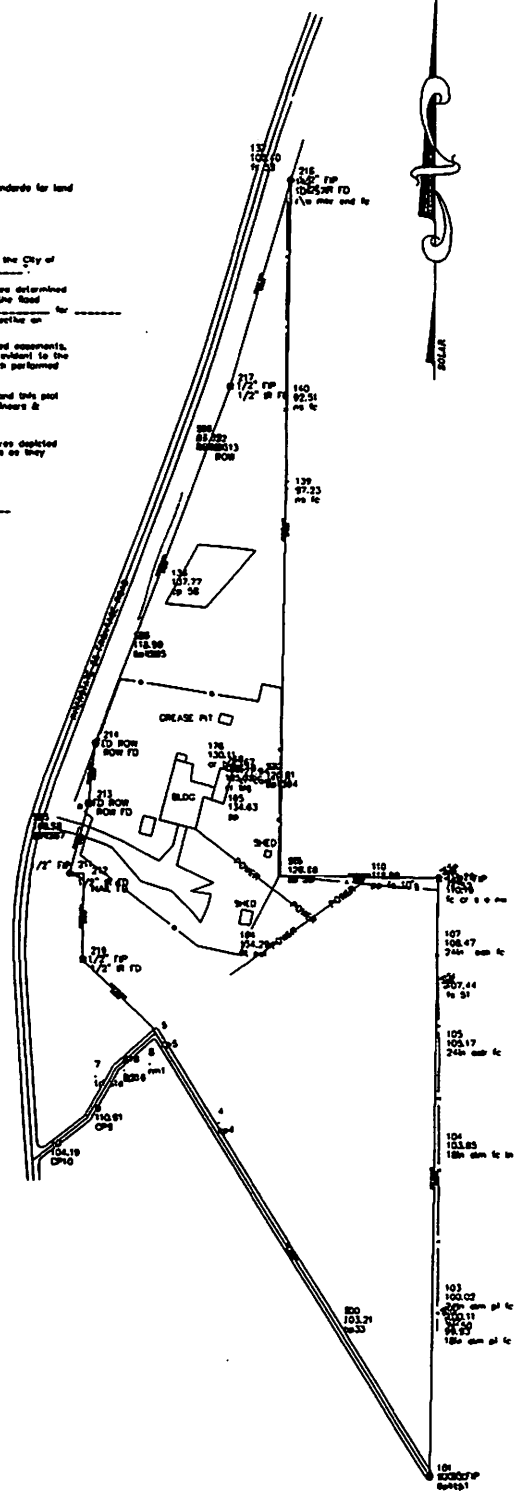
Except as specifically stated or shown on this plat, this survey does not purport to reflect any of the following which may be applicable to the subject real estate: easements, other than possible easements that were visible at the time of making of this survey having not been shown; restrictions; zoning or other land-use requirements; and any other facts that an accurate and current title search may disclose.

Plat represents a boundary survey of the parcel shown. It is part of a parcel described in Madison County Deed Records at Book 216, Page 437.

Description is made to original purchaser of the survey. It is not to be construed to additional limitations or subdivisions shown.

Survey is valid only if print and signature of surveyor.

No attempt has been made as a part of this boundary survey to obtain or show data concerning existence, size, depth, condition, capacity, or location of any utility or municipal/public service facility. For information regarding these utilities or facilities, please contact the appropriate utility company.



Date of field work: 7/27/98-7/29/98

Surveyor

Every document of record reviewed and considered as a part of this survey is noted herein. Only the documents noted herein were consulted by the surveyor. No abstract of title, nor the commitment, nor results of the searches were furnished the surveyor. There may exist other documents of record that would affect this parcel.

Surveyor has made no investigation or independent search for easements of record, encumbrances, restrictive covenants, ownership title evidence, or any other facts that an accurate and current title search may disclose.

All buildings, and surface and subsurface improvements on and adjacent to the site are not necessarily shown here.

The location and/or existence of utility service lines to the property surveyed are unknown and are not shown.

Subsurface and environmental conditions were not examined or considered as a part of this survey. No statement is made concerning the existence of underground or overhead conditions or facilities that may affect the use or development of this tract.

All egress and ground cover on the site may not be shown hereon.

This document must be compared to the original hard copy bound to the survey data with its related cost to insure the accuracy of the information and to further insure that no changes, alterations or modifications have been made. No reliance should be made on a document transmitted by computer or other electronic means unless first compared to the original bound document issued at the time of the survey.

The word "north" or "northness" as shown and used herein means an expression of professional opinion regarding the facts of the survey and does not constitute a warranty or guarantee, expressed or implied. Prior to any site excavation, contact the appropriate utility company for location of their lines.

The basis for the elevations shown herein is State observation.

State law requires buried cable location service be contacted prior to site excavations. Call 800-277-6477 (MS One Call).

DATE	REVISION	BY	REVIEWED BY	SCALE
				1" = 50'



WILLFORD, GEARHART & KNIGHT, INC.
 ENGINEERS & SURVEYORS

OUR VALUED CLIENT
 A VERY IMPORTANT PROJECT
 PLAN / PROFILE

path name	work - 99-999
SHEET NO.	1 of 1




FLEETWOOD
HERITAGE



Will Ferrell
Adapt Comedian
Cocaine

