APPLICATION FOR REZONING A-1 to R-2

Name and Address of Applicant: Sartain Associates, Inc.			Property located on the North West corner of Luebirdia Ln. And Catlett Road			
APPLICATION DATE	Present Zoning of Property	Legal Description of Property:	TAX PARCEL NUMBER	FLOOD ZONE	MAP/PLAT OF PROPERTY	
10-1-2019	A-1	See (Exhibit A)	082D-18-035/00.00	X	See (Exhibit B)	
Other Comments: As	per Article 2606 of	the Madison County Zo	oning Ordinance.			
Respectfully Submitted Brian Sartain						
Petition submitted Commission on			•		•••••••	
Recommendation of Commission on Pe	of Madison Co	unty Planning and	d Development			
Public Hearing date Supervisors		•	n County Board of	-		
Final disposition of	Petition					

BEFORE THE BOARD OF SUPERVISORS OF MADISON COUNTY, MISSISSIPPI

IN THE MATTER OF REZONING OF CERTAIN LAND SITUATED IN SECTION 18, TOWNSHIP 8 NORTH, RANGE 2 EAST, MADISON COUNTY, MISSISSIPPI

SARTAIN ASSOCIATES, INC.

PETITIONER

PETITION TO REZONE AND RECLASSIFY REAL PROPERTY AND AMEND THE LAND USE PLAN

COMES NOW Sartain Associates, Inc., by written permission of Dale Seaton and Sharon Seaton, Owners 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 18, Township 8 North, Range 2 East, Madison County, Mississippi, and to amend the Land Use Plan, and shows as follows:

Sartain Associates, Inc., Petitioner, has written permission to file this
 Petition from the Owners of the following described parcel, to wit:

SEE EXHIBIT "A" ATTACHED HERETO.

A copy of the Quitclaim Deed to the subject property is attached hereto as **EXHIBIT "B"**.

- 2. Petitioner requests that the parcel be rezoned from its present Zoning District Classification of Agricultural (A-1), to Medium Density Residential (R-2).
- 3. The zoning proposed is not in compliance with the adopted Land Use and Transportation Plan of Madison County which depicts the property as "Agricultural", but "Medium Density Residential" ("R-2") is the highest and best use.
- 4. A list of changes or conditions that support the rezoning are as follows:

- (a) The subject property is 28.27 acres, more or less, and is best suited for residential development.
- (b) The property joining the southerly border of the subject property is currently zoned R-2.
- (c) There has been an obvious change in the neighborhood since the original zoning.
- (d) The character of the neighborhood has changed to such an extent as to justify reclassification, and there is a public need for the rezoning.
- 5. The Land Use and Transportation Map of Madison County, Mississippi will need to be amended to reflect the property as "Medium Density Residential". It is presently designated "Agricultural".
- 6. A map showing the location of the property is attached as **EXHIBIT** "C".
- 7. Petitioner is notifying the surrounding land owners owning property within 160 feet of the property described herein, of the hearing date for this Petition, by certified mail return receipt requested. A list of all of such landowners is attached hereto as **Exhibit** "D"
- 8. The written consent of the record title owners of the subject property is attached hereto as **Exhibit "E"**.

WHEREFORE PREMISES CONSIDERED, Petitioner respectfully requests that this Petition be received, and after due consideration, the Board of Supervisors of Madison County will amend the Land use plan to reflect the subject property as Medium Density Residential, and reclassify this property from its present Agricultural District Classification (A-1) to a Medium

Density Residential Classification (R-2).

Sartain Associates, Inc.

Bv:

Don A. McGraw, Jr.,

Its Attorney

Don A. McGraw, Jr. MSB #2621 Montgomery McGraw, PLLC P.O. Box 1039 Canton, MS 39046

Telephone: 601-859-3616 Facsimile: 601-859-3622

E-Mail: <u>Dmcgraw@montgomerymcgraw.com</u>

Attorney for Petitioner

L:\MMCO\DAMP\{ACTIVE CASES}\Sartain Associates, Inc. - Rezoning Seaton Property\Petition to Rezone and Reclassify Real Property 9-25-19.wpd

EXHIBIT "A"

A certain tract or parcel of land situated in the Southwest 1/4 of Section 18, Township 8 North, Range 2 East, Madison County, Mississippi and being more particularly described as follows:

Commence at the Southwest corner of Section 18, T8N-R2E marked by a concrete marker at the intersection of a North, South fence and a fence running East; thence run North for a distance of 709.9 feet to a point; thence run East for distance of 367.13 feet to an iron pin, said pin being the point of beginning of the property herein described; thence run North for a distance of 483.13 feet to an iron pin; thence run South 89° 51' 22" East for a distance of 294.8 feet to an iron pin; thence run North 00°05' East for a distance of 264.07 feet to an iron pin; thence run North 89° 55' 31" West for a distance of 659.24 feet to an iron pin; thence run North 00° 06' 18" West for a distance of 305.76 feet to an iron pin; thence run North 89°42'50" East for a distance of 659.81 feet to an iron pin; thence run East for a distance of 346.61 feet to an iron pin; thence run South for a distance of 198.0 feet to an iron pin; thence run East for a distance of 430.28 feet to an iron pin on the West Right-of-Way of Catlett Road; thence continue along said West Right-of-Way South 20°31'45" East for a chord distance of 421.06 feet to an iron pin; thence continue along said West Rightof-Way South 22°05'57" East for a chord distance of 147.6 feet to an iron pin; thence continue along said West Right-of-Way South 31°54'54" East a chord distance of 158.38 feet to an iron pin; thence continue along said West Right-of-Way South 45°29'26" East a chord distance of 154.46 feet to an iron pin marking the Southeast corner of the property herein descried; thence run South 65°13'49" West along the center of the gavel road for a distance of 37.26 feet to an iron pin; thence continue along said gravel road North 78°27'06" West a chord distance of 79.67 feet to an iron pin; thence run South 00°21'20" West along an old fence line for a distance of 88.6 feet to an iron pin; thence run North 89°50'39" West along an old fence line for a distance of 1356.7 feet to the aforesaid point of beginning, and containing 28.27 acres, more or less.

Record and Return to: Stewart & Associates, PLLC P.O. Box 2757 Madison, MS 39130

Grantor:
Dale A. Seaton
14883 Piedmont Street
Detroit, Michigan 48223
Tel: (313) 320-9423

Grantee:
Dale A. Seaton and Sharon Melissa Seaton
14883 Piedmont Street
Detroit, Michigan 48223
Tel: (313) 320-9423

Indexing Instructions: Southwest 1/4 of Section 18, Township 8 North, Range 2 East, Madison County, Mississippi

QUITCLAIM 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, DALE A. SEATON, does hereby convey and quitclaim all of his rights, title and interest unto DALE A. SEATON AND SHARON MELISSA SEATON, as joint tenants with full rights of survivorship, in and to the following described real property lying and being situated in Madison County, Mississippi, to-wit:

A certain tract or parcel of land situated in the Southwest 1/4 of Section 18, Township 8 North, Range 2 East, Madison County, Mississippi and being more particularly described as follows:



Commence at the Southwest corner of Section 18, T8N-R2E marked by a concrete marker at the intersection of a North, South fence and a fence running East; thence run North for a distance of 709.9 feet to a point; thence run East for distance of 367.13 feet to an iron pin, said pin being the point of beginning of the property herein described; thence run North for a distance of 483.13 feet to an iron pin; thence run North 00°05' East for a distance of 264.07 feet to an iron pin; thence run North 89°55'31" West for a distance of 659.24 feet to an iron pin; thence run North 00°06'18' West for a distance of 305.76 feet to an iron pin; thence run North 89°42'50" East for a distance of 659.81 feet to an iron pin; thence run East for a distance of 346.61 feet to an iron pin; thence run South for a distance of 198.0 feet to an iron pin; thence run East for a distance of 430.28 feet to an iron pin on the West Right-of-Way of Catlett Road; thence continue along said West Right-of-Way South 20°31'45" East for a chord distance of 421.06 feet to an iron pin; thence continue along said West Rightof-Way South 22°05'57" East for a chord distance of 147.6 feet to an iron pin; thence continue along said West Right-of-Way South 31°54'54" East a chord distance of 158.38 feet to an iron pin; thence continue along said West Right-of Way South 45°29'26" East a chord distance of 154.46 feet to an iron pin marking the Southeast corner of the property herein described; thence run South 65°13'49" West along the center of the gravel road for a distance of 37.26 feet to an iron pin; thence continue along said gravel road North 78°27'06" West a chord distance of 79.67 feet to an iron pin; thence run South 00°21'20" West along an old fence line for a distance of 88.6 feet to an iron pin; thence run North 89°50'39" West along an old fence line for a distance of 1356.7 feet to the aforesaid point of beginning, and containing 28.27 acres, more or less.

THIS DEED PREPARED WITHOUT THE BENEFIT OF A TITLE SEARCH

WITNESS MY SIGNATURE, on this the 10th

y of June

DALE A. SEATON

STATE OF

ALLISON MCMATH

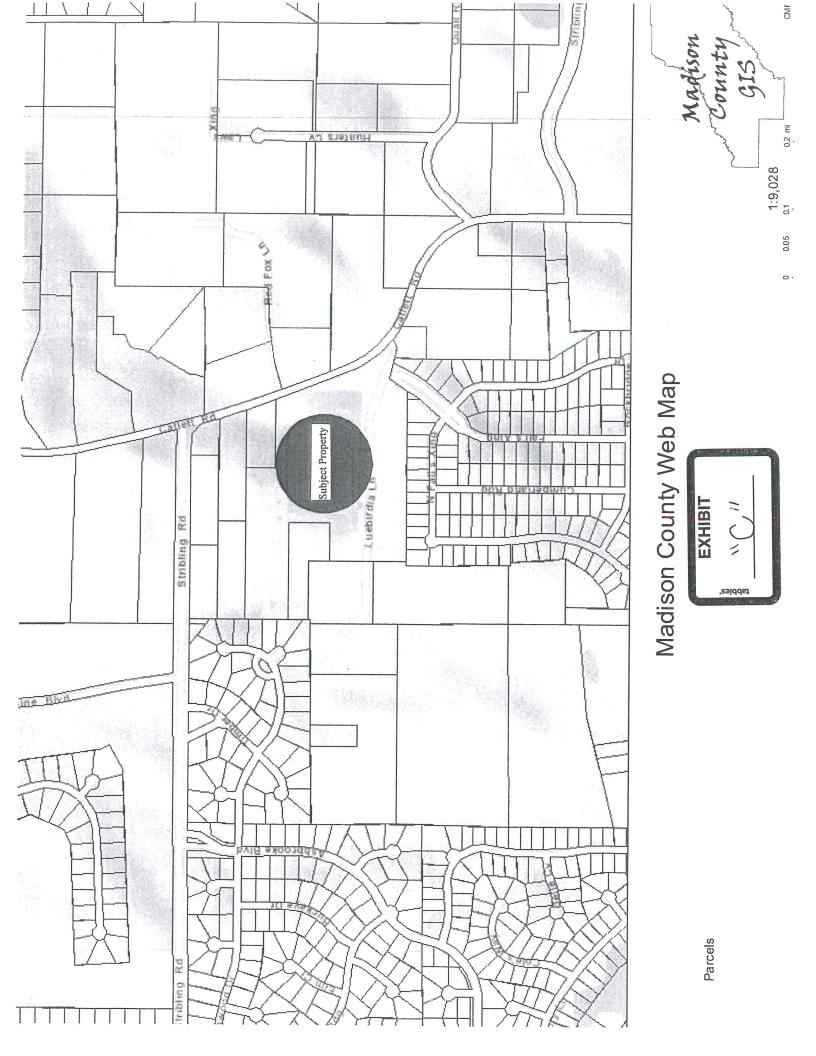
NOTARY PUBLIC - STATE OF MICHIGAN

COUNTY OF My Commission Expires Dec. 18, 2019

Acting in the County of Wound

PERSONALLY APPEARED BEFORE ME, the undersigned authority in and for the aforesaid jurisdiction, the within named **DALE A. SEATON**, who acknowledged to me that he signed and delivered the above and foregoing instrument on the day and year therein mentioned, for the purposes therein stated, as his own free act and deed.

GIVEN UNDER MY HAND AND OFFICIAL	L SEAL OF OFFICE, this the 10 th day of
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	Ulliam Menjath NOTARY PUBLIC
My Commission Expires: Dec 18, 2019	NOTARY PUBLIC "



Parcel No. 082D-18-040/00.00

James Bouldin 446 Catlett Road Madison, MS 39110

Parcel No. 082D-18-038/01.00

Elton Tyler 164 Vine Dr Brandon, MS 390421

Parcel No. 082D-18-038/02.00

Minnie Nicholson et al 1209 South St. Monroe, LA 71202

Parcel No. 082D-18-037/00.00

Roy Bennett 175 Lue Birdia Lane Madison, MS 39110

Parcel No. 082D-18-041/00.00

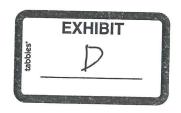
Patrick & Veronica Peppers 221 Lottville Road Canton, MS 39046

Parcel No. 082D-18/034/00.00

Randal A. Vaughan and Caroline Vaughan 380 Catlett Road Madison, MS 39110

Parcel No. 082D-18-033/00.00

James D. McGivney and Peggy J. McGivney 354 Catlett Road Madison, MS 39110



Parcel No. 081F-13-231/00.00

George W. Newton, Jr. 213 Cotton Wood Dr. Madison, MS 39110

Parcel No. 081F-13-230/00.00

David A. Landeche and Susan B. Landeche 209 Cottonwood Dr.. Madison, MS 39110

Parcel No. 081F-13-229/00.00

Jesse H. Donahoo and Mary M. Donahoo 209 Cottonwood Dr. Madison, MS 39110

Parcel No. 081F-13-228/00.00

Greg Clearman and Dallas Clearman 207 Cottonwood Dr. Madison, MS 39110

Parcel No. 081F-13-227/00.00

Brandon Sansers and Bridget A. Sanders 112 Ashton Park Blvd. Madison, MS 39110

Parcel No. 082D-18-226/00.00

Gary and Mary Ann Jones 203 Cottonwood Dr. Madison, MS 39110

Parcel No. 082D-18-187/00.00

Molly Elizabeth Birmingham 328 North Falls Crossing Madison, MS 39110

Parcel 082D-18-188/00.00

Adam T. Freeman and Nicole M. Hines 324 N. Falls Crossing Madison, MS 39110

Parcel No. 082D-18-189/00.00

Chelsea A. Lewis 320 N. Falls Crossing Madison, MS 39110

Parcel No. 082D-18-143/00.00

Adam M. Parker 316 N. Falls Crossing Madison, MS 39110

Parcel No. 082D-18-036/00.00

Fred Lee Bennett Estate C/O Roy L. Bennett 175 Luebirdia Lane Madison, MS 39110

Parcel No. 082D-18-310/00.00

Reid S. Harrison and Bentley A. Harvey 262 Falls Crossing Madison, MS 39110

Parcel No. 082D-18-001/00.00

George Earl Banks et al P.O. Box 562 Tougaloo, MS 39174

Parcel No. 082D-18-309/00.00

Kelli A. Dorsey 266 Falls Crossing Madison, MS 39110

Parcel No. 082D-18-308/00.00

Joy G. Lewallen 340 N. Falls Crossing Madison, MS 39110

Parcel No. 082D-18-307/00.00

Tenika Tiyea George 336 Falls Crossing N Madison, MS 39110

Parcel No. 082D-18-306/00.00

Cameron Lawrence and Shelby Lawrence 332 N. Falls Crossing Madison, MS 39110

Parcel No. 082D-18-144/00.00

Paul C. Gant and Tatjana Gant 312 N. Falls Crossing Madison, MS 39110

Parcel No. 082D-18-145/00.00

Jason Daniel Quon and Brett Elicia Quon 308 Galls Crossing N Madison, MS 39110

Parcel No. 082D-18-146/00.00

John L. Genin, Jr. 304 N. Falls Crossing Madison, MS 39110

Parcel No. 082D-18-147/00.00

Stephanie A. Armitage 300 North Falls Crossing Madison, MS 39110

CONSENT TO FILE PETITION TO REZONE

The undersigned, Dale Seaton and Sharon Seaton, are the record Owners of 28.27 acres, more or less, being known as Tax Parcel No. 081D-18-035/00.00, Madison County, Mississippi.

Dale Seaton and Sharon Seaton hereby give their permission to Sartain Associates, Inc. to file a Petition to Rezone and Reclassify the above-referenced property from its current Agricultural (A-1) District Classification to a Medium Density Residential (R-2) Classification.

WITNESS OUR SIGNATURES this the 28th day of September 2019.

Dale Seaton

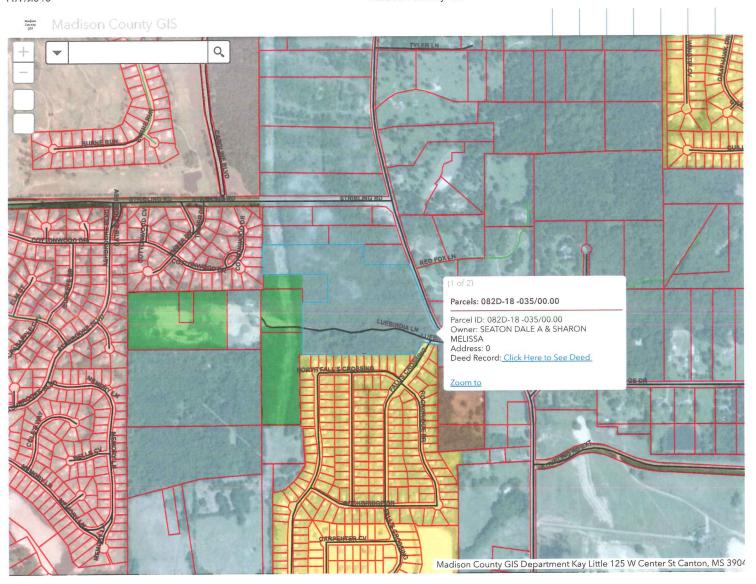
Sharon Seaton

Address:

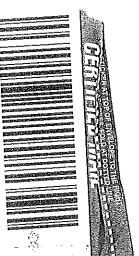
14883 Piedmont St. Detroit, MI 48223

Phone: 313-320-9423





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Chelsea Lewis AH 10/10

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BEFORE THE BOARD OF SUPERVISORS OF MADISON COUNTY, MISSISSIPPI

IN THE MATTER OF REZONING OF CERTAIN LAND SITUATED IN SECTION 18, TOWNSHIP 8 NORTH,

RANGE 2 EAST, MADISON COUNTY, MISSISSIPPI

SARTAIN ASSOCIATES, INC.

PETITIONER

NOTICE OF HEARING

This Notice of Hearing is given to you on behalf of Sartain Associates, Inc. which has filed

a Petition to Rezone and Reclassify a 28.27 +/- acre parcel of property currently owned by Dale

Seaton and Sharon Seaton situated on Catlett Road and Luebirdia Road in Madison County,

Mississippi. A copy of the Petition is enclosed.

Sartain Associates, Inc. is seeking to rezone the property from the present zoning of A-1

Agricultural to R-2 Medium Density Residential.

The Petition will be presented to the Madison County Planning and Zoning Commission at

a public hearing in the Board of Supervisors Hearing Room in the Madison County Administrative

Offices, located at 125 West North Street, Canton, Mississippi at 9:00 o'clock a.m. on November

14, 2019, or on a subsequent date to which the hearing on the Petition may be continued.

As the Owner of property located within 160 feet of the Subject property, you may appear

at the hearing to offer any objection to or support of the Petition. You are not required to be present.

This the 7th day of October, 2019.

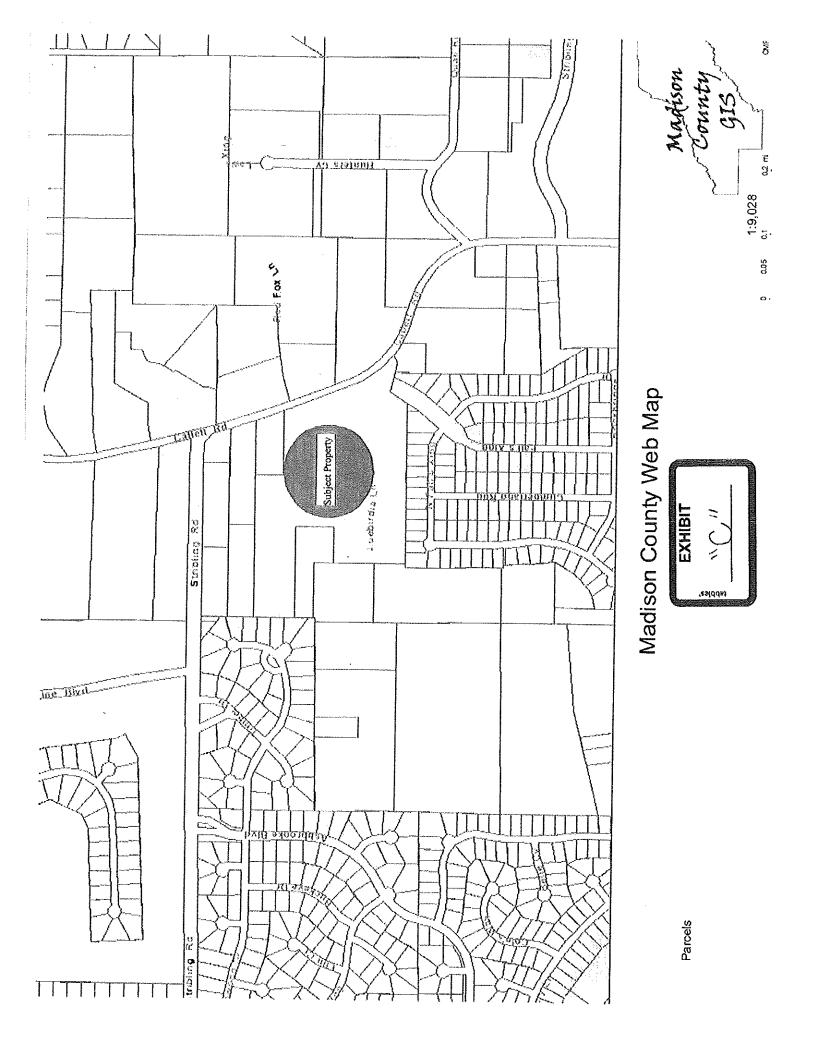
SARTAIN ASSOCIATES, INC.

By: Brian Sartain

Brian H. Sartain, President

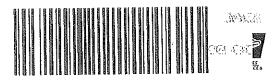
Phone: 601-720-0376

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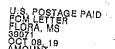
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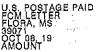
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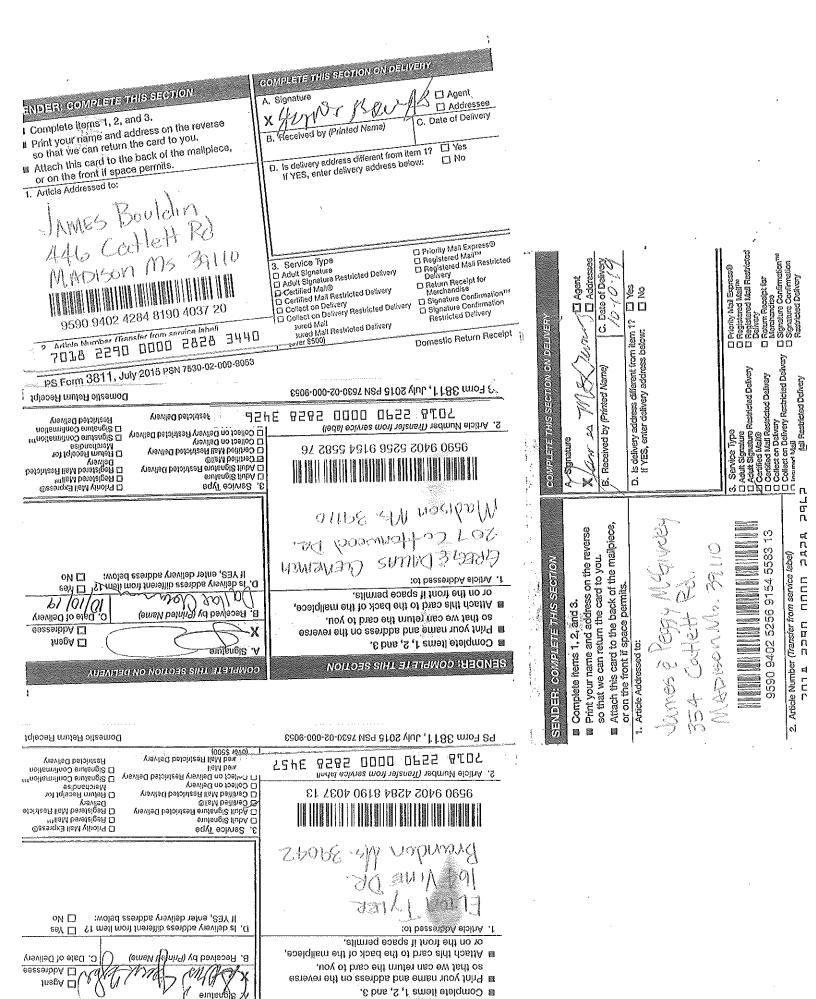
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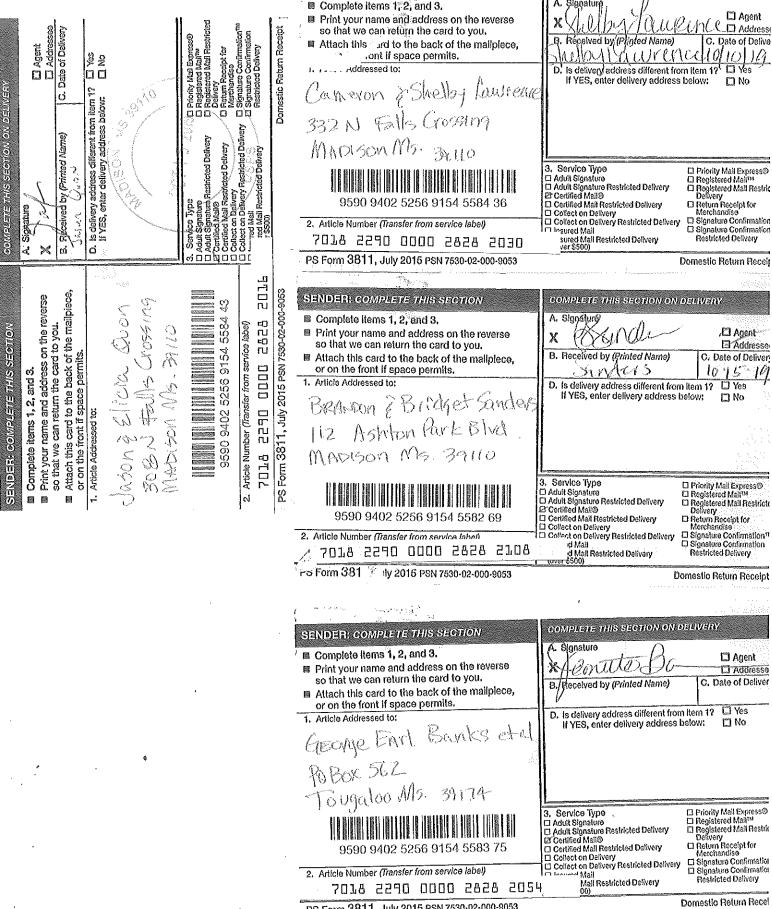
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