

WEST MADISON UTILITY DISTRICT

P.O. Box 27
443 Livingston Vernon Road
Flora, MS 39071

Telephone: 601-879-9718
Website: WMUD.myruralwater.com

Facsimile: 601-879-9778
Email: wutilities@att.net

January 30, 2020

Mr. Shelton Vance
County Administrator
P.O. Box 404
Canton, MS 39046

RE: Public Road Lep Childress as Affects Parcel #061H-34-010/02.00

Dear Mr. Vance:

It has recently been brought to our attention that Lep Childress Road as extends south from Livingston Vernon Road was renamed Hanks Trail, a private drive. West Madison Utility District's back up water well is located on property adjacent to this road (Parcel #061H-34-010/02.00). West Madison Utility District ("WMUD") acquired this property by virtue of a conveyance recorded in Book 2804 at Page 686 in the records in the office of the Chancery Clerk of Madison County, Mississippi. This part of Lep Childress Road is/was a public road that provided ingress/egress to WMUD's property. As an adjacent landowner to the road in this area, WMUD should have been notified regarding abandonment of this road and also the renaming of same to Hanks Trail, a private drive. WMUD did not receive notification of any pending actions in this regard.

Within the conveyance to WMUD from the Madison County Economic Development Authority, the water well was conveyed, "...along with all pumps, mains, pipes, valves, meters, fittings and other appurtenances and appliances used or useful in the distribution and furnishing of water service to the public, together with all other personal property." According to Black's Law Dictionary, "appurtenances" includes access which, in this case, would include that part of Lep Childress Road that was declared "abandoned" and later renamed to a private drive.

Due to the fact that proper protocol was not followed in notifying WMUD of the abandonment of Lep Childress Road, as well as it being renamed as a private drive, it is WMUD's request that the actions of the Board of Supervisors from its November 5, 2018 and Feb. 19, 2019 meetings in this regard be rescinded and that Lep Childress Road remain a public road in this area. WMUD, as a subdivision of Madison County, relies heavily on Madison County's assistance in matters of road upkeep, etc., and objects to this being made a private drive. Further, WMUD's ownership of its property precedes that of any of the adjacent landowners involved in the above named actions.

Sincerely,

West Madison Utility District
Board of Commissioners

cc: Supervisor Karl Banks, District 4
Ms. Cynthia Parker, Board Secretary

Ø P1u

BOOK 2804 PAGE 686 DOC 92 TY W
INST # 676006 MADISON COUNTY MS.
This instrument was filed for
record 6/26/12 at 2:32:40 PM
ARTHUR JOHNSTON, C.C. BY: HRM D.C.

BILL OF SALE

STATE OF MISSISSIPPI

COUNTY OF MADISON

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 legal sufficiency of all which is hereby acknowledged, the **MADISON COUNTY ECONOMIC DEVELOPMENT AUTHORITY**, a political subdivision duly created and validly existing pursuant to the Constitution and laws of the State of Mississippi, herein referred to as "Seller," does hereby sell, convey, transfer and deliver unto the West Madison Utility District, an entity duly created by the Madison County Board of Supervisors following a public hearing September 8, 1970, as required by Senate Bill No. 1520 of the 1966 Extraordinary Session of the Mississippi Legislature, herein referred to as "Buyer," the following described personal property, to-wit:

The water well located on the property described on Exhibit A, together with all pumps, mains, pipes, valves, meters, fittings and other appurtenances and appliances used or useful in the distribution and furnishing of water service to the public, together with all other personal property.

Seller further covenants that no specific representation is made to the number of pumps, mains, pipes, valves, meters, fittings and other appurtenances and appliances used or useful in the distribution and furnishing of water service to the public is known, but, Seller warrants and represents unto Buyer that all of those items are owned by the Seller at the water well site as described in Exhibit A.

Buyer hereby warrants and represents that it is purchasing this water well with federal funds under a grant from the U.S. Environmental Protection Agency ("EPA"), grant no. XP95472611.

Buyer hereby warrants and represents that it may only use the water well located on the property

described on Exhibit A as a public water supply well, as described in EPA grant no. XP95472611. Buyer will be responsible for maintaining this deed restriction in perpetuity. In the event Buyer wishes to change the use of the water well located on the property described on Exhibit A from the identified grant purpose, then Buyer must contact the EPA Region 4 and request written instructions for disposition pursuant to applicable EPA grant regulations.

WITNESS THE SIGNATURE of the undersigned, duly authorized representative of the MADISON COUNTY ECONOMIC DEVELOPMENT AUTHORITY, Seller, on this the 20th day of June, 2012.

MADISON COUNTY ECONOMIC DEVELOPMENT AUTHORITY

BY: [Signature]

ATTEST: [Signature]

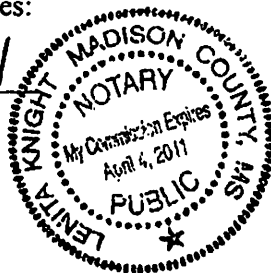
STATE OF MISSISSIPPI
COUNTY OF MADISON

SWORN TO AND SUBSCRIBED BEFORE ME, on this the 25th day of June, 2012.

[Signature]
NOTARY PUBLIC

My Commission Expires:

April 4, 2011



WITNESS THE SIGNATURE of the undersigned, duly authorized representative of the
WEST MADISON UTILITY DISTRICT, Buyer, on this the 26th day of June, 2012.

WEST MADISON UTILITY DISTRICT

BY: *Paolie Heard*

BY: *Donna Cavan*

ATTEST:

Nathan Johnson

STATE OF MISSISSIPPI
COUNTY OF MADISON

SWORN TO AND SUBSCRIBED BEFORE ME, on this the 25th day of June, 2012.

[Signature]
NOTARY PUBLIC

My Commission Expires:

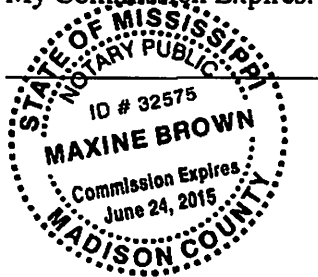


Exhibit A

MCEDA Water Well

The Water Well, together with all pumps, mains, pipes, valves, meters, fittings, and other appurtenances and appliances used or useful in the distribution and furnishing of water service to the public.

Lying and being on the property described to-wit:

Commencing at the intersection of the center lines of Livingston-Vernon Road and Lep Childress Road; thence West along the center line of the Livingston-Vernon Road a distance of 78.1 feet to a point; thence South 158.4 feet to the Point of Beginning, said point also being the Northeast corner of a chain link fence; thence South along the fence a distance of 109.7 feet to a point, said point being the Southeast corner of the fence; thence West along the fence a distance of 75.8 feet to the Southwest corner of the fence; thence North along the fence a distance of 114.6 feet to the Northwest corner of the fence; thence Eastwardly along the North line of the fence a distance of 72.6 feet to the Point of Beginning, said property being 0.19 acres, and located in the North $\frac{1}{2}$ of the Northwest $\frac{1}{4}$ of Section 34, Township 9 North, Range 1 West, Madison County, Mississippi.

NOTICE OF PUBLIC HEARING

Notice is hereby given that pursuant to Section 65-7-121 of the Mississippi Code, the Madison County Board of Supervisors will hold a public hearing on November 5, 2018 at 9:00 a.m. in the Supervisor's Board Room of the Madison County Office Complex, 125 West North Street, Canton, Madison County, Mississippi, for the purpose of allowing public comment on the question of whether or not to abandon a portion of Lep Childress Road, a public county road located in Madison County, Mississippi, and being more particularly described as follows to wit:

PROPOSED ABANDONMENT OF A PORTION OF LEP CHILDRESS ROAD

The following description is based on the Mississippi State Plane Coordinate System, West Zone, NAD 83/93, NAVD88, grid values, using a combined scale factor of 0.9999442464 and a grid to geodetic azimuth angle of 00 degrees 01 minutes 38 seconds developed at the **Point of Commencement**, being derived using the University of Southern Mississippi's RTK/VRS network, said point having a value of N:1123830.35, E:2312205.72, Z:214 on said coordinate system.

Commencing at a cotton picker spindle found driven in the intersection of Livingston-Vernon Road (running east and west), with the Lep Childress Road (running north and south) said point described as being the Southeast corner of the Southwest Quarter of the Southeast Quarter of Section 27, Township 9 North, Range 1 West, according to that survey of record found in Book 2740, Pages 364-366, by William Creel, RLS, dated March 8, 1988, thence run South 00 degrees 37 minutes 30 seconds East a distance of 30.04 feet to a point depicted as being on the south right of way line of the Livingston-Vernon Road on a proposed subdivision known as Livingston Acres, and the **Point of Beginning** of the herein described portion of Lep Childress road to be abandoned:

From the **Point of Beginning**, run thence along the center Lep Childress Road (a 1940's military road) South 00 degrees 34 minutes 30 seconds East a distance of 910.47 feet to a 1/2" rebar found, said rebar having a value of N:1122889.96. E: 2312216.43 on the above referenced coordinate system; thence continue along the centerline, South 00 degrees 37 minutes 30 seconds East a distance of 822.59 feet to the end of that portion of Lep Childress Road formerly maintained as a county road, and **Point of Termination**, (located at its intersection with an unnamed and abandoned 1940's military road), being situated in the Northeast Quarter of Section 34, Township 9 North, Range 1 West, Madison County, Mississippi.

It is the intent of the Madison County Board of Supervisors to **ABANDON** any interest Madison County has, or may have acquired in serving the public interest, to that portion of the Lep Childress Road lying south of present day Livingston-Vernon Road as described above, being 1733.06 feet of roadway no longer maintained by Madison County, Mississippi.

Published by order of the Board of Supervisors of Madison County, Mississippi, dated this the 1st day of October, 2018.

/s/Sheila Jones
Board President

Publish: October 11, 18 and 19, 2018.

BOARD OF SUPERVISORS

Madison County, Mississippi

E-911 Administration Office

1633 W. Peace Street, PO Box 608, Canton, MS 39046

T: (601) 859-4188 F: (601) 859-4743

Date: February 11, 2019

To: Madison County Board of Supervisors

From: E911 Administration

Re: Naming of Road(s)
Hanks Trail (PRVT)

Our office received and application from Cole Terrell petitioning a private road name. The requested private road is located off Livingston Vernon Rd. in Flora, Mississippi, with starting coordinates of 32.589746 -90.282605 and continues south for approximately 1763ft., terminating coordinates of 32.58491 -90.28253. Attached is a map showing description of proposed road, along with the application.

Upon verification of property ownership, it is our office's recommendation to accept to road name of Hanks Trail as a private road and add into the 911 system.

APPROVED
BY MADISON COUNTY
BOARD OF SUPERVISORS
Date 2/19/19
Ronny Lott, Chancey Clerk
By Claude D.C.

E-911 Administration Office

Madison County, Mississippi

125 West North Street, Room 203 *PO Box 608, Canton, MS 39046* T: (601) 859-6485 F: (601) 859-4743

APPLICATION FOR ROAD NAME ASSIGNMENT

PROCEDURE:

1. Select a name for your road/ street
2. Contact the E-911 Office to check if the name you have selected is duplicated elsewhere in the county.
3. Fill out Application and Request of Petition COMPLETELY. Along with required paperwork, a letter of justification for request must be submitted.
4. ALL residents and property owners on the road/ street must sign the Request of Petition and list their telephone number and address. Please list ONLY one name and signature per property owner. If a residence is being leased or rented, the property owner must sign.
5. You must provide directions to the road with mileages and land marks to include the nearest addresses.
6. After all required paperwork is COMPLETED, submit to E-911 Office and the request will be presented to the Board of Supervisors at the next schedule Board Meeting for approval.
7. If the road/ street name is approved, the E-911 Office will assign specific addresses for the new road/ street name.
8. You will be notified status of application by mail at address given below.

APPLICATION:

Name, address, and telephone number of individual making request (This individual will be point of contact if more information is required):

C. L. Ferrell, 228-219-6535, 100 Wilson Ct, Madison, MS 39110

Show whether the road/ street is to be a PUBLIC or PRIVATE road by checking one of the following:
PUBLIC PRIVATE

Directions to proposed road/ street:

See attached map

Signature: 

Date: 2/11/19

REQUEST OF PETITION FOR ROAD NAME ASSIGNMENT

Dear Sirs:

WE, the owners and residents of a named road located in Section 34, Township 9N, Range 1W, in Madison County request that our road/ street name be changed or assigned a name. The persons now living on this road and the property owners have signed below indicating their approval of the name requested. WE understand that the name chosen cannot be a duplicated or a closely related name used elsewhere in the county. Attached is a detailed letter of justification for the name change/assignment request. A copy of a COURT ORDER will also be attached if applicable; being the road is in a platted subdivision.

ROAD/ STREET NAME CHOSEN: HANKS TRAIL

Cole Terrell
Type or Print Name
100 Mason Cove, Madison, MS
Address
228-219-6535
Telephone Number
[Signature]
Signature

Bruce Craft
Type or Print Name
2392 Vinilia Rd. Canton, MS.
Address
601-879-3412
Telephone Number
[Signature]
Signature

Type or Print Name

Address

Telephone Number

Signature

Type or Print Name

Address

Telephone Number

Signature

Type or Print Name

Address

Telephone Number

Signature

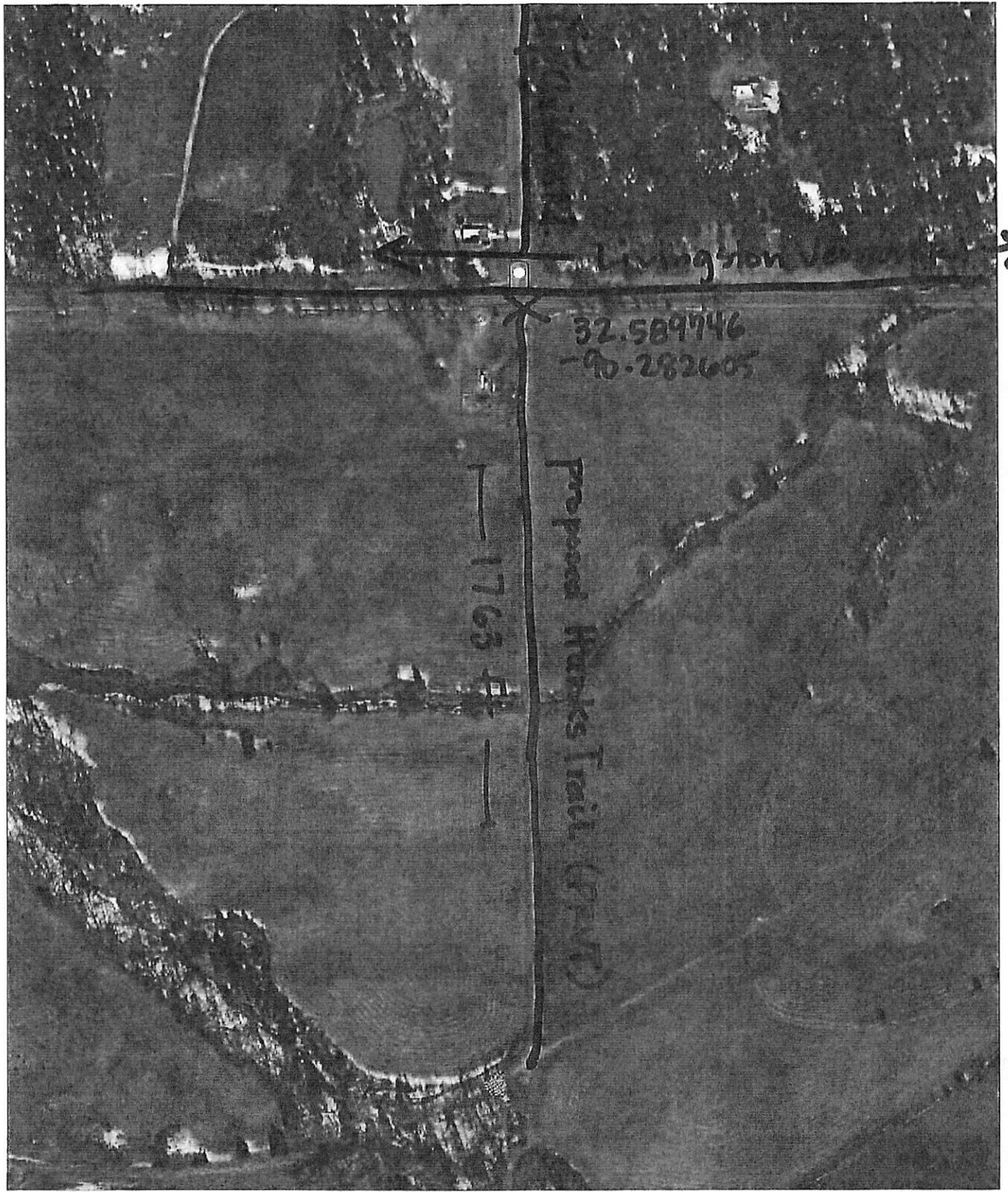
Type or Print Name

Address

Telephone Number

Signature

Please make a copy of this page if more signatures are required for your petition



Livingston

32.589746
90.282605

Proposed Hurdles Trail (PR-VR)

1768 ft