

**APPLICATION FOR REZONING
C-2 Commercial to A-1 Agricultural**

Name and Address of Applicant:

Josephine Burse
202 Camden Road
Camden, MS

APPLICATION DATE	Present Zoning of Property	Legal Description of Property:	TAX PARCEL NUMBER	FLOOD ZONE	MAP/PLAT OF PROPERTY
5-1-2020	C-2	See (Exhibit A)	115D-19-3	X	See (Exhibit B)

Other Comments: As per Article VIII Section 806 of the Madison County Zoning Ordinance.

Comments

Respectfully Submitted

Josephine Burse _____

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 _____

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

IN THE MATTER OF REZONING OF
CERTAIN LAND SITUATED IN SECTION -- 19
TOWNSHIP 11 NORTH, RANGE 5 EAST WEST
MADISON COUNTY, MISSISSIPPI

PETITIONER: *Josephine Burse*

PETITION TO REZONE AND RECLASSIFY REAL PROPERTY

Comes now *Josephine Burse*, 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 19 Township 11 N, Range 5 E, Madison County, Mississippi, more particularly described as follows, to-wit:

SEE EXHIBIT A

from its present Zoning District Classification of C-2 District to an A-1 District, in support thereof would respectfully show as follows, to-wit:

1. The subject property consists of .96 acres.
2. The zoning proposed (is) ~~is not~~ in compliance with the adopted Land Use and Transportation 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 A-1 zoning, and reclassifying this property from its present C-Z District classification to a A-1 District.

Respectfully submitted, this the 1 day of May, 2010.

Josephine Burse, Petitioner

COMES NOW Josephine Burse and petitions the Madison County Planning Commission a Board of Supervisors to amend the Zoning Ordinance of Madison County, Mississippi, and the Zoning Map adopted as a part thereof, by reclassifying certain lands hereinafter described and in support hereof would show the following, to wit:

1. That the Petitioner is the owner of the following described land lying and being situated in Madison County, Mississippi, to wit:

Legal Description

A lot on the north side of county road situated in the N ½ of the SW ¼, Section 19, Township 11 North, Range 5 East, described as Follows:

From the southwest corner of Lot No. 8, Rolling Hills subdivision, Part 1, according to plat thereof which is on file on of record in the office of the Chancery Clerk of Madison County, Mississippi, in plat book 5 at page 61, reference to which is hereby made in aid of and as a part of this description, and from southwest corner of said lot 8, run North 84 degrees 50 minutes 50 feet west along center of county road a distance of 400 feet to the southeast corner and point of beginning of the lot being described, thence continue North 84 degrees 50 minutes west 200 feet along center of county road to southwest corner of the lot being described, then north 4 degrees 30 minutes east 193 feet to an iron pin on fence line, thence run north 85 degrees 37 minutes east 200.6 feet along old fence line to the northeast corner of the lot being described, thence run south 4 degrees 30 minutes west 224 feet to point of beginning, containing approximately 090 hundredths of an acre.

That a map or plat showing the general location of the property is attached here-to as Exhibit "A"

2. That under the Zoning Ordinance of Madison County, Mississippi, and the Zoning Map adopted by the Board of Supervisors, said land lies within and is zoned as "C-2" Highway Commercial District.
3. That the Petitioner desires to use said property for residential use and this is the highest and best use of the property, and that there is a clear, present and immediate public need therefor, but that under the present zoning classification of said lands, the Petitioner is prohibited from such use.
4. The Property was rezoned November 13, 1987 from A-1 Agricultural to C-2 Commercial. This property has never been used for Commercial Purposes.

The Petitioner prays that the Planning Commission and the Board of Supervisors of Madison County, Mississippi rezone and reclassifying the above described property from a "C-2" Commercial District to an "A-1" Agricultural District for the purpose of placing a home on her property.

QUITCLAIM 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 are hereby acknowledged, the undersigned **Johnny L. Burse**, a single person, does hereby sell, convey and quitclaim unto **Josephine Burse**, a single person, the following described land and property situated in **Madison County, Mississippi**, to-wit:

A lot on the north side of county road situated in N 1/2 of SW 1/4, Section 19, Township 11 North, Range 5 East, described as follows:

From the southwest corner of Lot No. 8, Rolling Hills subdivision, Part 1, according to plat thereof which is on file and of record in the office of the Chancery Clerk of Madison County, Mississippi, in Plat Book 5 at page 61, reference to which is hereby made in aid of and as a part of this description, and from southwest corner of said Lot 8, run North 84 degrees 50 minutes 50 feet west along center of said county road a distance of 400 feet to southeast corner and point of beginning of the lot being described, thence continue North 84 degrees 50 minutes west 200 feet along center of said county road to southwest corner of the lot being described, then run north 4 degrees 30 minutes east 193 feet to an iron pin on fence line, thence run north 85 degrees 37 minutes east 200.6 feet along old fence line to the northeast corner of the lot being described, thence run south 4 degrees 30 minutes west 224 feet to point of beginning, containing approximately 090 hundredths of an acre.

This conveyance is subject to prior reservations of minerals,

rights-of-way, zoning ordinances, and covenants of record.

WITNESS MY SIGNATURE, this the ___ day of _____, 2007.

Johnny L. Burse

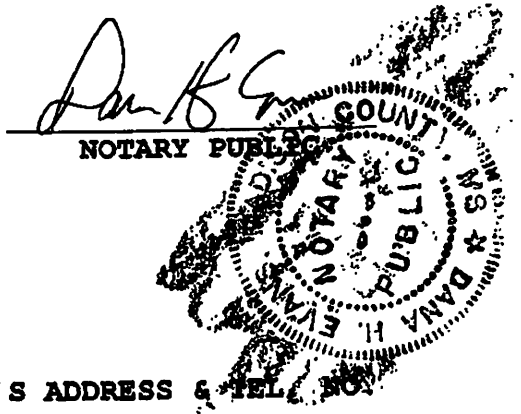
JOHNNY L. BURSE

STATE OF ^{the} MADISON MISSISSIPPI

COUNTY OF MADISON

PERSONALLY APPEARED BEFORE ME, the undersigned authority in and for the jurisdiction aforesaid, JOHNNY L. BURSE, who acknowledged that he signed and delivered the above and foregoing Quitclaim Deed on the date and for the purposes therein mentioned.

WITNESS my signature and official seal of office, this the 16th day of March, 2007.



MY COMMISSION EXPIRES:
March 16, 2007
(SEAL)

GRANTOR'S ADDRESS & TEL. NO.
JOHNNY L. BURSE
149 Linda Lane
Canton, MS 39046
Tel# 601-859-1479

GRANTEE'S ADDRESS & TEL. NO.
JOSEPHINE BURSE
202 Camden Road
Camden, MS 39045
Tel# 602 468-3269

INDEXING INSTRUCTIONS: A lot on the north side of county road situated in N 1/2 of SW 1/4, Section 19, Township 11 North, Range 5 East, Madison County, Mississippi

Prepared by:
Dana H. Evans
The Evans Law Firm
112 East Peach St.
Post Office Box 525
Canton, Mississippi 39046
601 855-2255
*404
12.00*

MADISON COUNTY MS This instrument was filed for record March 21, 2007 at 2:30 P.M.
Book 2168 Page 594
ARTHUR JOHNSTON, C.E.
BY: *Arthur Johnston* D.C.

A

(1 of 4)

Parcels: 115D-19 -003/00.00

Parcel ID: 115D-19 -003/00.00
 Owner: BURSE JOSEPHINE
 Address: 202 CAMDEN RD
 Deed Record: [Click Here to See Deed](#)

[Zoom to](#)

Madison County GIS Department Kay Little 125 W Center St Canton, MS 3904

300ft
 -89.830 32.786 Degrees

Surrounding Property Owners within 160 feet (excluding Streets and R.O.W.)

1. **Ralph Vance M.D.**
2. **Bobby and Mary Robinson**
3. **Barbara J. Cole**
4. **Betty Mitchell Black (deceased unable to find any contact)**

BEFORE THE PLANNING AND ZONING COMMISSION AND THE
BOARD OF SUPERVISORS OF
MADISON COUNTY, MISSISSIPPI

IN THE MATTER OF THE REZONING
OF CERTAIN LAND SITUATED IN
SECTION 19, TOWNSHIP 11 NORTH,
RANGE 5 EAST, MADISON COUNTY,
MISSISSIPPI

Josephine Burse
PETITIONER

NOTICE OF HEARING

TO: Surrounding Property Owners

PLEASE TAKE NOTICE that Josephine Burse has filed a Petition to rezone and reclassify a .90 acre tract of land situated in Section 19, Township 11 North, Range 5 East , Madison County, Mississippi. The petition and legal description of the subject property is attached hereto and made part of this Notice.

The subject property is currently zoned C-2 Commercial District. The Petitioner has thus filed a Petition to rezone and reclassify the subject property from its present classification to a classification of A-1 Agricultural District.

Please take notice that the Madison County Planning and Zoning Commission will conduct a public hearing on the said Petition in the Board of Supervisors Hearing Room in the Madison County Administrative Office Building, located at 125 West North Street, Canton, Mississippi at 9 a.m. on June 11, 2020,

or on a subsequent date to which the matter may be continued.

As the owner of the property located within 160 feet of the subject property (excluding the right of ways for streets and highways), you have the right to offer any objection to or support of the Petition. However, you are not required to be present.

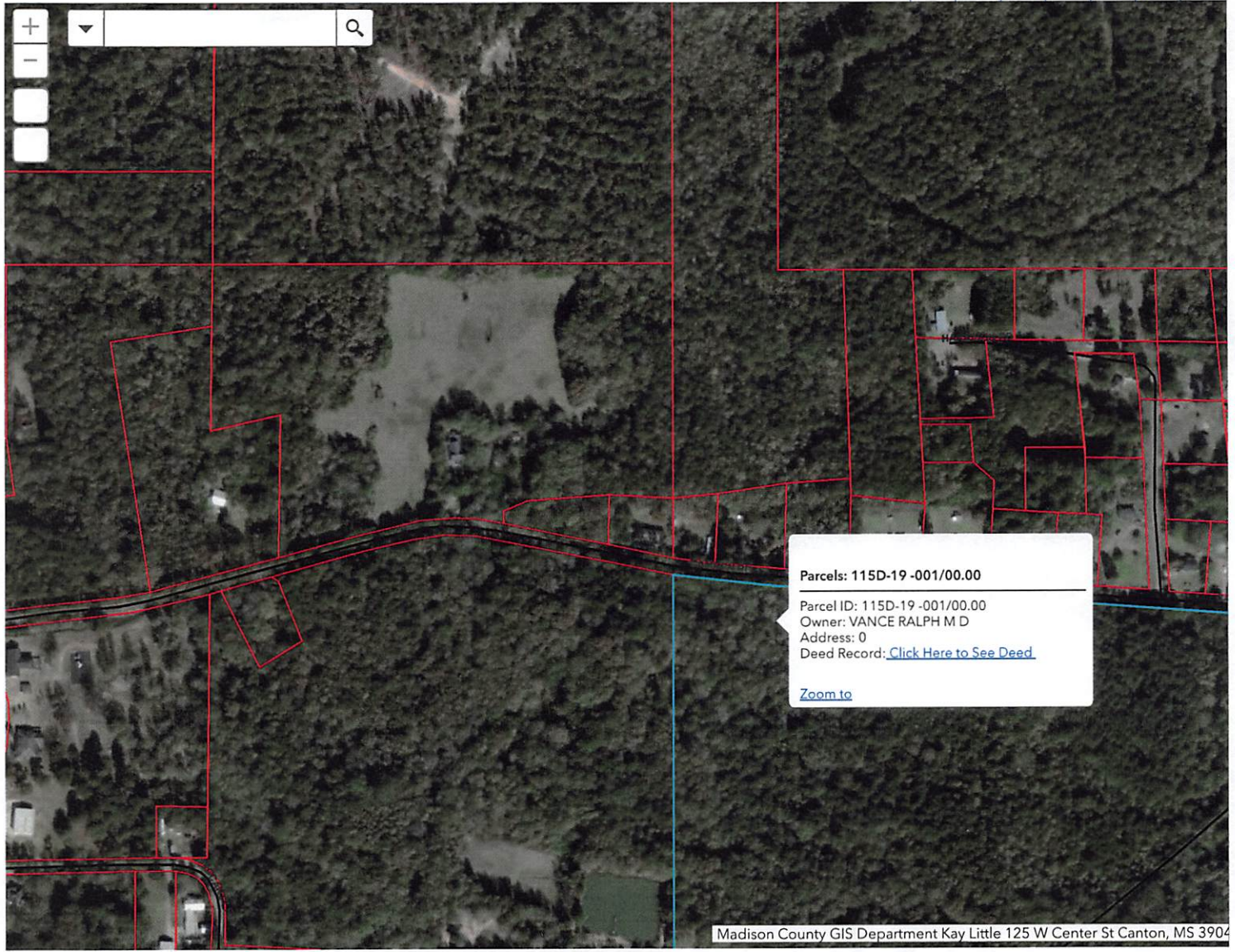
You are given this Notice in accordance with Section 806.05 of the Madison County Zoning Ordinance, adopted December 2019. This the 29 day of May 2020

By: Josephine Burse

Contact Information _____

_____ Scott Weeks _____

_____ 601-826-9021 _____



Madison County GIS Department Kay Little 125 W Center St Canton, MS 3904

300ft
-89.830 32.782 Degrees

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, MARY LEE BARRETT GOBER, A WIDOW, GRANTOR, do hereby convey and forever warrant unto, RALPH B. VANCE, M.D., GRANTEE, the following described real property lying and being situated in Madison County, Mississippi, to wit:

All of that part of the East Half of the South East Quarter of Section 24, Township 11, Range 4 East which lies south of the Camden and Thomastown Road and north of Domitory Road, containing 34.37 acres, less a tract of 4.2 acres in the Southeast corner thereof belonging to V. L. McDaniel.

Also that part of Lots 3 and 4 West of the Choctaw Boundary line in Section 19, Township 11, Range 5 East, which lies south of the Camden and Thomastown Road and north of the Domitory Road, containing 33.76 acres of land, more or less, less 85/100 of an acre of land in the southwest corner belonging to V. L. McDaniel. Special reference being here made to plat of above land recorded in Land Deed Record 9 at page 24 in Chancery Clerk's office said County in aid of the description hereof.

Also a tract of land in Lots 3 and 4 West of the Choctaw Boundary line in Section 19, Township 11, Range 5 East, described as: Beginning at the intersection of the south line of Section 19 West of the Choctaw Boundary Line with said Boundary line and run thence south 89 degrees 45 minutes west 31.75 chains, thence north 8 degrees 45 minutes west 7.30 chains to the Domitory Road, thence northeasterly 34.00 chains along said road to the said Choctaw Boundary line; thence South 7 degrees and 42 minutes east along the Choctaw Boundary Line to the point of beginning, containing 49.12 acres. A total of 112.38 acres is conveyed by this deed.

AND ALSO:

Starting at Northwest corner Section 30, Township 11, Range 5 East, thence East on Section line 14 chains, 86 links, thence South 6 chains 30 links to a stake, which stake is the point of beginning, then from point of beginning East 20 chains 87 links, thence South 7 degrees 30 minutes on Choctaw boundary line East 13 chains 90 links, thence west 22 chains 68 links, thence North 13 chains 78 links to point of beginning, containing 35 acres, all in Section 30, Township 11, Range 5 East.

AND ALSO:

Commencing at N.E. Corner Section 25, Township 11, Range 4 East, run thence West 4.34 chains, thence South 6.30 chains, thence East 4.34 chains, thence North, on Section line of Sections 25 and 30 to place of beginning - containing 2.73 acres.

Also, commencing at N.W. Corner of Section 30, Township 11, Range 5 East, run thence East, on Section line between Sections 19 and 30, 34.93 chains, thence South on Choctaw boundary line, 7 degrees 30 minutes east, 6.32 chains, thence West 35.73 chains, thence North, on

Section line between Sections 30 and 25 to place of beginning - containing 22.29 acres.

AND ALSO:

Beginning at the northeast corner of that seven (7) acre tract, included in purchase by said V. L. McDaniel from J. W. McKay, as per deed in Book 6, Page 462 of the Land Records of Madison County, Mississippi, and from said point of beginning run North 200 feet, to a point, thence Westerly 897 feet to a point 240 feet North of the North line of the aforesaid 7-acre tract, thence South 240 feet to the North line of said 7-acre tract, thence East, 897 feet, more or less, to the point of beginning, containing five (5) acres, more or less, whether said acreage is wholly within Section 24, Township 11 North, Range 4 East, or partly in Section 30, Township 11 North, Range 5 East, all North of School Road; and being the same land sold to V. L. McDaniel and Beulah G. McDaniel by deed recorded in Book 77 on page 161.

AND ALSO:

A Lot or Parcel of land 108-1/2 yards wide by 17-1/2 yards in length off of the East side of a tract of land containing 21-1/13 acres sold July 11, 1928 by J. E. Gober to V. L. McDaniel, deed to said 21-1/13 acres being filed for record in the Chancery Clerk's Office of said county and state on July 11, 1928, and reference being made to said deed as a part of this description. The above lot herein conveyed containing a little less than 4 acres of land, being the same property conveyed by deed in Book 6 at page 429.

AND ALSO:

Two acres of land, more or less, described as follows: Beginning at the southwest corner of the Madison County Agricultural High School Farm south of new road running east and west, thence run West 73 yards, thence nearly North parallel with the Choctaw Boundary line 171 yards to the above mentioned road, thence east along road 57 yards to Madison County Agricultural High School Farm, thence south with said line 158 yards to the place of beginning, said lot containing 2 acres, more or less, and being in Lot No. 3 in Sec. 19, T11, R5 East, and intending and hereby conveying that certain two acres of land described on page 500 in Book TTT of Deed in Chancery Clerk office of said County and as described to J. E. Brewer in Book of Deed No. 3 at page 104 in Chancery Clerk's Office said County.

LESS AND EXCEPT:

A strip of land 45 feet in width extending through, over, on and across the following described land in Madison County, Mississippi, to wit:

That part of the SE1/4 of Section 24, Township 11 North, Range 4 East, Madison County, Mississippi, and containing 0.14 acres, more or less.

ALSO LESS AND EXCEPT:

A lot or parcel of land containing in all 0.65 acres, more or less, and fronting 168.0 feet on the south side of Public Road and described as beginning at a point that is the intersection of the SOUTH right of way line of said Public Road with the center of ditch running in a Southeasterly direction, said point of beginning also

being 15.0 feet east of the west line of the NE1/4 of the SE1/4 of Section 24, and is 30.0 feet from the center of said public road, and from said point of beginning run thence NORTH 82 degrees 10 minutes East for 168.0 feet along the South right of way of said Public Road to a point that is 30.0 feet from said Center of said Road, thence running South 13 degrees 15 minutes East for 183.0 feet, thence running South 69 degrees 00 minutes west for 76 feet, to the center of above mentioned ditch, thence running in a Northerly direction along said ditch NORTH 75 degrees 00 minutes West for 100 feet, thence NORTH 18 degrees 45 minutes West for 145.0 feet to the point of beginning, and containing in all 0.65 acres more or less and all being situated in the NE1/4 of the SE1/4 of Section 24, Township 11, Range 4 East, in Madison County, Mississippi.

ALSO LESS AND EXCEPT:

Any and all interest in ten and one-half (10-1/2) acres, more or less, in Section 24, Township 11 North, Range 4 East, South of the "School Road", and West of the four (4) acres, more or less, in deed dated July 11, 1928, recorded in Book 6 at page 429 land records of Madison County, Mississippi.

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

1. County of Madison ad valorem taxes for the year 1994, which are liens, but are not yet due or payable and which shall be prorated as of the date hereof.
2. Madison County, Mississippi, Zoning and Subdivision Regulations Ordinance, as amended.
3. Reservations, conveyances and/or leases of record in regard to the oil, gas and other minerals lying in, on and under the subject property.
4. Rights-of-way and easements for roads, power lines and other utilities and restrictive covenants of record.

Subject to the reservation by Mary Lee Barrett Gober of a life estate for her life in and to the subject premises.

WITNESS MY SIGNATURE on this the 23rd day of May, 1994.

Mary Lee Barrett Gober
MARY LEE BARRETT GOBER, A WIDOW

STATE OF MISSISSIPPI
COUNTY OF MADISON

PERSONALLY APPEARED BEFORE ME, the undersigned authority in and for the jurisdiction above stated, the within named MARY LEE BARRETT GOBER, who stated and acknowledged to me that she 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 23rd day of May, 1994.

A. Teraci
NOTARY PUBLIC

MY COMMISSION EXPIRES:
June 27, 1997
(SEAL)

GRANTOR:
Mary B. Gober
P. O. Box 7
Camden, MS 39045
Phone No. (601) 468-2468

GRANTEE:
Ralph B. Vance, M.D.
1933 Petit Bois
Jackson, MS 39211
Phone No. (601) 362-0008

Prepared by:
Montgomery, Smith-Vaniz & McGraw
3390 North Liberty Street
P. O. Box 1039
Canton, MS 39046
Phone No. (601) 859-3616

INDEX: 34.37 acres E1/2 SE2/4 Sec. 24, T11, R4E, Mad. Co., MS
Lots 3 & 4, Sec. 19, T11, R5E, Mad. Co., MS
35 acres Sec. 30, T11, R5E, Mad. Co., MS
2.73 acres Sec. 25, T11, R4E, Mad. Co., MS
22.29 acres Sec. 30, T11, R5E, Mad. Co., MS
5 acres Sec. 24, T11N, R4E, Mad. Co., MS & partly in
Sec. 30, T11N, R5E, Mad. Co., MS
4 acres part of Sec. 24 & Sec. 30, T11N, R5E, Mad. Co., MS
2 acres Sec. 19, T11, R5E, Mad. Co., MS
0.14 acres SE1/4 Sec. 24, T11N, R5E, Mad. Co., MS
0.65 acres NE1/4 SE1/4 Sec. 24, T11N, R5E, Mad. Co., MS
10-1/2 acres Sec. 24, T11N, R4E, Mad. Co., MS

Sample/Book/Record/104
787-113445

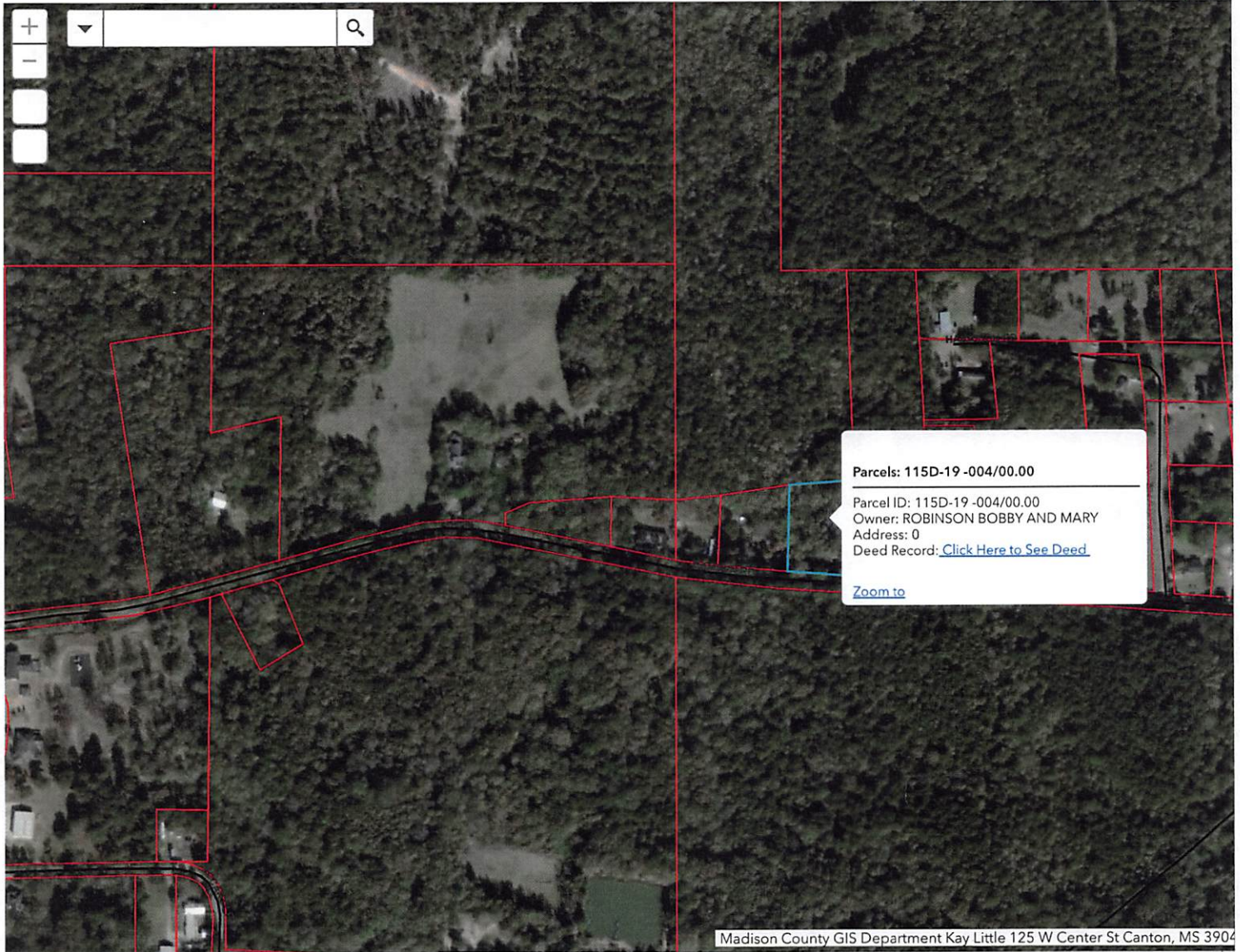


STATE OF MISSISSIPPI, COUNTY OF MADISON:

I certify that the within instrument was filed for record in my office this 24 day
of May, 1974, at 4:25 o'clock P. M., and was duly recorded
on the MAY 24 1974, Book No. 336, Page 555.

STEVE DUNCAN, CHANCERY CLERK

BY: J Cole D.C.



Parcels: 115D-19 -004/00.00

Parcel ID: 115D-19 -004/00.00
Owner: ROBINSON BOBBY AND MARY
Address: 0
Deed Record: [Click Here to See Deed](#)

[Zoom to](#)

Madison County GIS Department Kay Little 125 W Center St Canton, MS 3904

300ft
-89.830 32.784 Degrees

No. 80162

FORFEITED TAX LAND PATENT

BOOK 3118 PAGE 789 DOC 17 TY W
INST # 738651 MADISON COUNTY MS.
This instrument was filed for
record 8/21/14 at 2:57:31 PM
CYNTHIA PARKER, C.C. BY: K9A D.C.
###

State of Mississippi

PURSUANT to Mississippi Code Annotated §29-1-1 et seq 1972 as amended, providing for the sale of Forfeited Tax Lands of the State of Mississippi, and

As said lands are now held by the State and the patentee hereinafter named has complied with all the requirements of the law in such cases made and provided;

The State of Mississippi, in consideration of the premises and the sum of \$1,880.00, being the amount required to purchase said lands, does hereby grant and convey to:

Bobby Robinson and Mary Robinson *406 12.00*

the following described land, to-wit:

*791 West County line Rd
558 JACKSON MS 39213*

Lot 200X225X201.8X252' W/S Lot 8 N1/2 SW1/4 PPIN 37553
Section 19, Township 11 North, Range 5 East
Parcel/PPIN: 115D19004
Madison County, Mississippi.

This the 7th day of November, 2013

C. DELBERT HOSEMANN, Jr.

SECRETARY OF STATE

ASSISTANT SECRETARY OF STATE

GOVERNOR



Attest:

C. Delbert Hosemann, Jr.

SECRETARY OF STATE

Grantor and Prepared By:
State of Mississippi
Post Office Box 136
Jackson, MS 39205
Tele: (601) 359-6373

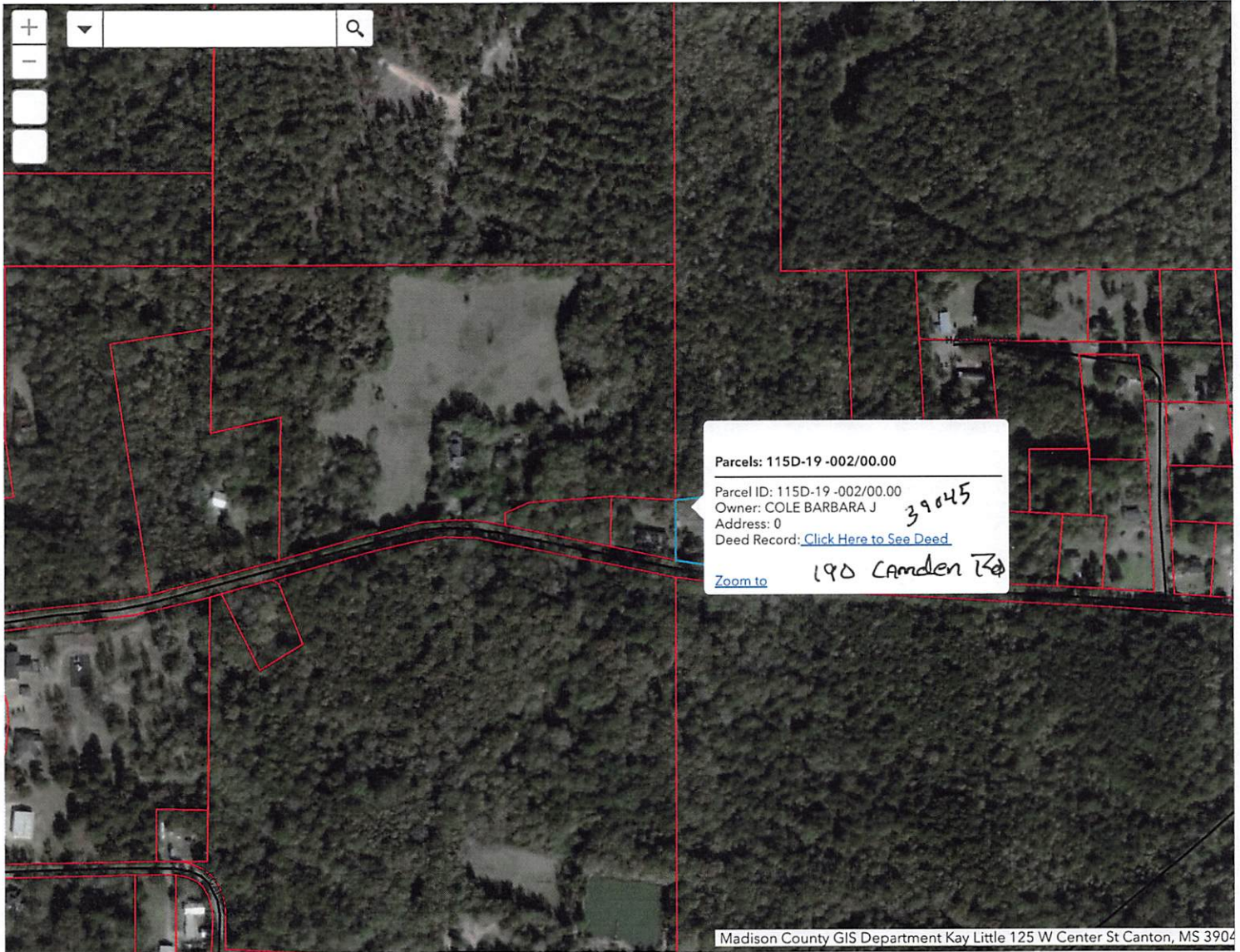
Grantee:
Bobby Robinson and Mary Robinson
130 Woodway Drive Apt 148-A
Jackson, MS 39206
Tele: 601-316-8807

Madison County GIS

Parcels: 115D-19 -005/00.00
Parcel ID: 115D-19 -005/00.00
Owner: MITCHELL BETTY BLACK
Address: 0
Deed Record: [Click Here to See Deed](#)
[Zoom to](#)

Madison County GIS Department Kay Little 125 W Center St Canton, MS 3904

300ft
-89.828 32.782 Degrees



Parcels: 115D-19 -002/00.00
Parcel ID: 115D-19 -002/00.00
Owner: COLE BARBARA J 39045
Address: 0
Deed Record: [Click Here to See Deed](#)
Zoom to 190 Camden Rd

In the Matter of an Ordinance by the Board of Supervisors of Madison County, MS Amending the Madison County, MS Zoning Ordinance and the Use District Map by Rezoning Certain Lands - Petitioner - Johnny L. Burse.

WHEREAS, Johnny L. Burse filed an application for rezoning in regard to certain property located in Madison County, MS; and

WHEREAS, by Resolution properly adopted by the Board of Supervisors on the 4th day of April, 1987, a hearing on said Application for Rezoning was set for August 3, 1987 at 10:00 a.m. and the Clerk did cause notice of said hearing to be published in the Madison County Herald, a newspaper published in and of general circulation in Madison County, MS, in the manner and for the time required by law; and,

WHEREAS, the hour of 10:00 o'clock on August 3, 1987 did arrive; and,

WHEREAS, the Board of Supervisors did determine that all things required by law and by the Madison County Zoning Ordinance of 1976 had in fact been done and performed incidental to the filing of the application by the applicant and necessary to validate and effectuate the requested rezoning; and

WHEREAS, after hearing the arguments for the rezoning and after a complete discussion of the matter, Supervisor Banks offered the following Ordinance and moved that it be adopted, to-wit:

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF SUPERVISORS OF MADISON COUNTY, MISSISSIPPI, AS FOLLOWS, TO WIT:

1. That the property referred to in Exhibit A hereto is hereby rezoned from its present A-1 Agricultural District to C-2 Commercial District.

2. That the Madison County Zoning Ordinance of 1976, as amended, and the Zoning District Map, as amended, adopted as a part thereof, be and the same are hereby amended so as to reflect the foregoing change in zoning of the above described property.

ORDAINED, ADOPTED AND APPROVED by the Board of Supervisors of Madison County, MS at the Regular Meeting thereof held on the 13th day of November, 1987.

Upon a second to Mr. Banks motion by Mr. Lockett, the Board of Supervisors voted as follows, to wit:

Supervisor Pat H. Lockett, Jr. - District I	voted: aye
Supervisor J.S. Harris, Jr. - District II	voted: aye
Supervisor David H. Richardson - District III	voted: aye
Supervisor Karl M. Banks - District IV	voted: aye
Supervisor J.L. McCullough - District V	voted: absent

The motion having received the affirmative vote of all Board members present, was declared by Mr. J.S. Harris, Jr., President of said Board, as being duly carried.

A copy of the aforementioned "Exhibit A" (legal description of property) may be found in the November, 1987 minutes as Exhibit #10.