

Department of Engineering
Tim Bryan, P.E., County Engineer

3137 South Liberty Street, Canton, MS 39046
Office (601) 790-2525 FAX (601) 859-3430

MEMORANDUM

September 24, 2020

To: Sheila Jones, Supervisor, District I
Trey Baxter, Supervisor, District II
Gerald Steen, Supervisor, District III
Karl Banks, Supervisor, District IV
Paul Griffin, Supervisor, District V

From: Tim Bryan, P.E., PTOE
County Engineer

Re: Request for Payment
Project: 2020-2039-Way Road
Parcel: Plat 1

The Engineering Department recommends that the Board accept the invoice for \$100.00 for acquisition of right-of-way for the Way Road Project for Ernest & Celestine Clayton and to authorize the Comptroller to issue the check.

Check payment to:

Payee: Mr. Earnest Clayton
967 Way Road (Parcel:Plat 1)
Canton, MS 39046

SHEILA JONES
District One

TREY BAXTER
District Two

GERALD STEEN
District Three

KARL BANKS
District Four

PAUL GRIFFIN
District Five

Integrated Right of Way
P. O. Box 3066
Madison MS, 39130
Fax: 601-852-1170
Phone: 601-790-0443



Right of Way Acquisition Closing Statement

Project	2020-2039 - Way Road	Parcel	Plat 1
County	Madison		
Owner	Ernest & Celestine Clayton	Address	967 Way Road Canton, MS 39046

Payment Due:

FMVO:	\$100.00
Administrative Adjustment:	\$0.00
Total	\$100.00

Please make payable to Earnest Clayton.

Included herein:

- Initialized FMVO
- Properly Executed Warranty Deed
- Right of Way Plat Map
- Completed W9

1. *All considerations agreed on by the above-named Owner(s) and the Right of Way Agent signing this statement are embodied in the instrument of conveyance, there being no oral agreements or representations of any kind.*
2. *The considerations embodied in this instrument of conveyance on the abovementioned project and parcel number were reached without coercion, promises other than those shown in the agreement, or threats of any kind whatsoever by or to either party whose name appears on this instrument.*
3. *The undersigned Right of Way Agent has no direct or indirect, present or contemplated future personal interest in the abovementioned parcels nor will in any way benefit from the acquisition of such property.*

Date: 09/23/2020

Authorized Acquisition Agent: 

Greg M. Thompson

Integrated Right of Way
P. O. Box 3066
Madison, MS 39130
Phone: 601-790-0443
Fax: 601-852-1170



Fair Market Value Offer

Date: September 16, 2020

Name: Ernest & Celestine Clayton Project: 2020-2039 - Way Road
Address: 967 Way Road County: Madison
Canton, MS 39046 ROW Parcel(S): Plat 1

It is necessary that the Madison County Board of Supervisors acquire from you certain property necessary for the construction of this project. The identification of the real property and the particular interests being acquired are indicated on the attached instrument. The value of the real property interests being acquired is based on the fair market value of the property and is not less than the approved waiver valuation disregarding any decrease or increase in the fair market value caused by the project. This fair market value offer includes all damages and is based on our approved waiver valuation in the amount of \$100.00.

Appraisal Waiver Valuation. This waiver valuation was made based upon recent market data in this area.

This acquisition does not include oil, gas, or mineral rights but includes all other interests.

Unless noted otherwise, this acquisition does not include any items which are considered personal property under Mississippi State Law. Examples of such items are household and office furniture and appliances, machinery, business and farm inventory, etc.

The real property improvement being acquired are:

The following real property and improvements are being acquired but not owned by you N/A

Separately held interest(s) in the real property are not applicable. These interests are not included in the above fair market value offer.

Land Value: \$ 100.00
Improvements: \$ 0.00
Damages: \$ 0.00
X Parcel: 0.00
Total Fair Market Value Offer \$ 100.00

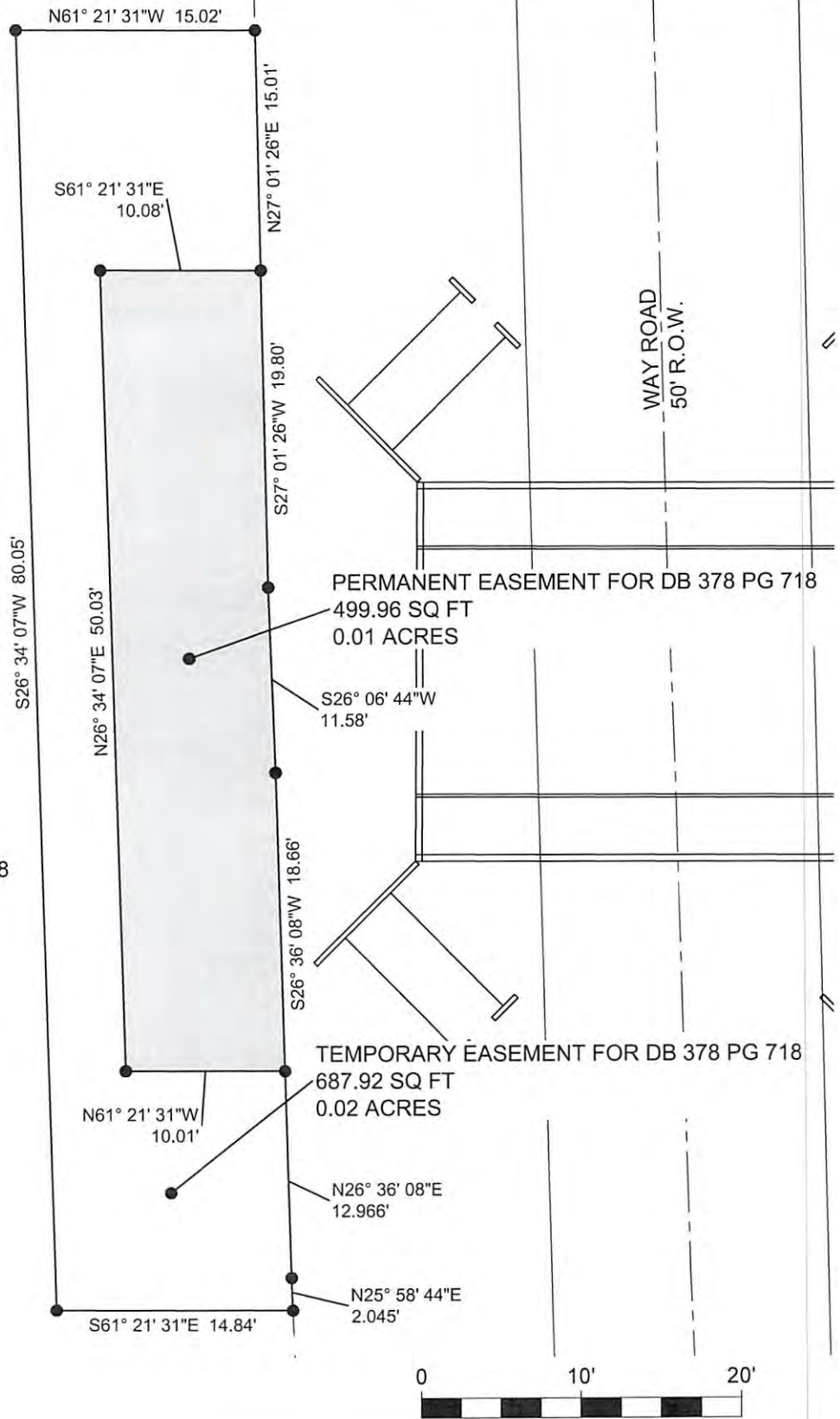
EC

C.C.

Right of Way Acquisition Agent



Providing Professional Right of Way Acquisition & Consultation Services



CLAYTON ERNEST &
 CELESTINE
 103C-07-009/00.00
 DEED BOOK 378 PAGE 718

EC
C.C.



854 WILSON DRIVE
 SUITE A
 RIDGELAND, MS 39157

TEL (601) 899-5158
 FAX (601) 899-5110

EXHIBIT "A"
 PERMANENT AND TEMPORARY
 DRAINAGE EASEMENTS
 DB 378 PG 718
 MADISON COUNTY, MISSISSIPPI

DRAWN BY: P. BARNES

DATE: APRIL 13, 2020

SCALE: 1" = 10'

PREPARED BY:
Mike Espy (MB#5240)
Mike Espy, PLLC
4450 Old Canton Rd, Ste 205
Jackson, Mississippi 39211
601.355.9101

RETURN TO:
Mike Espy
Mike Espy, PLLC
4450 Old Canton Rd, Ste 205
Jackson, Mississippi 39211
601.355.9101

Permanent Easement

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 sufficiency of which is hereby acknowledged, the GRANTORS:

Ernest & Celestine Clayton
967 Way Road
Canton, MS 39046
(601) 259-6759

do hereby bargain, grant, transfer and convey unto GRANTEE:

Madison County, Mississippi
A Body Politic
125 West North Street
P.O. Box 608
Canton, MS 39046
(601) 855-5500

a permanent drainage easement on, over, across and through the following described land and property located in Madison County, Mississippi, and more particularly described as follows:

Complete Legal Description is attached hereto as Exhibit A.

INDEXING INSTRUCTIONS: Section 7, Township 10 North, Range 3 East,
Madison County, Mississippi


Grantors further grant unto Grantee the right of ingress and egress for the purposes of location, construction, improvement, repair, operation, inspection and maintenance of the Permanent Easement.

The Grantors acknowledge the existence of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, Public Law 91-646, and Sections 43-37-1, et seq., and Sections 43-39-1, et seq., of the Mississippi Code Annotated (1972), and acknowledge that Grantors are aware of their rights under said Act and laws, including, but not limited to:

- A. Notification of the Grantee's desire to obtain the property and receipt of a copy of the above named Act; and,
- B. The opportunity to receive an appraisal and to accompany the appraiser during the initial inspection; and,
- C. An opportunity to have the value of the property determined by a Court of competent jurisdiction and to be compensated therefore.

The Grantors do hereby waive all additional rights and privileges pursuant to Public Law 91-646, and under the "Real Property Acquisition Policies Law", plus any rights and privileges under the "Relocation Assistance Law" and Sections 43-37-1 et seq., and Sections 43-39-1 et seq., of the Mississippi Code Annotated (1972), and Grantors further acknowledge that the Grantee has complied with any and all laws and procedures set forth above. Grantors further acknowledge that they have received just compensation for the real property herein described.

WITNESS MY SIGNATURE, THIS THE 22 DAY OF September, 2020.


Ernest Clayton


Celestine Clayton

STATE OF MISSISSIPPI
COUNTY OF Madison

PERSONALLY appeared before me, the undersigned authority in and for the said jurisdiction, on this the 22 day of September, 2020, the within named Ernest Clayton, he signed, delivered and executed the above and foregoing instrument on the day and year therein mentioned for the purposes therein stated after first having been duly authorized by said corporation to do so.

WITNESS MY HAND AND OFFICIAL SEAL on this, the 22 day of September, 2020.

[Signature]
NOTARY PUBLIC

My Commission Expires:



STATE OF MISSISSIPPI
COUNTY OF Madison

PERSONALLY appeared before me, the undersigned authority in and for the said jurisdiction, on this the 22 day of September, 2020, the within named Celestine Clayton, she signed, delivered and executed the above and foregoing instrument on the day and year therein mentioned for the purposes therein stated after first having been duly authorized by said corporation to do so.

WITNESS MY HAND AND OFFICIAL SEAL on this, the 22 day of September, 2020.



NOTARY PUBLIC

My Commission Expires:



Permanent Construction Easement

Exhibit B

Commencing at an iron pin marking the southwest corner of Section 7, Township 10 North, Range 3 East, Madison County, Mississippi, run North 24° 42' 10" East for 2081.49' to a point on the west right-of-way line of Way Road, a public street, said point being the point of beginning of this legal description of the parcel of land that is described by metes and bounds as follow, to-wit:

Thence leaving said right-of-way run North 61° 21' 31" West for a distance of 10.01' to a point; thence run North 26° 34' 07" East for a distance of 50.03' to a point; thence run South 61° 21' 31" East for a distance of 10.08' to a point on the west right-of-way of Way Road; thence run along said right-of-way South 27° 01' 26" West for a distance of 19.80' to a point; thence South 26° 06' 44" West for a distance of 11.58' to a point; thence South 26° 36' 08" West for a distance of 18.66' to the point of beginning.

The above described parcel of land contains 0.011 acres, more or less, or 500 square feet, more or less, and is situated in the Northwest Quarter of the Southwest Quarter (NW ¼ SW ¼) of Section 7, Township 10 North, Range 3 East, Madison County, Mississippi. Said parcel is located wholly within that parcel of land conveyed unto Ernest and Celestine Clayton by that Quitclaim Deed filed for record in the office of the Chancery Clerk of Madison County, Mississippi at Canton, Mississippi, in Book 378 at Page 718 thereof.

PREPARED BY:
Mike Espy (MB#5240)
Mike Espy, PLLC
4450 Old Canton Rd, Ste 205
Jackson, Mississippi 39211
601.355.9101

RETURN TO:
Mike Espy
Mike Espy, PLLC
4450 Old Canton Rd, Ste 205
Jackson, Mississippi 39211
601.355.9101

Temporary Easement

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 sufficiency of which is hereby acknowledged, the GRANTORS:

Ernest & Celestine Clayton
967 Way Road
Canton, MS 39046
(601) 259-6759

do hereby bargain, grant, transfer and convey unto GRANTEE:

Madison County, Mississippi
A Body Politic
125 West North Street
P.O. Box 608
Canton, MS 39046
(601) 855-5500

a temporary drainage easement on, over, across and through the following described land and property located in Madison County, Mississippi, and more particularly described as follows:

Complete Legal Description is attached hereto as Exhibit A.

INDEXING INSTRUCTIONS: Section 7, Township 10 North, Range 3 East,
Madison County, Mississippi

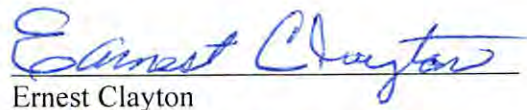
Grantors further grant unto Grantee the right of ingress and egress for the purposes of location, construction, improvement, repair, operation, inspection and maintenance of the Temporary Easement.

The Grantors acknowledge the existence of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, Public Law 91-646, and Sections 43-37-1, et seq., and Sections 43-39-1, et seq., of the Mississippi Code Annotated (1972), and acknowledge that Grantors are aware of their rights under said Act and laws, including, but not limited to:

- A. Notification of the Grantee's desire to obtain the property and receipt of a copy of the above named Act; and,
- B. The opportunity to receive an appraisal and to accompany the appraiser during the initial inspection; and,
- C. An opportunity to have the value of the property determined by a Court of competent jurisdiction and to be compensated therefore.

The Grantors do hereby waive all additional rights and privileges pursuant to Public Law 91-646, and under the "Real Property Acquisition Policies Law", plus any rights and privileges under the "Relocation Assistance Law" and Sections 43-37-1 et seq., and Sections 43-39-1 et seq., of the Mississippi Code Annotated (1972), and Grantors further acknowledge that the Grantee has complied with any and all laws and procedures set forth above. Grantors further acknowledge that they have received just compensation for the real property herein described.

WITNESS MY SIGNATURE, THIS THE 22 DAY OF September 2020.


Ernest Clayton


Celestine Clayton

STATE OF MISSISSIPPI
COUNTY OF Madison

PERSONALLY appeared before me, the undersigned authority in and for the said jurisdiction, on this the 22 day of September, 2020, the within named Ernest Clayton, he signed, delivered and executed the above and foregoing instrument on the day and year therein mentioned for the purposes therein stated after first having been duly authorized by said corporation to do so.

WITNESS MY HAND AND OFFICIAL SEAL on this, the 22 day of September, 2020.



NOTARY PUBLIC

My Commission Expires:



STATE OF MISSISSIPPI
COUNTY OF Madison

PERSONALLY appeared before me, the undersigned authority in and for the said jurisdiction, on this the 22 day of September, 2020, the within named Celestine Clayton, she signed, delivered and executed the above and foregoing instrument on the day and year therein mentioned for the purposes therein stated after first having been duly authorized by said corporation to do so.

WITNESS MY HAND AND OFFICIAL SEAL on this, the 22 day of September, 2020.



NOTARY PUBLIC

My Commission Expires:



Temporary Construction Easement

Exhibit A

Commencing at an iron pin marking the Southwest Corner of Section 7, Township 10 North, Range 3 East, Madison County, Mississippi, run North 24° 41' 23" East for 2,066.49' to a point on the west right-of-way of Way Road, a public street, said point being the point of beginning of this legal description of the parcel of land that is described by metes and bounds as follow, to-wit:

Thence run along the west right-of-way of Way Road North 25° 58' 44" East for a distance of 2.04' to a point; thence run North 26° 36' 08" East for a distance of 12.97' to a point; leaving the west right-of-way of Way Road run North 61° 21' 31" West for a distance of 10.01' to a point; thence run North 26° 34' 07" East for a distance of 50.03' to a point; thence run South 61° 21' 31" East for a distance of 10.08' to a point on the west right-of-way of Way Road; thence run along said right-of-way North 27° 01' 26" East for a distance of 15.01' to a point; thence leaving said right-of-way run North 61° 21' 31" West for a distance of 15.02' to a point; thence run South 26° 34' 07" West for a distance of 80.05' to a point; thence run South 61° 21' 31" East for a distance of 14.84' to the point of beginning.

The above described parcel of land contains 0.016 acres, more or less, or 688 square feet, more or less, and is situated in the Northwest Quarter of the Southwest Quarter (NW ¼ SW ¼) of Section 7, Township 10 North, Range 3 East, Madison County, Mississippi. Said parcel is located wholly within that parcel of land conveyed unto Ernest and Celestine Clayton by that Quitclaim Deed filed for record in the office of the Chancery Clerk of Madison County, Mississippi at Canton, Mississippi, in Book 378 at Page 718 thereof.