

APPLICATION FOR SPECIAL EXCEPTION

Surface Mining 4 acres or less

| | |
|--|---|
| Applicant Jolly Massey Jr. 133 Brook Ridge Cv. | Street Address of Property (if different address): 2457 Hwy 43 North |
|--|---|

| APPLICATION DATE | Present Zoning of Property | Legal Description of Property: | TAX PARCEL NUMBER | FLOOD ZONE | MAP/PLAT OF PROPERTY |
|------------------|----------------------------|--------------------------------|-------------------|------------|----------------------|
| 7-31-2020 | A-1 | See (Exhibit A) | 093B-10-009/00.00 | X | See (Exhibit B) |

Other Comments: As per Section 805 of the Madison County Zoning Ordinance.

Respectfully Submitted

Jolly Massey Jr.

Zachary Jacob Peace

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 _____



+

Find address or place

Q

Parcel ID: 093B-10 -009/00.00
Owner: PEACE ZACHARY JACOB
Address: 2435 HWY 43 N
Deed Record: [Click Here to See Deed](#)

[Zoom to](#)

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

600ft

-89.976 32.638 Degrees

Permit No. _____

STATE OF MISSISSIPPI

Application No. _____

SURFACE MINING PERMIT APPLICATION

MISSISSIPPI DEPARTMENT OF ENVIRONMENTAL QUALITY
OFFICE OF GEOLOGY / MINING & RECLAMATION DIVISION

P. O. Box 2279
Jackson, Mississippi 39225-2279
(601) 961-5515
Fax (601) 961-5521

For Office use only

| | |
|------------------------------|-------|
| Other permits required: Y/N | Date |
| NPDES _____ | _____ |
| State Operating Permit _____ | _____ |
| Corps of Engineers _____ | _____ |
| _____ | _____ |
| _____ | _____ |

| | |
|----------------------|----------------|
| City/County approval | |
| Required | Yes ___ No ___ |
| Received Date: _____ | |
| County _____ | |
| City _____ | |

A. GENERAL INFORMATION

1. Name of Applicant: JOHN MASSEY JR
 Mailing Address: 133 Brook Ridge Ln
 E-mail Address: _____
 Phone No. 601-966-1280 Fax No. _____
 Authorized Representative _____

2. Engineering Firm, Consultant, etc.: BLACKWELL TESTING
 Mailing Address: _____
 E-mail Address: _____
 Phone No. 601-608-8897 Fax No. _____

3. Name of Mine: Bobby's Dirt Mine Supervisor: _____
 Phone No. _____ Fax No. _____

4. Location of Operation (to nearest quarter-quarter section):
2457 Hwy 43 Canton Section Madison Township Range _____ County _____

5. Physical address of mine or nearest named road 2457 Hwy 43 Canton 39046

6. Method of Operation Open Pit Strip Dredge Wash Operation, if so Water Source _____
 Wash System Type Closed system Open system

7. Number of Acres to be Permitted:
 Excavation 4 AC.
 Haul roads, plant site, ponds, storage piles, etc. _____

TOTAL PERMITTED AREA _____

8. Is the Permit Area located: Yes No
 a. within 100 feet of a public road? ___
 b. within 100 feet of a cemetery? ___
 c. within 300 feet of an occupied building? ___

If YES to a, b, or c, a letter must be filed with the Office giving permission from the owner or maintaining authority to mine within these distances to the subject property.

9. Materials to be Mined: Dirt

10. Has the applicant applied for, or have, any other permits or licenses that pertain to this or any other mining operation? Yes No

If "YES," list them in the space provided on page 5, or attach separate pages, and give the current status of each, including any violations or penalties.

B. MINING PROCEDURE AND ENVIRONMENTAL ANALYSIS

- | | |
|---|---------------------------------------|
| 1. Description of materials: | 2. Anticipated Schedule (month/year) |
| Thickness of overburden <u>6"</u> ft. (Topsoil MUST be stockpiled for use during reclamation) | Begin clearing <u> / </u> |
| Thickness of useable material <u>6"</u> ft. | Begin mining <u> / </u> |
| Total depth of excavation <u>6'</u> ft. | Complete mining <u> / </u> |
| Estimated annual production <u>175,000</u> tons | Begin reclamation <u> / </u> |
| | Complete reclamation <u> / </u> |
3. Depth to ground water: ft.
4. How will dust be controlled?
- Water on haul roads
- _____
5. Types of erosion control structures that will be utilized.
- Settling ponds Drainage ditches
- Diversion berms Terraced slopes
- Silt Fence
6. Describe the land to be affected by mining as it presently exists:
- a. Land use Vacant grass b. Predominant vegetation grass
7. Will explosives be used? Yes No
8. Is test-boring data available? Yes No
9. Are toxic materials likely to be encountered at any time? Yes No
10. Will there be any discharge to local streams or other bodies of water? Yes No

If any of questions 7-10 are answered "YES," provide additional information on page 5, or attach separate pages.

C. RECLAMATION PLAN

NOTE: It is suggested that the county NRCS office be consulted for specific recommendations on the following items.

1. Describe the soil handling technique for the reclamation phase of the operation:
- Topsoil segregated Mixed strata Spread Topsoil Reseed
2. Describe the protection method for the stockpiled topsoil.
- berm around the storage pile
- grass cover on the pile (recommended)
- stored under a cover
- _____
3. How will highwalls, standing faces, and banks be reduced to minimize erosion? (All highwalls must be sloped, minimum 3 horizontal to 1 vertical.)
- slopes will be terraced
- sloped to a gradient of to 1
- blended with surrounding contours
- _____

4. What is the general plan for reclamation?

- reforestation
- establish grass cover
- pond or lake
- _____

5. What planting method will be used?

- broadcast seed mechanical seeding
- seeding by manual labor
- _____

6. How will fertilizer and lime be applied and incorporated?

- harrowing
- broadcasting
- disking

7. Quantity of lime and fertilizer to be applied?

a. For initial planting

lime: _____ tons per acre

fertilizer: ____ - ____ - ____ (type) _____ pounds per acre

b. For successive years prior to 100% release

fertilizer: ____ - ____ - ____ (type) _____ pounds per acre

when: _____ (month)

8. Describe the planting schedule:

| Tree or Seed Species | Tree spacing or lbs./acre | Planting Season |
|----------------------|------------------------------|-----------------|
| _____ | _____ | _____ |
| _____ | _____ | _____ |
| _____ | _____ | _____ |
| _____ | _____ | _____ |

9. Will the area be mulched? ____ Yes No If yes, rate per acre _____

Method of holding in place: crimped _____

10. How will the vegetation be maintained until the final bond release?

- watering
- mowing
- times per year _____
- approximate month(s) _____, _____, _____
- repairing gullies
- replanting eroded areas
- _____

11. How will debris be disposed of when the mine is finally closed?

- burying
- burning
- hauling away

12. Will a soil analysis be submitted for this site? Yes ____ No

NOTE: available from the Cooperative Extension Service through the applicant's County Agent

13. Estimated cost per acre for reclamation of this site: \$ 2500⁰⁰ (minimum of \$1,000 per acre)

D. NAMES AND ADDRESSES OF PERSONS AFFECTED BY THIS OPERATION

1. Landowner(s) of area to be mined/leased

Name: Zack Peace Name: _____
Address: _____ Address: _____
Phone: _____ Phone: _____

2. Landowner(s) within 500 feet of the area

Name: _____ Name: _____
Address: _____ Address: _____
Phone: _____ Phone: _____

Name: _____ Name: _____
Address: _____ Address: _____
Phone: _____ Phone: _____

3. Person(s) living on permit area

Name: None Name: _____
Address: _____ Address: _____
Phone: _____ Phone: _____

I declare that I have knowledge of the facts presented in the preceding pages and in all of the items attached to this application; furthermore, I certify that they are true to the best of my knowledge.

_____ date

Jolly Mason signature

JOLLY MASON printed name

8/13/2020 title

**APPLICANT'S CHECKLIST
FOR A SURFACE MINING PERMIT**

REQUIRED MAPS, AERIAL PHOTOGRAPHS, OR DRAWINGS

Draw to scale with date, operator's name and north arrow:

- Map #1: On a USGS Topographic Map (8 1/2" x 11" photocopy of applicable portion of topographic map):

Name of Topographic Map _____

1. Locate water wells within 0.5 mile of the permit area.
 2. Outline boundaries of both the permit area and the entire mine area (if different).
 3. Draw access to the nearest public road from the mine.
 4. Illustrate how surface drainage will be conducted or changed.
- Map #2: General site plan showing location of excavations, spoil piles, settling ponds, plant, surface drainage patterns, etc. (8 1/2" x 11")
- Map #3: On an 8 1/2" x 11" sheet, show yearly mining plan.
- Map #4: On an 8 1/2" x 11" sheet, show yearly reclamation plan.
- Map #5: On an 8 1/2" x 11" sheet, show the pre-mining and post-mining ground surfaces in profile (cross-sections). Include at least both North-South and East-West profiles. Also show, if any, ponds, buffer zones and any other features necessary to show how mining will be conducted.
- Map #6: On an 8 1/2" x 11" sheet, draw a post-mining reclamation map, showing lakes or ponds, surface drainage patterns, and any roads to be left after reclamation.
- GPS location of all permit corners

REQUIRED DOCUMENTS

1. Certificate of Insurance (at least \$100,000/\$300,000 bodily injury + \$100,000 property damage or \$300,000 aggregate).
2. Legal Right to Mine (deed, lease or agreement); must be notarized. Include county zoning approval, if applicable.
3. Application Fee: \$100 + \$10 an acre (not to exceed \$500). Check should be made payable to MDEQ Accounts Receivable.
4. Original of Performance Bond including form MRD-4, or copy of Certificate of Deposit including original of form MRD-4A, or original Irrevocable Standby Letter of Credit (downloadable from MDEQ website, www.deq.state.ms.us), printed on bank letterhead (\$1,000-\$2,500 an acre; the amount to be based on your estimate of the cost/acre to reclaim).
5. Organization Report form MRD-1.

SEND ALL THE ABOVE MATERIALS WITH APPLICATION (FORM MRD-3)

Mississippi Office of Geology, P. O. Box 2279, Jackson, MS 39225-2279; telephone (601) 961-5515

BOOK 3670 PAGE 84 DOC 01 TY U
INST # 854510 MADISON COUNTY MS.
This instrument was filed for
record 11/28/18 at 3:47:34 PM
RONNY LOTT, C.C. BY: KAA D.C.

PREPARED BY:

Don A. McGraw, Jr. - MSB# 2621
Montgomery McGraw, PLLC
P. O. Box 1039
Canton, MS 39046
601-859-3616

RETURN TO:

Don A. McGraw, Jr.
Montgomery McGraw, PLLC
P. O. Box 1039
Canton, MS 39046
601-859-3616

113-122

INDEXING: SW1/4 of Section 10, Township 9 North, Range 3 East, Madison County,
Mississippi.

STATE OF MISSISSIPPI
COUNTY OF MADISON

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:

GRANTORS:

PLEAS M. NORRIS, by his Attorney-in-Fact, **Janet Dell Hughes Norris**
JANET H. NORRIS, his wife
148 Belle Pointe
Madison, MS 39110
Phone: 601-956-4557

do hereby sell, convey and warrant unto:

GRANTEE:

ZACHARY JACOB PEACE
114 Pine Hills Drive
Brandon, MS 39047
Phone: 601-214-2664

the following described real property lying and being situated in Madison County, Mississippi, to wit:

A PARCEL OF LAND CONTAINING 41.49 ACRES (1,807,152.46
SQUARE FEET), MORE OR LESS, BEING SITUATED IN THE
WESTERN 1/2 OF SECTION 10, TOWNSHIP 9 NORTH, RANGE 3
EAST, MADISON COUNTY, MISSISSIPPI, AND BEING MORE

PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCE AT THE SW CORNER SE1/4 SW1/4 OF SECTION 10, TOWNSHIP 9 NORTH, RANGE 3 EAST; RUN THENCE N00°10'15"W FOR A DISTANCE OF 2043.55 FEET TO A FOUND IRON PIN MARKING THE POINT OF BEGINNING FOR THE PARCEL HEREIN DESCRIBED; FROM SAID POINT OF BEGINNING, RUN N00°09'24"E FOR A DISTANCE OF 1487.96 FEET TO A FOUND CONCRETE MONUMENT; THENCE S89°55'45"E FOR A DISTANCE OF 1051.40 FEET TO A FOUND CONCRETE MONUMENT; THENCE S00°08'11"W FOR A DISTANCE OF 2124.94 FEET TO A FOUND IRON PIN ON THE NORTH RIGHT OF WAY LINE OF MISSISSIPPI HIGHWAY NO. 43; THENCE RUN ALONG SAID RIGHT OF WAY S61°48'50"W FOR A DISTANCE OF 338.08 FEET TO A FOUND IRON PIN; THENCE LEAVE SAID RIGHT OF WAY AND RUN N04°23'36"W FOR A DISTANCE OF 788.52 FEET TO A FOUND IRON PIN; THENCE N89°01'33"W FOR A DISTANCE OF 682.12 FEET TO THE POINT OF BEGINNING.

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

1. County of Madison, Mississippi, ad valorem taxes for the year 2018, which are liens, but are not yet due or payable, which shall be prorated to the date hereof.
2. County of Madison, 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.

The General Durable Power of Attorney of Pleas Miller Norris, Jr. (aka Pleas M. Norris) is recorded in Book 3074 at Page 360 in the records in the office of the Chancery Clerk of Madison County, Mississippi.

WITNESS OUR SIGNATURES this the 28th day of November, 2018.

Janet Dell Hughes Norris, POA
 Pleas M. Norris, by his Attorney-in-Fact,
 Janet Dell Hughes Norris

Janet H. Norris
 Janet H. Norris

STATE OF MISSISSIPPI
COUNTY OF MADISON

PERSONALLY APPEARED BEFORE ME, the undersigned authority in and for the said county and state, on this 28th day of November, 2018, within my jurisdiction, the within named **Janet Dell Hughes Norris**, acknowledged that she is **Attorney-in-Fact** for **Pleas M. Norris**, and that in said capacity she executed the above and foregoing instrument after first having been duly authorized so to do.



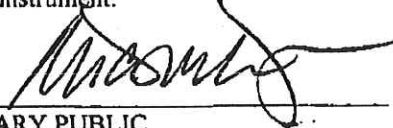
NOTARY PUBLIC

MY COMMISSION EXPIRES:
1-18-2019
(SEAL)



STATE OF MISSISSIPPI
COUNTY OF MADISON

PERSONALLY APPEARED BEFORE ME, the undersigned authority in and for the said county and state, on this 28th day of November, 2018, within my jurisdiction, the within named **Janet H. Norris** who acknowledged that she executed the above and foregoing instrument.



NOTARY PUBLIC

MY COMMISSION EXPIRES:
1-18-2019
(SEAL)



Parcel Details

| | |
|---|--|
| Parcel number | 093B-10-009/00.00 |
| PPIN | 28538 |
| Owner's name | PEACE ZACHARY JACOB |
| Physical street number | 2435 |
| Physical street name | HWY 43 N |
| Mailing address | 114 PINE HILLS DR |
| Mailing city | BRANDON |
| Mailing state | MS |
| Mailing zip | 39042 |
| True Values | |
| Land | 13910 |
| Improvement | 0 |
| Total | 13910 |
| Assessed Values | |
| Total | 2087 |
| Legal description | 41.49 ACD PT IN E1/2 W1/2 N & W OF |
| Legal description 2 | RD & PT IN W1/2 W1/2 E1/2 N & |
| Legal description 3 | W OF RD |
| Township | 09N |
| Range | 03E |
| Section | 10 |
| Taxing District: | 5 C |
| Taxing Exempt: | NO |
| Supervisor District | 5 |
| Municipality | |
| School District | CANTON SEPARAT |
| Special Assessment District | NONE |
| Deeds signed through 12/31/2019 and recorded by 1/7/2020 | |
| Book / Page / Date | |
| 3670 / 84 / 2018-11-28 | [View Deed] [Search By Legal Description] |
| Date | 2018-11-28 |
| Homestead | NO |

Available Maps

- 093B.PDF

Notice: Map files are very large and may take several minutes to download.

No Improvements For This Parcel

Return to Owners Name Search

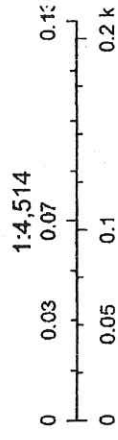
Madison County



8/13/2020, 1:01:34 PM

Landhook CountyBoundary madison_ms_all_txt

Parcels madison_ms_parnums Imagery2018



Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), OpenStreetMap contributors, and the GIS User Community, Esri, HERE, Garmin, (c) OpenStreetMap contributors, and the GIS user community