

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

October 26, 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: Way Road
Parcel: Plat 3

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

Check payment to:

Payee: Linda Sims
212 Banks Road
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 3
County	Madison		
Owner	Linda Sims	Address	212 Banks 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 Permanent Easement Deed
- Properly Executed Temporary Easement 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: 10/23/2020

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: Linda Sims Project: 2020-2039 - Way Road

Address: 212 Banks Road County: Madison

Canton, MS 39046 ROW Parcel(S): Plat 3

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 X 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:	\$	<u>100.00</u>
Improvements:	\$	<u>0.00</u>
Damages:	\$	<u>0.00</u>
X Parcel:		<u>0.00</u>
Total Fair Market Value Offer	\$	<u>100.00</u>

A handwritten signature in blue ink, appearing to read 'LS Ly', is written over a horizontal line.

Right of Way Acquisition Agent



Providing Professional Right of Way Acquisition & Consultation Services

.61

BANKS ROAD
40' R.O.W.

TEMPORARY EASEMENT FOR DB 3392 PG 538(2)
573.79 SQ FT
0.01 ACRES

N86° 28' 54"E
19.980'

N3° 58' 22"W
7.364'

S3° 47' 04"E
31.999'

N4° 08' 05"W
18.274'

N75° 46' 05"W
20.867'

PERMANENT EASEMENT FOR DB 3392 PG 538
666.49 SQ FT
0.02 ACRES

SUMRALL JERRY
102A-12-006/00.00
DEED BOOK 380 PAGE 261

SIMS LINDA
103C-07-011/00.00
DEED BOOK 3392 PAGE 538

TEMPORARY EASEMENT FOR DB 3392 PG 538
744.59 SQ FT
0.02 ACRES

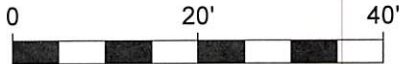
N3° 25' 01"W
2.191'

N0° 11' 37"W
4.362'

S86° 28' 54"W
20.25'

LS

JOHNSON SADIE M ET. AL.
102A-12-007/01.00
DEED BOOK 1868 PAGE 921



854 WILSON DRIVE
SUITE A
RIDGELAND, MS 39157
TEL (601) 899-5158
FAX (601) 899-5110

EXHIBIT "C"
PERMANENT AND TEMPORARY
DRAINAGE EASEMENTS
DB 3392 PG 538
MADISON COUNTY, MISSISSIPPI

DRAWN BY: P. BARNES

DATE: APRIL 13, 2020

SCALE: 1" = 20'

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:

Linda Sims
212 Banks Road
Canton, MS 39046
(601) 720 4843

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 10, 2020.



Linda Sims

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 October, 2020, the within named Linda Sims, 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 October, 2020.



NOTARY PUBLIC

My Commission Expires:



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 0° 39' 28" East for 2,505.10' to a point along the east right-of-way of Banks 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 said right-of-way South 04° 08' 05" East for a distance of 25.66' to a point; thence continue along said right-of-way South 03° 25' 01" East for a distance of 42.16' to a point; leaving said right-of-way run North 14° 13' 55" East for a distance of 64.53' to a point; thence run North 75° 46' 05" West for a distance of 20.87' to the point of beginning.

The above described parcel of land contains 0.015 acres, more or less, or 666 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 Linda Sims in that Deed filed for record in the office of the Chancery Clerk of Madison County, Mississippi at Canton, Mississippi, in Book 3392 Page 538 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:

Linda Sims
212 Banks Road
Canton, MS 39046
(601) 720 4845

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 10, 2020.



Linda Sims

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 October, 2020, the within named Linda Sims, 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 22nd day of October, 2020.



NOTARY PUBLIC

My Commission Expires:



Exhibit A

Temporary Construction Easement Area 1

Commencing at an iron pin marking the southwest corner of Section 7, Township 10 North, Range 3 East, Madison County, Mississippi, run North 0° 47' 02" East for 2,430.94' to a point on the east right-of-way of Banks 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 east right-of-way of Banks Road North 00° 11' 37" West for a distance of 4.36' to a point; thence run along said right-of-way North 03° 25' 01" West for a distance of 2.19' to a point; leaving said right-of-way run North 14° 13' 55" East for a distance of 64.53' to a point; thence run South 03° 47' 04" East for a distance of 68.00' to a point; thence run South 86° 28' 54" West for a distance of 20.25' to the point of beginning.

The above described parcel of land contains 0.017 acres, more or less, or 745 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 Linda Sims in that Deed filed for record in the office of the Chancery Clerk of Madison County, Mississippi at Canton, Mississippi, in Book 3392 Page 538 thereof.

And

Temporary Construction Easement Area 2

Commencing at an iron pin marking the Southwest Corner of Section 7, Township 10 North, Range 3 East, Madison County, Mississippi, run North 0° 39' 28" East for 2,505.10' to a point along the east right-of-way of Banks 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 said right-of-way North 04° 08' 05" West for a distance of 18.27' to a point; thence continue along said right-of-way North 03° 58' 22" West for a distance of 7.36' to a point; leaving said Right-of-way run North 86° 28' 54" East for a distance of 19.98' to a point; thence run South 03° 47' 04" East for a distance of 32.00' to a point; thence run North 75° 46' 05" West for a distance of 20.87' to the point of beginning.

The above described parcel of land contains 0.013 acres, more or less, or 574 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 Linda Sims in that Deed filed for record in the office of the Chancery Clerk of Madison County, Mississippi at Canton, Mississippi, in Book 3392 Page 538 thereof.