

220 Bilbrew Road Canton, MS 39046

Bridgecom@yahoo.com (601) 559-7130 (OFFICE) (601) 906-9419 (OFFICE)

December 18, 2020

Attn: Scott Weeks, Zoning Administrator Madison County Planning & Zoning Board 125 W. North Street Canton, MS 39046

RE: Request for re-zoning

Dear Mr. Weeks:

BridgeCom, LLC is requesting the re-zoning of the below referenced site from R-1 to A-1. We have discovered that part of the site that is being considered for development has two separate zoning areas that appear to have no points that can be readily identified. The proposed site is being laid out in 1 ½+ acres per lot with the front part of the site lying in an R1 zone and the remainder in A-1. This site layout has been preliminarily approved by the Health Department. Therefore, we are requesting that the property be re-zoned to comply with the A-1 zoning requirements.

I have attached the following information as required for this request and for your review.

1) Application for Rezoning

2) Copy of Warranty Deed with legal description of site along with map showing area in question

3) Copy of Health Department approval

- 4) Copy of engineer's proposed site layout reflecting existing public utilities.
- 5) Notice of Hearing to surrounding parties (3) that may be impacted by this change request, and certified mail items.

6) Copy of proposed site protective covenants

Based on this information, we respectively request your consideration to designate the entire site as A-1. Please do not hesitate to give me a call if you have questions or need additional information.

Appreciative,

Robert A. Bilbrew Sr, Project Manager 601-559-7131 rabilbrew@bellsouth.net

APPLICATIO	N FOR REZ	ONING			
Name and Address of Applicant: ROBERT BILBREW/BRIDGE COM 220 BILBREW ROAL CANTON, MS 29044			Street Address of Property (If different address): Same ROBINSON ROBE		
APPLICATION DATE	Present Zoning of Property	Legal Description of Property:	TAX PARCEL NUMBER	FLOOD ZONE	MAP/PLAT OF PROPERTY
13/16/2000	R-2	See (Exhibit A)	594F-14-025/11	X	See (Exhibit B)
Other Comments: As	per Article 806 of the	ne Madison County Zor	ning Ordinance.		
Suc PD	wew				
etition submitted t	o Modicon Co				•••••••
etition submitted to ommission on		unty Planning and	d Development		
commendation o	f Madison Cou	inti Planning one	d Development		
blic Hearing date	as establishe	d by the Madison	County Board of	r	
nal disposition of i	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 14 TOWNSHIP 9 NORTH, RANGE 4 EAST/WEST MADISON COUNTY, MISSISSIPPI

PETITIONER: ROBERT BILBREW/BRIGE COM. ALC

PETITION TO REZONE AND RECLASSIFY REAL PROPERTY

Comes now Robert Bilsen/Reideem, 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 14 Township N, Range 4, Madison County, Mississippi, more particularly described as follows, to-wit:

SEE EXHIBIT A

from its present Zoning District Classification of R-2 District to a R-2 District, in support thereof would respectfully show as follows, to-wit:

- 1. The subject property consists of 2.5 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 2 zoning and reclassifying this property from its present 1 District classification to 2 District.

Respectfully submitted, this the 16 day of December 2020

Petitioner

BOOK 3778 PAGE 266 DOC 01 TY WINST # 878166 MADISON COUNTY MS.
This instrument was filed for record 10/21/19 at 4:14:09 PM ROWNY LOTT, C.C. BY: CWH D.C.

PREPARED BY:

Don A. McGraw, Jr. - MSBN 2621 Montgomery McGraw, PLLC P. O. Box 1039 Canton, MS 39046 691-859-3616 RETURN TO:
Don A. McGraw, Jr.
Montgomery McGraw, PLLC
P. O. Box 1039
Canton, MS 39046
601-859-3616

INDEXING: NE1/4 and NW1/4 of Section 14, Township 9 North, Range 4 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:

GRANTOR:
PHOENIX DEVELOPMENT COMPANY, LLC,
a Mississippi Limited Liability Company
1304 Highway 51 North, Ste. B
Madison, MS 39110
Phone: 601-946-0639

does hereby sell, convey and warrant unto

GRANTEE: BRIDGECOM, LLC, a Mississippi Limited Liability Company 162 Bilbrew Road Canton, MS 39046 Phone: 601-859-5095

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

A tract or parcel lying North of public road known as Robinson Road in the West One-Half (W1/2) of the Northeast Quarter (NE1/4) and the East One-Half (E1/2) of the Northwest Quarter (NW1/4) of Section 14, Township 9 North, Range 4 East, Madison County, Mississippi, and being more particularly described as follows:

From the northwest corner of the said East One-Half (E1/2) of the Northwest Quarter (NW1/4) of Section 14, Township 9 North, Range 4 East, run thence East 12.55 chains to the true Point of Beginning of the tract herein described; from said Point of Beginning, run thence East 10.51 chains; run thence South 17.16 chains to the center of said public road; run thence along the center of said public road South 74 degrees 52 minutes West 4.75 chains and then South 78 degrees 08 minutes West 6.03 chains; run thence North 19.64 chains to the Point of Beginning, containing 19.50 acres, more or less.

LESS AND EXCEPT that portion of the above-described tract lying within the boundaries of the said public road.

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

- 1. County of Madison, Mississippi, ad valorem taxes for the year 2019, which shall be pro-rated to the date hereof.
- 2. County of Madison, Mississippi, Zoning and Subdivision Regulations and Ordinances, as amended.
- 3. Rights-of-way and easements for roads, power lines. drainage, and other utilities, and restrictive covenants of record.
- 4. Reservations, conveyances and/or leases of record in regard to the oil, gas and other minerals lying in, on and under the subject property.

WITNESS OUR SIGNATURE on this the 18 day of October, 2019.

PHOENEX DEVELOPMENT COMPANY, LLC
A Mississippi limited liability company

11111

Thomas G. Hixon, Sole Member

STATE OF MISSISSIPPI COUNTY OF MADISON

BOOK 3778 PARE 268

PERSONALLY APPEARED BEFORE ME, the undersigned authority in and for the said county and state, on this 16th day of October, 2019, within my jurisdiction, the within named Thomas G. Hixon who acknowledged that he is the Sole Member of Phoenix Development Company, LLC, a Mississippi limited liability company, and that for and on behalf of the said company, and as its act and deed, he executed the above and foregoing instrument after first having been duly authorized by said company so to do.

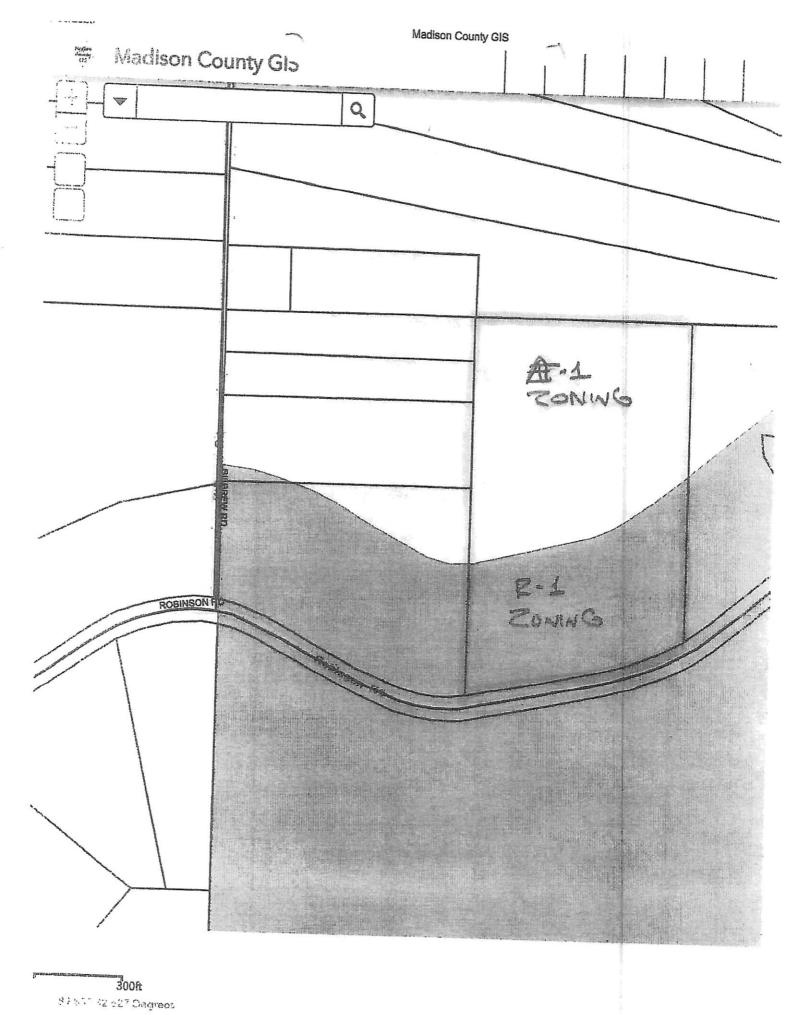
NOTARY PUBLIC

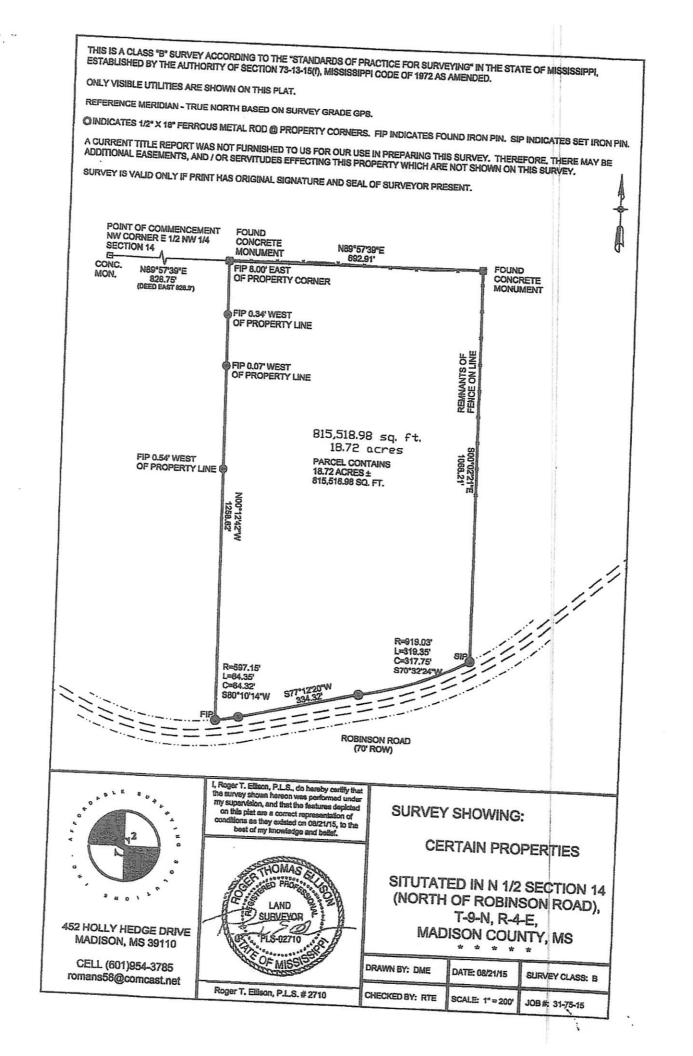
MY COMMISSION EXPIRES

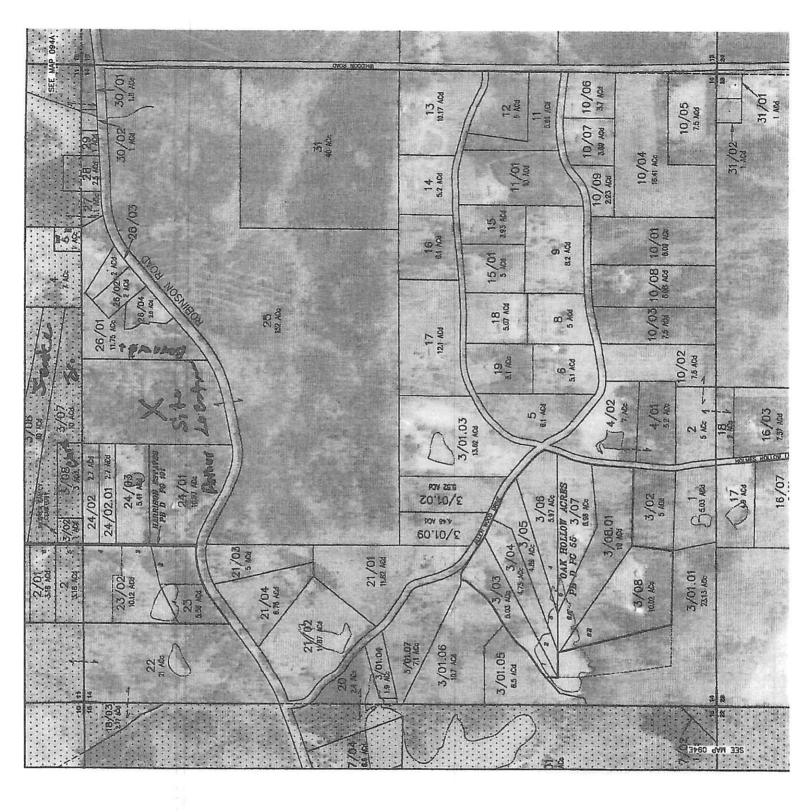
(SEAL)

LANGACOUDAMPYACTIVE CASESNWD 2019]Whomix Development Company, LLC to BridgeCom, LLC Medicon Co. WD 10-15-19.wpd

DON A. MOGRAW









October 2, 2020

Robert Bilbrew BridgeCom, LLC. 220 Bilbrew Rd Canton, MS 39046

RE: S/D Review Complete - Autumn Hill S/D (Lots 1 - 11), Robinson Rd, Madison County

Dear Mr. Bilbrew:

The Mississippi Department of Health, Division of On-site Wastewater has completed the review of your proposed subdivision. This review satisfies the requirement of Mississippi Code of 1972, Annotated, Section 41 – 67-4 (2) and authorizes the Mississippi State Department of Health to accept Notices of Intent. This does not imply or guarantee that each lot will support an individual on-site wastewater disposal system, but that the area is generally suitable for the use of individual on-site wastewater disposal systems as platted for single family residences with one residence per lot.

No owner, lessee or developer shall construct or place any mobile, modular or permanently constructed residence, building or facility, which may require the installation of an individual on-site wastewater disposal system, without having first submitting a Notice of Intent to the Mississippi State Department of Health. The developer, owner, or their agent must provide a plot plan, legal description, and fee to the Mississippi State Department of Health for a soil and site evaluation. A soil and site evaluation shall be conducted with the results returned to the applicant as each Notice of Intent is filed

As developer, you must ensure that all local, county or state requirements are met with regard to this development. This includes but is not limited to Mississippi State Department of Health, Bureau of Water Supply and Mississippi State Department of Environmental Quality regulations.

Please be aware that should this development be reconfigured in any way, the Department may require additional review prior to acceptance of Notices of Intent for this development.

If you have any questions, please contact the Division of On-site Wastewater at (601) 576 - 7150.

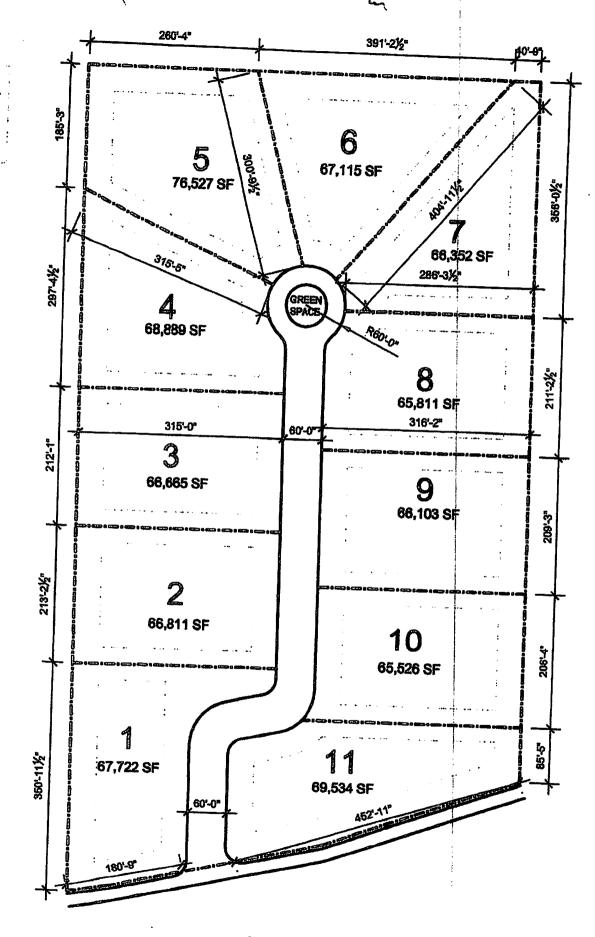
Respectfully,

Noah Killebrew, B.I.

cc:

Les Herrington
Cole Montgomery
Byron Tiller
Anne Hogue
Ken Evans

Amy McLeod Lakeisha Paige



SET BACK FRONT 4 SIDE 2

REAR

25'

40'

11 LOTS

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 14, TOWNSHIP 9 NORTH,

RANGE 4 EAST / WEST, MADISON COUNTY,

MISSISSIPPI

PETITIONER

NOTICE OF HEARING

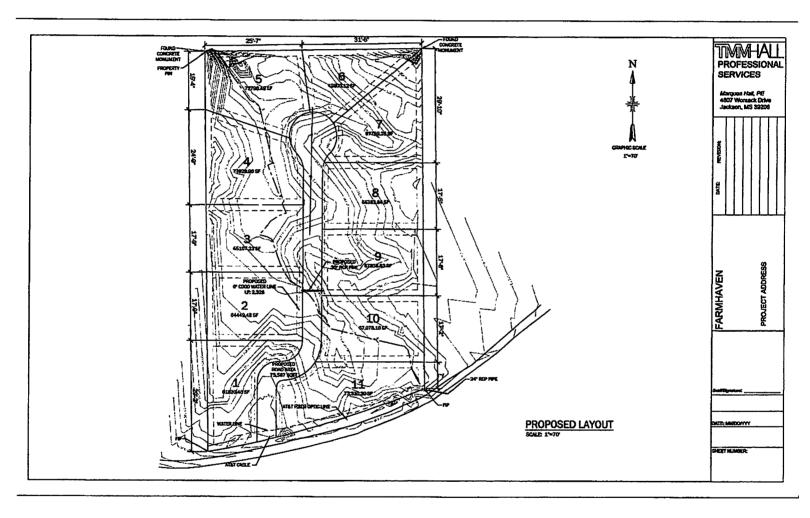
TO: Surrounding Property Owners

PLEASE TAKE NOTICE that Kobert BileRed / Bride Com has filed a Petition to rezone and reclassify a 19.5 acre tract of land situated in Section 14. Township 9. North, Range 4 East / West, 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 $R-2$. The Petitioner has thus filed a Petition to rezone and reclassify the subject property from its present classification to a classification of $R-2$.
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 Thursday January 14th, 2021,
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 Mad Zoning Ordinance, adopted December 2019. This the day of	ison County
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By: Pobut Belbran	
Contact Information 601 559 7130	
220 Bilbrew Road	
CANTON, MS 39046	

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State of Mississippi County of Madison

DECLARATION OF PROTECTIVE COVENANTS AND RESTRICTIONS FOR AUTUMN HILL SUBDIVISION

This Declaration is made on this the _____ day of ______, by BridgeCom LLC a Mississippi limited liability corporation [hereby referred to as Developer].

Whereas, the Developer is the owner of a parcel of real property lying and being situated in Madison County, Mississippi, and more particularly described as follows, to-wit:

A certain tract or parcel lying North of public road known as Robinson Road in the West one-half (W1/2) of the Northeast Quarter [NE1/4] and the East One Half [E1/2] of the Northwest Quarter (NW1/4) of Section14, Township 9 North, Range 4 East, Madison County, Mississippi, and being more particularly described as follows:

From the Northwest corner of the said East one-half (E1/2) of the Northwest Quarter (NW1/4) of Section 14, Township 9 North, Range 4 East, run thence East 12.55 chains to the true point of Beginning of the tract herein described, from said Point of Beginning, run thence East 10.51 chains; run thence South 17.16 chains to the center of said public road; run thence along the center of said public road South 74 degrees 52 minutes West 4.75 chains and then South 78 degrees 08 minutes West 6.03 chains; run thence North 19.64 chains to the Point of Beginning, containing 19.50 acres, more or less. LESS AND EXCEPT that portion of the above-described tract lying within the boundaries of the said public road.

WHEREAS, Developer desires to provide for protective covenants for the preservation of the values and amenities in said community and desires to subject the community to these covenants, restrictions, easements, charges and liens, set forth herein, each and all of which is, and are, for the benefit of the community and each owner thereof.

NOW THEREFORE, the Developer declares that the community is and shall be held, transferred, sold, conveyed and occupied subject to these covenants and restrictions hereinafter set forth, which shall also be deemed to run with the land for a period of twenty-five (25) years.

RESTRICTIONS

SECTION 1: LAND USE

All of the lots in Autumn Hill Subdivision shall be used for residential purposes only. No owner shall occupy or use his lot or any building therein, or permit the same or any part thereof to be occupied or used, for any purpose other than as a single-family private residence for the owner, family, or guest. Provided however, that an Owner shall have the right to maintain a home office in his private residence.

No structure shall be erected or replaced or permitted to remain on any of the above described lots in said subdivision other than single-family dwelling not to exceed two stories in height above the first-floor building foundation, together with the usual and customary outdoor buildings such as a shed or garage. All buildings erected on any of the above described lots shall be of new construction and no lot shall be subdivided.

SECTION 11 RESIDENTIAL PURPOSES

The term "Residential purpose" as used herein shall be held and construed to exclude among other types such as, duplex houses, apartment houses, garage apartments and to exclude commercial use, except an office in the home.

- 1) These covenants further prohibit such usage for any lot for the following purposes:
 - a) No trailer, mobile or manufactured home shall be placed on said lot
 - b) No trash, rubbish or other refuse may be thrown or dumped on any lot
 - c) No signs, billboards, posters or advertising devices of any character shall be erected on any lot except "For Sale" signs identifying to owner of the property
 - d) No noxious or offensive trade or activity shall be carried on upon any lot, nor shall anything be done thereon which may be or become an annoyance or nuisance to the neighborhood.
 - e) Upon completion of construction all lots shall be kept clean and yards mowed. In the event that any lot owner, after receiving written notification of the failure to comply, the property owner shall have ten (10) days to correct the problem. If after said period the lot owner has failed to comply, the developer or his assigns may correct the problem and hold the property owner responsible for the full payment plus any legal or court fees incurred.
 - f) No non-domestic animals may be kept on said property. No kennels or pens may be constructed or used for the care and housing of a large

number of dogs or other animals, and regardless of the number, the keeping of said animals shall be such as to not constitute any annoyance or nuisance to the neighborhood.

- g) No equipment, cars, trucks or other motorized vehicles (including trailers) which require payment of taxes and purchase of license plate shall be kept on any lot unless the owner thereof has paid taxes on such vehicles. Disabled vehicles not requiring payment or taxes or purchase of a license plate shall not be kept on any lot and shall be removed there from.
- h) All garbage and trash shall be kept in covered containers and no garbage or trash may be thrown in public or private areas.

SECTION 111: STRUCTURAL STANDARDS

All residences must comply with all zoning, easements, set-back requirements, and be constructed by incorporating energy efficient and sustainable products, materials and methods.

- All residences shall contain a minimum of 1600 square feet of heated living area with two car garages. No mobile homes or manufactured housing are permissible and are expressly prohibited from location on any lot.
- 2) All subdivision requirements must be approved by developer, including all propane tanks must be underground.
- 3) All plot and house plans shall be submitted for approval to Developer prior to the commencement of any construction work. Approval shall not be

- arbitrarily withheld unless in the opinion of Developer, the plan is manifestly detrimental to the surrounding lot owners.
- 4) The Developer, their successors and assigns, shall be entitled to halt construction, cause any construction to be altered or changed to comply with these covenants, and otherwise enforce these covenants and restrictions as to location, material, design and construction, if said construction does not comply herewith.
- 5) Upon approval, all plot and house plans shall be subject to the approval of the Madison County Building department, and any other inspections as applicable.
- 6) In the event that any lot owner, after receiving written notification of the failure in the event that any lot owner, after receiving written notification of the failure to comply, the property owner shall have thirty (30) days to correct the problem, if after said period the lot owner has failed to comply, the developer or their assigns may correct the problem and hold the property owner responsible for the full payment including any legal or court fees.
- 7) Developer hereby reserves the following utility easements over and across the lots in the subdivision:
 - a. A ten (10) feet easements around the perimeter of each lot, or as required by Madison County.
 - Said utility easements are reserved for the purpose of constructing,
 maintaining, and repairing a system or systems of electrical power,

telephone, gas, water, or other utility that the Developer, his successor and assigns see fit in its discretion, to install across said lot.

- c. Neither the Developer, its successor and assigns, nor Madison County, Mississippi nor any utility company using the utility easements herein referred to shall be liable for any damages done by them, their assigns, and agents and employees or servants to shrubbery, trees, flowers or other property of the owners situated on the land conveyed by said easements.
- d. The title conveyed by the Developer to purchaser of lot in said subdivision shall not in any event be held or construed to include the title to the water, gas, sewer, communication transmission line, pole or conduits or any other utility or appurtenances thereon constructed by the developer, his successors, or assigns, or by any utility company upon said property.
- e. The right and easement to maintain, sell, repair or lease such lines, utilities and appurtenances erected by the Developer, his successor or assigns to any public service corporation or any other parties are hereby expressly reserved to the Developer.

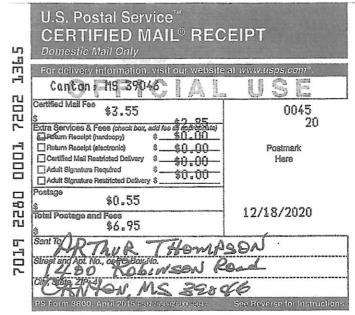
SECTION 1V COVENANTS, RESTRICTIONS, RESERVATIONS:

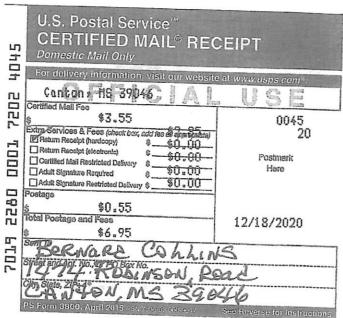
1) All the restrictions, covenants and reservations appearing herein as well as those appearing in any deed or other conveyance from any lot shall be construed together but if any one of the same shall be held to be invalid

- or for any reason not in force or enforceable, none of the others shall be affected or impaired thereby, but shall remain in full force or effect.
- 2) If any owner of said lot or their successors in title or any of them or their heirs, devisees, or assigns shall violate or attempt to violate any of the covenant herein, it shall be lawful for the Developer, their assigns or successors, or any owner of a lot in said subdivision, to prosecute at any proceeding at law or in equity against the person or person violating or attempting to violate any such violations. Any person found by such courts to have violated these v=covenants shall pay a reasonable attorney's fee to the part or parties bringing the action seeking to enjoin said violation, and the Court may establish the amount of said attorney's fee.
- 3) These covenants are to run with the land and shall be binding to the owners of lots, and on all parties or persons claiming under Developer or said owner, for a period of twenty-five (25) years, except as otherwise provided herein, from the date these covenants are recorded, after which time said covenants shall continue to run with the land for the consecutive or subsequent terms of five (5) years each, unless an instrument signed by a two-thirds (2/3) majority of the owners of the above described lots has been recorded in the public land records agreeing to a revocation or amendment of said covenants in whole or in part.
- 4) A homeowner's association may be formed by a two-thirds (2/3) majority of the owners.

WITNESS MY SIGNATURE, this the	day of	, 2020
BRIDGECOM, LLC Developer		
By:	NT	
STATE OF MISSISSIPPI		
COUNTY OF MADISON		
PERSONALLY, APPEARED before me	the undersigned auth	ority in and for said
County and State of Mississippi, wh	o acknowledged that	he/she signed and
delivered the above and foregoing is	nstrument on the da	ay and year herein
mentioned.		
WITNESS MY SIGNATURE AND MY, 2020	OFFICIAL SEAL, this	the day of
NOTAR [SEAL] My Commission Expires:	RY PUBLIC	
wy Commission Expires:		







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