

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

May 5, 2021

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: Simpson Road State Aid Bridge Replacement Project
Parcel: Plat 1

The Engineering Department recommends that the Board accept the invoice for \$4,250.00 for the acquisition closing statement of the right of way for Simpson Road Bridge State Aid Replacement Project for McCrory Real Estate 1, LLC. and to authorize the Comptroller to issue the check.

Check payment to:

Payee: McCrory Real Estate 1, LLC.
P. O. Box 99
Ridgeland, MS 39158

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	2020-2045 - Simpson Road	Parcel	Plat 1
County	Madison		
Owner	McCrary Real Estate I, LLC	Address	P.O. Box 99 Ridgeland, MS 39158

Payment Due:

FMVO:	\$2,820.00
Administrative Adjustment:	\$1,430.00
Total	\$4,250.00

Please make payable to the above owner.

Included herein:

- Initialized FMVO
- Properly Executed Warranty Deed
- Right of Way Plat Map
- Properly Executed Landowner Counter Offer
- 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: 05/05/2021

Authorized Acquisition Agent: 

Greg M. Thompson

Administrative Adjustment Request

County: Madison County
Project: 2020-2045 (Simpson Road State Aid Bridge Project)
Parcel: Plat 001
Owner: McCrorry Real Estate I, LLC

Background:

The Madison County Board of Supervisors intends to purchase a 0.939 acre permanent easement from McCrorry Real Estate I, LLC for replacement of a bridge along Simpson Road. On March 15, 2021, the Board established just compensation for the property rights acquired or conveyed in the amount of \$2,820. Said amount was calculated based on a Waiver valuation recommendation from Integrated Right of Way, LLC (iROW). Thereafter, a fair market value offer was made in the amount of \$2,820. On April 14, 2021, the landowner made a counter-offer in the amount of \$4,250.

Initial Fair Market Value Offer

\$2,820.00	Land (Easement)	\$3,000 / acre x 0.939 acres
<u>\$0.00</u>	Damages	
\$2,820.00	TOTAL	

Administrative Adjustment Request

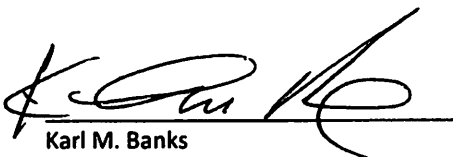
The landowner has made a counter-offer in the amount of \$4,250. As justification for his counter-offer, the landowner represents that he is in the business of buying and selling land and that he has some pressure from developers to sell land similar to the subject tract at \$4,500 / acre. The landowner did not provide any comparable sales to support said counter-offer or unit price. The landowner counter-offer is attached. iROW's comparable sales supported a value per unit in the range of \$2,515 to \$2,994 per acre. iROW adopted \$3,000 per acre for valuation of the property rights intended to be purchased.

Summary

\$2,820.00	Initial Fair Market Value Offer
<u>\$1,430.00</u>	Landowner Counteroffer
\$4,250.00	TOTAL (requested by landowner)

Consideration and Action:

It is our opinion the administrative adjustment request is / is not (circle one) reasonable, prudent and in the best interest of the Madison County Board of Supervisors. I have been authorized to approve an increased offer in the amount of \$ _____ (\$0.00 if not approved; insert amount up to \$1,430 if administrative adjustment is approved) to acquire the landowner's (McCrorry Real Estate I, LLC) interest in the subject property.

DM 
Karl M. Banks
President
Madison County Board of Supervisors

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

Warranty Deed

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:

McCrary Real Estate I, LLC
P.O. Box 99
Ridgeland, MS 39158
(601) 856-6580

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

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 36, Township 12 North, Range 3 East,
Madison County, Mississippi

- 1) The Zoning Ordinances, Subdivision Regulations, Building Codes and land use regulations of Madison County, Mississippi;
- 2) Any right or interest in oil, gas, and other minerals in, on, or under the above-described property reserved or conveyed by prior owners; and
- 3) All protective covenants, building restrictions, rights-of-way, easements, and servitudes recorded in the land records of Madison County, Mississippi.

The Grantor acknowledges 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 acknowledges that Grantor is aware of its 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 Grantor does 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 Grantor further acknowledges that the Grantee has complied with any and all laws and procedures set forth above. Grantor further acknowledges that it has received just compensation for the real property herein described.

Witness (my) (our) signature this the 5 day of May A.D., 2021

McCROCK REAL ESTATE
Signature/Date:

By Dallas McCray 5-5-21

Print Name: DALLAS McCROCK

STATE OF MISSISSIPPI

COUNTY OF Madison

Personally appeared before me, the undersigned authority in and for the said county and state, on this 5th day of April, 2021, within my jurisdiction, the within-named Dallas McCray, who

Instrument Signer Name

acknowledged to me that (he) (she) is general partner of

McCray Real Estate, a Mississippi (limited)

Name of Partnership

State of Incorporation

(general) partnership, and that for and on behalf of said partnership, and as its act and deed, (he) (she) executed the above and foregoing instrument after first having been duly authorized by said partnership so to do.



My commission expires

June 6, 2023

(Notary Public)

Exhibit A

A parcel of land situated in Section 36, Township 12 North, Range 3 East, County of Madison, State of Mississippi containing 0.939 acres± and more particularly described as follows:

Commencing at a 1/2" iron rod found at fence corner marking the Northeast Corner of Section 25, Township 12 North, Range 3 East; run thence S00°00'00"E, a distance of 5646.08 feet to a point; run thence, S90°00'00"W, a distance of 398.99 feet to an iron pin set on the South Right-of-Way of Highway 17, said point being the Point of Beginning:

Thence, run along said Right of Way N43°41'16"W, a distance of 80.00 feet to an iron pin set on said Right of Way; thence leaving said Right-of-Way, run S46°16'40"W, a distance of 227.24 feet to an iron pin set; run thence, N43°43'20"W, a distance of 5.00 feet to an iron pin set; run thence, S46°16'40"W, a distance of 50.29 feet to an iron pin set; run thence along a 68.04 foot curve to the left with a 67.94 foot chord that bears S40°58'43"W, and a 367.79 foot radius to an iron pin set; run thence, S35°40'45"W, a distance of 98.37 feet to an iron pin set; run thence S54°19'15"E, a distance of 110.00 feet to an iron pin set; run thence, N35°40'45"E, a distance of 98.37 feet to an iron pin set; run along a 47.69 foot curve to the right with a 47.62 foot chord that bears N40°58'43"E, and a 257.79 foot radius to an iron pin set; run thence, N46°16'40"E, a distance of 50.29 feet to an iron pin set; run thence, N43°43'20"W, a distance of 25.00 feet to an iron pin set; run thence, N46°16'40"E, a distance of 227.19 feet to the Point of Beginning.

McCrorry Real Estate I, LLC

Dallas McCrorry Authorized Representative
P.O. Box 99
Ridgeland, MS 39158

To Whom It May Concern:

DALLAS MCCRORY, as authorized representative of McCrorry Real Estate I, LLC, is hereby given authority to sign on behalf of McCrorry Real Estate I, LLC or right of way for the County of Madison, Mississippi for the purpose of transferring ownership and title of land owned by McCrorry Real Estate I, LLC.

Signed:

Dallas McCrorry

Dallas McCrorry as Owner of McCrorry Real Estate I, LLC
PRINT NAME TITLE

Signed:

N/A

_____ as _____ of McCrorry Real Estate I, LLC
PRINT NAME TITLE

SWORN TO AND SUBSCRIBED BEFORE ME, this the 5 day of May, 2020.



[Signature] (NOTARY PUBLIC)

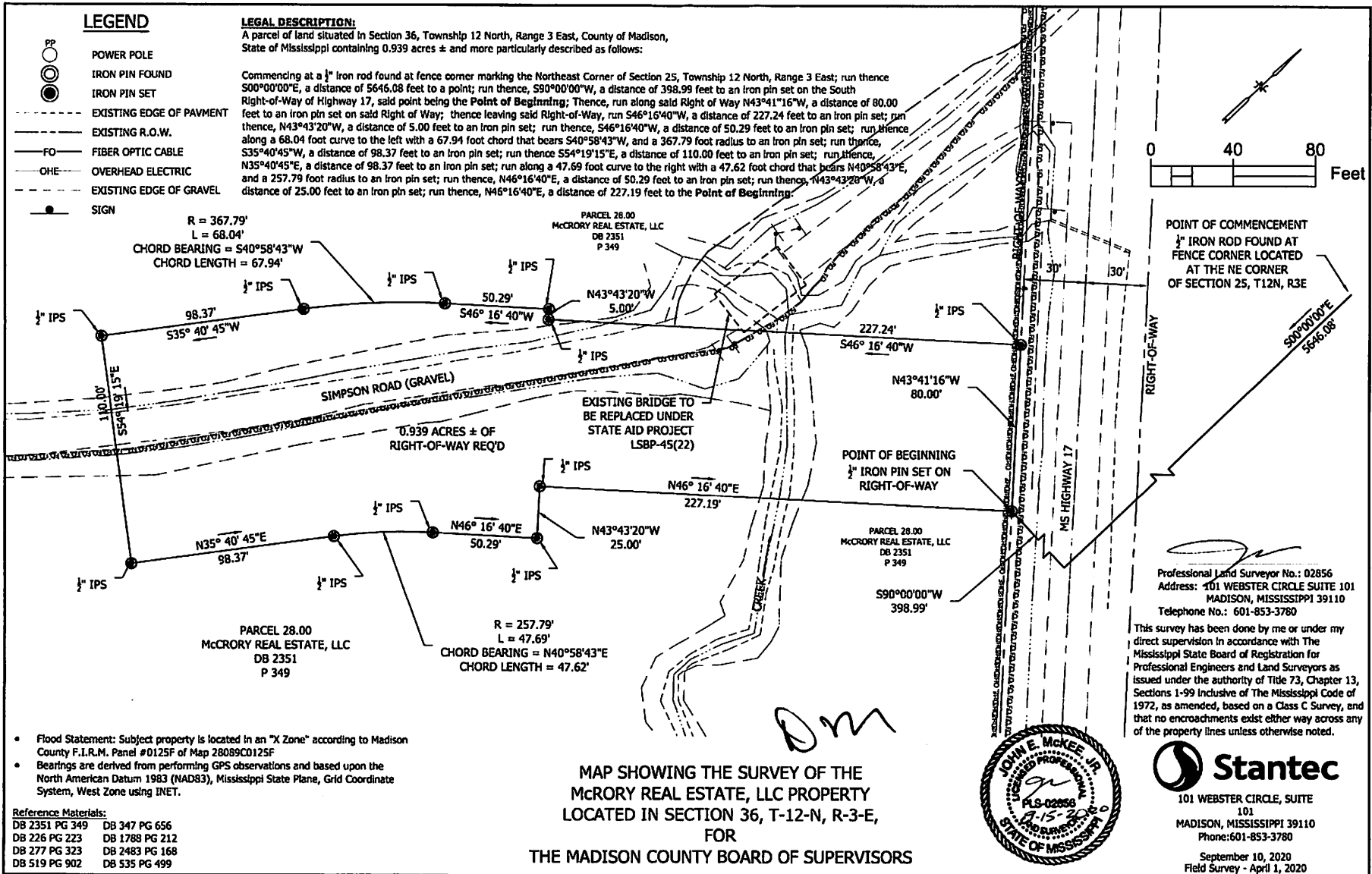
LEGEND

- POWER POLE
- ⊙ IRON PIN FOUND
- IRON PIN SET
- - - EXISTING EDGE OF PAVMENT
- - - EXISTING R.O.W.
- - - FO FIBER OPTIC CABLE
- - - OHE OVERHEAD ELECTRIC
- - - EXISTING EDGE OF GRAVEL
- SIGN

LEGAL DESCRIPTION:

A parcel of land situated in Section 36, Township 12 North, Range 3 East, County of Madison, State of Mississippi containing 0.939 acres ± and more particularly described as follows:

Commencing at a 1/2" iron rod found at fence corner marking the Northeast Corner of Section 25, Township 12 North, Range 3 East; run thence S00°00'00"E, a distance of 5646.08 feet to a point; run thence, S90°00'00"W, a distance of 398.99 feet to an iron pin set on the South Right-of-Way of Highway 17, said point being the Point of Beginning; Thence, run along said Right of Way N43°41'16"W, a distance of 80.00 feet to an iron pin set on said Right of Way; thence leaving said Right-of-Way, run S46°16'40"W, a distance of 227.24 feet to an iron pin set; run thence, N43°43'20"W, a distance of 5.00 feet to an iron pin set; run thence, S46°16'40"W, a distance of 50.29 feet to an iron pin set; run thence, along a 68.04 foot curve to the left with a 67.94 foot chord that bears S40°58'43"W, and a 367.79 foot radius to an iron pin set; run thence, S35°40'45"W, a distance of 98.37 feet to an iron pin set; run thence S54°19'15"E, a distance of 110.00 feet to an iron pin set; run thence, N35°40'45"E, a distance of 98.37 feet to an iron pin set; run along a 47.69 foot curve to the right with a 47.62 foot chord that bears N40°58'43"E, and a 257.79 foot radius to an iron pin set; run thence, N46°16'40"E, a distance of 50.29 feet to an iron pin set; run thence, N43°43'20"W, a distance of 25.00 feet to an iron pin set; run thence, N46°16'40"E, a distance of 227.19 feet to the Point of Beginning.



POINT OF COMMENCEMENT
1/2" IRON ROD FOUND AT
FENCE CORNER LOCATED
AT THE NE CORNER
OF SECTION 25, T12N, R3E

Professional Land Surveyor No.: 02856
Address: 101 WEBSTER CIRCLE SUITE 101
MADISON, MISSISSIPPI 39110
Telephone No.: 601-853-3780

This survey has been done by me or under my direct supervision in accordance with The Mississippi State Board of Registration for Professional Engineers and Land Surveyors as issued under the authority of Title 73, Chapter 13, Sections 1-99 inclusive of The Mississippi Code of 1972, as amended, based on a Class C Survey, and that no encroachments exist either way across any of the property lines unless otherwise noted.

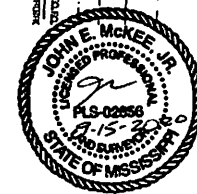
Stantec
101 WEBSTER CIRCLE, SUITE 101
MADISON, MISSISSIPPI 39110
Phone: 601-853-3780

September 10, 2020
Field Survey - April 1, 2020

- Flood Statement: Subject property is located in an "X Zone" according to Madison County F.I.R.M. Panel #0125F of Map 28089C0125F
- Bearings are derived from performing GPS observations and based upon the North American Datum 1983 (NAD83), Mississippi State Plane, Grid Coordinate System, West Zone using INET.

Reference Materials:
DB 2351 PG 349 DB 347 PG 656
DB 226 PG 223 DB 1788 PG 212
DB 277 PG 323 DB 2483 PG 168
DB 519 PG 902 DB 535 PG 499

MAP SHOWING THE SURVEY OF THE
MCRORY REAL ESTATE, LLC PROPERTY
LOCATED IN SECTION 36, T-12-N, R-3-E,
FOR
THE MADISON COUNTY BOARD OF SUPERVISORS



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



**Fair Market Value
Offer**

Date: March 16, 2021

Name: McCrory Real Estate I, LLC Project: 2020-2045 - Simipson Road

Address: P.O. Box 99 County: Madison

Ridgeland, MS 39158 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 \$2,820.00.

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: \$3,000/acre x 0.939 Acres (rounded)	\$	<u>2,820.00</u>
Improvements:	\$	<u>0.00</u>
Damages:	\$	<u>0.00</u>

Total Fair Market Value Offer \$ 2,820.00



Right of Way Acquisition Agent



**Providing Professional Right of Way
Acquisition & Consultation Services**