

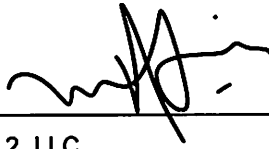
APPLICATION FOR CONDITIONAL USE

Name and Address of Applicant: MS H&L 2, LLC 91 Grandview Circle Brandon, MS 39047	Street Address of Property (if different address): 2100 N Old Canton Rd Canton, MS 39046
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APPLICATION DATE	Present Zoning of Property	Legal Description of Property:	TAX PARCEL NUMBER	FLOOD ZONE	MAP/PLAT OF PROPERTY
4-1-2021	Residential Estate	See (Exhibit A)	082A-01-016 & 017	AE & X	See (Exhibit B)

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

Comments
 Proposed surface mining and subsequent lake.

Respectfully Submitted 

Huey Ngo, MS H&L 2, LLC



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 _____



Madison County, MS
I certify this instrument was filed
on 10/09/2018 11:16:50 AM
and eRecorded in the
W
Book 3655 Page 353 - 356
INSTR#: 851795
Ronny Lott, Chancery Clerk
By: KAA

SPACE ABOVE THIS LINE FOR RECORDING USE ONLY

STATE OF MISSISSIPPI

COUNTY OF MADISON

Prepared by and Return to:

Brad D. Wilkinson Esq. (MS Bar # 10285)	Recording Fee	\$13.00
Wilkinson Law Firm, P.C.	Archive Fee	\$1.00
511 Keywood Circle, Flowood, MS 39232	-----	
Ph (601) 355-0005	Total	\$14.00
File #2018-2800		

GRANTORS:

TURKEY LAKE, LLC, a Mississippi limited liability company
PO BOX 5989
BRANDON, MS 39047
PHONE: 769-572-4320

GRANTEES:

MS H&L 2, LLC, a Mississippi limited liability company
91 GRANDVIEW CIRCLE
BRANDON, MS 39047
PHONE 601-927-9396

INDEX: SECTIONS 1, 5 & 6, T8N, R3E, MADISON COUNTY, MISSISSIPPI

WARRANTY DEED

FOR AND IN CONSIDERATION of the sum of Ten Dollars (\$10.00), cash in hand paid, and other good, legal and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, we, the undersigned, **TURKEY LAKE, LLC, a Mississippi limited liability company, GRANTOR**, does hereby Grant, Bargain, Sell, Convey, and Warrant unto **MS H&L 2, LLC, a Mississippi limited liability company, GRANTEE**, that certain land and property situated and being in Madison County, Mississippi, to-wit:

See Exhibit A- Legal Description

This conveyance, however, is subject to Prior Reservations of oil, gas and other minerals; any and all Easements, Right-of-Way and Dedication of record affecting same and any and all Protective or Restrictive Covenants and Building restrictions of record affecting same.

Ad valorem taxes are being prorated between the parties as of this date.

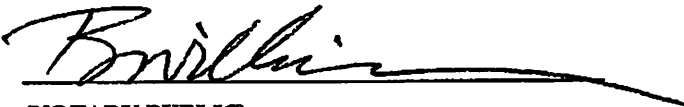
WITNESS THE SIGNATURE of the Grantor this the 9 day of Oct, 2018.

TURKEY LAKE, LLC, a Mississippi limited liability company


THAD MILLER, LAND MANAGER

STATE OF MS
COUNTY OF Lauderdale

Personally appeared, before me, the undersigned authority in and for the said county and state, on this 9 day of Oct, 2018, within my jurisdiction, the within named THAD MILLER, who acknowledged that (he)(she) is Land Manager of TURKEY LAKE, LLC, a Mississippi limited liability company, and that for and on behalf of the said company, and as its act and deed (he)(she) executed the above and foregoing instrument, after first having been duly authorized by said company so to do.


(NOTARY PUBLIC)

My Commission expires:

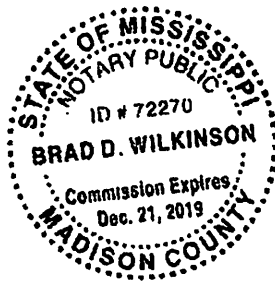


EXHIBIT A- LEGAL DESCRIPTION

Parcel No. 083C-05-002/00.00

Three acres, more or less, in the W1/2 NW1/4 SW1/4 Section 5, Township 8 North, Range 3 East, Madison County, Mississippi.

Parcel No. 083C-05 012/00.00

The S1/2 of the following described property: A tract of land containing 11.5 acres, more or less, off the North end of SW1/4 NW1/4 of Section 5, Township 8 North, Range 3 East, and being that same property as conveyed to Arthur West by Walter West, Maggie West Trotter and Rosie West Dowell, on November 7, 1957, by deed appearing of record in Deed Book 75 at Page 365 of the records in the office of the Chancery Clerk of Madison County, Mississippi.

Parcel No. 083C-05-011/00.00

23 acres in the Southwest 1/4 of the Northwest 1/4 of Section 5, Township 8 North, Range 3 East immediately South of and adjoining 112 acres off the North end of the Southwest 1/4 of the Northwest 1/4 of Section 5, Township 8, Range 3 East belonging to Arthur West as conveyed in that certain Deed recorded at Book 75 at Page 365 in the records of said county, all of said 23 acres lying immediately South of and adjoining the Arthur West property and said 23 acres running evenly East and West across the said Southwest 1/4 of the Northwest 1/4 of Section 5, Township 8 North, Range 3 East, Madison County, Mississippi.

Parcel No. 083C-05-004/00.00

52 acres extending evenly East and West off of the south end of SW1/4 of NW1/4, Section 5, Township 8 North, Range 3 East, and 6 acres in W1/2 of NW1/4 of SW1/4, Section 5, Township 8 North, Range 3 East, Madison County, Mississippi.

ALSO

2 6/7 acres in W1/2 NW1/4 SW1/4 Section 5, described as Lot 1 in the plot of the division of Lands of Richard Jackson, deceased; and E1/2 NW1/4 SW1/4 Section 5 and 2 6/7 acres in the W1/2 NW1/4 SW1/4 Section 5, described as Lot 5 in said plot, which plot was filed with the deed to Dick Jackson, all in Township 8 North, Range 3 East.

Parcel No. 083C-06-005/00.00

SE1/4 of NW1/4 Section 6, Township 8 North, Range 3 East, Madison County, Mississippi, containing in all forty (40) acres, more or less.

Parcel No. 083C-06-007/00.00

SE1/4 of NE1/4 Section 6, Township 8 North, Range 3 East, Madison County, Mississippi.

Parcel No. 083C-06-006/00.00

SW1/4 NE1/4 Section 6, Township 8 North, Range 3 East, Madison County, Mississippi containing in all forty (40) acres, more or less.

Parcel No. 083C-06-008/00.00

NW1/4 NE1/4 of Section 6, Township 8 North, Range 3 East, Madison County, Mississippi containing in all forty (40) acres, more or less.

Parcel Nos.083C06-004/00.00: 082A-01-017/00.00 and 082A-01-016/00.00

SW1/4 of NE1/4 and SE1/4 of NE1/4, Section 1, Township 8 North, Range 2 East;
ALSO
SW1/4 NW1/4 and N1/2 of NW1/4, Section 6, Township 8 North, Range 3 East.

LESS AND EXCEPT: 3 Acre- Parcel No. 083C-05-002/00.00;PPIN: 24176 being Pt. West 1/2 of the NW 1/4 of the SW 1/4,Section 5, Township 8 North-Range 3 East, Madison County,MS, further described as follows:

Commencing at the Southwest corner of the Northwest 1/4 of the Southwest 1/4, Section 5, Township 8 North-Range 3 East, Madison County, Mississippi; from said point run North, along the west line of said Section 5, 198', more or less to the Point of Beginning (also the northwest corner of that certain John Fields Estate tract, PPIN: 24175, Parcel 083C-05-001/00.00); from said Point of Beginning continue North, along said Section, 198.0' to a point being the southwest corner of that certain Walker Investments, LP parcel, PPIN:24177; Parcel 083C-05-003/00.00; thence leave said Section line and run East, 660.0' to a point in the west line of that certain E.H. Fortenberry parcel,; PPIN: 24178, Parcel 083C-05-004/00.00; thence run South along the Fortenberry line, 198.0' to a Point at the corner common to Fortenberry and that aforementioned John Field Estate parcel; thence run along said John Fields Estate line, West, 660.0' to the Point of Beginning, containing 3.0 acres, more or less.

AND ALSO LESS AND EXCEPT:

11.72 Acre- Part Parcel No. 083C-05-004/00.00;PPIN: 24178 6 acres in the West 1/2 of the Northwest 1/4 of the Southwest 1/4; and, 2 6/7 acres (2.86 acres) in the West 1/2 of the Northwest 1/4 of the Southwest 1/4, described as Lot 1 of the division of the Richard Jackson Estate; and, 2 6/7 acre (2.86) in the West 1/4 of the Northwest 1/4 of the Southwest 1/4, described as Lot 5 of the division of the Richard Jackson Estate; all in Section 5, Township 8 North, Range 3 East, Madison County, Mississippi; further described, as follows:

Beginning at the Northwest corner of the Southwest 1/4 of Section 5, Township 8 North-Range 3 East, Madison County, MS; from said point run East, 660.0 ft. to the northeast corner of the herein described; thence turn and run South, 773.5' to a point common to that certain Walker Investments, LP parcel, PPIN:24177; Parcel 083C-05-003/00.00; thence run along the north line of said Walker Investments parcel, West, 660.0' to a point in the west line of said Section 5; thence run with said Section line, North, 773.5' to the Point of Beginning, in all containing 11.72 acres, more or less.

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

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>0</u> ft. (Topsoil MUST be stockpiled for use during reclamation)	Begin clearing <u>08 / 2021</u>
Thickness of useable material <u>15</u> ft.	Begin mining <u>08 / 2021</u>
Total depth of excavation <u>15</u> ft.	Complete mining <u>12 / 2023</u>
Estimated annual production <u>290,000</u> tons	Begin reclamation <u>12 / 2023</u>
	Complete reclamation <u>02 / 2024</u>

3. Depth to ground water: N/A ft. 5. Types of erosion control structures that will be utilized.

4. How will dust be controlled?

Water on haul roads 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 Crop field b. Predominant vegetation crop, grasses

7. Will explosives be used? ___ Yes x No 8. Is test-boring data available? x Yes ___ No

9. Are toxic materials likely to be encountered at any time? ___ Yes x No

10. Will there be any discharge to local streams or other bodies of water? x 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 _____

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 3 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: 1 tons per acre
 fertilizer: 13 - 13 - 13 (type) 600 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
<u>Common Bermudagrass</u>	<u>15 lbs/acre</u>	<u>March 01 to August 31</u>
<u>Bahiagrass</u>	<u>40 lbs/acre</u>	<u>March 01 to August 31</u>
_____	_____	_____
_____	_____	_____

9. Will the area be mulched? Yes No If yes, rate per acre 2 tons

Method of holding in place: crimped _____

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

- watering
- mowing
 times per year 3
 approximate month(s) June , August , October
- 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: \$1,000 (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: MS H&L 2, LLC
Address: 91 Grandview Circle
Brandon, MS 39047
Phone: 601-201-7821

Name: _____
Address: _____
Phone: _____

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

Name: Paul G. Moak, Jr. and Jeanne M. Moak
Address: 2017 Brecon Drive
Jackson, MS 39211
Phone: 601-366-7760

Name: Siran, Inc.
Address: 959 Lake Harbor Drive Apt. #1205
Ridgeland, MS 39157
Phone: 601-497-3682

Name: Jean Beard Caraway
Address: 2058 North Old Canton Road
Canton, MS 39046
Phone: 601-594-8950

Name: Rolling Hills of Madison, LLC
Address: 613 Steed Road
Ridgeland, MS 39157
Phone: 601-605-8537

3. Person(s) living on permit area

Name: _____
Address: _____
Phone: _____

Name: _____
Address: _____
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.

4/8/2021

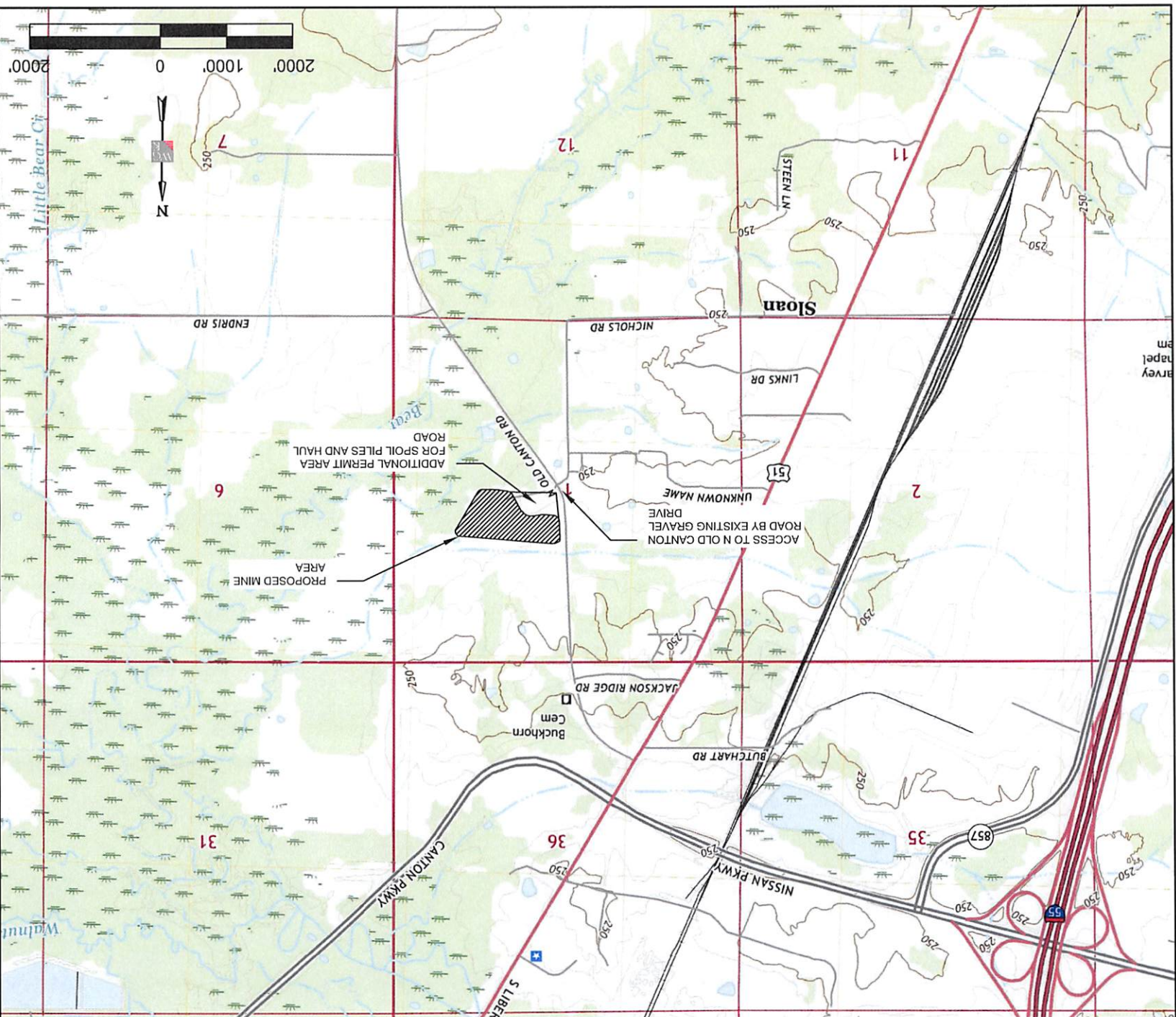
date


signature

Huey J Ngo

printed name

title



ENGINEERS & SURVEYORS

DATE
MAR '21
DRAWN BY
WS

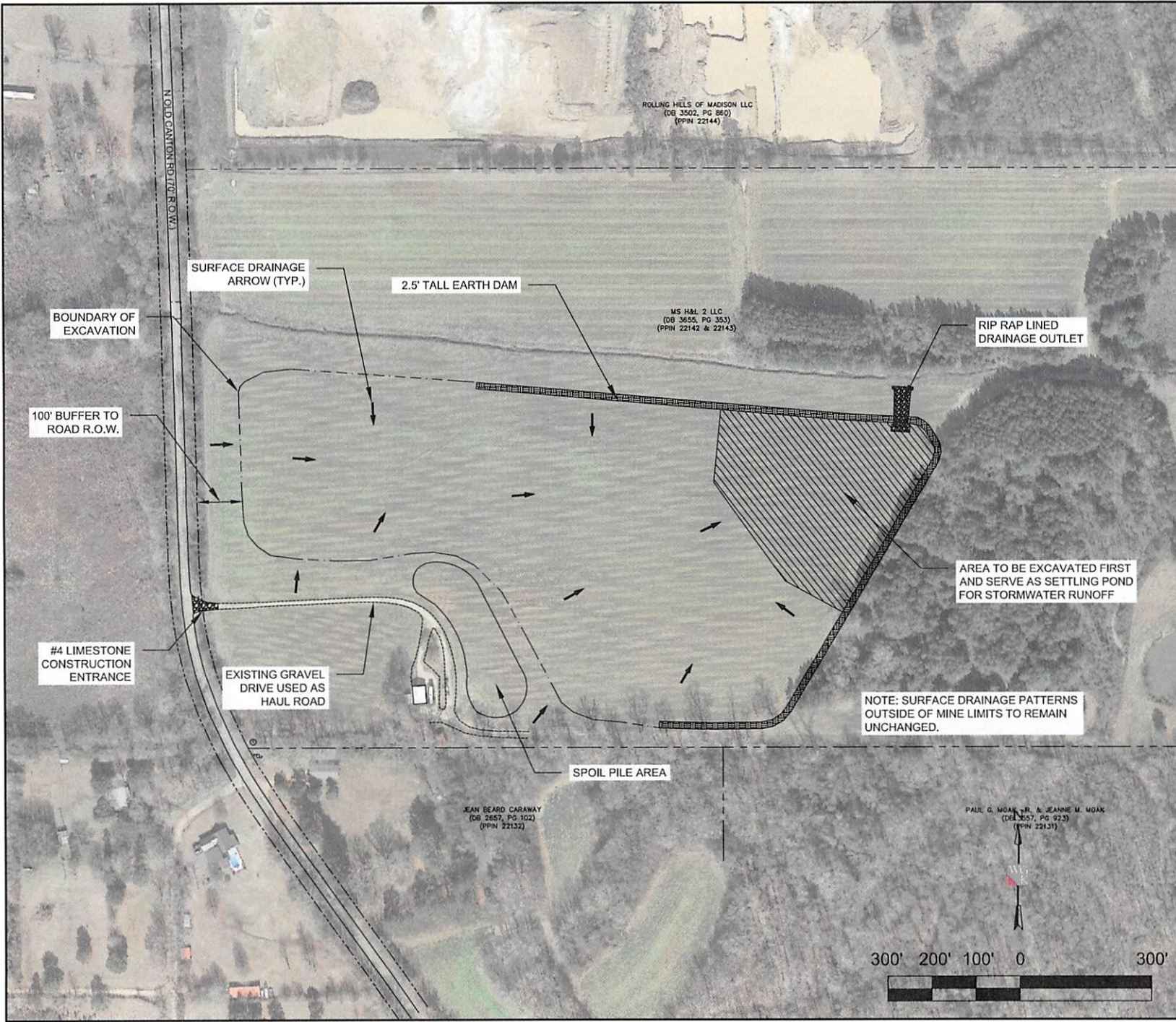
HUEY NGO
ZOO PIT SURFACE MINE AND LAKE
USGS TOPO MAP


SCALE: 1" = 2000'

HUEY NGO/DWG

M1

WGK#2020-423-00



HUEY NGO ZOO PIT SURFACE MINE AND LAKE SITE PLAN		M2	
DATE MAR '21	DRAWN BY WS	SCALE: 1" = 300'	WGK# 2020-423-00
ENGINEERS & SURVEYORS			
			



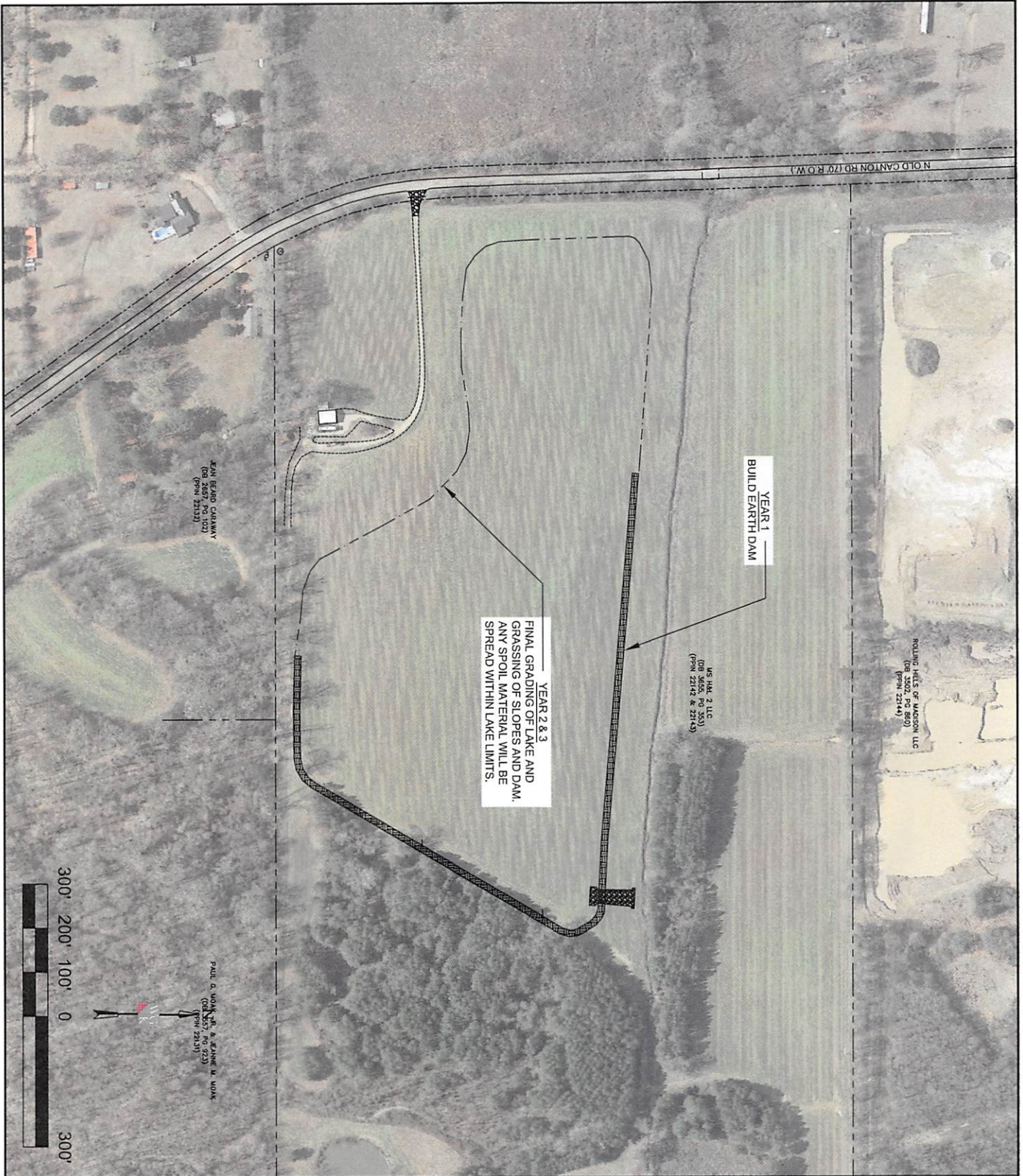
ENGINEERS & SURVEYORS

DATE
MAR '21
DRAWN BY
WS

HUEY NGO
ZOO PIT SURFACE MINE AND LAKE
YEARLY MINING PLAN

HUEY NGO/DWG
SCALE: 1" = 300' WGK# 2020-423-00

M3



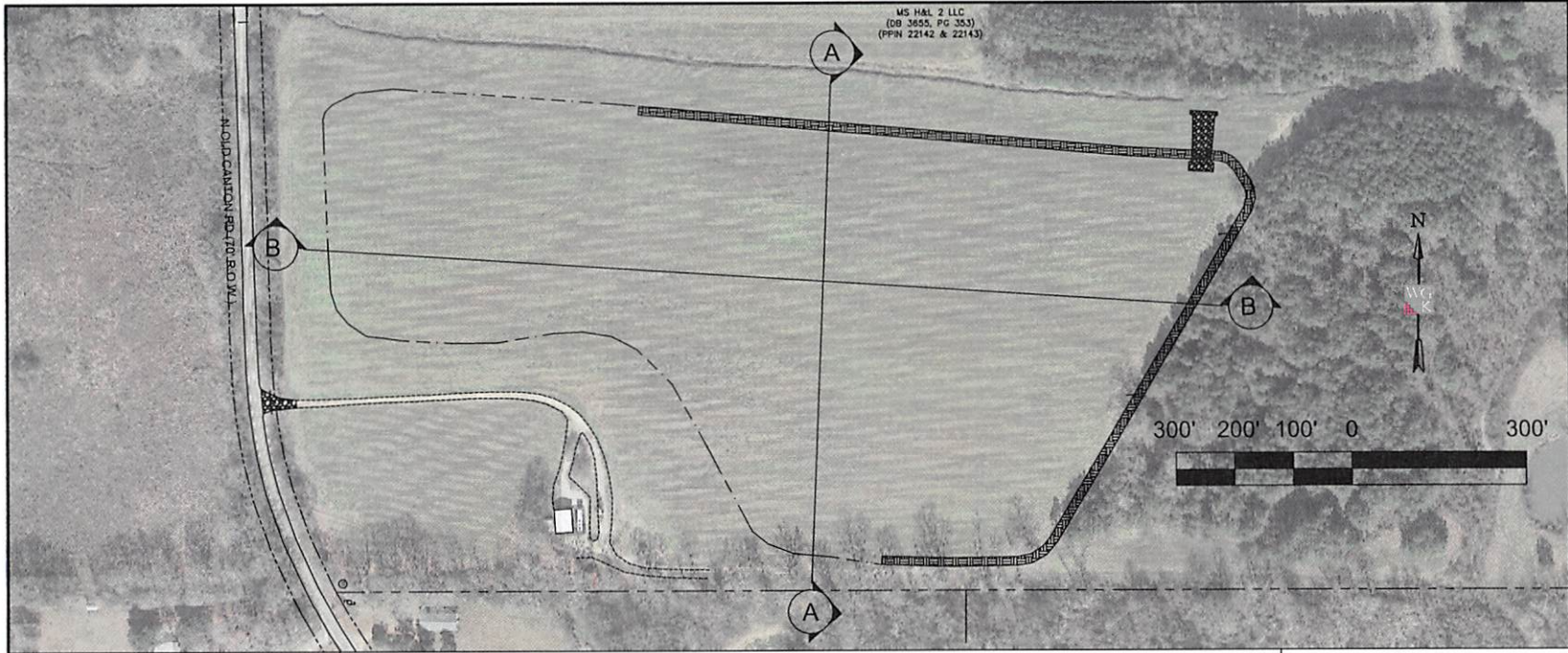
ENGINEERS & SURVEYORS

DATE
MAR '21
DRAWN BY
WS

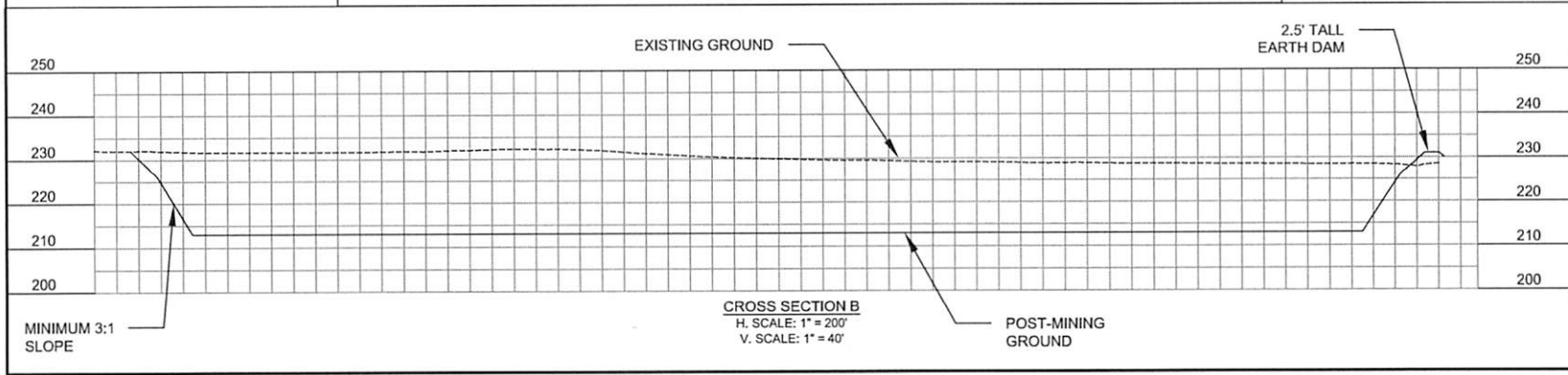
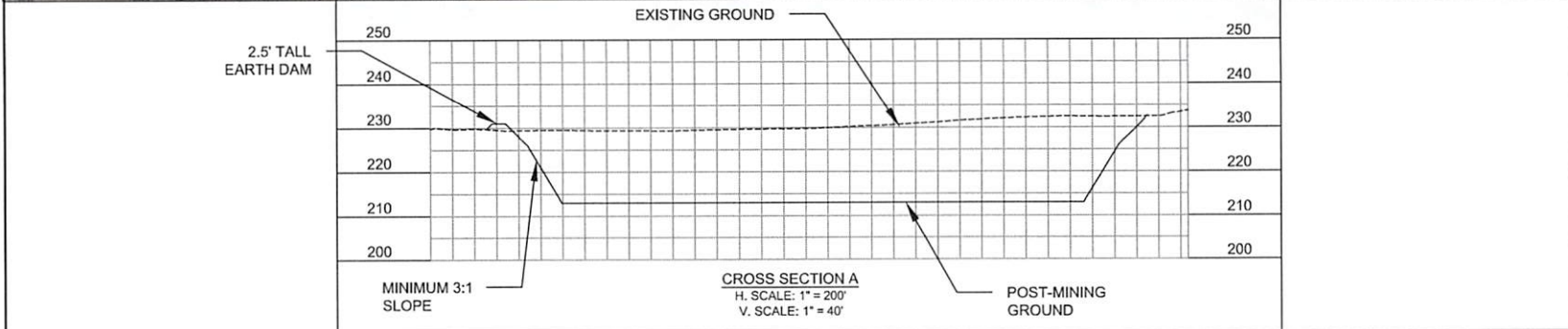
HUEY NGO
ZOO PIT SURFACE MINE AND LAKE
YEARLY RECLAMATION PLAN

HUEY NGO/DWG
SCALE: 1" = 300' WGK# 2020-423-00

M4



HUEY NGO
 ZOO PIT SURFACE MINE AND LAKE
 CROSS SECTIONS
 DATE: MAR '21
 DRAWN BY: WS
 HUEY NGO/DWG
 SCALE: 1" = 300'
 WGK#2020-423-00
 M5



ENGINEERS & SURVEYORS



ENGINEERS & SURVEYORS

DATE
MAR '21
DRAWN BY
WS

HUEY NGO
ZOO PIT SURFACE MINE AND LAKE
POST-MINING RECLAMATION

SCALE: 1" = 300'
HUEY NGO/DWG
WGK# 2020-423-00

M6

