

BEFORE THE MADISON COUNTY, MISSISSIPPI BOARD OF SUPERVISORS

IN RE: ALTERATION OF THE PLAT OF LOT 1 AND LOT 2, CHARLTON PLACE, PHASE ONE, REVISED

HIGHWAY 22 PROPERTY, LLC, PETITIONER

**PETITION TO ALTER THE PLAT OF CHARLTON PLACE,
PHASE ONE, REVISED**

COMES NOW Petitioner, **Highway 22 Property, LLC**, pursuant to Section 17-1-23 (4) of the *Mississippi Code of 1972, Annotated, as Amended*, and files this its Petition before the Board of Supervisors of Madison County, Mississippi to alter the Plat of Charlton Place, Phase One, Revised, and in support hereof shows as follows:

1. Petitioner, **Highway 22 Property, LLC**, is the developer of Charlton Place, Phase One, Revised, and is the owner of Lot 1 and Lot 2, Charlton Place, Phase One, Revised.
2. Charlton Place, Phase One, Revised, is a subdivision according to a map or plat thereof on file and of record in the office of the Chancery Clerk of Madison County, Mississippi, in Plat Cabinet E at Slide 146A and 146B. A reduced copy of the Plat is attached hereto as **Exhibit "A"**. Charlton Place, Phase One, Revised is subject to the Amended and Restated Declaration of Covenants, Conditions and Restrictions for Charlton Place dated November 14, 2008, recorded in Book 2369 at Page 304, and the Amendment and Supplement to the amended and Restated Declaration, Covenants, and Restrictions for Charlton Place dated October 1, 2013, recorded in Book 3034 at Page 731, all in the records in the office of the Chancery Clerk of Madison County, Mississippi.
3. The Amendment and Supplement to the Restated Declaration of Covenants, Conditions and Restrictions for Charlton Place provides in paragraph 3 thereof as follows:

"The area which is shown as proposed Lots 1-17, inclusive on the Charlton Plat and located within Charlton Place on the South Lake shall not be subdivided and/or platted into parcels containing not

less than three (3) acres, including any portion contained within the South Lake.”

4. Petitioner shows that Lot 1 contains a total of 17.1441 acres, and Lot 2 contains a total of 7.6061 acres. Petitioner desires to combine a portion of Lot 1 with Lot 2 and to divide Lot 2 into two lots, with the West portion of Lot 2 (Lot 2A) being 4.2039 acres and the East portion of Lot 2 (Lot 2B) being 4.8803 acres. The remainder of Lot 1 will contain 15.666 acres. The legal descriptions and plat of the division are attached hereto as composite **Exhibit “B”**.

5. Petitioner shows that Lot 1 is subject to a 30' wide Private “Access” Easement reserved for Dam Maintenance and Pedestrian Traffic and it should be relocated as depicted on composite **Exhibit “B”** attached hereto.

6. Petitioner shows that after division of the Lots, the minimum of the Lot size requirements of the Amendment and Supplement to the Amended and Restated Declaration of Covenants, Conditions and Restrictions for Charlton Place will be complied with.

7. Pursuant to the Amended and Restated Declaration of Covenants, Conditions and Restrictions for Charlton Place and Amendment and Supplement thereto, and Section 17-1-23(4) of the *Mississippi Code of 1972, Annotated, as Amended*, the only parties interested in the subject matter of this Petition are:

- a. Highway 22 Property, LLC, the Declarant/Developer/Owner.
- b. Charlton Place Property Owner’s Association, Inc.

All of such interested parties join in this Petition.

8. That the Board should approve the division of Lots 1 and 2 and the relocation of the 30' wide Private “Access” Easement in accordance with the depiction shown on composite **Exhibit “B”** attached hereto.

WHEREFORE, PREMISES CONSIDERED, Petitioner respectfully requests that this Petition be received, and that after due consideration, the Board of Supervisors of Madison County, Mississippi will enter its Order Altering the Plat of Charlton Place, Phase One, Revised,

to reflect that a portion of Lot 1 is to be combined with Lot 2 and Lot 2 shall be divided into 2 Lots (Lots 2A and 2B) in accordance with the Plat and Legal Descriptions attached hereto as composite composite **Exhibit "B,"** and that the 30' wide Private "Access" Easement reserved for Dam Maintenance and Pedestrian Traffic be relocated as depicted on composite **Exhibit "B."**

FURTHER, Petitioner requests that the Board of Supervisors of Madison County, Mississippi grant any other relief to which Petitioner may be entitled.

THIS the 17 day of February 2022.

Respectfully submitted,

Highway 22 Property, LLC, a Mississippi Limited Liability Company

By: Rodney F. Triplett, Jr.
Rodney F. Triplett, Jr., Manager/Member

Charlton Place Property Owner's Association, Inc., a Mississippi Corporation

By: Rodney F. Triplett, Jr.
President

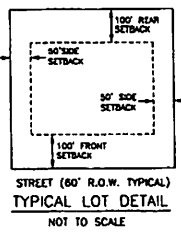
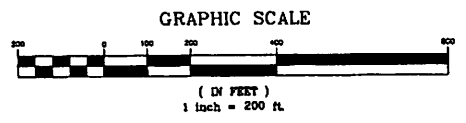
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Attorney for Petitioner

Exhibit "A"

Plat of Charlton Place, Phase One, Revised

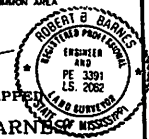
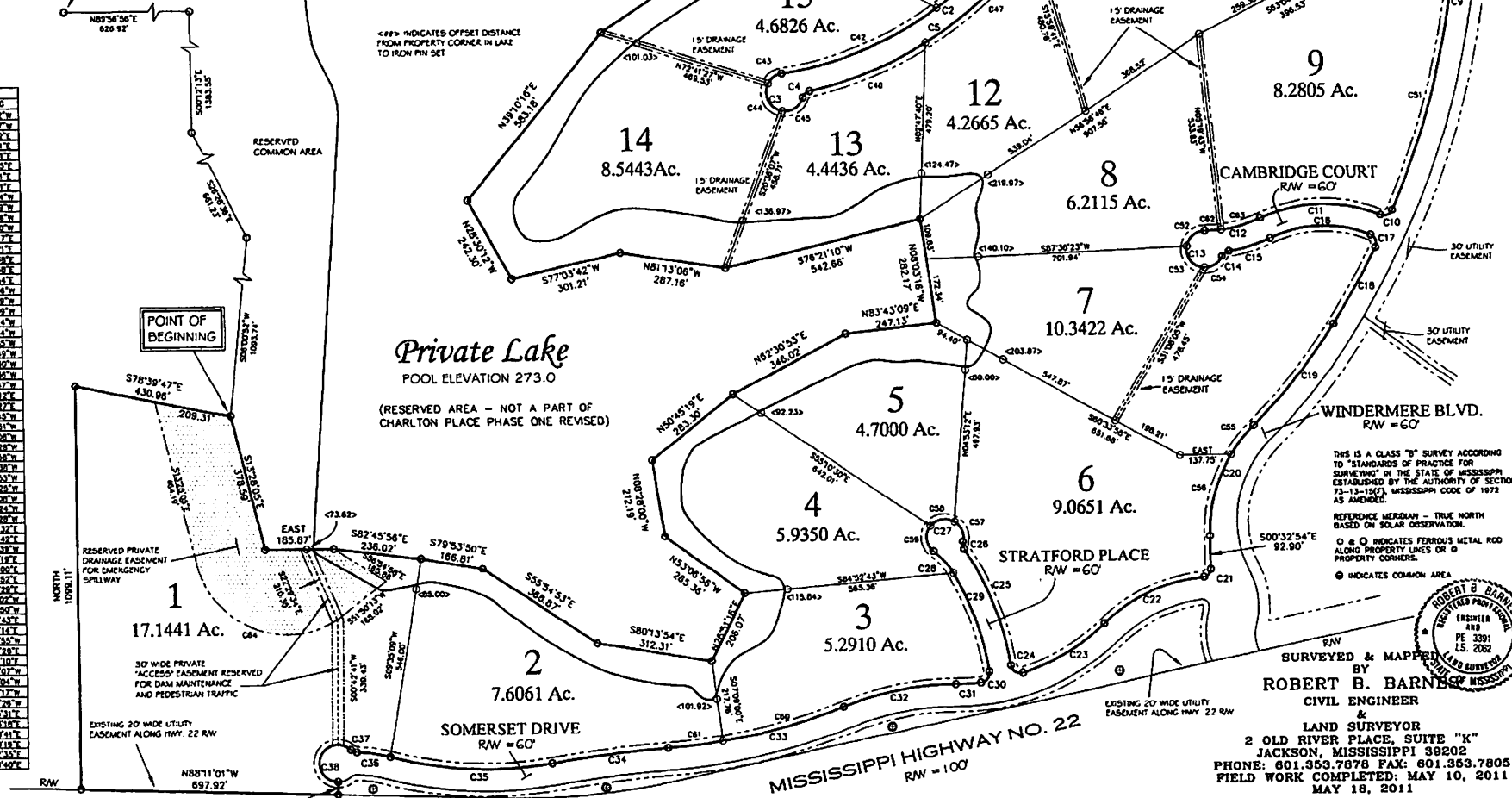
CHARLTON PLACE PHASE ONE REVISED

(A REVISION OF CHARLTON PLACE PHASE ONE)
SITUATED IN THE NW 1/4, NE 1/4, SW 1/4 &
SE 1/4 OF SECTION 3, T8N-R1E
MADISON COUNTY, MISSISSIPPI



POINT OF COMMENCEMENT
NW CORNER OF
SECTION 3, T8N, R1E,
MADISON COUNTY, MISSISSIPPI

CURVE	RADIUS	ARC	CHORD	BEARING
C0	133.33	818.18	620.63	S49°28'32"E
C1	943.89	787.78	748.79	S88°28'07"W
C2	50.00	213.00	84.77	S40°12'02"E
C3	25.00	26.32	25.15	M47°21'11"E
C4	1003.89	750.27	733.33	S52°21'44"W
C5	1285.22	1252.23	1270.53	N83°45'45"E
C6	25.00	35.68	32.73	S48°48'11"E
C7	3293.04	125.03	125.03	S08°10'41"E
C8	2292.29	1157.83	1144.23	S02°28'24"W
C9	25.00	39.02	35.16	S88°21'32"W
C10	394.89	332.78	323.01	S58°52'28"W
C11	347.83	194.85	183.57	S77°21'30"W
C12	50.00	215.43	83.45	S33°26'27"E
C13	25.00	25.17	24.12	N52°12'11"E
C14	407.82	118.32	118.82	N72°34'38"E
C15	334.89	278.01	270.09	N88°33'50"E
C16	25.00	41.00	38.82	S02°32'34"E
C17	2292.29	238.82	238.80	S02°28'24"W
C18	1070.00	348.48	348.84	S38°41'28"W
C19	425.47	335.91	327.25	S22°04'09"W
C20	20.00	28.80	27.12	S42°06'24"W
C21	450.89	215.83	208.65	S52°14'44"W
C22	578.72	280.75	258.63	S58°10'55"W
C23	25.00	43.50	38.22	N38°00'48"W
C24	800.44	344.04	341.40	N20°26'30"W
C25	25.00	38.78	38.31	S80°14'51"W
C26	50.00	215.83	63.22	S71°45'47"W
C27	207.55	60.33	78.83	S40°48'12"E
C28	740.44	298.64	284.05	S18°20'27"E
C29	25.00	38.78	38.31	S80°14'51"W
C30	578.72	87.50	87.51	S95°12'51"W
C31	808.29	310.88	308.85	S78°10'08"W
C32	1597.24	488.21	488.32	S77°42'24"W
C33	1592.03	318.83	318.73	S33°15'24"W
C34	1033.74	438.00	434.73	N87°08'38"W
C35	408.03	81.52	81.33	N81°25'23"W
C36	25.00	18.18	17.74	N82°02'22"W
C37	50.00	184.50	83.85	S23°12'00"W
C38	1125.22	590.40	578.10	N52°14'44"W
C39	1125.22	234.78	234.47	S40°12'02"W
C40	943.89	307.29	305.93	N64°30'42"E
C41	943.89	460.49	458.34	S52°14'44"W
C42	50.00	47.87	45.88	S54°33'18"W
C43	50.00	55.81	51.84	S27°33'18"E
C44	80.00	88.82	84.78	N37°43'00"E
C45	1003.89	442.12	438.79	S80°14'44"W
C46	1003.89	408.55	405.74	N48°50'30"E
C47	1285.22	818.10	812.84	S48°12'02"W
C48	1285.22	621.13	638.23	S77°42'24"W
C49	2292.29	510.15	508.79	N87°08'38"W
C50	2292.29	847.47	845.14	N52°14'44"E
C51	50.00	89.05	83.89	S50°43'35"W
C52	50.00	88.59	78.17	S39°28'20"E
C53	50.00	78.78	78.78	N87°08'38"E
C54	425.47	102.00	101.78	S47°49'07"W
C55	425.47	233.91	230.97	S15°12'04"W
C56	50.00	84.01	86.73	N21°14'17"W
C57	50.00	72.48	68.79	S80°14'51"W
C58	50.00	78.30	71.31	S09°25'31"E
C59	1597.24	340.31	339.87	N74°25'18"E
C60	1597.24	147.81	147.85	N62°09'41"E
C61	347.83	44.33	44.31	N88°33'50"E
C62	347.83	110.51	110.05	N73°23'35"E
C63	250.00	478.41	407.53	S88°03'40"E



SURVEYED & MAPPED
BY
ROBERT B. BARNES
CIVIL ENGINEER
&
LAND SURVEYOR
2 OLD RIVER PLACE, SUITE "K"
JACKSON, MISSISSIPPI 39202
PHONE: 601.353.7878 FAX: 601.353.7805
FIELD WORK COMPLETED: MAY 10, 2011
MAY 18, 2011

CHARTLON PLACE
CIVIL ENGINEER
ROBERT B. BARNES
2 OLD RIVER PLACE, "K"
JACKSON, MISSISSIPPI 39202
PHONE: 601.553.7878 FAX: 601.553.7805
MADISON COUNTY, MISSISSIPPI
SE 1/4 OF SECTION 3, T8N-R1E
SITUATED IN THE NW 1/4, NE 1/4, SW 1/4 &
S 1/4 OF SECTION 3, T8N-R1E

SURVEYED & MAPPED
BY
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PHONE: 601.553.7878 FAX: 601.553.7805
MAY 18, 2011
FIELD WORK COMPLETED: MAY 10, 2011

STATE OF MISSISSIPPI
COUNTY OF MADISON
SURVEYORS CERTIFICATE
I, Robert B. Barnes, Professional Land Surveyor, No. 2082, do hereby certify that the plat and map of the above described parcel of land, being shown and named under the name of the Owner, being shown and named under the name of the Owner, Certificate No. 1,382,555, and being more particularly described by name and bounds as follows, to-wit:

STATE OF MISSISSIPPI
COUNTY OF MADISON
OWNERS ACKNOWLEDGEMENT
I, Robert B. Barnes, Professional Land Surveyor, No. 2082, do hereby certify that the plat and map of the above described parcel of land, being shown and named under the name of the Owner, being shown and named under the name of the Owner, Certificate No. 1,382,555, and being more particularly described by name and bounds as follows, to-wit:

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COUNTY OF MADISON
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STATE OF MISSISSIPPI
COUNTY OF MADISON
APPROVAL OF THE BOARD OF SUPERVISORS
This plat of Madison Place, Mississippi, prepared by the Board of Supervisors of Madison County, Mississippi, pursuant to an Order and Resolution of said Board duly adopted, on the 15th day of July, 2011.

STATE OF MISSISSIPPI
COUNTY OF MADISON
CERTIFICATE OF COMPARISON
I have examined this plat and find it conforms to all conditions set forth on the preliminary plat as approved by the Board of Supervisors and the County of Madison and thus recommend final approval.

STATE OF MISSISSIPPI
COUNTY OF MADISON
ACKNOWLEDGEMENT
I, Arthur Johnston, Chancery Clerk in and for the said County and State, do hereby certify that we have carefully compared this plat of Chartlon Place with the original thereof, and find it to be a true and correct copy of the said plat.

Composite Exhibit "B"

LEGAL DESCRIPTION

LOT 2A

A parcel of land being situated in the Southwest 1/4 of Section 3, Township 8 North, Range 1 East, Madison County, Mississippi, and being a part of Lot 1 and Lot 2 of Charlton Place Phase One Revised as recorded in Plat Cabinet E at Slides 146A and 146B in the Chancery Records of Madison County, at Canton Mississippi and being more particularly described by metes and bounds as follows, to wit:

Commence at an iron pin found at the southeast corner of the said Lot 2 and run thence 147.91 feet along the arc of a 1,597.24 foot radius curve to the right along the southern line of the said Lot 2, said arc having a 147.85 foot chord which bears South 83° 08' 41" West to a 5/8" iron pin found; thence run 316.83 feet along the arc of a 3,562.03 foot radius curve to the left along the said southern line, said arc having a 316.73 foot chord which bears South 83° 14' 58" West to a 5/8" iron pin found; thence run 244.21 feet along the arc of a 1,033.74 foot radius curve to the right along the said southern line, said arc having a 243.65 foot chord which bears South 87° 28' 09" West to a 5/8" iron pin set which marks the **POINT OF BEGINNING** for the parcel herein described; thence leave said southern line of Lot 2 and run North 14° 58' 32" East for a distance of 512.72 feet to a point on the northern line of the said Lot 2 (witness corner set on line ??? feet from lot corner in a lake); thence North 55° 54' 53" West for a distance of 82.27 feet along the said northern line to a point in the said lake; thence North 79° 53' 50" West for a distance of 166.81 feet along the said northern line to a point in the said lake being the northwest corner of the said Lot 2; thence North 82° 45' 56" West for a distance of 105.46 feet along the northern line of Lot 1 to a point in the said lake; thence South 12° 26' 57" West for a distance of 531.52 feet to a point on the southern line of the said Lot 1 (witness corner set on line at ????? feet from lot corner in the said lake); thence run 25.06 feet along the arc of a 50.00 foot radius curve to the right along the said said southern line of Lot 1, said arc having a 24.80 foot chord which bears South 60° 39' 56" East to a 5/8" iron pin found; thence run 18.14 feet along the arc of a 25.00 foot radius curve to the left along the said southern line of Lot 1, said arc having a 17.74 foot chord which bears South 67° 05' 25" East to a 5/8" iron pin found; thence run 91.52 feet along the arc of a 408.03 foot radius curve to the right along the said southern line of Lot 1, said arc having a 91.33 foot chord which bears South 81° 26' 53" East to a 5/8" iron pin found at the southeast corner of the said Lot 1; thence run 193.78 feet along the arc of a 1,033.74 foot radius curve to the left along the said southern line of the said Lot 2, said arc having a

193.50 foot chord which bears South 80° 23' 34" East to the **POINT OF BEGINNING**, containing 4.2039 acres (183.122 square feet), more or less.

The reference meridian for the above description is based on the recorded subdivision plat of Charlton Place Phase One Revised.

LEGAL DESCRIPTION

LOT 2B

A parcel of land being situated in the Southwest 1/4 of Section 3, Township 8 North, Range 1 East, Madison County, Mississippi, and being a part of Lot 2 of Charlton Place Phase One Revised as recorded in Plat Cabinet E at Slides 146A and 146B in the Chancery Records of Madison County, at Canton Mississippi and being more particularly described by metes and bounds as follows, to wit:

Commence at an iron pin found at the southeast corner of the said Lot 2 which marks the **POINT OF BEGINNING** for the parcel herein described; thence run 147.91 feet along the arc of a 1,597.24 foot radius curve to the right along the southern line of the said Lot 2, said arc having a 147.85 foot chord which bears South 83° 08' 41" West to a 5/8" iron pin found; thence run 316.83 feet along the arc of a 3,562.03 foot radius curve to the left along the said southern line, said arc having a 316.73 foot chord which bears South 83° 14' 58" West to a 5/8" iron pin found; thence run 244.21 feet along the arc of a 1,033.74 foot radius curve to the right along the said southern line, said arc having a 243.65 foot chord which bears South 87° 28' 09" West to a 5/8" iron pin set; thence leave said southern line of Lot 2 and run North 14° 58' 32" East for a distance of 512.72 feet to a point on the northern line of the said Lot 2 (witness corner set on line ??? feet from lot corner in a lake); thence South 55° 54' 53" East for a distance of 286.60 feet along the said northern line to a point in the said lake; thence South 80° 13' 54" East for a distance of 312.31 feet along the said northern line to a point in the said lake, being the northeast corner of the said Lot 2; thence South 07° 09' 00" East for a distance of 217.76 feet along the eastern line of the said Lot 2 (witness corner set on line at 101.92 feet from corner in the said lake) to the **POINT OF BEGINNING**, containing 4.8803 acres (212,586 square feet), more or less.

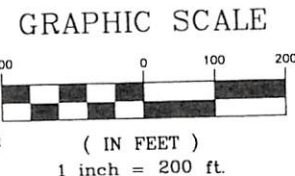
The reference meridian for the above description is based on the recorded subdivision plat of Charlton Place Phase One Revised

PLAT SHOWING LOT 2A & 2B CHARLTON PLACE PHASE ONE REVISED

MADISON COUNTY, MISSISSIPPI

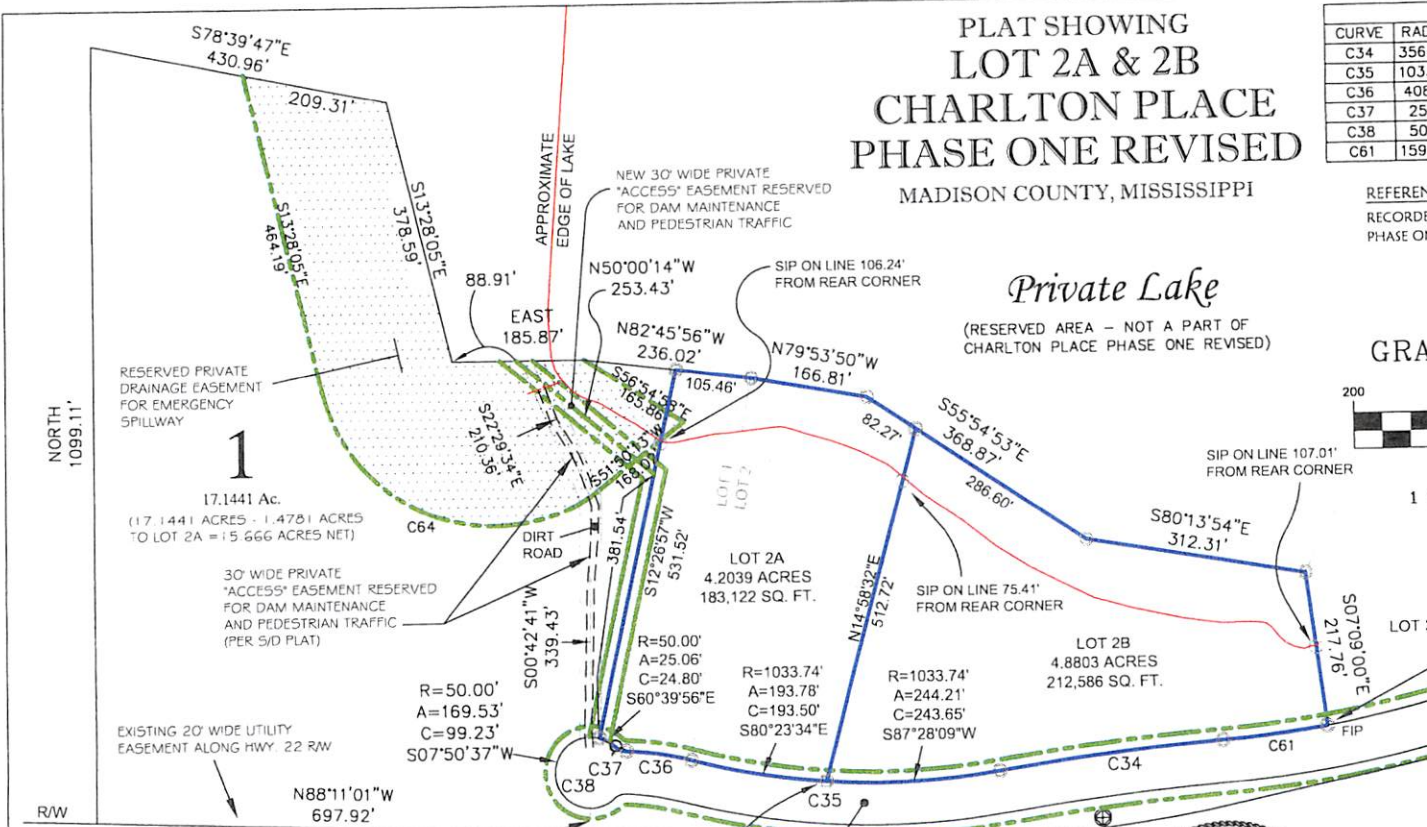
CURVE TABLE				
CURVE	RADIUS	ARC	CHORD	BEARING
C34	3562.03	316.83	316.73	S83°14'58"W
C35	1033.74	438.00	434.73	N87°09'38"W
C36	408.03	91.52	91.33	S81°26'53"E
C37	25.00	18.14	17.74	S67°05'25"E
C38	50.00	194.59	93.05	S22°12'08"W
C61	1597.24	147.91	147.85	S83°08'41"W

REFERENCE MATERIALS USED:
RECORDED PLAT OF CHARLTON PLACE
PHASE ONE REVISED



Private Lake

(RESERVED AREA - NOT A PART OF
CHARLTON PLACE PHASE ONE REVISED)



THIS IS A CLASS "A" SURVEY ACCORDING TO "STANDARDS OF PRACTICE FOR SURVEYING" IN THE STATE OF MISSISSIPPI ESTABLISHED BY THE AUTHORITY OF SECTION 73-13-15(F), MISSISSIPPI CODE OF 1972 AS AMENDED.

REFERENCE MERIDIAN - RECORDED PLAT.

- INDICATES PROPERTY CORNERS.
- INDICATES POINT ON PROPERTY LINES.

5/8" IRON PIN FOUND AT ALL CORNERS UNLESS NOTED OTHERWISE. ALL CORNERS SET ARE 5/8".

CLIENT IS ADVISED TO VERIFY SETBACK REQUIREMENTS AND ANY OTHER RESTRICTIONS THAT MAY EXIST IN COVENANTS OR WITH OTHER JURISDICTIONS.

SOMERSET DRIVE
60' R/W



SURVEYED & MAPPED BY
BARNES SURVEYING, LLC
ROBERT MICHAEL BARNES
LAND SURVEYOR
272 S PERKINS ST., SUITE 400
RIDGELAND, MISSISSIPPI 39157
PHONE: 601.353.7878
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FIELD WORK COMPLETED: JANUARY 29, 2022
PLAT DATE: FEBRUARY 11, 2022