

**BEFORE THE MADISON COUNTY, MISSISSIPPI BOARD OF SUPERVISORS**

**IN RE: ALTERATION OF THE PLAT OF CHARLTON PLACE, PART TWO TO COMBINE  
TWO (2) LOTS INTO ONE (1) LOT**

**HIGHWAY 22 PROPERTY, LLC, PETITIONER**

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**PETITION TO ALTER THE PLAT OF CHARLTON PLACE PART TWO  
TO COMBINE TWO (2) LOTS INTO ONE (1) LOT**

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**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, Part Two, a Subdivision of Madison County, Mississippi, and in support hereof show as follows:

1. Petitioner, **HIGHWAY 22 PROPERTY, LLC**, is the owner of Lots 35 and 36, Charlton Place, Part Two.
2. Petitioner, **HIGHWAY 22 PROPERTY, LLC**, is the developer of Charlton Place, Part Two.
3. Charlton Place, Part Two 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 Slides 180B and 181B. A copy of the plat is attached hereto as **Exhibit "A"** and incorporated herein by reference.
4. Petitioner desires to combine Lots 35 and 36 so that (1) residential dwelling might be constructed on the combined Lots. The size of the combined Lots is 27.93 acres.
5. That pursuant to Section 17-1-23 (4) of the *Mississippi Code of 1972, Annotated, as Amended*, the only party interested in this matter is: **HIGHWAY 22 PROPERTY, LLC**, developer of Charlton Place, LLC, Part Two and owner of Lots 35 and 36, Charlton Place, Part Two.
6. That the Board of Supervisors should approve the combining of Lots 35 and 36, Charlton Place, Part Two, and should reflect same in its minutes and by marginal notation on the

plat of Charlton Place, Part Two.

7. That upon the combining of Lots 35 and 36, all easements and setbacks along the common lot line of Lots 35 and 36 shall be abandoned and terminated and the combined Lots should be considered one Lot for Charlton Place Property Owner's Association, Inc. assessments.

**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, Part Two to reflect that Lots 35 and 36 thereof are to be classified as one (1) Lot and that all easements and setbacks between the adjoining lots are abandoned and terminated and that the combined Lots shall be considered one Lot for Charlton Place Property Owner's Association, Inc. assessments.

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

THIS the 8 day of September 2022.

Respectfully submitted,

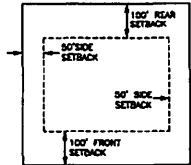
Highway 22 Property, LLC  
Petitioner

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

Don A. McGraw, Jr.  
Montgomery McGraw, PLLC  
P.O. Box 1039  
151 W. Peace Street  
Canton, MS 39046  
Telephone: 601-859-3616  
Facsimile: 601-859-3622  
Email: [Dmcgraw@montgomerymcgraw.com](mailto:Dmcgraw@montgomerymcgraw.com)  
Attorney for Petitioner

**CHARLTON PLACE  
PART TWO**

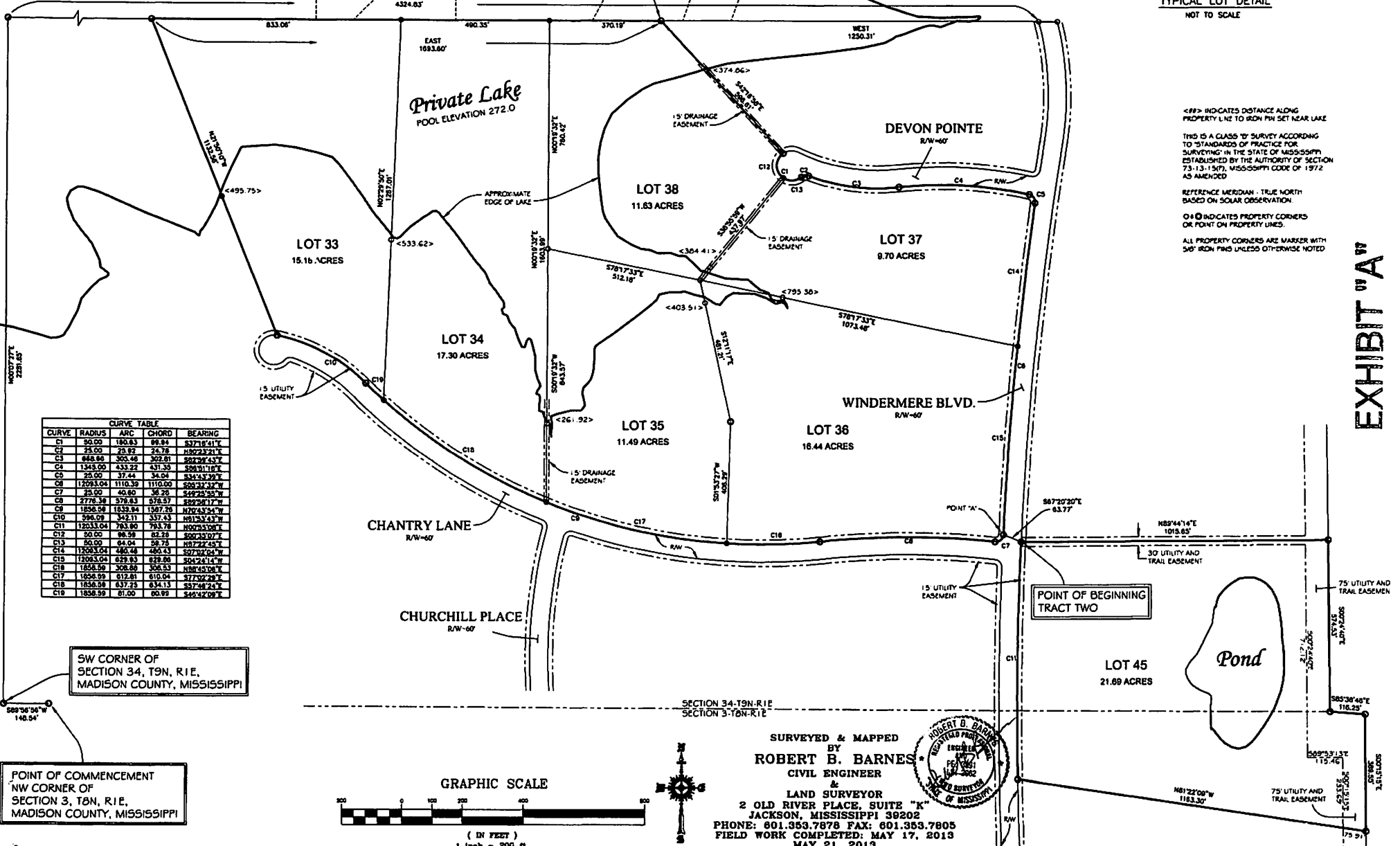
SITUATED IN THE SW 1/4 & THE SE 1/4  
OF SECTION 34, T9N-R1E  
AND IN THE NE 1/4 OF SECTION 3, T8N, R1E  
MADISON COUNTY, MISSISSIPPI



STREET (80' R.O.W. TYPICAL)  
TYPICAL LOT DETAIL  
NOT TO SCALE

<##> INDICATES DISTANCE ALONG PROPERTY LINE TO IRON PIN SET NEAR LAKE  
THIS IS A CLASS "D" SURVEY ACCORDING TO STANDARDS OF PRACTICE FOR SURVEYING IN THE STATE OF MISSISSIPPI ESTABLISHED BY THE AUTHORITY OF SECTION 73-13-15(7), MISSISSIPPI CODE OF 1972 AS AMENDED  
REFERENCE MERIDIAN - TRUE NORTH BASED ON SOLAR OBSERVATION  
O# INDICATES PROPERTY CORNERS OR POINT ON PROPERTY LINES  
ALL PROPERTY CORNERS ARE MARKER WITH 3/8" IRON PINS UNLESS OTHERWISE NOTED

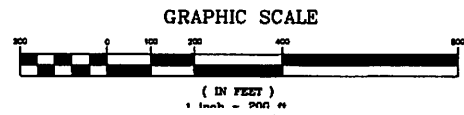
EXHIBIT "A"



CURVE	RADIUS	ARC	CHORD	BEARING
C1	50.00	180.83	86.84	S37°16'41"E
C2	25.00	25.82	24.76	N80°24'21"W
C3	844.84	355.44	322.61	S82°34'43"E
C4	1343.00	433.22	437.33	S98°51'10"E
C5	25.00	37.44	34.04	S34°43'29"E
C6	12093.04	1110.39	1110.00	S24°24'32"W
C7	25.00	40.60	36.25	S49°24'35"W
C8	2778.38	578.43	578.57	S89°24'17"W
C9	1856.98	1833.84	1587.76	N70°43'24"W
C10	596.09	342.11	337.43	N81°24'43"W
C11	12033.04	793.90	793.78	N00°03'00"E
C12	50.00	86.98	82.21	S00°03'00"E
C13	50.00	84.04	58.75	N87°22'45"E
C14	12043.04	486.44	486.43	S07°02'04"W
C15	12063.04	625.83	625.86	S04°24'14"W
C16	1854.56	308.86	305.53	N89°03'04"E
C17	1856.98	612.81	610.04	S77°02'24"E
C18	1856.98	637.23	634.13	S37°48'24"E
C19	1856.98	81.00	60.89	S40°42'09"E

SW CORNER OF SECTION 34, T9N, R1E, MADISON COUNTY, MISSISSIPPI

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



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 17, 2013  
MAY 21, 2013



POINT OF BEGINNING TRACT TWO

LOT 45  
21.69 ACRES

Pond

# CHARLTON PLACE PART TWO

SITUATED IN THE SW 1/4 & THE SE 1/4  
OF SECTION 34, T9N-R1E  
AND IN THE NE 1/4 OF SECTION 3, T8N, R1E  
MADISON COUNTY, MISSISSIPPI

**SURVEYED & MAPPED  
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PHONE: 601.353.7878 FAX: 601.353.7805  
FIELD WORK COMPLETED: MAY 17, 2013  
MAY 21, 2013

### SURVEYOR'S CERTIFICATE

STATE OF MISSISSIPPI COUNTY OF MADISON

I, Robert B. Barnes, Professional Land Surveyor, do hereby certify that at the request of the Owner, being shown and named under the Owners' Certificate hereon, have subdivided and platted the following described land being situated in the SW 1/4 and the SE 1/4 of Section 34, Township 9 North, Range 1 East, and in the Northeast 1/4 of Section 3, Township 8 North, Range 1 East, Madison County, Mississippi, and being more particularly described by metes and bounds as follows, to-wit:

#### TRACT ONE

Commence at the Northwest corner of the said Section 3, Township 8 North, Range 1 East and run thence South 89° 56' 56" West for a distance of 148.54 feet to the Southwest corner of the said Section 34; thence North 00° 07' 27" East for a distance of 2,281.65 feet; thence East for a distance of 4,324.83 feet to a 5/8" iron pin found which marks the western right of way line of Windermere Boulevard; thence leave said western right of way line and run West for a distance of 1,250.31 feet to the POINT OF BEGINNING for the parcel herein described, thence South 42° 16' 38" East for a distance of 396.61 feet to the western right of way line of Devon Point; thence run 160.63 feet along the arc of a 50.00 foot radius curve to the left along the said western right of way line, said arc having a 99.94 foot chord which bears South 37° 61' 41" East; thence run 25.92 feet along the arc of a 25.00 foot radius curve to the right along the said southern right of way line, said arc having a 431.35 foot chord which bears South 86° 51' 18" East; thence run 37.44 feet along the arc of a 25.00 foot radius curve to the right along a right of way line, said arc having a 34.04 foot chord which bears South 34° 43' 39" East to the said western right of way line of Windermere Boulevard; thence run 1,110.39 feet along the arc of a 12,093.04 foot radius curve to the left along the said western right of way line of Windermere Boulevard, said arc having a 1,110.00 foot chord which bears South 05° 32' 32" West to a point which is hereby designated as Point "A" for future reference; thence run 40.60 feet along the arc of a 25.00 foot radius curve to the right along a right of way line, said arc having a 36.28 foot chord which bears South 49° 25' 55" West to the northern right of way line of Chantry Lane; thence run 579.63 feet along the arc of a 2,776.39 foot radius curve to the left along the said northern right of way line, said arc having a 578.57 foot chord which bears South 89° 58' 17" West; thence run 1,639.94 feet along the arc of a 1,838.59 foot radius curve to the right along the said northern right of way line, said arc having a 1,587.26 foot chord which bears North 70° 43' 54" West; thence run 342.11 feet along the arc of a 596.09 foot radius curve to the left along the said northern right of way line, said arc having a 337.43 foot chord which bears North 61° 53' 43" West; thence leave said northern right of way line of Chantry Lane and run North 21° 50' 10" West for a distance of 1,132.56 feet; thence East for a distance of 1,693.60 feet to the POINT OF BEGINNING, containing 81.71 acres, more or less.

#### TRACT TWO

Commence at Point "A" as referenced in the above described TRACT ONE and run thence South 67° 20' 20" East for a distance of 63.77 feet to a 5/8" iron pin found at the eastern right of way line of Windermere Boulevard which marks the POINT OF BEGINNING for the parcel herein described, thence leave said eastern right of way line and run North 89° 44' 14" East for a distance of 1,015.65 feet; thence South 00° 24' 40" East for a distance of 574.53 feet; South 85° 38' 48" East for a distance of 116.25 feet; thence South 00° 15' 15" East for a distance of 389.55 feet; thence North 81° 22' 09" West for a distance of 1,163.30 feet to the said eastern right of way line of Windermere Boulevard; thence run 793.90 feet along the arc of a 12,033.04 foot radius curve to the right along the said eastern right of way line, said arc having a 793.76 foot chord which bears North 00° 55' 08" East to the POINT OF BEGINNING, containing 21.69 acres, more or less.

The referenced meridian for the above described tracts of land is true north based on solar observations.

WITNESS MY SIGNATURE this the 21st day of May, 2013.

*Robert B. Barnes*

Robert B. Barnes  
Professional Land Surveyor  
Mississippi P.L.S. No. 2062



### ACKNOWLEDGMENT

STATE OF MISSISSIPPI COUNTY OF MADISON  
PERSONALLY came and appeared before me, the undersigned authority in and for the jurisdiction aforesaid, the within named Robert B. Barnes, Professional Land Surveyor, who acknowledged to me that he signed and delivered this plat and the certificates thereon as his own act and deed on the day and year herein mentioned.

GIVEN UNDER MY HAND AND OFFICIAL SEAL, this the 21st day of May, 2013.



My Commission Expires: 3/1/14

*Lisa W. Barefoot*  
NOTARY PUBLIC

### OWNERS' CERTIFICATE

STATE OF MISSISSIPPI COUNTY OF MADISON

We, Rodney F. Triplett, Jr., manager of Highway 22 Property, LLC, a Mississippi limited liability company, and George A. Hartzog and Sheila Annette Hartzog, do hereby certify that Highway 22 Property, LLC, George A. Hartzog and Sheila Annette Hartzog are the owners of the lands described in the foregoing Surveyor's Certificate of Robert B. Barnes, Professional Land Surveyor, and that Rodney F. Triplett, Jr. acting as the duly authorized manager of said limited liability company and George A. Hartzog and Sheila Annette Hartzog individually, have caused said lands to be subdivided and platted as shown hereon and have designated the same as Charlton Place Part Two. We hereby dedicate the streets, easements and utilities as shown hereon for public use forever, except as reserved on Page 1 of 2 herein.

The undersigned George A. Hartzog and Sheila Annette Hartzog are the owners of Lot 37 of Charlton Place Part Two. Highway 22 Property, LLC is the owner of all remaining lots and property within Charlton Place Part Two.

Witness our signatures, this the 21st day of May, 2013.

Highway 22 Property, LLC  
A Mississippi limited liability company

By: *Rodney F. Triplett, Jr.*  
Rodney F. Triplett, Jr., Manager

*George A. Hartzog*  
George A. Hartzog, Individually  
*Sheila Annette Hartzog*  
Sheila Annette Hartzog, Individually

OWNERS' ACKNOWLEDGEMENT  
STATE OF MISSISSIPPI COUNTY OF MADISON

Personally appeared before me on this the 21st day of May, 2013, the undersigned authority in and for the jurisdiction aforesaid, the within named Rodney F. Triplett, Jr., who acknowledged that he is the Manager of Highway 22 Property, LLC, a Mississippi manager - managed limited liability company, the Owner, and that for and in behalf of said limited liability company, as Owner, and as its act and deed, he executed this plat and certificate after being duly authorized by said limited liability company so to do on the day and year herein mentioned.

GIVEN UNDER MY HAND AND SEAL OF OFFICE on this the 21st day of May, 2013.



My Commission Expires: 3/1/14

*Lisa W. Barefoot*  
NOTARY PUBLIC

OWNERS' ACKNOWLEDGEMENT  
STATE OF MISSISSIPPI COUNTY OF MADISON

Personally came and appeared before me, the undersigned, George A. Hartzog and Sheila Annette Hartzog, who acknowledged to me that they signed and delivered this plat and certificate on the day and year therein mentioned.

GIVEN UNDER MY HAND AND SEAL OF OFFICE on this the 21st day of May, 2013.



My Commission Expires: 3/1/14

*Lisa W. Barefoot*  
NOTARY PUBLIC

### APPROVAL OF THE BOARD OF SUPERVISORS

STATE OF MISSISSIPPI COUNTY OF MADISON

This plat of Charlton Place Part Two is hereby approved by the Board of Supervisors of Madison County, Mississippi, pursuant to the authority of an Order and Resolution of said Board duly adopted, this the 20 day of May, 2013.

*Michael Steen*

President, Board of Supervisors  
Madison County, Mississippi

### COUNTY ENGINEER'S APPROVAL

STATE OF MISSISSIPPI COUNTY OF MADISON

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.

*John*

County Engineer

### CERTIFICATE OF COMPARISON

STATE OF MISSISSIPPI COUNTY OF MADISON

We, Arthur Johnston, Chancery Clerk in and for said County and State, and Robert B. Barnes, Professional Land Surveyor, do hereby certify that we have carefully compared this plat of Charlton Place Part Two with the original thereof, and find it to be a true and correct copy of the said plat.

GIVEN UNDER MY HAND AND OFFICIAL SEAL OF OFFICE, on this the 22 day of May, 2013.



*Arthur Johnston*  
Arthur Johnston, Chancery Clerk



*Robert B. Barnes*  
Robert B. Barnes, Professional Land Surveyor

STATE OF MISSISSIPPI COUNTY OF MADISON

I, Arthur Johnston, Clerk of the Chancery Court in and for the said County and State, do hereby certify that this plat of Charlton Place Part Two was filed for record in my office on the 22 day of May, 2013, and was duly recorded in Plat Cabinet E at Slides 80E/181A of the records of maps and plats of land of Madison County, Mississippi.

GIVEN UNDER MY HAND AND OFFICIAL SEAL OF OFFICE, on this the 22 day of May, 2013.

ARTHUR JOHNSTON, Chancery Clerk

*Arthur Johnston*  
Arthur Johnston, Chancery Clerk

