

BEFORE THE MADISON COUNTY, MISSISSIPPI BOARD OF SUPERVISORS

IN RE: ALTERATION OF THE PLAT OF LOT 6 AND LOT 7, CHARLTON PLACE, PHASE ONE, REVISED

HIGHWAY 22 PROPERTY, LLC, PETITIONER

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

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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, 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 6 and Lot 7, 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 6 contains a total of 9.07 acres, and Lot 7 contains a total of 10.34 acres.

5. Petitioner desires to divide Lot 6 into two (2) Lots, with the South portion of Lot 6 (Lot 6A) being 5.11 acres and the North portion of Lot 6 (Lot 6B) being 3.96 acres. The legal descriptions and plat of the division are attached hereto as composite **Exhibit “B”**.

6. Petitioner desires to divide Lot 7 into two (2) Lots, with the East portion of Lot 7 (Lot 7A) being 5.40 acres and the West portion of Lot 7 (Lot 7B) being 4.94 acres. The legal descriptions and plat of the division are attached hereto as composite **Exhibit “C”**.

7. 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.

8. 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 interested parties join in this Petition.

9. That the Board should approve the division of Lots 6 and 7 in accordance with the depiction shown on composite **Exhibit "B"** and composite **Exhibit "C"** 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 Lot 6 shall be divided into two (2) Lots (Lots 6A and 6B) and that Lot 7 shall be divided into (two) 2 Lots (Lots 7A and 7B) in accordance with the Plat and Legal Descriptions attached hereto as composite **Exhibit "B"** and composite **Exhibit "C"**.

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

**THIS** the 12 day of March, 2023.

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

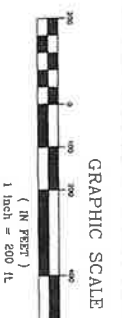
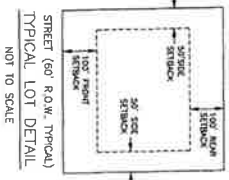
By: Rodney F. Triplett, Jr.  
President

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

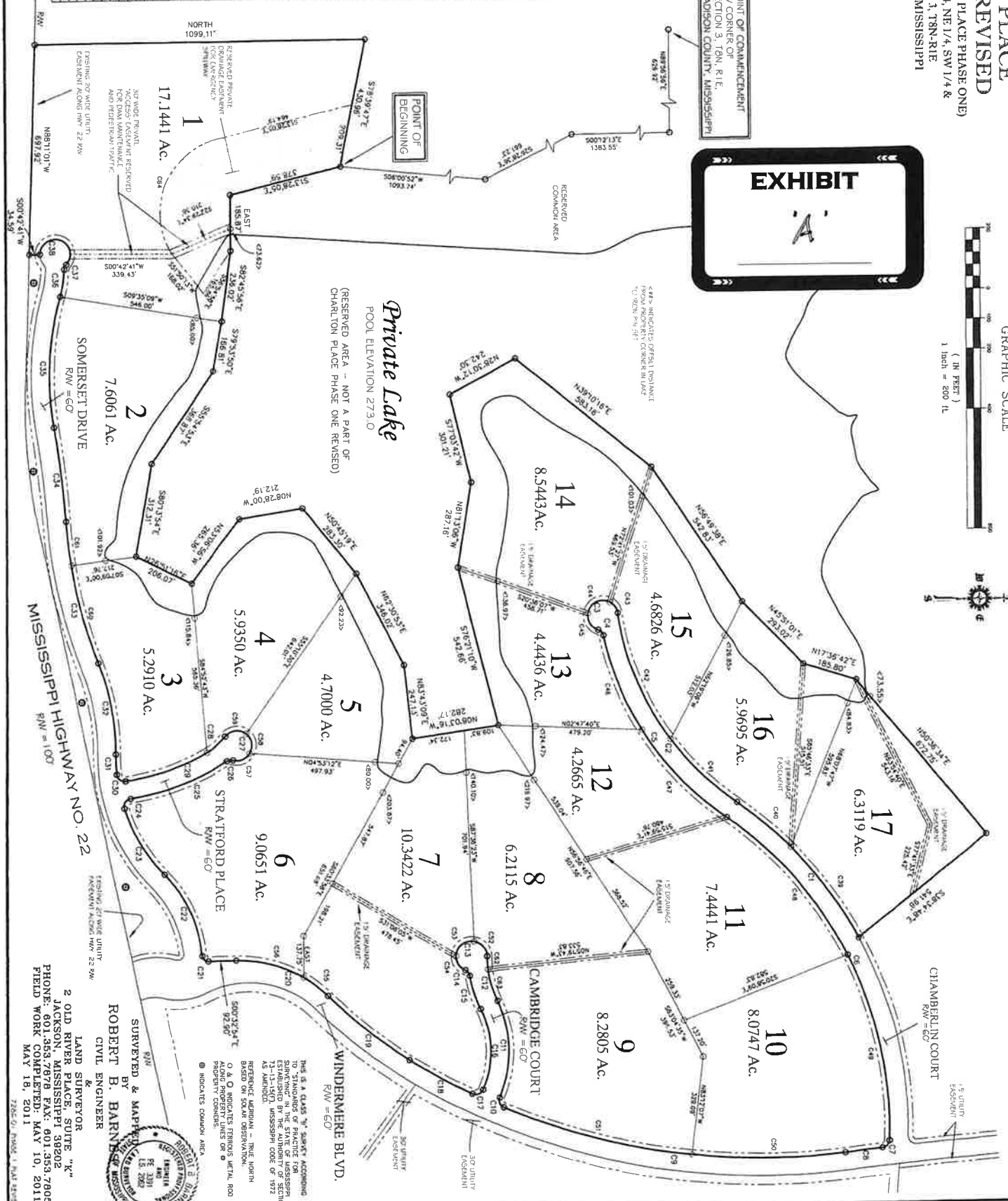
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# CHARLTON PLACE PHASE ONE REVISED

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



LINE NUMBER	CURVE DATA	BEARING
C1	135.25' 4.18'	S89.64°E
C2	181.50' 10.78'	S89.64°E
C3	181.50' 10.78'	S89.64°E
C4	181.50' 10.78'	S89.64°E
C5	181.50' 10.78'	S89.64°E
C6	181.50' 10.78'	S89.64°E
C7	181.50' 10.78'	S89.64°E
C8	181.50' 10.78'	S89.64°E
C9	181.50' 10.78'	S89.64°E
C10	181.50' 10.78'	S89.64°E
C11	181.50' 10.78'	S89.64°E
C12	181.50' 10.78'	S89.64°E
C13	181.50' 10.78'	S89.64°E
C14	181.50' 10.78'	S89.64°E
C15	181.50' 10.78'	S89.64°E
C16	181.50' 10.78'	S89.64°E
C17	181.50' 10.78'	S89.64°E
C18	181.50' 10.78'	S89.64°E
C19	181.50' 10.78'	S89.64°E
C20	181.50' 10.78'	S89.64°E
C21	181.50' 10.78'	S89.64°E
C22	181.50' 10.78'	S89.64°E
C23	181.50' 10.78'	S89.64°E
C24	181.50' 10.78'	S89.64°E
C25	181.50' 10.78'	S89.64°E
C26	181.50' 10.78'	S89.64°E
C27	181.50' 10.78'	S89.64°E
C28	181.50' 10.78'	S89.64°E
C29	181.50' 10.78'	S89.64°E
C30	181.50' 10.78'	S89.64°E
C31	181.50' 10.78'	S89.64°E
C32	181.50' 10.78'	S89.64°E
C33	181.50' 10.78'	S89.64°E
C34	181.50' 10.78'	S89.64°E
C35	181.50' 10.78'	S89.64°E
C36	181.50' 10.78'	S89.64°E
C37	181.50' 10.78'	S89.64°E
C38	181.50' 10.78'	S89.64°E
C39	181.50' 10.78'	S89.64°E
C40	181.50' 10.78'	S89.64°E
C41	181.50' 10.78'	S89.64°E
C42	181.50' 10.78'	S89.64°E
C43	181.50' 10.78'	S89.64°E
C44	181.50' 10.78'	S89.64°E
C45	181.50' 10.78'	S89.64°E
C46	181.50' 10.78'	S89.64°E
C47	181.50' 10.78'	S89.64°E
C48	181.50' 10.78'	S89.64°E
C49	181.50' 10.78'	S89.64°E
C50	181.50' 10.78'	S89.64°E
C51	181.50' 10.78'	S89.64°E
C52	181.50' 10.78'	S89.64°E
C53	181.50' 10.78'	S89.64°E
C54	181.50' 10.78'	S89.64°E
C55	181.50' 10.78'	S89.64°E
C56	181.50' 10.78'	S89.64°E
C57	181.50' 10.78'	S89.64°E
C58	181.50' 10.78'	S89.64°E
C59	181.50' 10.78'	S89.64°E
C60	181.50' 10.78'	S89.64°E



2 OLD RIVER PLACE, SUITE "A"  
JACKSON, MISSISSIPPI 39202  
PHONE: 601.353.7878 FAX: 601.353.7806  
FIELD WORK COMPLETED: MAY 10, 2011  
MAY 18, 2011

ROBERT B. BARNER  
CIVIL ENGINEER

SURVEYED & MAP BY  
ROBERT B. BARNER  
REGISTERED PROFESSIONAL ENGINEER  
NO. 10000  
STATE OF MISSISSIPPI  
EXPIRES 12/31/2022

THIS IS A CLASS "A" SURVEY ACCORDING TO STANDARDS OF PRACTICE FOR SURVEYING IN THE STATE OF MISSISSIPPI (13-13-1507) MISSISSIPPI CODE OF 1972 AS AMENDED.  
REFERENCE METHOD - TRUE NORTH  
BASED ON SOLAR OBSERVATION.  
O. & O. INDICATES FERMUS METAL ROD PROPERTY CORNERS.  
● INDICATES COMMON AREA.





**LEGAL DESCRIPTION**  
**(LOT 6A)**

A parcel of land being situated in the Southeast 1/4 of Section 3, Township 8 North, Range 1 East, Madison County, Mississippi, and being a part of Lot 6 of Charlton Place Phase One Revised, a subdivision, the map or plat of which is 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 a 5/8" iron pin found at the western right of way line of Windermere Boulevard being the most eastern corner of the said Lot 6 of Charlton Place Phase One Revised which marks the **POINT OF BEGINNING** for the parcel herein described; thence leave said western right of way line of Windermere Boulevard and run West for a distance of 137.75 feet along the northern line of the said Lot 6 to a 5/8" iron pin found; thence South 66° 43' 36" West for a distance of 637.10 feet to a 5/8" iron pin found on the western line of the said Lot 6, said western line being the eastern right of way line of Stratford Place; thence run 344.04 feet along the arc of an 800.44 foot radius curve to the right along the said eastern right of way line, said arc having a 341.40 foot chord which bears South 20° 28' 30" East to a 5/8" iron pin found; thence run 43.50 feet along the arc of a 25 foot radius curve to the left along a right of way flare, said arc having a 38.22 foot chord which bears South 58° 00' 49" East to a 5/8" iron pin found which marks the northern right of way line of Somerset Drive; thence run 260.75 feet along the arc of a 576.72 foot radius curve to the left along the said northern right of way line, said arc having a 258.53 foot chord which bears North 59° 10' 55" East to a 5/8" iron pin found; thence run 303.76 feet along the arc of a 450.90 foot radius curve to the right along the said northern right of way line, said arc having a 298.05 foot chord which bears North 65° 31' 44" East to a 5/8" iron pin found; thence run 29.80 feet along the arc of a 20.00 foot radius curve to the left along a right of way flare, said arc having a 27.12 foot chord which bears North 42° 08' 24" East to a 5/8" iron pin found which marks the said western right of way line of Windermere Boulevard; thence North 00° 32' 54" West for a distance of 92.90 feet along the said western right of way line to a 5/8" iron pin found; thence run 233.91 feet along the arc of a 425.47 foot radius curve to the right along the said western right of way line of Windermere Boulevard, said arc having a 230.97 foot chord which bears North 15° 12' 04" East to the **POINT OF BEGINNING**, containing 5.11 acres, more or less.

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



BARNES SURVEYING, LLC  
ROBERT M. BARNES  
LAND SURVEYOR



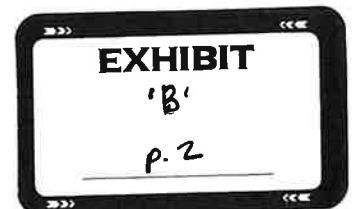
272 S PERKINS ST., SUITE 400  
RIDGELAND, MISSISSIPPI 39157  
(601) 353-7878

### LEGAL DESCRIPTION (LOT 6B)

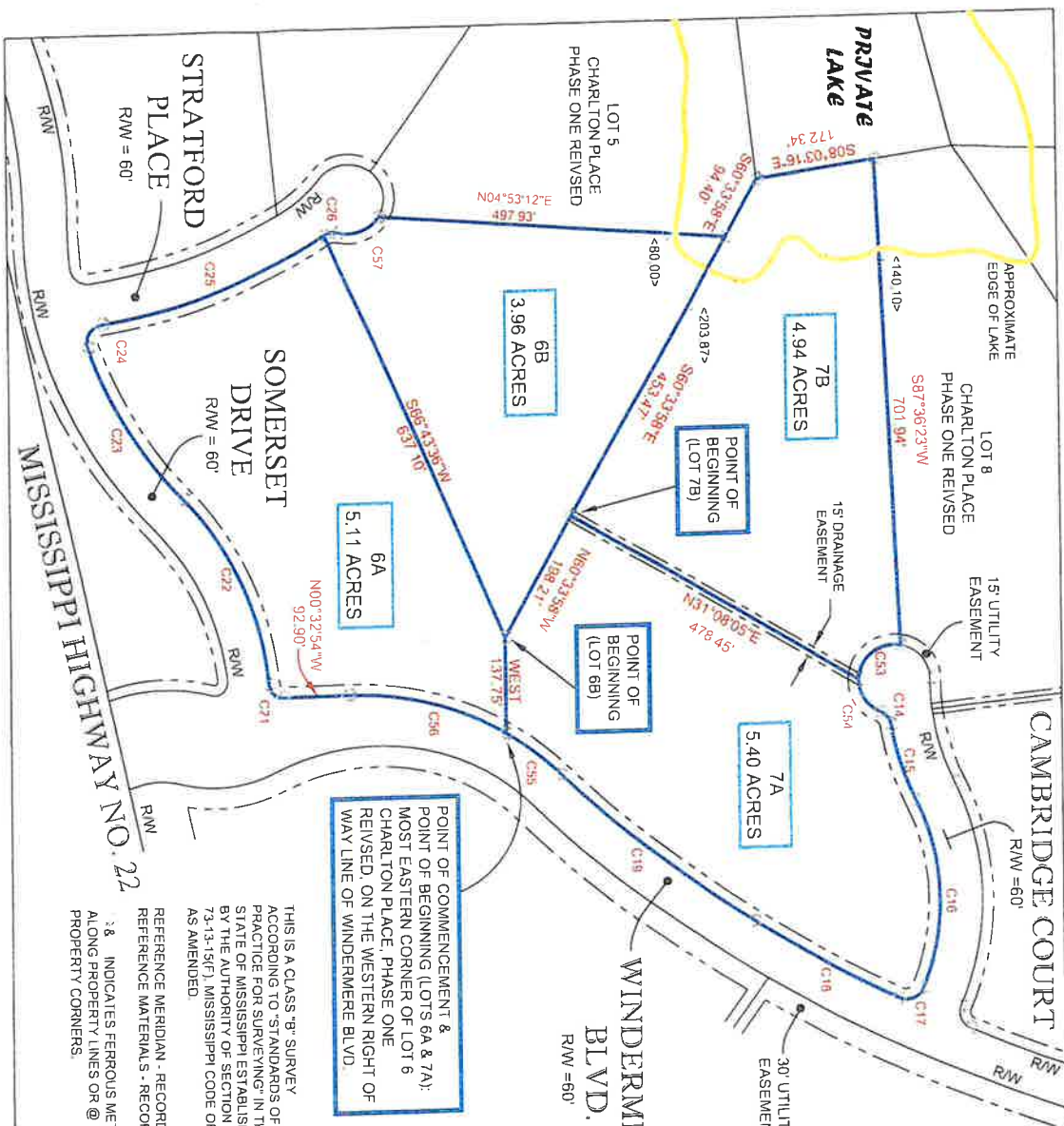
A parcel of land being situated in the Southeast 1/4 of Section 3, Township 8 North, Range 1 East, Madison County, Mississippi, and being a part of Lot 6 of Charlton Place Phase One Revised, a subdivision, the map or plat of which is recorded in Plat Cabinet E at Slides 146A and 146B in the Chancery Records of Madison County at Canton Mississippi and being more particularly described by metes and bounds as follows, to wit:

Commence at a 5/8" iron pin found at the western right of way line of Windermere Boulevard being the most eastern corner of the said Lot 6 of Charlton Place Phase One Revised; thence leave said western right of way line of Windermere Boulevard and run West for a distance of 137.75 feet along the northern line of the said Lot 6 to a 5/8" iron pin found which marks the **POINT OF BEGINNING** for the parcel herein described; thence South 66° 43' 36" West for a distance of 637.10 feet to a 5/8" iron pin found on the western line of the said Lot 6, said western line being on the eastern right of way line of Stratford Place; thence run 21.04 feet along the arc of a 25.00 foot radius curve to the right along the said eastern right of way line, said arc having a 20.43 foot chord which bears North 8° 40' 36" West to a 5/8" iron pin found; thence run 64.01 feet along the arc of a 50.00 foot radius curve to the left along the said eastern right of way line, said arc having a 59.73 foot chord which bears North 21° 14' 17" West to a 5/8" iron pin found at the most western corner of the said Lot 6; thence leave said eastern right of way line of Stratford Place and run North 4° 53' 12" East for a distance of 497.93 feet along the western line of the said Lot 6 to the northwestern corner thereof (witness corner set South 4° 53' 12" West, 80.00 feet); thence South 60° 33' 58" East for a distance of 453.47 feet along the northeastern line of the said Lot 6 to a 5/8" iron pin set; thence continue South 60° 33' 58" East for a distance of 198.21 feet along the said northeastern line of Lot 6 to the **POINT OF BEGINNING**, containing 3.96 acres, more or less.

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







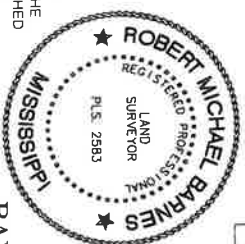
PLAT SHOWING REVISION OF  
 LOTS 6 & 7  
 CHARLTON PLACE  
 PHASE ONE REVISED  
 SITUATED IN THE NE 1/4 & SE 1/4  
 OF SECTION 3, T8N, R1E  
 MADISON COUNTY, MISSISSIPPI

CURVE	RADIUS	ARC	CHORD	BEARING
C13	50.00	215.43	83.45	S33°08'27"E
C14	25.00	25.17	24.12	N52°16'21"E
C15	407.62	116.32	115.92	N72°56'38"E
C16	334.69	278.01	270.09	N88°33'58"E
C17	25.00	41.09	36.62	S20°32'54"E
C18	2202.29	236.62	236.50	S29°37'06"W
C19	1670.00	349.48	348.84	S38°41'23"W
C21	20.00	29.60	27.12	N42°08'24"E
C22	450.90	303.76	298.05	N65°31'44"E
C23	576.72	260.75	258.53	N59°10'55"E
C24	25.00	43.50	38.22	S56°00'49"E
C25	800.44	344.04	341.40	S20°28'30"E
C26	23.00	21.04	20.43	N08°40'56"W
C27	50.00	215.85	83.22	S71°45'47"W
C28	50.00	86.59	76.17	N38°26'28"W
C34	50.00	56.79	56.29	N57°41'10"E
C35	425.47	102.00	101.76	S37°46'07"W
C36	425.47	233.91	230.97	N15°12'04"E
C37	50.00	64.01	59.73	N21°14'17"W

POINT OF COMMENCEMENT &  
 POINT OF BEGINNING (LOTS 6A & 7A):  
 MOST EASTERN CORNER OF LOT 6  
 CHARLTON PLACE, PHASE ONE  
 REVISED, ON THE WESTERN RIGHT OF  
 WAY LINE OF WINDERMERE BLVD.

THIS IS A CLASS "B" 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  
 REFERENCE MATERIALS - RECORDED S/D PLAT  
 1:8 INDICATES FERROUS METAL ROD  
 ALONG PROPERTY LINES OR @  
 PROPERTY CORNERS.



SURVEYED & MAPPED  
 BY  
**BARNES SURVEYING, LLC**  
 ROBERT MICHAEL BARNES  
 LAND SURVEYOR  
 272 S PERKINS ST., SUITE 400  
 RIDGELAND, MISSISSIPPI 39157  
 PHONE: 601.353.7878  
 EMAIL: mike@barnesurvey.com  
 FIELD WORK COMPLETED: MARCH 2, 2023  
 PLAT DATE: MARCH 2, 2023  
 7286-01 PHASE 1 PLAT REVISED





BARNES SURVEYING, LLC  
ROBERT M. BARNES  
LAND SURVEYOR



272 S PERKINS ST., SUITE 400  
RIDGELAND, MISSISSIPPI 39157  
(601) 353-7878

## LEGAL DESCRIPTION (LOT 7A)

A parcel of land being situated in the Northeast 1/4 and the Southeast 1/4 of Section 3, Township 8 North, Range 1 East, Madison County, Mississippi and being a part of Lot 7 of Charlton Place Phase One Revised, a subdivision, the map or plat of which is 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 a 5/8" iron pin found at the western right of way line of Windermere Boulevard being the most eastern corner of Lot 6 and the southeastern corner of the said Lot 7 of Charlton Place Phase One Revised which marks the **POINT OF BEGINNING** for the parcel herein described and run West for a distance of 137.75 feet along the southern line of the said Lot 7 to a 5/8" iron pin found; thence North 60° 33' 58" West for a distance of 198.21 feet along the southwestern line of the said Lot 7 to a 5/8" iron pin set at the centerline of a 15 foot (15') wide drainage easement; thence North 31° 08' 05" East for a distance of 478.45 feet along the said centerline of a 15 foot (15') wide drainage easement to a 5/8" iron pin found on the northern line of the said Lot 7, also being the southern right of way line of Cambridge Court; thence run 59.79 feet along the arc of a 50.00 foot radius curve to the left along the said southern right of way line, said arc having a 56.29 foot chord which bears North 57° 41' 10" East to a 5/8" iron pin found; thence run 25.17 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 24.12 foot chord which bears North 52° 16' 21" East to a 5/8" iron pin found; thence run 116.32 feet along the arc of a 407.62 foot radius curve to the left along the said southern right of way line, said arc having a 115.92 foot chord which bears North 72° 56' 38" East to a 5/8" iron pin found; thence run 278.01 feet along the arc of a 334.69 foot radius curve to the right along the said southern right of way line, said arc having a 270.09 foot chord which bears North 88° 33' 58" East to a 5/8" iron pin found; thence run 41.09 feet along the arc of a 25.00 foot radius curve to the right along a right of way flare, said arc having a 36.62 foot chord which bears South 20° 32' 54" East to a 5/8" iron pin found on the eastern line of the said Lot 7, also being on the said western right of way line of Windermere Boulevard; thence run 236.62 feet along the arc of a 2202.29 foot radius curve to the right along the said western right of way line, said arc having a 236.50 foot chord which bears South 29° 37' 06" West to a 5/8" iron pin found; thence run 349.48 feet along the arc of a 1670.00 foot radius curve to the right along the said western right of way line, said arc having a 348.84 foot chord



which bears South 38° 41' 29" West to a 5/8" iron pin found; thence run 102.00 feet along the arc of a 425.47 foot radius curve to the left along the said western right of way line of Windermere Boulevard, said arc having a 101.76 foot chord which bears South 37° 49' 07" West to the **POINT OF BEGINNING**, containing 5.40 acres, more or less.

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

BARNES SURVEYING, LLC  
ROBERT M. BARNES  
LAND SURVEYOR



272 S PERKINS ST., SUITE 400  
RIDGELAND, MISSISSIPPI 39157  
(601) 353-7878

## LEGAL DESCRIPTION (LOT 7B)

A parcel of land being situated in the Northeast 1/4 and the Southeast 1/4 of Section 3, Township 8 North, Range 1 East, Madison County, Mississippi and being a part of Lot 7 of Charlton Place Phase One Revised, a subdivision, the map or plat of which is 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:

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

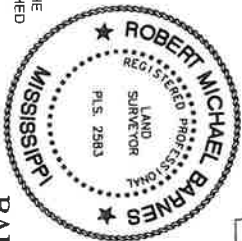




PLAT SHOWING REVISION OF  
 LOTS 6 & 7  
 CHARLTON PLACE  
 PHASE ONE REVISED  
 SITUATED IN THE NE 1/4 & SE 1/4  
 OF SECTION 3, T8N-R1E  
 MADISON COUNTY, MISSISSIPPI

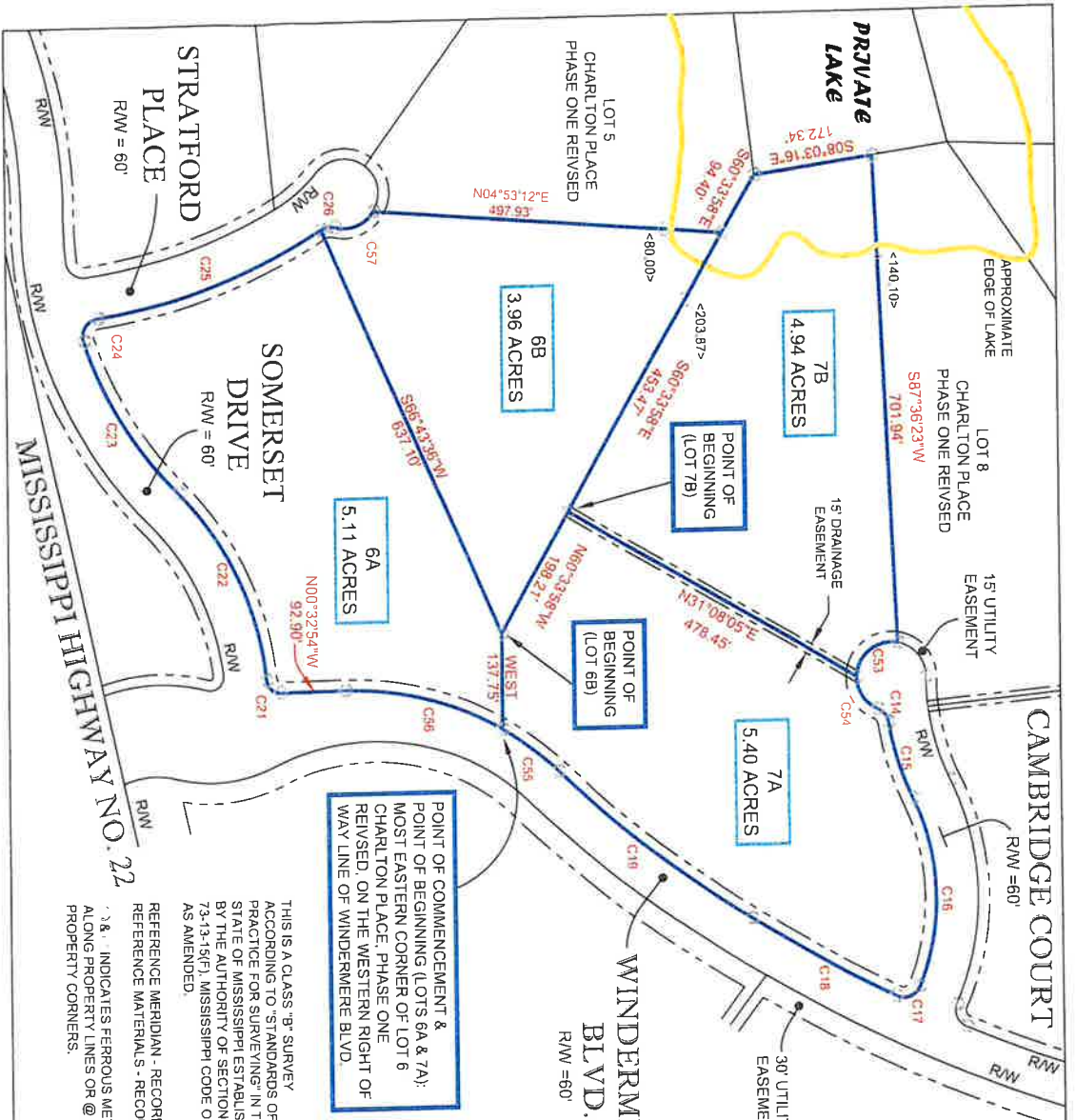
CURVE	RADIUS	ARC	CHORD	BEARING
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C25	800.44	344.04	341.40	S20°28'30"E
C26	25.00	21.04	20.43	N08°40'56"W
C27	50.00	215.85	83.22	S71°45'47"W
C28	50.00	86.59	76.17	N38°26'28"W
C29	50.00	59.79	56.29	N57°41'10"E
C30	425.47	102.00	101.76	S37°49'07"W
C31	50.00	233.91	230.97	N15°12'04"E
C32	50.00	64.01	59.73	N21°14'17"W

<#> INDICATES DISTANCE FROM PROPERTY CORNER IN LAKE TO IRON PIN WITNESS CORNER SET



SURVEYED & MAPPED BY  
**BARNES SURVEYING, LLC**  
 ROBERT MICHAEL BARNES  
 LAND SURVEYOR  
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 RIDGELAND, MISSISSIPPI 39157  
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 FIELD WORK COMPLETED: MARCH 2, 2023  
 PLAT DATE: MARCH 2, 2023

7286-01 PHASE 1 PLAT REVISED



THIS IS A CLASS "B" 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 REFERENCE MATERIALS - RECORDED S/D PLAT  
 \* & \* INDICATES FERROUS METAL ROD ALONG PROPERTY LINES OR @ PROPERTY CORNERS.