



STATE OF MISSISSIPPI
GOVERNOR TATE REEVES

DEPARTMENT OF FINANCE AND ADMINISTRATION
LIZ WELCH
EXECUTIVE DIRECTOR

QUARTERLY REPORT FORM

Name of Entity: Madison County Board of Supervisors

Project Description: Bozeman (MS 463 and North)

Legislative Bill Number: SB 2971

Report for the Quarter Ending: September 30 Year: 2023

Quarterly

Report Type: _____

<i>Complete this section upon initial receipt of funds</i>		Amount
Date of Initial Receipt of Proceeds (06/04/2021):		\$ 5,000,000.00
Less: Pro Rata Share of Issuance Cost (if applicable):		(\$ _____)
Beginning Project Balance:		\$ 5,000,000.00

Insert Beginning and Ending Quarter dates in () below

	Amount
Quarter Balance Beginning (<u>07/01/2023</u>):	\$ 5,020,756.45
Plus: Interest Earned/Reimbursements (if applicable):	\$ 48,176.91
Less: Project Expenditures During This Period:	(\$ 34,372.99)
Quarter Balance Ending (<u>09/30/2023</u>):	\$ 5,034,560.37

Project Summary:(List updates regarding the project status or information regarding bank transfers or errors):

Project was officially awarded to Hemphill on September 26, 2023. Contractor is providing the county with all their bonds and SWPPP. After receipt of these, a notice to proceed shall be issued.

I, the undersigned authority, do hereby swear and affirm that all information provided above is complete and accurate to the best of my knowledge. I further swear and affirm that all state bond proceeds reported on herein were used in accordance with the legislation that authorized such bonds.

Please note that under no circumstance should the person executing the report also notarize the signature.

COMPLETED BY:

Gerald Steen

Name

Signature

Madison County Board President

Title

Date

Sworn to and subscribed before me this _____ day of _____

State of Mississippi

County of: _____

Notary Public _____

My Commission Expires _____

Notary
Public
Seal

RENASANT BANK
3330 S LIBERTY ST
CANTON MS 39046

STATEMENT OF ACCOUNT
AUGUST 31, 2023: LAST STATEMENT
SEPTEMBER 30, 2023: THIS STATEMENT
PAGE 1 OF 1 8011167626



DIRECT INQUIRIES TO:
877 367-5371

MADISON COUNTY
BOZEMAN RD \$5M STATE FUNDS
PO BOX 608
CANTON MS 39046-0608

RENASANT BANK
3330 S LIBERTY ST
CANTON MS 39046

0

***** COMMERCIAL CHOICE RATE CHKG - SUMMARY *****

ACCOUNT NUMBER	8011167626	PREVIOUS BALANCE	\$5,042,772.08
AVG COLLECTED BALANCE	5,033,199.00	ADDITIONS	+ 0.00
INTEREST EARNED YEAR TO DATE	30,216.68	SUBTRACTIONS	- 23,931.84
		INTEREST EARNED	+ 15,720.13
		ENDING BALANCE	\$5,034,560.37

***** OTHER DEBITS *****

DATE	DESCRIPTION	SUBTRACTIONS
09-19	#WITHDRAWAL MADISON COUNTY FUND 340 230919 1646000658	23,931.84

***** CREDITS *****

DATE	DESCRIPTION	ADDITIONS
09-30	#INTEREST	15,720.13

***** INTEREST INFORMATION *****

ANNUAL PERCENTAGE YIELD EARNED	3.87%
INTEREST-BEARING DAYS	30
AVERAGE BALANCE FOR APY	\$5,033,199.34
INTEREST EARNED	\$15,720.13

	TOTAL FOR THIS PERIOD	TOTAL YEAR-TO-DATE
TOTAL OVERDRAFT FEES	\$0.00	\$0.00
TOTAL RETURNED ITEM FEES	\$0.00	\$0.00

RENASANT BANK
 3330 S LIBERTY ST
 CANTON MS 39046

STATEMENT OF ACCOUNT
 JULY 31, 2023: LAST STATEMENT
 AUGUST 31, 2023: THIS STATEMENT
 PAGE 1 OF 1 8011167626



DIRECT INQUIRIES TO:
 877 367-5371

MADISON COUNTY
 BOZEMAN RD \$5M STATE FUNDS
 PO BOX 608
 CANTON MS 39046-0608

RENASANT BANK
 3330 S LIBERTY ST
 CANTON MS 39046

***** COMMERCIAL CHOICE RATE CHKG - SUMMARY *****

ACCOUNT NUMBER	8011167626	PREVIOUS BALANCE	\$5,036,960.43
AVG COLLECTED BALANCE	5,035,884.00	ADDITIONS	+ 0.00
INTEREST EARNED YEAR TO DATE	14,496.55	SUBTRACTIONS	- 10,441.15
		INTEREST EARNED	+ 16,252.80
		ENDING BALANCE	\$5,042,772.08

***** CHECKS *****

NUMBER	DATE	AMOUNT	NUMBER	DATE	AMOUNT
105	08-24	3,272.05	106	08-31	7,169.10

***** CREDITS *****

DATE	DESCRIPTION	ADDITIONS
08-31	#INTEREST	16,252.80

***** INTEREST INFORMATION *****

ANNUAL PERCENTAGE YIELD EARNED	3.87%
INTEREST-BEARING DAYS	31
AVERAGE BALANCE FOR APY	\$5,035,884.77
INTEREST EARNED	\$16,252.80

	TOTAL FOR THIS PERIOD	TOTAL YEAR-TO-DATE
TOTAL OVERDRAFT FEES	\$0.00	\$0.00
TOTAL RETURNED ITEM FEES	\$0.00	\$0.00

Account
8011167626

Renasant Bank - Image Statement

Date 8/31/2023
PAGE 2 OF 2

MADISON COUNTY
BOZEMAN RD 55A STATE FUNDS
PO BOX 608
125 W NORTH STREET
CANTON, MS 39048

8/14/2023 105

Pay to the Order of Madison County Circuit Clerk \$ 3,272.05
Thirty two hundred seventy two dollars 05/00

RENASANT BANK
8011167626
For Row 0147 Row

0084201294: 8011167626 00105

Check 105, Amount \$3,272.05 Date 8/24

MADISON COUNTY
BOZEMAN RD 55A STATE FUNDS
PO BOX 608
125 W NORTH STREET
CANTON, MS 39048

8/25/2023 106

Pay to the Order of Madison County Circuit Clerk \$ 7,169.10
Seven thousand one hundred sixty nine and 10/100

RENASANT BANK
8011167626
For Row 0147 Row

0084201294: 8011167626 00106

Check 106, Amount \$7,169.10 Date 8/31



P.O. Box 4140
Tupelo, MS 38803-4140

STATEMENT OF ACCOUNT
JUNE 30, 2023: LAST STATEMENT
JULY 31, 2023: THIS STATEMENT
PAGE 1 OF 1 8011167626

00005328-FRENDDA0080123377393-STNDS6X901-000000



MADISON COUNTY
BOZEMAN RD \$5M STATE FUNDS
PO BOX 608
CANTON MS 39046-0608

DIRECT INQUIRIES TO:
877 367-5371

RENASANT BANK
3330 S LIBERTY ST
CANTON MS 39046

0

***** COMMERCIAL CHOICE RATE CHKG - SUMMARY *****

ACCOUNT NUMBER	8011167626	PREVIOUS BALANCE	\$5,020,756.45
AVG COLLECTED BALANCE	5,020,756.00	ADDITIONS	0.00
INTEREST EARNED YEAR TO DATE	98,243.75	SUBTRACTIONS	0.00
		INTEREST EARNED	16,203.98
		ENDING BALANCE	\$5,036,960.43

***** CREDITS *****

DATE	DESCRIPTION	ADDITIONS
07-31	#INTEREST	16,203.98

***** INTEREST INFORMATION *****

ANNUAL PERCENTAGE YIELD EARNED	3.87%
INTEREST-BEARING DAYS	31
AVERAGE BALANCE FOR APY	\$5,020,756.45
INTEREST EARNED	\$16,203.98

	TOTAL FOR THIS PERIOD	TOTAL YEAR-TO-DATE
TOTAL OVERDRAFT FEES	\$0.00	\$0.00
TOTAL RETURNED ITEM FEES	\$0.00	\$0.00



Account	Objective Name	Clm/Rct#	Trans	Date	Debit Amount	Credit Amount	Balance
340-000-001	CASH IN BANK						5,020,756.45DB
CR RENASANT BANK	INTEREST INCOME	231807	231856-	1 07/31/2023	16203.98		5,036,960.43DB
CD MADISON COUNTY CIRCUIT CLERK	BOZEMAN RD PROJECT RO	105	236156-	1 08/14/2023		3272.05	5,033,688.38DB
CD MADISON COUNTY CIRCUIT CLERK	BOZEMAN RD PROJECT RO	106	236465-	1 08/25/2023		7169.10	5,026,519.28DB
CR RENASANT BANK	INTEREST INCOME	232055	232115-	1 08/31/2023	16252.80		5,042,772.08DB
CD NEEL-SCHAFFER, INC	BOZEMAN/463/GLUCKSTAD	9091823	237076-	1 09/18/2023		23931.84	5,018,840.24DB
CR RENASANT BANK	INTEREST INCOME	232217	232280-	1 09/30/2023	15720.13		5,034,560.37DB
					48176.91	34372.99	5,034,560.37DB
340-000-190	FUND BALANCE						-5,005,818.11CR
340-000-270	STATE GRANT						0.00
340-000-330	INTEREST INCOME						-84,322.19CR
CR RENASANT BANK	INTEREST INCOME	231807	231856-	1 07/31/2023		16203.98	-100,526.17CR
CR RENASANT BANK	INTEREST INCOME	232055	232115-	1 08/31/2023		16252.80	-116,778.97CR
CR RENASANT BANK	INTEREST INCOME	232217	232280-	1 09/30/2023		15720.13	-132,499.10CR
						48176.91	-132,499.10CR
340-000-389	BEGINNING CASH						0.00
340-000-398	BANK TRANSFER						0.00
340-300-953	CONSTRUCTION PROJECTS						69,383.85DB
*CD MADISON COUNTY CIRCUIT CLERK	BOZEMAN RD PROJECT RO	105	236156-	1 08/14/2023	3272.05		72,655.90DB
*CD MADISON COUNTY CIRCUIT CLERK	BOZEMAN RD PROJECT RO	106	236465-	1 08/25/2023	7169.10		79,825.00DB
*CD NEEL-SCHAFFER, INC	BOZEMAN/463/GLUCKSTAD	9091823	237076-	1 09/18/2023	23931.84		103,756.84DB
					34372.99		103,756.84DB

236156

IN THE SPECIAL COURT OF EMINENT DOMAIN
MADISON COUNTY, MISSISSIPPI

MADISON COUNTY, MISSISSIPPI, a body politic

PLAINTIFF

VS.

CIVIL ACTION NO. CO-2023-0148-JH

FREDERICK D. SADDLER; MATTIE E. SADDLER; U.S. BANK NATIONAL ASSOCIATION, NOT IN ITS INDIVIDUAL CAPACITY BUT SOLELY AS INDENTURE TRUSTEE FOR THE CIM TRUST 2017-8 MORTGAGE-BACKED NOTES SERIES 2017-8 BY NATIONSTAR MORTGAGE LLC d/b/a MR. COOPER; SHAPIRO & BROWN, LLC, TRUSTEE; AND CITIBANK (South Dakota) N.A.

FILED
MADISON COUNTY

AUG 09 2023

ANITA WRAY, CIRCUIT CLERK

BY CP D.C.

DEFENDANTS

AGREED FINAL JUDGMENT

In this cause, Plaintiff, Madison County, Mississippi, brought a Complaint to condemn certain lands named in the Complaint as described in Exhibit "A" attached hereto and incorporated herein. The Court finds that service of process was completed on the Defendants according to law, and that all parties are before the Court and that the Court therefore has jurisdiction over the parties and the subject matter.

Following a hearing held on August 9, 2023, this Court entered an Order granting Plaintiff's Motion to Dismiss Citibank (South Dakota) N.A. as a necessary and proper party under Section 11-27-5, Miss. Code Ann. (1972) as amended, having found that the Judgment enrolled by it against Defendant Frederick Saddler constitutes neither a lien against the subject property, being the Homestead of Frederick and Mattie Saddler, nor against the proceeds to be paid by Plaintiff as due compensation for Saddlers disposal of that portion thereof described in Exhibit "A".

The Court is now advised that the remaining parties in this cause agree that the amount of just compensation for the taking of the aforementioned property is Seven Thousand Five Hundred Dollars (\$7,500.00); that this amount is the full amount to be paid to Defendants in this cause,

142/403

inclusive of all interest and damages; that this Agreed Final Judgment is in lieu of trial by jury, and that the parties are bound by this Agreed Final Judgment the same as if there had been an independent appraisal, jury trial, and a decision rendered accordingly.

Plaintiff Madison County, Mississippi has previously acquired immediate title and possession of the condemned property pursuant this Court's Order Granting Plaintiff Right of Immediate Title and Possession dated May 18, 2023. Pursuant to said Order, and in accordance with §11-27-85 Miss. Code Ann. (1972) as amended, Plaintiff deposited into Court the sum of Four Thousand Two Hundred Twenty-Seven Dollars & 95/100 (\$4,227.95) on June 7, 2023. Now, upon payment of the additional sum of Three Thousand Two Hundred Seventy-Two & 05/100 (\$3,272.05), this Judgment shall have been satisfied by payment in full; and all right, fee title and interest in and to said property as more particularly described as project Parcel 055-00-00-W in Exhibit "A" attached hereto and in the complaint filed herein, together with a temporary easement of use in and to said property as described as project Parcel 055-00-00-T in Exhibit "A", less and except all oil, gas and other minerals which may be produced through a well bore, shall remain vested in Plaintiff, Madison County, Mississippi, free and clear of any encumbrances, to be appropriated to the public use as prayed for in the Complaint.

IT IS, THEREFORE, ORDERED AND ADJUDGED that this Agreed Final Judgment be entered in this cause; that the total compensation due Defendants in this cause, including all damages and interest, is Seven Thousand Five Hundred Dollars (\$7,500.00); that Plaintiff, having deposited the sum of Four Thousand Two Hundred Twenty-Seven Dollars & 95/100 (\$4,227.95) into court, shall satisfy this Agreed Final Judgment in full upon deposit onto court of the additional sum of Three Thousand Two Hundred Seventy-Two & 05/100 (\$3,272.05), for a total deposit of Seven

142/404

Thousand Five Hundred Dollars (\$7,500.00) whereupon unencumbered ownership of all right, fee title and interest to said property as more particularly described in Exhibit "A" attached hereto and in the complaint filed herein as project Parcel 055-00-00-W, together with a temporary easement of use in and to said property as described in Exhibit "A" as project Parcel 055-00-00-T, less and except all oil, gas and other minerals which may be produced through a well bore, having vested in Madison County, Mississippi on June 7, 2023 pursuant to this Court's order Granting Plaintiff Immediate Title and Possession, may be appropriated to the public use as prayed for in the Complaint.

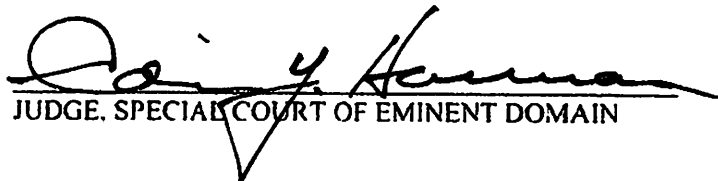
IT IS FURTHER ORDERED AND ADJUDGED that in accordance with the agreement as to apportionment reached between the Defendants, the Clerk of Court is hereby authorized and directed to pay from the deposited funds the sum of \$3,500.00 jointly to Defendants, Frederick D. Saddler and wife, Mattie Saddler, with the balance of \$4,000.00 to be paid to U.S. Bank Trust Company National Association, Not In Its Individual Capacity But Solely As Indenture Trustee For The CIM Trust 2023-NR1 Mortgage-Backed Notes Series 2023-NR1 By Nationstar Mortgage LLC d/b/a Mr. Cooper as Assignee by virtue of that certain Corporate Assignment of Deed of Trust, being Instrument 985962 filed in Deed of Trust Book 4532 at Page 568 in the Office of the Chancery Clerk of Madison County, Mississippi, by U.S. Bank National Association, Not In Its Individual Capacity But Solely As Indenture Trustee For The CIM Trust 2017-8 Mortgage-Backed Notes Series 2017-8 By Nationstar Mortgage LLC d/b/a Mr. Cooper, as Assignor, said payment to be applied to the principal balance of the Saddlers' mortgage loan originally secured by that certain Deed of Trust, dated December 22, 1998, and recorded in the Office of the Chancery Clerk of Madison County, Mississippi, in Book 1145 at Page 763; and any assignments, renewals, amendments, modifications or extensions thereof. Assignee U.S. Bank Trust Company National Association, Not In Its Individual Capacity But Solely As Indenture Trustee For The CIM Trust 2023-NR1 Mortgage-

Backed Notes Series 2023-NR1 By Nationstar Mortgage LLC d/b/a Mr. Cooper, joins in this Agreed Final Judgment and agrees to the entry of this Final Judgment in accordance with the terms and conditions stated herein.

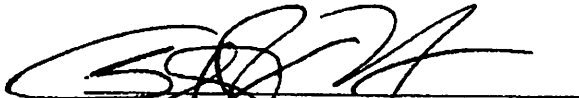
IT IS FURTHER ORDERED AND ADJUDGED that this Agreed Final Judgment shall be filed in the land records of the Chancery Clerk of Madison County, Mississippi, and that the Chancery Clerk enter a marginal notation as to the partial release of the property being acquired in fee as described in Exhibit "A" as project Parcel 055-00-00-W, from the aforesaid deeds of trust and any assignments, renewals, amendments, modifications or extensions thereof, by virtue of this Agreed Final Judgment.

Let the Plaintiff pay the costs, for which execution may issue.

SO ORDERED AND ADJUDGED, this the 9th day of August, 2023.


JUDGE, SPECIAL COURT OF EMINENT DOMAIN

AGREED AS TO FORM AND CONTENT:




Steven Price Nixon (MSB 101663)
MCCalla, Raymer, Leibert, Pierce, LLC
Attorney for Defendant, U.S. Bank National Association, Not
In Its Individual Capacity But Solely As Indenture Trustee For
The CIM Trust 2017-8 Mortgage-Backed Notes Series 2017-8
By Nationstar Mortgage LLC d/b/a Mr. Cooper

and

U.S. Bank Trust Company National Association, Not In Its
Individual Capacity But Solely As Indenture Trustee For The
CIM Trust 2023-NR1 Mortgage-Backed Notes Series 2023-
NR1 By Nationstar Mortgage LLC d/b/a Mr. Cooper

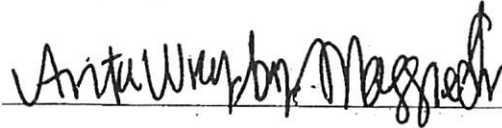


Barry S. Zirulnik (MSB# 6681)
Price & Zirulnik, PLLC
Attorney for Madison County, Mississippi


³

Frederick D. Saddler

STATE OF MISSISSIPPI
COUNTY OF Madison

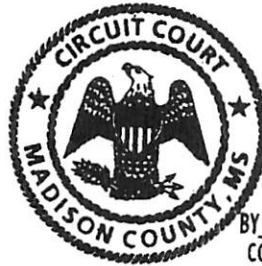
Personally appeared before me, the undersigned authority in and for the said county and state, on this 9th day of August, 2023 within my jurisdiction, the within named Frederick D. Saddler who acknowledged that he executed the above and foregoing instrument.

 Notary Public

My Commission Expires:
(Seal)

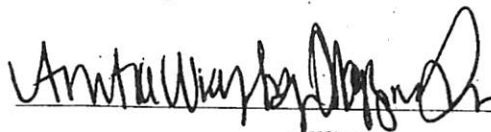

Mattie Saddler

STATE OF MISSISSIPPI
COUNTY OF Madison



ANITA WRAY
Circuit Clerk
&
Ex-Officio
Notary Public
BY  D.C.
COMMISSION EXPIRES JAN. 2, 2024

Personally appeared before me, the undersigned authority in and for the said county and state, on this 9th day of August, 2023 within my jurisdiction, the within named Frederick D. Saddler who acknowledged that he executed the above and foregoing instrument.

 Notary Public

My Commission Expires:
(Seal)

112/407



ANITA WRAY
Circuit Clerk
&
Ex-Officio
Notary Public
BY  D.C.
COMMISSION EXPIRES JAN. 2, 2024

Prepared and Presented By:

Barry S. Zirulnik, Esq. (M..B. #6681)
Price & Zirulnik, PLLC
750 Woodlands Parkway, Suite 205
Ridgeland, MS 39157
Telephone: (601) 353-3007

055-00-00-W
Frederick D. Sadler and Mattie E. Sadler

Indexing Instructions: SE/4 of the SE/4 of Section 19, Township 8 North, Range 2 East, Madison County, Mississippi.

The following description is based on the Mississippi State Plane Coordinate System, West Zone, NAD 83 (2011) epoch 2010.00, grid values, U. S. Survey feet, using a scale factor of 0.999954045 and a grid to geodetic azimuth angle of (+) 00 degrees 06 minutes 12.67957 seconds developed at the below described commencing point used for Project Number STP-6985-00(001) LPA/106993-701000. It is the intent of this description to convey that portion of the grantors property that lies with the proposed right-of-way as defined by said project:

Commencing at a found #3 rebar located at the Northeast corner of the Ingleside II Subdivision, Part 1, Plat Cabinet C, Slide 5, records of the Office of Chancery Clerk, Madison County, Mississippi, having a coordinate value of N 1086750.79, E 2356013.16, on the above reference coordinate system, thence run North 13 degrees 21 minutes 59 seconds East for a distance of 11112.02 feet to a #5 rebar with plastic cap located at the intersection of the proposed west right-of-way line of Bozeman Road and the grantors north property line as described in Book 214, Page 676, records of the Office of Chancery Clerk, Madison County, Mississippi, being 45.00 feet left of and perpendicular to proposed Catlett Road alignment at project centerline station 181+20.00, having a coordinate value of N 1097561.81, E 2358582.00, on the above reference coordinate system, and being referred to hereinafter as the Point of Beginning;

From the Point of Beginning thence along said north property line run, South 89 degrees 37 minutes 44 seconds East for a distance of 24.36 feet to a #5 rebar with cap located on the existing west right-of-way line of Catlett Road;

thence along said existing west right-of-way line run, South 00 degrees 22 minutes 19 seconds West for a distance of 134.05 feet to a #5 rebar with plastic cap located at the intersection of said existing west right-of-way line and the existing north right-of-way line of Gluckstadt Road;

thence along said existing north right-of-way line run, North 89 degrees 37 minutes 44 seconds West for a distance of 41.03 feet to a #5 rebar with plastic cap located at the intersection of said existing north right-of-way line and the proposed west right-of-way line of Catlett Road;

thence along said proposed west right-of-way line run, North 10 degrees 23 minutes 11 seconds East for a distance of 95.54 feet to a #5 rebar with cap;

thence continue along said proposed west right-of-way line run, North 00 degrees 27 minutes 22 seconds East for a distance of 40.00 feet back to the Point of Beginning, containing 0.09 acres (4054 square feet), more or less, and being situated in the Southeast Quarter of the Southeast Quarter of Section 19, Township 8 North, Range 2 East, Madison County, Mississippi.



142/449

055-00-00-T
Frederick D. Sadler and Mattie E. Sadler

Indexing Instructions: SE/4 of the SE/4 of Section 19, Township 8 North, Range 2 East, Madison County, Mississippi.

The following description is based on the Mississippi State Plane Coordinate System, West Zone, NAD 83 (2011) epoch 2010.00, grid values, U. S. Survey feet, using a scale factor of 0.999954045 and a grid to geodetic azimuth angle of (+) 00 degrees 06 minutes 12.67957 seconds developed at the below described commencing point used for Project Number STP-6985-00(001) LPA/106993-701000.

Commencing at a found #3 rebar located at the Northeast corner of the Ingleside II Subdivision, Part I, Plat Cabinet C, Slide 5, records of the Office of Chancery Clerk, Madison County, Mississippi, having a coordinate value of N 1086750.79, E 2356013.16, on the above reference coordinate system, thence run North 13 degrees 21 minutes 59 seconds East for a distance of 11112.02 feet to a #5 rebar with plastic cap located at the intersection of the proposed west right-of-way line of Catlett Road and the grantors north property line as described in Book 214, Page 676, records of the Office of Chancery Clerk, Madison County, Mississippi, being 45.00 feet left of and perpendicular to proposed Catlett Road alignment at project centerline station 181+20.00, having a coordinate value of N 1097561.81, E 2358582.00, on the above reference coordinate system, and being referred to hereinafter as the Point of Beginning;

From the Point of Beginning thence along said proposed west right-of-way line run, South 00 degrees 27 minutes 22 seconds West for a distance of 40.00 feet to a #5 rebar with cap located on said proposed west right-of-way line of Catlett Road;

Thence leaving said proposed west right-of-way line run, North 89 degrees 32 minutes 38 seconds West for a distance of 10.00 feet to a #5 rebar with plastic cap;

thence run, North 00 degrees 27 minutes 22 seconds East for a distance of 40.00 feet to a #5 rebar with plastic cap located on said grantors north property line;

thence along said north property line run, South 89 degrees 32 minutes 38 seconds East for a distance of 10.00 feet back to the Point of Beginning, containing 400 square feet, more or less, and being situated in the Southeast Quarter of the Southeast Quarter of Section 19, Township 8 North, Range 2 East, Madison County, Mississippi.

142/470

Nason White

From: Barry Zirulnik <barryzirulnik@att.net>
Sent: Friday, August 11, 2023 9:59 AM
To: Nason White
Cc: mikesmike@mikespy.com; 'Stan Wright'; 'Jim Turner'
Subject: RE: Madison County, Mississippi vs. Frederick Saddler, et al.; In the Special Court of Eminent Domain; #2023-0148-JH; Bozeman Road Project
Attachments: #34- Agreed Final Judgment.pdf; Circuit Court Clerk's Receipt for Deposit of Funds.pdf

CAUTION! External Content. Please use caution when opening attachments and links. Do not provide your username and password if requested.

Good morning Na'son,

On June 5, 2023, Jim Turner advised that earlier that morning the Board had approved authority to settle this case for an amount not to exceed \$9,000.

On Wednesday, August 9, 2023, a hearing was held resulting in the Court's granting of a Motion filed by the County which eliminated an issue that was impeding settlement, followed by the Court's entry of the attached Agreed Final Judgment providing for a full and final settlement of the matter for \$7,500.

On June 7, 2023, the County deposited \$4,227.95 with the Circuit Court Clerk in accordance with the Court's Order Granting Immediate Title and Possession. For your ready reference, I am attaching a copy of the receipt for that deposit.

Therefore, in accordance with the Agreed Final Judgment, please have the County make an additional deposit of \$3,272.05 with the Circuit Court Clerk, referencing the above case number on the memo portion of the check, which will bring the matter to a full and final conclusion.

Please also send me a copy of the Circuit Clerk's Receipt for the deposit and I will see that the Agreed Final Judgment, with receipts attached evidencing payment in full, is filed in the land records.

Please call with any questions, and thank you for your assistance.

Have a good weekend,
Barry

Barry S. Zirulnik, Esq.
Price & Zirulnik, PLLC
750 Woodlands Parkway, Suite 205
Ridgeland, MS 39157
Phone: 601-353-3000
Fax: 601-353-3007

This message may contain confidential or proprietary information intended only for the use of the addressee(s) named above or may contain information that is legally privileged. If you are not the intended addressee, or the person responsible for delivering it to the intended addressee, you are hereby notified that reading, disseminating, distributing

or copying this message is strictly prohibited. If you have received this message by mistake, please immediately notify us by replying to the message and delete the original message and any copies immediately thereafter.

FEE BILL, CIVIL CASES, CIRCUIT COURT

State of Mississippi
Madison County

MADISON COUNTY V FREDERICK D SADDLER

Case # CO-2023-0148 Acct # 7834 Paid By CHECK 104 Rct# 100121

CV EMINENT DOMAIN COSTS 4227.95

Total \$ 4227.95
=====

Payment received from MADISON COUNTY

Transaction 110574 Received 6/ 7/2023 at 9:33 Drawer 1 I.D. DENDY

Current Balance Due \$0.00 Receipt Amount \$ 4227.95

By _____ D.C. ANITA WRAY, Circuit Clerk

Case # CO-2023-0148 Acct # 7834 Paid By CHECK 104 Rct# 100121

MADISON COUNTY
BOZEMAN RD \$5M STATE FUNDS

102

Case No. 1:23-cv-00148

Document #: 23 (Court only)

Filed: 06/07/2023

Page 2 of 2

125 W NORTH STREET
CANTON, MS 39046

6/5/2023

Date

CHECK AMOUNT

Pay to the
Order of

Morrow Realty

\$ 1,000.00

One thousand and no/100

Dollars



Photo
Safe
Deposit
Dates on back

RENASANT BANK 1-800-680-1601
www.renasantbank.com

For

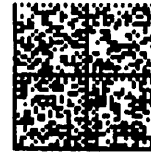
Bozeman Rd 0148

Ronny Jett

⑆084201294⑆ 8011167626⑆ 00102

ANITA WRAY
MADISON COUNTY CIRCUIT CLERK
P. O. DRAWER 1626
CANTON, MISSISSIPPI 39046

Morrow Realty, LLC
102 Glenartney Street
Brandon Ms 39042



US POSTAGE by PITNEY BOWES



ZIP 39046 \$ 000.60⁰
02 4W
0000360355 JUN 07 2023

Nason White

From: Barry Zirulnik <barryzirulnik@att.net>
Sent: Thursday, August 17, 2023 10:24 AM
To: Nason White
Cc: mikesmike@mikespy.com; 'Stan Wright'; 'Jim Turner'
Subject: RE: Madison County, Mississippi vs. Walter Saddler, et al.; In the Special Court of Eminent Domain; #2023-0147-JH; Bozeman Road Project
Attachments: #56 -Agreed Judgment Under Rule 56 .pdf; #58 - Final Judgment.pdf; Clerk's Receipt for Deposit- Walter Saddler.pdf; #56 -Agreed Judgment Under Rule 56 .pdf

236465

#1

CAUTION! External Content. Please use caution when opening attachments and links. Do not provide your username and password if requested.

Good morning Na'Son,

Bozeman Road 55M
Fund 340 Bank 107

On June 5, 2023, Jim Turner advised that earlier that morning the Board had approved authority to settle this case for an amount not to exceed \$9,000.

I am pleased to report that on Wednesday, August 9, 2023, the Court granted a Motion filed by Madison which eliminated an issue that was impeding settlement and allowed us to consummate a full and final settlement with 16 individuals, each having an undivided interest in the property, for the stated amount authorized by the Board. Attached please find a copies of the Agreed Judgment and Agreed Final Judgment providing for a full and final settlement of the matter for \$9,000.

On June 7, 2023, the County deposited \$1,830.90 with the Circuit Court Clerk in accordance with the Court's Order Granting Immediate Title and Possession. For your ready reference, I am attaching a copy of the receipt for that deposit.

Therefore, in accordance with the Agreed Judgment and Final Judgment, please have the County make an additional deposit of \$7,169.10 with the Circuit Court Clerk, referencing the above case number on the memo portion of the check, which will bring the matter to a full and final conclusion. (As an aside for information purposes only, our court updated appraisal indicated a value of \$6,100.00).

Please also send me a copy of the Circuit Clerk's Receipt for the deposit and I will see that the Agreed Judgment and Final Judgment, with receipts attached evidencing payment in full, are filed in the land records.

Please call with any questions, and thank you for your assistance.

Have a good day,
Barry

Barry S. Zirulnik, Esq.
Price & Zirulnik, PLLC
750 Woodlands Parkway, Suite 205
Ridgeland, MS 39157
Phone: 601-353-3000

Fax: 601-353-3007

This message may contain confidential or proprietary information intended only for the use of the addressee(s) named above or may contain information that is legally privileged. If you are not the intended addressee, or the person responsible for delivering it to the intended addressee, you are hereby notified that reading, disseminating, distributing or copying this message is strictly prohibited. If you have received this message by mistake, please immediately notify us by replying to the message and delete the original message and any copies immediately thereafter.

IN THE SPECIAL COURT OF EMINENT DOMAIN
MADISON COUNTY, MISSISSIPPI

MADISON COUNTY, MISSISSIPPI, a body politic

PLAINTIFF

VS.

CIVIL ACTION NO. CO-2023-0147-JH

WALTER SADDLER; CARL SADDLER; SIDNEY SADDLER; FREDERICK SADDLER; JOHNNIE SADDLER (a/k/a Johnny Saddler); AUGUSTUS SADDLER; BONNIE JEAN SADDLER; SONIA SADDLER YISREAL; BONNIE DIANE BODY; WILLIS SADDLER, JR.; KIMBERLY RANDOLPH; PATRICK RANDOLPH; HARVEY RANDOLPH, JR.; BONITA GAIL SADDLER; TENIKA GAIL WILSON; EDGAR SADDLER, II; AND CITIBANK (South Dakota) N.A.

FILED
MADISON COUNTY

AUG 16 2023

ANITA WRAY, CIRCUIT CLERK

BY WJ D.C.

DEFENDANTS

FINAL JUDGMENT

In this cause, Plaintiff, Madison County, Mississippi, brought a Complaint to condemn certain lands named in the Complaint as described in Exhibit "A" attached hereto and incorporated herein. The Court finds that service of process was completed on all Defendants according to law, and that all parties are before the Court and that the Court therefore has jurisdiction over the parties and the subject matter.

By Agreed Judgment Plaintiff and the individual party Defendants constituting all of the owners as tenants-in- common of undivided interests to the aforementioned property, agreed that the amount of due compensation for its taking for public use, including all damages and interest, is Nine Thousand Dollars (\$9,000.00). Pursuant to M.R.C.P. 54(b), the Court determined that there was no just reason for delay and directed the entry of a Final Judgment as to all party Defendants and disbursement of sums in accordance with the agreement reached amongst said Defendants as recited therein , with the exception of disbursement of that share allocated to Defendant Frederick Saddler pending resolution of a cloud on title as to his undivided interest arising out of an unrelated judgment in favor of Citibank(South Dakota) N.A.

142/341

Following a hearing held on August 9, 2023, this Court entered an Order granting Plaintiff's Motion to Dismiss Citibank (South Dakota) N.A. as a necessary and proper party under Section 11-27-5, Miss. Code Ann. (1972) as amended, having found that Defendant Frederick Saddler is exempt from any attachment under a judgment lien as to both his interest in the real property being acquired as well as his share of the cash proceeds being deposited by Plaintiff into the registry of the Court in full and final satisfaction of the Agreed Judgment.

IT IS THEREFORE ORDERED AND ADJUDGED that in accordance with the Agreed Judgment heretofore entered, and upon deposit of the additional sum of \$7,169.10 into the registry of the Court for a total deposit of \$9,000.00, Plaintiff, Madison County, Mississippi shall have satisfied this Final Judgment by payment in full, and all right, unencumbered title and fee simple interest to said property as more particularly described in Exhibit "A" attached hereto and in the complaint filed herein, less and except all oil, gas and other minerals which may be produced through a well bore, having heretofore vested in Plaintiff by Order Granting Plaintiff Immediate Title and Possession, may be appropriated to the public use as prayed for in the Complaint.

IT IS FURTHER ORDERED AND ADJUDGED that from the sum deposited by Madison County, Mississippi into the registry of the Court, and in addition to the directive as to disbursement as set forth in the earlier Agreed Judgment entered herein, the Clerk of Court is hereby authorized and directed to disburse the remaining deposited balance of \$1,000 to Defendant Frederick Saddler.

This Final Judgment shall be filed in the land records of Madison County, Mississippi.

Let the Plaintiff pay the costs, for which execution may issue.

SO ORDERED AND ADJUDGED, this the 16 day of August, 2023.


JUDGE, SPECIAL COURT OF EMINENT DOMAIN

056-00-00-W
Walter Saddler, Etal

Indexing Instructions: SE/4 of the SE/4 of Section 19, Township 8 North, Range 2 East, Madison County, Mississippi.

The following description is based on the Mississippi State Plane Coordinate System, West Zone, NAD 83 (2011) epoch 2010.00, grid values, U. S. Survey feet, using a scale factor of 0.999954045 and a grid to geodetic azimuth angle of (+) 00 degrees 06 minutes 12.67957 seconds developed at the below described commencing point used for Project Number STP-6985-00(001) LPA/106993-701000. It is the intent of this description to convey that portion of the grantors property that lies with the proposed right-of-way as defined by said project:

Commencing at a found #3 rebar located at the Northeast corner of the Ingleside II Subdivision, Part I, Plat Cabinet C, Slide 5, records of the Office of Chancery Clerk, Madison County, Mississippi, having a coordinate value of N 1086750.79, E 2356013.16, on the above reference coordinate system, thence run North 13 degrees 21 minutes 59 seconds East for a distance of 1112.02 feet to a #5 rebar with plastic cap located at the intersection of the proposed west right-of-way line of Bozeman Road and the north property line of that certain tract of land as described in Book 214, Page 676, records of the Office of Chancery Clerk, Madison County, Mississippi, being 45.00 feet left of and perpendicular to proposed Catlett Road alignment at project centerline station 181+20.00, having a coordinate value of N 1097561.81, E 2358582.00, on the above reference coordinate system, and being referred to hereinafter as the Point of Beginning;

From the Point of Beginning thence along said proposed west right-of-way line run, North 00 degrees 27 minutes 22 seconds East for a distance 180.07 feet to a #5 rebar with cap located on said proposed west right-of-way line;

thence continue along said proposed west right-of-way run, North 08 degrees 44 minutes 31 seconds East for a distance 165.51 feet to a #5 rebar with plastic cap located at the intersection of said proposed west right-of-way line and the existing west right-of-way line of Catlett Road;

thence along said existing west right-of-way line run, South 00 degrees 22 minutes 19 seconds West for a distance of 343.86 feet to a #5 rebar with plastic cap located at the intersection of said existing west right-of-way line and said north property line;

thence along said north property line run, North 89 degrees 32 minutes 38 seconds West for a distance of 24.36 feet back to the Point of Beginning, containing 0.15 acres (6335 square feet), more or less, and being situated in the Southeast Quarter of the Southeast Quarter of Section 19, Township 8 North, Range 2 East, Madison County, Mississippi.



IN THE SPECIAL COURT OF EMINENT DOMAIN
MADISON COUNTY, MISSISSIPPI

MADISON COUNTY, MISSISSIPPI, a body politic

PLAINTIFF

VS.

CIVIL ACTION NO. CO-2023-0147-JH

WALTER SADDLER; CARL SADDLER; SIDNEY SADDLER; FREDERICK SADDLER; JOHNNIE SADDLER (a/k/a Johnny Saddler); AUGUSTUS SADDLER; BONNIE JEAN SADDLER; SONIA SADDLER YISREAL; BONNIE DIANE BODY; WILLIS SADDLER, JR.; KIMBERLY RANDOLPH; PATRICK RANDOLPH; HARVEY RANDOLPH, JR.; BONITA GAIL SADDLER; TENIKA GAIL WILSON; EDGAR SADDLER, II; AND CITIBANK (South Dakota) N.A.

FILED
MADISON COUNTY

AUG 16 2023

ANITA WRAY, CIRCUIT CLERK
BY WJ D.C.

DEFENDANTS

**AGREED JUDGMENT PURSUANT TO M.R.C.P 54 (b) AS TO DEFENDANTS
WALTER SADDLER; CARL SADDLER; SIDNEY SADDLER; JOHNNIE SADDLER;
AUGUSTUS SADDLER; BONNIE JEAN SADDLER; SONIA SADDLER YISREAL;
BONNIE DIANE BODY; WILLIS SADDLER, JR.; KIMBERLY RANDOLPH;
PATRICK RANDOLPH; HARVEY RANDOLPH, JR.; BONITA GAIL SADDLER;
TENIKA GAIL WILSON AND EDGAR SADDLER, II**

In this cause, Plaintiff, Madison County, Mississippi, brought a Complaint to condemn certain lands named in the Complaint as described in Exhibit "A" attached hereto and incorporated herein. The Court finds that service of process was completed on all Defendants according to law, and that all parties are before the Court and that the Court therefore has jurisdiction over the parties and the subject matter.

The Court is now advised that the parties constituting the named owners as tenants-in-common of undivided interests in this cause, agree that the amount of just compensation for the taking of the aforementioned property, including all damages and interest, is Nine Thousand Dollars (\$9,000.00), and further agree that with respect to these Defendants this Agreed Judgment is in lieu of trial by jury, and that the parties are bound by this Agreed Judgment the same as if there had been an independent appraisal, jury trial, and a decision rendered accordingly. Said payment is the full amount to be paid said Defendants in this cause, inclusive of all interest and damages.

147
108

Further, the parties hereto agree that as of the date of the filing of the Complaint, Defendants owned the property described in Exhibit "A" attached hereto as tenants-in-common, with each respective cotenant's undivided interest and corresponding apportioned share of the agreed upon compensation as follows, to-wit:

OWNER	INTEREST	AMOUNT
Walter Saddler	An undivided 1/9th interest	\$1,000.00
Carl Saddler	An undivided 1/9th interest	\$1,000.00
Sidney Saddler	An undivided 1/9th interest	\$1,000.00
Frederick Saddler	An undivided 1/9th interest	\$1,000.00
Johnnie Saddler	An undivided 1/9th interest	\$1,000.00
Augustus Saddler	An undivided 1/9th interest	\$1,000.00
Bonnie Jean Saddler	An undivided 1/36th interest	\$ 250.00
Sonia Saddler Yisreal	An undivided 1/36th interest	\$ 250.00
Bonnie Diane Body	An undivided 1/36th interest	\$ 250.00
Willis Saddler, Jr.	An undivided 1/36th interest	\$ 250.00
Kimberly Randolph	An undivided 1/27th interest	\$ 333.34
Patrick Randolph	An undivided 1/27th interest	\$ 333.33
Harvey Randolph, Jr.	An undivided 1/27th interest	\$ 333.33
Bonita Gail Saddler	An undivided 1/27th interest	\$ 333.34
Tenika Gail Wilson	An undivided 1/27th interest	\$ 333.33
Edgar Saddler, II	An undivided 1/27th interest	\$ 333.33
TOTAL	100% interest	\$9,000.00

That Madison County, Mississippi has previously acquired immediate title and possession of the condemned property described in Exhibit "A" hereto, by this Court's Order Granting Plaintiff Right of Immediate Title and Possession filed with the Circuit Clerk of Madison County,

Mississippi, on May 18, 2023. Pursuant to said Order, and in accordance with §11-27-85 Miss. Code Ann. (1972) as amended, Madison County Mississippi deposited into Court the sum of One Thousand Eight Hundred Thirty and 90/100 Dollars (\$1,830.90) on June 7, 2023, being an amount not less than eighty-five percent (85%) of compensation and damages as determined by the court-appointed appraiser. Now, upon payment into Court of the balance owing of Seven Thousand One Hundred Sixty-Nine and 10/100 (\$7,169.10), this Judgment shall have been satisfied by payment in full; with all right, title and fee simple interest to said property as more particularly described in Exhibit "A" attached hereto and in the complaint filed herein, less and except all oil, gas and other minerals which may be produced through a well bore, having heretofore vested in Plaintiff, Madison County, Mississippi on June 7, 2023, and it may be appropriated to the public use as prayed for in the Complaint.

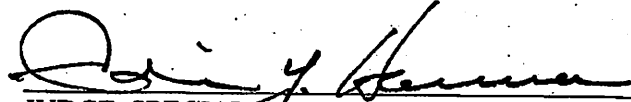
IT IS THEREFORE, ORDERED AND ADJUDGED that from the sum deposited by Madison County, Mississippi into the registry of the Court, the Clerk of Court is hereby authorized and directed to disburse the sum of \$1,000 each to Defendants Walter Saddler, Carl Saddler, Sidney Saddler, Johnnie Saddler and Augustus Saddler, the sum of \$333.34 each to Defendants Kimberly Randolph and Bonita Gail Saddler, the sum of \$333.33 each to Defendants Patrick Randolph, Harvey Randolph, Jr., Tenika Gail Wilson, and Edgar Saddler, II, and the sum of \$250.00 each to Defendants Bonnie Jean Saddler, Sonia Saddler Yisreal, Bonnie Diane Body and Willis Saddler, Jr. The balance of funds deposited into the registry of the Court are there to remain until further Order of the Court pending resolution of a cloud on title by Citibank, N.A. as to that undivided interest held by Frederick Saddler.

IT IS FURTHER ORDERED AND ADJUDGED that any and all claims of compensation for any property interest acquired in this proceeding, to include all interest and damages; by

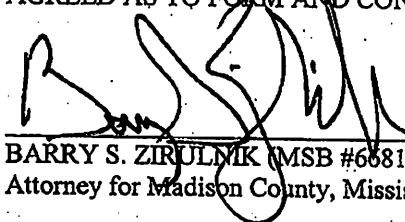
Defendants Walter Saddler, Carl Saddler, Sidney Saddler, Johnnie Saddler, Augustus Saddler, Kimberly Randolph, Bonita Gail Saddler, Patrick Randolph, Harvey Randolph, Jr., Tenika Gail Wilson, Edgar Saddler, II, Bonnie Jean Saddler, Sonia Saddler Yisreal, Bonnie Diane Body and Willis Saddler, Jr. have been fully and finally satisfied. Accordingly, finding that there is no just reason for delay, the Court hereby directs that this Agreed Order constitutes the entry of a Final Judgment pursuant to M.R.C.P. 54(b) with respect to said Defendants.

This Agreed Order, constituting a Final Judgment as to the specified Defendant herein, shall be filed in the land records of Madison County, Mississippi.

SO ORDERED AND ADJUDGED, this the 16 day of August, 2023.

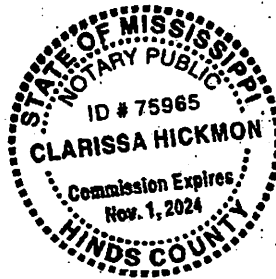

JUDGE, SPECIAL COURT OF EMINENT DOMAIN

AGREED AS TO FORM AND CONTENT:


BARRY S. ZIRULNIK (MSB #6681)
Attorney for Madison County, Mississippi

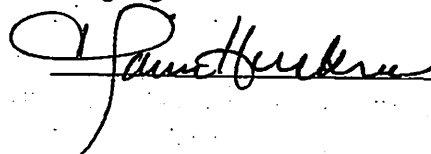

WALTER SADDLER

STATE OF MISSISSIPPI
COUNTY OF HINDS



Personally appeared before me, the undersigned authority in and for the said county and state, on this 20 day of June, 2023, within my jurisdiction, the within named **Walter Saddler**, who acknowledged that he executed the above and foregoing instrument.

My commission expires:
November 1, 2024

 (NOTARY PUBLIC)

APPROVED

By Marta McKnight at 3:26 pm, Sep 11, 2023

12422

Account # 328-300-953

237076

September 6, 2023
N-S Account No. NS.14031.000

Madison Board of Supervisors
Atten: Mr. Tim Bryan, P.E.
3137 S. Liberty Street
Canton, MS 39046

REFERENCE: BOZEMAN RD FROM SR 463 TO GLUCKSTADT RD

Dear Mr. Bryan:

Attached is a copy of our invoice in the amount of \$23,931.84. Please let us know if you have any questions.

Sincerely,

NEEL-SCHAFFER, INC.



Stan Wright
Engineer Manager

Fund 340 per Jim is allowable
MK 9/14/2023



September 05, 2023

Project No: NS.14031.000

Invoice No: 1090239

Madison County Board of Supervisors
 Mr. Tim Bryan, P.E.
 County Engineer
 3137 S. Liberty Street
 Canton, MS 39046

Project NS.14031.000 Bozeman Rd from SR 463 to Gluckstadt Rd

Professional Services from August 01, 2023 to August 31, 2023

Phase 124 Bozeman Rd ROW - P&Z Eminent Domain

Consultants

Cons./Subcontracts-Projects		23,931.84	
Total Consultants	1.0 times	23,931.84	23,931.84
	Total this Phase		\$23,931.84
	Total this Invoice		\$23,931.84

Outstanding Invoices

Number	Date	Balance
1086769	4/13/2023	465.85
1089547	8/9/2023	9,860.01
Total		10,325.86

ad
9/5
APPROVED
By timothy.bryan at 1:09 pm, Sep 12, 2023

Total Compensation 2,004,445.00


 Federal Tax ID Number:
 64-0671634

 4450 Old Canton Road, Suite 100, Jackson, MS 39211
 P.O. Box 22625, Jackson, MS 39225-2625

 P: 601.948.3071
 F: 601.948.3178

Price & Zirulnik, PLLC
750 Woodlands Parkway, Suite 205
Ridgeland, MS 39157

Invoice submitted to:
Neel-Shaffer, Inc. - Frederick Saddler Bozeman Road
Madison, MS 39110
Stan Wright, P.E.

August 25, 2023

In Reference To: Project Name: Bozeman Road-Madison County
Consultant's Project #: NS 14031.001
Assignment: Condemnation: Fred. Saddler, et al.
Parcel No. 055-00-00-W/T
P&Z No: 1181

Invoice # 16028

Professional Services

	<u>Hrs/Rate</u>	<u>Amount</u>
7/31/2023 Drafting Agreed Final Judgment; Call to Circuit Court Clerk and correspondence from Clerk's office to request copy of receipt of quick-take deposit.	3.80 150.00/hr	570.00
8/2/2023 Drafting Order Granting Motion to Dismiss Citibank (South Dakota) N.A. as a necessary and proper party; Call to Frederick Saddler to discuss mortgage statement and homestead exemption printouts to bring to court for examination at hearing and introduction into evidence.	3.70 150.00/hr	555.00
8/3/2023 Receipt and review of tax assessor's printout as to homestead exemption and mortgage balance per statement nearest to date of filing; Call to Tax Assessor and arranged for Saddlers to pick up original application from 1991 for use at hearing as well as renewal application for homestead exemption when Mr. Saddler turner 65; Call to Mr. Saddler to discuss additional documentation in preparation for questioning at hearing on Motion to Dismiss Citibank as necessary and proper party.	1.30 150.00/hr	195.00
8/4/2023 Compiling cases and statutes for hearing and argument on Motion to Dismiss Citibank (South Dakota) N.A. as necessary and proper party to case; Revising Agreed Final Judgment	2.10 150.00/hr	315.00
8/7/2023 Revisions to Order Granting Motion to Dismiss Citibank (South Dakota) N.A. as necessary and proper party; Revisions to Agreed Final Judgment; Correspondence with counsel for mortgage lender and drafting of Consent to Proceed and Joinder in requested relief; Email proposed Order and Agreed Final Judgment to Steven Nixon,	4.30 150.00/hr	645.00

	<u>Hrs/Rate</u>	<u>Amount</u>
Esq, with accompanying discussion of content of attachments; Call to Fred Saddler and transmitted proposed Agreed Final Judgment for his and Mrs. Saddler's review and signature, along with lengthy instructions on needed documents to bring to upcoming hearing; Call to Caleb Koonse to discuss needed testimony to establish value/due compensation and emailed copy of Statement of Values filed in matter all in preparation for upcoming hearing this week; Drafting and organizing argument and authorities.		
8/8/2023 Review and revisions to proposed Order Dismissing Citibank as a necessary and proper party and further preparation for oral argument; Drafting examination questions for Fred Saddler and Caleb Koonse and forwarding later to appraiser;	1.70 150.00/hr	255.00
8/9/2023 Exchange of emails and calls from Steven Nixon, Esq. advising that mortgage was sold to new lender who he also represents; Review of Assignment of Deed of Trust filed in the land records; Revised Agreed Final Judgment to recite change in mortgage lenders and to provide for both old and new lender to sign off and receipt of emailed signature from Mr. Nixon agreeing as to content and form of Agreed Final Judgment as revised; Discussed Mr. Nixon will file entry of appearance before hearing as to new lender and Notice of Joinder in requested relief in Motion to Dismiss; Preparation for and to Court to meet with Mr. and Mrs. Frederick Saddler, review revisions made to Agreed Final Judgment resulting from assignment of Deed of Trust, and to have them sign and notarize Agreed Final Judgment at Circuit Clerk's Office; To Chancery Clerk's Office to obtain certified copies of needed instruments to introduce into evidence in support of Motion to Dismiss Citibank; Representing Madison County at hearing on Motion; Presented Order Dismissing Citibank and Agreed Final Judgment for Court's approval and see to entry of same with Circuit Clerk; Advised Circuit Clerk Anita Wray of forthcoming deposit and distribution instructions at Court's request; Correspondence to Steven Nixon (cc: Anita Wray) upon return to office for instructions as payee and correct address to assure payment is applied to principle of mortgage	4.70 150.00/hr	705.00
8/11/2023 Call from Frederick Saddler; Email Na'son White to request deposit into Court along with background information and supporting material to include Agreed Final Judgment.	0.80 150.00/hr	120.00
8/14/2023 Call from Na'Son White to confirm that time within which deposit will be made does not pose any problem.	0.10 150.00/hr	15.00
8/16/2023 Travel to and from Canton to appear before Madison County Court on Motion day and await calling of case to present Order Dismissing Citibank, Agreed Judgment and Agreed Final Judgment for entry by Court; To Circuit Clerk's Office to file Order and Judgments and to advise Circuit Clerk as to forthcoming deposit	2.50 150.00/hr	375.00

	<u>Hrs/Rate</u>	<u>Amount</u>
per request of Court and to relay address to use for payment going to Harvey Randolph, Jr..		
8/21/2023 Call from Na'Son White; Received Clerk's receipt for additional deposited funds.	0.10 150.00/hr	15.00
8/22/2023 Call to and from Circuit Clerk's Office for MEC filed Receipt for deposited funds to attach to Agreed Final Judgment when filing in land records.	0.20 150.00/hr	30.00
8/24/2023 Call from Circuit Clerk Anita Wray to confirm recipients and amounts of distribution per Agreed Final Judgment.	0.20 150.00/hr	30.00
For professional services rendered	<hr/> 25.60	<hr/> \$3,825.00
Additional Charges :		
8/9/2023 COPY CHARGES: Check #5237 to Madison County Chancery Clerk for certified copies of land instruments filed of record for use at hearing.		7.00
Total additional charges		<hr/> \$7.00
Total amount of this bill		<hr/> <hr/> \$3,832.00

Price & Zirulnik, PLLC
750 Woodlands Parkway, Suite 205
Ridgeland, MS 39157

Invoice submitted to:
Neel-Schaffer, Inc.- Walter Saddler Bozeman Rd.
215 Waterford Square
Madison, MS 39110
Stan Wright, P.E.

August 25, 2023

In Reference To: Project Name: Bozeman Road-Madison County
Consultant's Project #: NS 14031.001
Assignment: Condemnation: Walter Saddler, et al.
Parcel No. 056-00-00-W
P&Z No: 1181

Invoice # 16029

Professional Services

	<u>Hrs/Rate</u>	<u>Amount</u>
7/28/2023 Receipt of signature to Agreed Judgment from Willis Saddler, Jr.; Finalize Motion to Enforce Settlement; Compile 18 packages with Exhibits for mailing per Certificate of Service to all parties; See to filing on MEC and mailing; Text from and to Walter Saddler.	3.50 150.00/hr	525.00
7/31/2023 Call to Circuit Court Clerk and correspondence from Clerk's office to request copy of receipt of quick-take deposit.	0.20 150.00/hr	30.00
8/3/2023 Drafting Order Granting Motion to Dismiss Citibank (South Dakota) N.A. as a necessary and proper party;	1.80 150.00/hr	270.00
8/4/2023 Compiling cases and statutes for hearing and argument on Motion to Dismiss Citibank (South Dakota) N.A. as necessary and proper party to case and Motion to Enforce Settlement Agreement.	2.30 150.00/hr	345.00
8/8/2023 Review and revisions to proposed Order Dismissing Citibank as a necessary and proper party and further preparation for oral argument; Drafting examination questions for Fred Saddler.	1.20 150.00/hr	180.00
8/9/2023 Final preparation for hearing on Motion to Dismiss Citibank and Motion to Enforce Settlement Agreement with respect to Harvey Randolph, Jr.; Call from Harvey Randolph, Jr. before hearing to advise he will not be in attendance and will sign Agreed Judgment at Clerk's Office later in afternoon and to advise Court regarding same; Representing Madison County at hearing on Motion to Dismiss Citibank as a necessary and proper party and Motion to Enforce Settlement Agreement; Advised Court as to Mr. Randolph's call resulting in court ordering matter on Motion to Enforce be continued to next Wednesday; Advised Circuit Clerk	2.20 150.00/hr	330.00

	<u>Hrs/Rate</u>	<u>Amount</u>
Anita Wray of Mr. Randolph's indication that he was coming to her office to sign Agreed Judgment and to request that she accept it from Mr. Randolph for me to pick up; Text Mr. Randolph upon return to office to request that he leave signed Agreed Judgment with Ms. Wray and to advise when it is signed and left with her.		
8/10/2023 Call to Harvey Randolph, Jr. who indicated that he was going to Clerk's Office today to sign Agreed Judgment and will leave it with Clerk; Called Circuit Clerk in p.m. to inquire as to whether Mr. Randolph had been by and was told that Wanda did notarize his signature but that Ms. Wray was out of the office and Mr. Randolph indicated he would bring the Agreed Judgment by my office; Attempted to reach Mr. Randolph by phone and text; Prepared cover letter to Mr. Randolph and Re-Notice of Hearing per Court's instructions at end of day as Mr. Randolph did not deliver the instrument to my office; Filed Re-Notice of Hearing on MEC and see to mailing of same to all Defendants per Certificate of Service along with letter to Mr. Randolph accompanying his copy.	3.80 150.00/hr	570.00
8/11/2023 Correspondence with Court Administrator with update and provided copy of Re-Notice of Hearing; Revisions to Order Dismissing Citibank (South Dakota) N.A. as a proper and necessary party and transmitting copy to Court Administrator to present to Judge Hannan; Call from Frederick Saddler; Call to Walter Saddler.	1.50 150.00/hr	225.00
8/15/2023 Hand-delivery by Harvey Randolph, Jr. of Agreed Judgment bearing his notarized signature; Organizing Agreed Judgment with 16 signature pages; Finalize Order Dismissing Citibank; Drafting Final Judgment to Supplement Rule 54(b) Agreed Judgment; Draft email to send to Na'Son White when Judgments have been entered to request deposit with Circuit Clerk.	3.80 150.00/hr	570.00
8/17/2023 Revise correspondence to Na'Son White and transmitting Agreed Judgment and Final Judgment and accompanying instructions for deposit of funds to Circuit Clerk.	0.40 150.00/hr	60.00
For professional services rendered	<u>20.70</u>	<u>\$3,105.00</u>
Additional Charges :		
7/28/2023 POSTAGE CHARGES: Service of Motion and Notice of Motion to Enforce Settlement Agreement		50.22
COPY CHARGES: Notice and Motion and Motion to Enforce Settlement Agreement comprising 36 pages sent to 18 party defendants per Certificate of Service.		162.00
8/9/2023 MILEAGE: \$.585 per mile: Number of miles driven: 39.8 TO: Circuit and Chancery Clerks Offices in Canton and appearance at County Court for Hearing.		22.89

	<u>Amount</u>
8/10/2023 POSTAGE CHARGES: Re-Notice of Hearing on Motion to Enforce Settlement Agreement sent to 18 parties Defendant per Certificate of Service.	11.34
COPY CHARGES: Re-Notice of Hearing send to 18 Parties Defendant per Certificate of Service.	9.00
8/16/2023 MILEAGE: \$.585 per mile: Number of miles driven: 39.8 TO: Madison County Clerks Offices in Canton.	22.89
Total additional charges	<u>\$278.34</u>
Total amount of this bill	<u>\$3,383.34</u>

Price & Zirulnik, PLLC
750 Woodlands Parkway, Suite 205
Ridgeland, MS 39157

Invoice submitted to:
Neel-Schaffer, Inc.-Bozeman Rd Condemnations-Community Bank
215 Waterford Square
Madison, MS 39110
Stan Wright

August 25, 2023

In Reference To: Project Name: Bozeman Road-Madison County
 Consultant's Project #: NS 14031.001
 Assignment: Condemnation: Community Bank
 P&Z No: 1269

Invoice # 16030

Professional Services

	<u>Hrs/Rate</u>	<u>Amount</u>
8/21/2023 Commence review of trial transcript; contact court-reporter to correct a transcribed error; Research case law on foreign jurisdictions cited by Mississippi Supreme Court; Call to Alan Purdie to discuss re-filing of Motions by September 15, 2023.	4.30 150.00/hr	645.00
8/22/2023 Research case law and commence draft of Motion on police power/median installation being non-compensable, incorporating cases from foreign jurisdictions.	4.70 150.00/hr	705.00
8/24/2023 Research case law and continuation of drafting of Motion with respect to police powers and median installation not being compensable and to challenge admissibility of testimony of Bank's appraiser on Daubert grounds.	4.80 150.00/hr	720.00
Correspondence from and to Jim Turner concerning video he has taken of traffic congestion this morning along Bozeman Road at location of proposed Community Bank driveway entrance.	0.20 150.00/hr	30.00
For professional services rendered	14.00	\$2,100.00
Additional Charges :		
8/22/2023 TRANSCRIPT FEE: Check #5242 to Purdie & Metz, PLLC for one-half of balance due court-reporter for trial transcript.		288.50
8/25/2023 Purdie & Metz, PLLC - Co-counsel's time and expenses thru 8/25/23 Statement. 7.7 Hrs. @ \$135/Hr. = \$1,039.50 Plus Expenses @ \$288.50 = \$1,328.00		1,328.00

	<u>Amount</u>
8/25/2023 EXPERT EXPENSE: BBG Real Estate Services Invoice 012202170700 for Appraisal Fee and Hourly Fees and Expenses in preparation for and attendance at trial.	13,000.00
Total additional charges	<u>\$14,616.50</u>
Total amount of this bill	<u>\$16,716.50</u>