

FILED
MADISON COUNTY

JUN 18 2024

ANITA WRAY, CIRCUIT CLERK

IN THE SPECIAL COURT OF EMINENT DOMAIN BY AWRAY D.C.
MADISON COUNTY, MISSISSIPPI

MADISON COUNTY, MISSISSIPPI

PLAINTIFF

VS.

CIVIL ACTION NO. CO - 2020 -1628 JH

COMMUNITY BANK OF MISSISSIPPI,
a Mississippi Banking Corporation

DEFENDANT

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 "1" attached hereto and incorporated herein. The Court finds that service of process was completed on the Defendant according to law, and that all necessary and proper 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 in this cause agree that the amount of just compensation for the taking of the aforementioned property is Four Hundred Fifty Thousand Dollars (\$450,000.00); that this amount is the full amount to be paid to Defendant in this cause; 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. Said payment is the full amount to be paid Defendant in this cause, inclusive of all interest and damages.

That Madison County, Mississippi has previously acquired immediate title and possession of the condemned property described in Exhibit "1" hereto, by this Court's Order Granting Plaintiff Right of Immediate Title and Possession dated April 12, 2021, which instrument is filed in Deed Book 4030 at Page 493 in the Office of the Chancery Clerk of Madison County, Mississippi, and


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pursuant to which Order Madison County, Mississippi deposited into Court in accordance with §11-27-85 Miss. Code Ann. (1972) as amended, the sum of One Hundred Eighty One Thousand Two Hundred Seventy Dollars (\$181,270.00) on April 28, 2021, being an amount not less than eighty-five percent (85%) of compensation and damages as determined by the Court-appointed appraiser. Now, upon payment of the additional sum of Two Hundred Sixty Eight Thousand Seven Hundred Thirty Dollars (\$268,730.00), this Judgment shall have been satisfied by payment in full; title to said property having heretofore vested in Plaintiff, Madison County, Mississippi on April 28, 2021, pursuant to Order of this Court dated April 12, 2021.

IT IS, THEREFORE, ORDERED AND ADJUDGED that this Agreed Final Judgment be entered in this cause; that the total compensation due Defendant in this cause is Four Hundred Fifty Thousand Dollars (\$450,000.00); that Plaintiff having deposited the sum of One Hundred Eighty One Thousand Two Hundred Seventy Dollars (\$181,270.00) into Court, shall satisfy this Agreed Final Judgment in full upon payment of the additional sum of Two Hundred Sixty Eight Thousand Seven Hundred Thirty Dollars (\$268,730.00) into the Registry of this Court; that said total payment of Four Hundred Fifty Thousand Dollars (\$450,000.00) shall constitute full just compensation, including all damages and interest, and that ownership of all right, fee simple title and interest in and to the said property as described in Exhibit "1" 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, may be appropriated to the public use as prayed for in the Complaint and that the Clerk of this Court is authorized and directed to disburse the amounts so deposited to Defendant, Community Bank of Mississippi, a Mississippi Banking Corporation. This Agreed 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 on this, the 17th day of June, A.D., 2024.


Edwin Y. Hannan, Judge
Special Court of Eminent Domain

AGREED AS TO FORM AND CONTENT:



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035-00-00-W
Community Bank of Mississippi

Indexing Instructions: Lot 15 of the Richland Plantation, Book 1, Page 32, the SW/4 of Section 6, and the NW/4 of Section 7, Township 7 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 South 01 degrees 01 minutes 24 seconds West for a distance of 4878.96 feet to a #5 rebar with plastic cap located at the intersection of the proposed East right-of-way line of Bozeman Road and the west line of the Village of Woodgreen Part 11 Subdivision, Cabinet C, Slide 50, records of the Office of Chancery Clerk, Madison County, Mississippi, being 60.00 feet right of and perpendicular to proposed Bozeman Road alignment at project centerline station 16+62.22, having a coordinate value of N 1081872.61, E 2356100.30, 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 East right-of-way line run, South 00 degrees 39 minutes 04 seconds West for a distance of 475.18 feet to a #5 rebar with plastic cap located in the intersection of said proposed East right-of-way line and the existing north right-of-way line of Mississippi Highway No. 463;

thence along said existing north right-of-way line run, North 57 degrees 08 minutes 01 seconds West for a distance of 26.91 feet to a found #5 rebar located at the intersection of said north right-of-way line and the existing east right-of-way line of Bozeman Road;

thence along said existing east right-of-way line run, North 01 degrees 10 minutes 30 seconds East for a distance of 621.77 feet to a found concrete monument located at the intersection of said existing east right-of-way line and said west line of the Village of Woodgreen Part 11 Subdivision;

thence along said west line and along the arc of a curve to the left having a arc length of 161.99 feet; a radius of 995.24 feet; a chord bearing of South 05 degrees 24 minutes 34 seconds East, and a chord distance of 161.81 feet back to the **Point of Beginning**, containing 0.25 acres (10,822 Sq.Ft.), more or less, and being situated in Lot 15 of the Richland Plantation, Book 1,



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Page 32, the Southwest Quarter of Section 6, and the Northwest Quarter of Section 7, Township 7 North, Range 2 East, Madison County, Mississippi.