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August 9, 2024

VIA HAND DELIVERY

Scott Weeks
Madison County Zoning Administrator
125 West North Street
Canton, MS 39046

RE: Notice of Appeal – Clarkdell Farms, LLC and Stillhouse Creek, LLC

Dear Scott:

Enclosed is our Notice of Appeal regarding the decision rendered by the Madison County Planning and Zoning Commission at its meeting held on August 8, 2024, which denied the rezoning request of Clarkdell Farms, LLC and Stillhouse Creek, LLC.

Let me know if you have any questions.

Sincerely,

Montgomery McGraw, PLLC



Don A. McGraw, Jr.

DAM/ks
Enclosure

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

**IN THE MATTER OF REZONING OF CERTAIN LAND SITUATED IN:
THE NE1/4 OF SECTION 34, THE N1/2 OF SECTION 35 AND
THE NW1/4 OF SECTION 36, T8N-R2E,
MADISON COUNTY, MISSISSIPPI**

CLARKDELL FARMS, LLC AND STILLHOUSE CREEK, LLC

PETITIONERS

NOTICE OF APPEAL

Please take notice that Clarkdell Farms, LLC and Stillhouse Creek, LLC, Petitioners in this matter, hereby appeal the decision of the Madison County Planning and Zoning Commission rendered at its meeting held on August 8, 2024, which denied Petitioners' Petition to Rezone the property described in Exhibit "A" attached hereto from a Single Family Residential Estate District (R-1) to a Medium Density Residential District (R-2) with a Planned Unit Residential Development (PURD) overlay.

This the 9th day of August, 2024.

Respectfully submitted,

Clarkdell Farms, LLC and Stillhouse Creek, LLC

By: 
Don A. McGraw, Jr., Their Attorney

Don A. McGraw, Jr. (MSB#2621)
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CERTIFICATE OF SERVICE

I, Don A. McGraw, Jr. of Montgomery McGraw, PLLC, do hereby certify that I have this day hand delivered, a true and correct copy of the above and foregoing *Notice of Appeal* to the following:

Scott Weeks
Zoning Administrator
125 West North Street
Canton, MS 39046

SO CERTIFIED, this the 9th day of August, 2024.



Don A. McGraw, Jr.

DESCRIPTION-TRACT 1

A parcel or tract of land, containing **253.12** acres, more or less, lying and being situated in the NE 1/4 Section 34 and the North 1/2 of Section 35, T8N-R2E, Madison County, Mississippi, being a part of Tract 2 the Kathryn Ellen Y. Laurent, Phyllis Anne Y. Delaughter, Beverly Y. Milam, and Melinda Y. Perry property as described in Deed Book 321 at Page 330 of the Records of the Office of the Chancery Clerk of said Madison County, at Canton, Mississippi, and being more particularly described as follows:

COMMENCING at a found one-half inch iron rebar lying at the NE corner of Section 35, T8N-R2E, Madison County, Mississippi, said point also lying at the SE corner of the Stillhouse Creek, LLC property as described in Deed Book 3700 at Page 886 of the Records of said Madison County, Mississippi; run thence

Along the Southerly boundary of said Stillhouse Creek, LLC property to one-half inch iron rebars at each of the following calls;

North 89 degrees 35 minutes 04 seconds West for a distance of 87.32 feet; thence
North 82 degrees 44 minutes 35 seconds West for a distance of 10.88 feet; thence
North 88 degrees 46 minutes 37 seconds West for a distance of 139.27 feet; thence
South 89 degrees 25 minutes 08 seconds West for a distance of 187.31 feet; thence

South 88 degrees 51 minutes 03 seconds West for a distance of 382.13 feet to a one-half inch iron rebar lying at the SE corner of the Woodscape of Oakfield, Phase 5; thence

Leaving the Southerly boundary of said Stillhouse Creek, LLC property, run South 88 degrees 51 minutes 03 seconds West along the Southerly boundary of said Woodscape of Oakfield, Phase 5, for a distance of 124.46 feet to a one-half inch iron rebar; thence

South 89 degrees 10 minutes 22 seconds West along the Southerly boundary of said Woodscape of Oakfield, Phase 5, for a distance of 261.57 feet to a one-half inch iron rebar; thence

North 89 degrees 44 minutes 11 seconds West along the Southerly boundary of said Woodscape of Oakfield, Phase 5, for a distance of 131.99 feet to a one-half inch iron rebar lying at the NE corner of Tract 2 of said Kathryn Ellen Y. Laurent, Phyllis Anne Y. Delaughter, Beverly Y. Milam, and Melinda Y. Perry property, said point also lying at the NW corner of Tract 1 of said Kathryn Ellen Y. Laurent, Phyllis Anne Y. Delaughter, Beverly Y. Milam, and Melinda Y. Perry property, said point also lying on the Westerly boundary of the East 1/2 of the NE 1/4 of said Section 35, T8N-R2E, and **POINT OF BEGINNING** of the herein described property; thence

Leaving the Southerly boundary of said Woodscape, Phase 5, run South along the Easterly boundary of said Tract 2 of said Kathryn Ellen Y. Laurent, Phyllis Anne Y. Delaughter, Beverly Y. Milam, and Melinda Y. Perry property, the Westerly boundary of Tract 1 of said Kathryn Ellen Y. Laurent, Phyllis Anne Y. Delaughter, Beverly Y. Milam, and Melinda Y. Perry property and the Westerly boundary of the East 1/2 of the NE 1/4 of said Section 35, T8N-R2E, for a distance of 2640.00 feet to a one-half inch iron rebar lying at the SE corner of Tract 2 of said Kathryn Ellen Y. Laurent, Phyllis Anne Y. Delaughter, Beverly Y. Milam, and Melinda Y. Perry property, said point also lying at the SW corner of Tract 1 of



said Kathryn Ellen Y. Laurent, Phyllis Anne Y. Delaughter, Beverly Y. Milam, and Melinda Y. Perry property, said point also lying on the Southerly boundary of the North 1/2 of said Section 35, T8N-R2E; thence

Leaving the Westerly boundary of the East 1/2 of the NE 1/4 of said Section 35, T8N-R2E, run North 89 degrees 16 minutes 54 seconds West (North 89 degrees 59 minutes 00 seconds West-As Per Record) along the Southerly boundary of the North 1/2 of said Section 35, T8N-R2E, for a distance of 3845.11 feet to a one-half inch iron rebar; thence

Leaving the Southerly boundary of the North 1/2 of said Section 35, T8N-R2E, run North 00 degrees 28 minutes 00 seconds West for a distance of 55.11 feet to a one-half inch iron rebar lying at the SE corner of the Paul S. White and Julie P. White property as described in Deed Book 437 at Page 771 of the Records of said Madison County, Mississippi; thence

North 00 degrees 28 minutes 00 seconds West along the Easterly boundary of said Paul S. White and Julie P. White property for a distance of 313.00 feet to a one-half inch iron rebar lying at the NE corner of said Paul S. White and Julie P. White property; thence

North 89 degrees 59 minutes 00 seconds West along the Northerly boundary of said Paul S. White and Julie P. White property for a distance of 414.54 feet to a one-half inch iron rebar lying at the NW corner, thereof, said point also lying on the Easterly boundary of Clarkdell Road, as it existed in June, 2024; thence

Along the Easterly boundary of said Clarkdell Road to one-half inch iron rebars at each of the following calls;

North 00 degrees 20 minutes 24 seconds East for a distance of 1,124.13 feet; thence

200.29 feet along the arc of a 20,930.84 foot radius curve to the left, said arc having a 200.28 foot chord which bears North 00 degrees 03 minutes 57 seconds East; thence

North 00 degrees 12 minutes 30 seconds West for a distance of 201.13 feet; thence

582.06 feet along the arc of a 1574.13 foot radius curve to the right, said arc having a 578.75 foot chord which bears North 10 degrees 23 minutes 05 seconds East; thence

North 20 degrees 58 minutes 39 seconds East for a distance of 190.08 to a one-half inch iron rebar lying on the Northerly boundary of the NE 1/4 of Section 34, T8N-R2E; thence

Leaving the Easterly boundary of said Clarkdell Road, run East along the Northerly boundary of the NE 1/4 of said Section 34, T8N-R2E, for a distance of 109.77 feet to a one-half inch iron rebar lying at the NE corner of said Section 34, T8N-R2E, said point also lying at the NW corner of Section 35, T8N-R2E, said point also lying at the SW corner of White Oak as shown on map or plat of same in Plat Cabinet "F" at Slide 17-A of the Records of said Madison County, Mississippi; thence

South 89 degrees 35 minutes 04 seconds East along the Southerly boundary of said White Oak for a distance of 12.20 feet to a one-half inch iron rebar; thence

South 89 degrees 06 minutes 02 seconds East along the Southerly boundary of said White Oak for a distance of 149.85 feet to a one-half inch iron rebar; thence

South 89 degrees 07 minutes 16 seconds East along the Southerly boundary of said White Oak and the Southerly boundary of Whitney's Ridge, Phase 1 as shown on map or plat of same in Plat Cabinet "E" at Slide 158-A of the Records of said Madison County, Mississippi, for a distance of 727.54 feet to a one-half inch iron rebar; thence

South 88 degrees 41 minutes 07 seconds East along the Southerly boundary of said Whitney's Ridge, Phase 1 and the Southerly boundary of Whitney's Ridge, Phase 2 as shown on map or plat of same in Plat Cabinet "E" at Slide 176-B of the Records of said Madison County, Mississippi, for a distance of 144.13 feet to a one-half inch iron rebar; thence

South 88 degrees 55 minutes 44 seconds East along the Southerly boundary of said Whitney's Ridge, Phase 2 for a distance of 470.89 feet to a one-half inch iron rebar lying at the SE corner of Woodscape of Oakfield, Phase 3 and Also a Resubdivision of a Part of Woodscape of Oakfield, Phase 1-A as shown on map or plat of same in Plat Cabinet "F" at Slide 177-A of the Records of said Madison County, Mississippi; thence

Along the Southerly boundary of said Woodscape of Oakfield, Phase 3 and Also a Resubdivision of a Part of Woodscape of Oakfield, Phase 1-A, to one-half inch iron rebars at each of the following calls;

South 88 degrees 55 minutes 44 seconds East for a distance of 261.89 feet; thence
South 89 degrees 34 minutes 19 seconds East for a distance of 463.88 feet; thence
South 89 degrees 34 minutes 19 seconds East for a distance of 294.97 feet; thence

South 88 degrees 19 minutes 36 seconds East for a distance of 16.03 feet to a one-half inch iron rebar lying at the SE corner, thereof, said point also lying at the SW corner of Woodscape of Oakfield, Phase 2-Amended as shown on map or plat of same in Plat Cabinet "F" at Slide 150-A of the Records of said Madison County, Mississippi; thence

Along the Southerly boundary of said Woodscape of Oakfield, Phase 2-Amended, to one-half inch iron rebars at each of the following calls;

South 88 degrees 19 minutes 36 seconds East for a distance of 168.05 feet; thence
South 89 degrees 36 minutes 39 seconds East for a distance of 233.23 feet; thence
North 88 degrees 56 minutes 36 seconds East for a distance of 191.41 feet; thence

South 89 degrees 35 minutes 24 seconds East for a distance of 166.50 feet to a one-half inch iron rebar lying at the SE corner, thereof, said point also lying at the SW corner of the above referenced Woodscape of Oakfield, Phase 5; thence

Along the Southerly boundary of said Woodscape of Oakfield, Phase 5, to one-half inch iron rebars at each of the following calls;

South 89 degrees 35 minutes 24 seconds East for a distance of 68.36 feet; thence
South 89 degrees 15 minutes 34 seconds East for a distance of 162.48 feet; thence
South 88 degrees 09 minutes 49 seconds East for a distance of 115.46 feet; thence

South 89 degrees 44 minutes 11 seconds East for a distance of 327.66 feet to the **POINT OF BEGINNING** of the above described parcel or tract of land.

DESCRIPTION-TRACT 2

A parcel or tract of land, containing **109.44** acres, more or less, lying and being situated in the East $\frac{1}{2}$ of the NE $\frac{1}{4}$ Section 35 and the West $\frac{1}{2}$ of the NW $\frac{1}{4}$ of Section 36, T8N-R2E, Madison County, Mississippi, being a part of Tract 1 the Kathryn Ellen Y. Laurent, Phyllis Anne Y. Delaughter, Beverly Y. Milam, and Melinda Y. Perry property as described in Deed Book 321 at Page 330 of the Records of the Office of the Chancery Clerk of said Madison County, at Canton, Mississippi, and being more particularly described as follows:

BEGINNING at a found one-half inch iron rebar lying at the NE corner of Section 35, T8N-R2E, Madison County, Mississippi, said point also lying at the SE corner of the Stillhouse Creek, LLC property as described in Deed Book 3700 at Page 886 of the Records of said Madison County, Mississippi; run thence

Along the Southerly boundary of said Stillhouse Creek, LLC property to one-half inch iron rebars at each of the following calls;

North 89 degrees 35 minutes 04 seconds West for a distance of 87.32 feet; thence
North 82 degrees 44 minutes 35 seconds West for a distance of 10.88 feet; thence
North 88 degrees 46 minutes 37 seconds West for a distance of 139.27 feet; thence
South 89 degrees 25 minutes 08 seconds West for a distance of 187.31 feet; thence

South 88 degrees 51 minutes 03 seconds West for a distance of 382.13 feet to a one-half inch iron rebar lying at the SE corner of the Woodscape of Oakfield, Phase 5; thence

Leaving the Southerly boundary of said Stillhouse Creek, LLC property, run South 88 degrees 51 minutes 03 seconds West along the Southerly boundary of said Woodscape of Oakfield, Phase 5, for a distance of 124.46 feet to a one-half inch iron rebar; thence

South 89 degrees 10 minutes 22 seconds West along the Southerly boundary of said Woodscape of Oakfield, Phase 5, for a distance of 261.57 feet to a one-half inch iron rebar; thence

North 89 degrees 44 minutes 11 seconds West along the Southerly boundary of said Woodscape of Oakfield, Phase 5, for a distance of 131.99 feet to a one-half inch iron rebar lying at the NE corner of Tract 2 of said Kathryn Ellen Y. Laurent, Phyllis Anne Y. Delaughter, Beverly Y. Milam, and Melinda Y. Perry property, said point also lying at the NW corner of Tract 1 of said Kathryn Ellen Y. Laurent, Phyllis Anne Y. Delaughter, Beverly Y. Milam, and Melinda Y. Perry property, said point also lying on the Westerly boundary of the East $\frac{1}{2}$ of the NE $\frac{1}{4}$ of said Section 35, T8N-R2E; thence

Leaving the Southerly boundary of said Woodscape, Phase 5, run South along the Easterly boundary of said Tract 2 of said Kathryn Ellen Y. Laurent, Phyllis Anne Y. Delaughter, Beverly Y. Milam, and Melinda Y. Perry property, the Westerly boundary of Tract 1 of said Kathryn Ellen Y. Laurent, Phyllis Anne Y. Delaughter, Beverly Y. Milam, and Melinda Y. Perry property and the Westerly boundary of the East $\frac{1}{2}$ of the NE $\frac{1}{4}$ of said Section 35, T8N-R2E, Madison County, Mississippi, for a distance of 2640.00 feet to a one-half inch iron rebar lying at the SE corner of Tract 2 of said Kathryn Ellen Y. Laurent, Phyllis Anne Y. Delaughter, Beverly Y. Milam, and Melinda Y. Perry property, said point also lying at

the SW corner of Tract 1 of said Kathryn Ellen Y. Laurent, Phyllis Anne Y. Delaughter, Beverly Y. Milam, and Melinda Y. Perry property, said point also lying on the Southerly boundary of the North 1/2 of said Section 35, T8N-R2E; thence

Leaving the Westerly boundary of the East 1/2 of the NE 1/4 of said Section 35, T8N-R2E, run North 89 degrees 57 minutes 15 seconds East along the Southerly boundary of Tract 1 of said Kathryn Ellen Y. Laurent, Phyllis Anne Y. Delaughter, Beverly Y. Milam, and Melinda Y. Perry property for a distance of 976.16 feet to a one-half inch iron rebar; thence

Leaving the Southerly boundary of Tract 1 of said Kathryn Ellen Y. Laurent, Phyllis Anne Y. Delaughter, Beverly Y. Milam, and Melinda Y. Perry property, run North 00 degrees 08 minutes 24 seconds East for a distance of 795.30 feet to a one-half inch iron rebar; thence

North 56 degrees 08 minutes 46 seconds West for a distance of 336.78 feet to a one-half inch iron rebar; thence

North 25 degrees 08 minutes 24 seconds East for a distance of 91.05 feet to a one-half inch iron rebar; thence

North 65 degrees 00 minutes 00 seconds West for a distance of 10.60 feet to a one-half inch iron rebar; thence

North 25 degrees 00 minutes 00 seconds East for a distance of 400.00 feet to a one-half inch iron rebar; thence

South 65 degrees 04 minutes 57 seconds East for a distance of 542.82 feet to a one-half inch iron rebar; thence

South 89 degrees 50 minutes 26 seconds East for a distance of 1193.52 feet to a one-half inch iron rebar lying on the Westerly boundary of the Billingsley Horse Farm, LLC property as described in Deed Book 2304 at Page 712 of the Records of said Madison County, Mississippi; thence

North 00 degrees 26 minutes 20 seconds East along the Westerly boundary of said Billingsley Horse Farm, LLC property for a distance of 760.44 feet to a one-half inch iron rebar lying at the NW corner, thereof, said point also lying at the SW corner of Tract 2 of the GDB and CHB, LLC property as described in Deed Book 3809 at Page 610 of the Records of said Madison County, Mississippi; thence

North 00 degrees 35 minutes 00 seconds East for a distance of 683.10 feet to a one-half inch iron rebar lying at the NW corner, thereof, said point also lying at the NE corner of the West 1/2 of the NW 1/4 of said Section 36, T8N-R2E, Madison County, Mississippi; thence

North 89 degrees 45 minutes 04 seconds West along the Northerly boundary off the West 1/2 of the NW 1/4 of said Section 36, T8N-R2E, for a distance of 1270.53 feet to the **POINT OF BEGINNING** of the above described parcel or tract of land.