		ONING			
Name and Address of Yandell Shell LLC 137 Yandell Road Canton, MS 39046	f Applicant:				
APPLICATION DATE	Present Zoning of Property	Legal Description of Property:	TAX PARCEL NUMBER	FLOOD ZONE	MAP/PLAT OF PROPERTY
10/02/2024	R-1	See (Exhibit A)	082H-33-014/00.00 082H-33-013/00.00	Х	See (Exhibit B)
Respectfully Submitted					
⁄andeli Shell LLC Raj Singh, Member/Man	ager	Signed II	0888E424		
Yandeli Shell LLC Raj Singh, Member/Man	o Madison Co	unty Planning and	0888E424 Development	••••••	••••••
∕andell Shell LLC Raj Singh, Member/Man	o Madison Co	unty Planning and	d Development Development		••••••

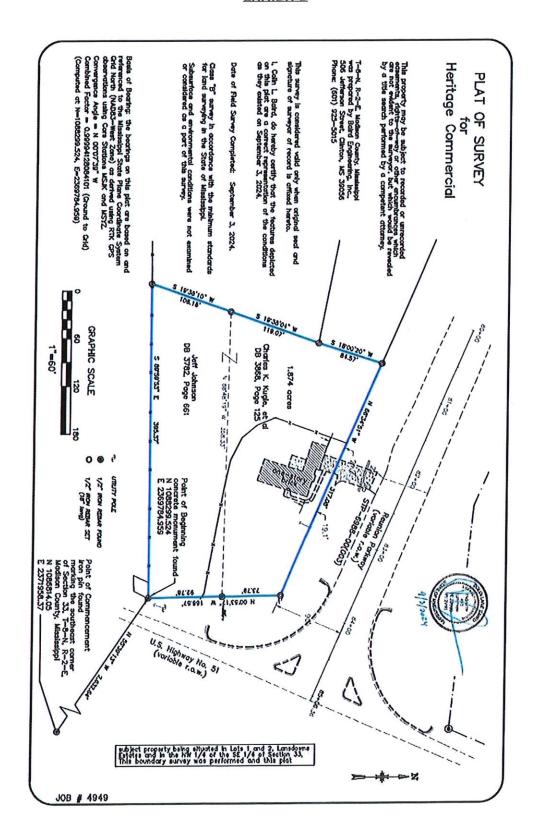
EXHIBIT A

A certain parcel of land situated in Lots 1 and 2 of Lansdowne Estates and also being a part of the Northwest Quarter (NW ¼) of the Southeast Quarter (SE ¼) of Section 33, Township 8 North, Range 2 East, Madison County, Mississippi, said parcel of land containing 1.874 acres, more or less, and is more particularly described as follows:

Commencing at the southeast corner of Section 33, Township 8 North, Range 2 East, Madison County, Mississippi and being represented by an iron pin found, thence run North 55 degrees 39 minutes 13 seconds West for a distance of 2,632.64 feet to a concrete monument found and lying on the south right-of-way line of Reunion Parkway (STP-6988-00(003) and being the Point of Beginning of the tract herein described:

From the Point of Beginning thence run North 00 degrees 53 minutes 17 seconds West, along said right-of-way line, for a distance of 166.57 feet to a ½" iron rebar set on said right-of-way line; thence run North 66 degrees 34 minutes 51 seconds West, along said right-of-way line, for a distance of 317.08 feet to a ½" iron rebar set; thence leave said right-of-way line and run South 18 degrees 00 minutes 20 seconds West for a distance of 84.57 feet to a ½" iron rebar set; thence run South 19 degrees 38 minutes 04 seconds West for a distance of 119.07 feet to a ½" iron rebar set; thence run South 19 degrees 38 minutes 10 seconds West for a distance of 106.16 feet to a ½" iron rebar set; thence run South 89 degrees 59 minutes 53 seconds East for a distance of 395.37 feet back to the POINT OF BEGINNING.

EXHIBIT B



BEFORE THE BOARD OF SUPERVISORS OF THE COUNTY OF MADISON STATE OF MISSISSIPPI

IN THE MATTER OF REZONING OF CERTAIN LAND SITUATED IN SECTION 33, TOWNSHIP 8 NORTH, RANGE 2 EAST, MADISON COUNTY, MISSISSIPPI

PETITIONER: YANDELL SHELL LLC

PETITION TO REZONE AND RECLASSIFY REAL PROPERTY

Comes now, Yandell Shell LLC, with authorization (SEE EXHIBITS A-1 – A-4) from the owners (SEE EXHIBITS B-1 – B2) of the hereinafter described land and property, and files this petition with the Board of Supervisors of Madison County, Mississippi, to rezone and reclassify a tract or parcel of land situated in Section 33, Township 8 North, Range 2 East, Madison County, Mississippi, more particularly described as follows, to-wit:

(SEE EXHIBIT C)

from its present R-1 Zoning District Classification to a C-2 Zoning District Classification, and in support thereof, respectfully shows as follows, to-wit:

- 1. The record title holders of the subject property are: Charles K. Kugle, William R. Kugle, Teresa Y. Kugle Forrest, and Jeff Johnson.
- 2. The subject property consists of 1.874 acres, more or less.
- 3. A preliminary site plan of the proposed use of the subject property is shown on **EXHIBIT D**.
- 4. The zoning proposed is not in compliance with the adopted Land Use and Transportation Plan of Madison County, but it is the highest and best use (SEE EXHIBIT E).
- 5. Changes or conditions that support rezoning: (SEE EXHIBIT E)
- 6. Notice will be provided to all property owners within 160' of the subject property, to the City of Madison, Mississippi, and to the City of Gluckstadt, Mississippi (SEE EXHIBIT F).

WHEREFORE, PREMISES CONSIDERED, Petitioner respectfully requests that this petition be received, and after due consideration, the Board of Supervisors of Madison County will enter an order amending the Land Use Plan to reflect C-2 zoning and reclassifying the subject property from its present R-1 Zoning District Classification to a C-2 Zoning District Classification.

Respectfully submitted, this the 2nd day of October, 2024.

Yandell Shell LLC, Petitioner

By:

Name: Raj Singh

Title: Member/Manager

- Signed by:

-7E477A108B8E424.

EXHIBIT A-1 TO PETITION TO REZONE AND RECLASSIFY PROPERTY

Authorization from Property Owner

CHARLES K. KUGLE 145 Stonegate Drive Madison, Mississippi 39110

September 3, 2024

Madison County, Mississippi Attn: Scott Weeks, Zoning Administrator 125 West North Street P.O. Box 608 Canton, MS 39046 Office: (601) 855-5501

Re: Rezoning of property at the SW corner of Reunion Parkway and Highway 51, Madison County, Mississippi; Madison County Tax Parcel No. 08211-33-014/00.00

Dear Scott:

Please accept this letter as confirmation that Yandell Shell LLC has the contractual right to purchase the above-referenced property as well as the right and authority to take whatever actions it deems necessary or desirable to cause the property to be rezoned from R-1 to C-2.

I support the proposed rezoning of the property from R-1 to C-2.

Sincerely,

Maily M. Kyler Charles K. Kugle

EXHIBIT A-2 TO PETITION TO REZONE AND RECLASSIFY PROPERTY

Authorization from Property Owner

WILLIAM R. KUGLE 1051 Barnes Road Canton, Mississippi 39046

September 3, 2024

Madison County, Mississippi Attn: Scott Weeks, Zoning Administrator 125 West North Street P.O. Box 608 Canton, MS 39046 Office: (601) 855-5501

Re:

Rezoning of property at the SW corner of Reunion Parkway and Highway 51, Madison County, Mississippi; Madison County Tax Parcel No. 082H-33-014/00.00

Dear Scott:

Please accept this letter as confirmation that Yandell Shell LLC has the contractual right to purchase the above-referenced property as well as the right and authority to take whatever actions it deems necessary or desirable to cause the property to be rezoned from R-1 to C-2.

I support the proposed rezoning of the property from R-1 to C-2.

Sincerely,

EXHIBIT A-3 TO PETITION TO REZONE AND RECLASSIFY PROPERTY

Authorization from Property Owner

TERESA Y. KUGLE FORREST 16110 Hickory Little Rock Road Little Rock, Mississippi 39337

September 3, 2024

Madison County, Mississippi Attn: Scott Weeks, Zoning Administrator 125 West North Street P.O. Box 608 Canton, MS 39046 Office: (601) 855-5501

Re: Rezoning of property at the SW corner of Reunion Parkway and Highway 51, Madison County, Mississippi; Madison County Tax Parcel No. 08211-33-014/00.00

Dear Scott:

Please accept this letter as confirmation that Yandell Shell LLC has the contractual right to purchase the above-referenced property as well as the right and authority to take whatever actions it deems necessary or desimble to cause the property to be rezoned from R-1 to C-2.

I support the proposed rezoning of the property from R-1 to C-2.

Sincerely,

Teresa Y. Kugle Forrest

EXHIBIT A-4 TO PETITION TO REZONE AND RECLASSIFY PROPERTY

Authorization from Property Owner

JEFF JOHNSON 110 Deer Creek Cove Madison, Mississippi 39337

September 3, 2024

Madison County, Mississippi Attn: Scott Weeks, Zoning Administrator 125 West North Street P.O. Box 608 Canton, MS 39046 Office: (601) 855-5501

Re: Rezoning of property at the SW corner of Reunion Parkway and Highway 51, Madison

County, Mississippi; Madison County Tax Parcel No. 082H-33-013/00.00

Dear Scott:

Please accept this letter as confirmation that Yandell Shell LLC has the contractual right to purchase the above-referenced property as well as the right and authority to take whatever actions it deems necessary or desirable to cause the property to be rezoned from R-1 to C-2.

I support the proposed rezoning of the property from R-1 to C-2.

Sincerely,

nama kata da k

Jeff Johnson

EXHIBIT B-1 TO PETITION TO REZONE AND RECLASSIFY PROPERTY

Current Vesting Deed

BOCK J706 PASE 141 COC OI TY U THET W 861452 HIGHSUN COUNTY HS. This instrument was filled for record 4/03/19 at 10118151 HH ROWN LOTT, C.C. BY KEN D.C.

Prepared by & Return to:
Phillip M. Nelson, MSB #3810
P. O. Box 2734
Madison, MS 39130
Madison, MS 39130
Madison, MS 39130 Ph: 601-856-8869

TITLE OF INSTRUMENT:

Executor's Deed

GRANTOR

Jeff Johnson, Executor of the Estate of Billy D. John Deceased 147 Links Drive, Apt. No. 47-A Canton, Mississippi 39046

Phone: 601-601-896-1259

GRANTEES:

Charles K. Kugle 145 Stonegate Drive Madison, Mississippi 39110 Phone: 601-832-0767

William R. Kugle 1051 Barnes Road Canton, Mississippi 39046 Phone: 601-855-7376

Teresa Y. Kugle Forrest 150 Simkins Road Decatur, Mississippi 39327 Phone: 601-874-1160

INDEXING INSTRUCTIONS:

Lot I and Lot 2, Lansdowne Estates S/D, and in Section 33, T8N-R2E,

Medison County, MS

Page 1 of 3

EXECUTORS' DEED

Pursuant to the Amended Order Waiving First and Final Accounting, Authorizing Payment of Fees and Expenses of Administration. Distributing Assets, Discharging Executor and Closing listate entered in the Estate of Billy D. Johnson, Deceased, Probate File No. 2016-1099-B, on March 26, 2019 by the Chancery Court of Madison County, Mississippi, the undersigned JEFF JOHNSON, Executor of the Estate of Billy D. Johnson, Deceased, Grantor, does hereby convey unto CHARLES K. KUGLE, WILLIAM R. KUGLE, and TERESA Y. KUGLE FORREST, Grantees, an undivided 1/3 (33.33%) each in and to that certain parcel of land and property containing 2.43 acres, more or less, lying and being situated in Madison County, Mississippi, and being more particularly described as follows, to-wit:

A PARCEL OF LAND CONTAINING 2.43 ACRES (105,677.64 SQUARE FEET), MORE OR LESS, BEING LOTS I AND 2, LANSDOWNE ESTATES (MAP OR PLAT RECORDED IN BOOK 4 AT PAGE 6 IN THE OFFICE OF THE MADISON COUNTY CHANCERY CLERK, REFERENCE TO SAID PLAT BEING MADE AS A PART OF THIS DESCRIPTION), SITUATED IN SECTION 33, TOWNSHIP 8 NORTH, RANGE 2 EAST, MADISON COUNTY, MISSISSIPPI, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCE AT A FOUND IRON PIN MARKING THE SOUTHEAST CORNER OF SAID SECTION 33; RUN THENCE WEST FOR A DISTANCE OF 2170.39 FEET; THENCE NORTH FOR A DISTANCE OF 1490.50 FEET TO A FOUND CONCRETE MONUMENT; THENCE N23°39'27"E FOR A DISTANCE OF 100.00 FEET TO THE POINT OF BEGINNING FOR THE PARCEL HEREIN DESCRIBED; FROM SAID POINT OF BEGINNING, CONTINUE N23°39'27"E ALONG THE WESTERN RIGHT OF WAY OF U.S. HIGHWAY 51 FOR A DISTANCE OF 201.85 FEET; THENCE LEAVE SAID RIGHT OF WAY AND RUN N67°56'21"W FOR A DISTANCE OF 400.00 FEET; THENCE S18°06'19"W FOR A DISTANCE OF 225.20 FEET; THENCE CONTINUE S19°43'47"W FOR A DISTANCE OF 119.07 FEET; THENCE S88°42'41"E FOR A DISTANCE OF 400.00 FEET TO THE POINT OF BEGINNING.. This being one and the same tract of Property as shown on the survey of Roger Thomas Ellison dated 10/30/2017, and designated as Parcel B, attached hereto as Exhibit "A" and incorporated herein by reference together with all tenements, easements, hereditaments and appurtenances there unto in any wise appertaining.

DOOK 3706 PAGE 143

By acceptance of this conveyance, Grantees hereby accept the herein conveyed property and all improvements, if any, situated thereon in their AS-IS condition, with all faults and defects, whether known or unknown.

EXECUTED on this the 30th day of March, 2019.

ESTATE OF BILLY D. JOHNSON, DECEASED

By:

IEFF JOHNSOM EXECUTOR

STATE OF MISSISSIPPI

COUNTY OF MADISON

PERSONALLY CAME AND APPEARED BEFORE ME, the undersigned authority in and for the aforesaid state and county, on this the 30th day of March, 2019, within my jurisdiction, the within named Jeff Johnson, Executor of the Estate of Billy D. Johnson, Deceased, who acknowledged to me that while acting in such representative capacity he/she executed the above and forgoing instrument of writing, having been first duly authorized and empowered 50 to 40.

NOTARY PUBLIC

My Commission Expires:



EXHIBIT B-2 TO PETITION TO REZONE AND RECLASSIFY PROPERTY

Current Vesting Deed

SOOK 3706 PAKE 130 COC OI TY U DAST & ES1448 HARDISON COUNTY HS. This instrument was filed for record 4703/19 at 10117148 AM ROBBY COIT, C.C. BY! KBS D.C.

Prepared by & Return to:
Phillip M. Nelson, MSB #3810
P. O. Box 2734
Madison, MS 39130
Ph: 601-856-8869

TITLE OF INSTRUMENT:

Executor's Deed

GRANTOR:

Jeff Johnson, Executor of the Extate of Billy D. John Deceased 147 Links Drive, Apt. No. 47-A Canton, Mississippi 39046 Phone: 601-601-896-1259

GRANTEE:

Jeff Johnson

147 Links Drive, Apt. No. 47-A Canton, Mississippi 39046 Phone: 601-601-896-1259

INDEXING INSTRUCTIONS:

Lots 1, Lansdowne Estates S/D and in Section 33, T8N-R2E, Madison County, MS

EXECUTORS' DEED

Pursuant to the Amended Order Walving First and Final Accounting. Authorizing Payment of Fees and Expenses of Administration. Distributing Assets. Discharging Executor and Closing Estate entered in the Estate of Billy D. Johnson, Deceased, Probate File No. 2016-1099-B, on March 26, 2019 by the Chancery Court of Madison County, Mississippi, the undersigned JEFF JOHNSON, Executor of the Estate of Billy D. Johnson, Deceased, Grantor, does hereby convey unto JEFF JOHNSON, Grantee, that certain parcel of land and property containing 6.03 acres, more or less, lying and being situated in Madison County, Mississippi, and being more particularly described as follows, to-wit:

A PARCEL OF LAND CONTAINING 6.03 ACRES (262,840.54 SQUARE FEET), MORE OR LESS, BEING A PART OF LOT I LANSDOWNE ESTATES (MAP OR PLAT RECORDED IN BOOK 4 AT PAGE 6 IN THE OFFICE OF THE MADISON COUNTY CHANCERY CLERK, REFERENCE TO SAID PLAT BEING MADE AS A PART OF THIS DESCRIPTION), SITUATED IN SECTION 33, TOWNSHIP 8 NORTH, RANGE 2 EAST, MADISON COUNTY, MISSISSIPPI, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCE AT A FOUND IRON PIN MARKING THE SOUTHEAST CORNER OF SAID SECTION 33; RUN THENCE WEST FOR A DISTANCE OF 2170.39 FEET; THENCE NORTH FOR A DISTANCE OF 1490.50 FEET TO A FOUND CONCRETE MONUMENT MARKING THE POINT OF BEGINNING FOR THE PARCEL HEREIN DESCRIBED; FROM SAID POINT OF BEGINNING, RUN N89°54'21"W FOR A DISTANCE OF 1198.09 FEET TO A FOUND IRON PIN ON THE EASTERN RIGHT OF WAY LINE OF THE ILLINOIS CENTRAL RAILROAD; THENCE RUN ALONG SAID RAILROAD RIGHT OF WAY N22°55'41"E FOR A DISTANCE OF 383.61 FEET; THENCE LEAVE SAID RIGHT OF WAY AND RUN \$78°55'59*E FOR A DISTANCE OF 742.88 FEET; THENCE \$19°43'47"W FOR A DISTANCE OF 119.07 FEET; THENCE S88°42'41"E FOR A DISTANCE OF 400,00 FEET TO THE WESTERN RIGHT OF WAY LINE OF U.S. HIGHWAY 51; THENCE RUN ALONG SAID RIGHT OF WAY S23°39'27"W FOR A DISTANCE OF 100.00 FEET TO THE POINT OF BEGINNING. This being one and the same tract of Property as shown on the survey of Roger Thomas Ellison dated 10/30/2017, and designated as Parcel A, attached hereto as Exhibit "A" and incorporated herein by reference together with all tenements, easements, hereditaments and appurtenances there unto in any wise appertaining;

BOOK 3706 PASE 132

By acceptance of this conveyance, Grantee hereby accepts the herein conveyed property and all improvements, if any, situated thereon in their AS-IS condition, with all faults and defects, whether known or unknown.

EXECUTED on this the 30th day of March, 2019.

ESTATE OF BILLY D. JOHNSON, DECEASED

By:

JEFF JOHNSON, EXECUTOR

STATE OF MISSISSIPPI

COUNTY OF MADISON

PERSONALLY CAME AND APPEARED BEFORE ME, the undersigned authority in and for the aforesaid state and county, on this the 30th of March, 2019, within my jurisdiction, the within named Jeff Johnson, Executor of the Estate of Billy D. Johnson, Deceased, who acknowledged to me that while acting in such representative capacity he/she executed the above and forgoing instrument of writing, having been first duly authorized and empowered so to do.

My Commission Expires:

NOTARY PUBLIC

EXHIBIT C TO PETITION TO REZONE AND RECLASSIFY PROPERTY

Description of Property

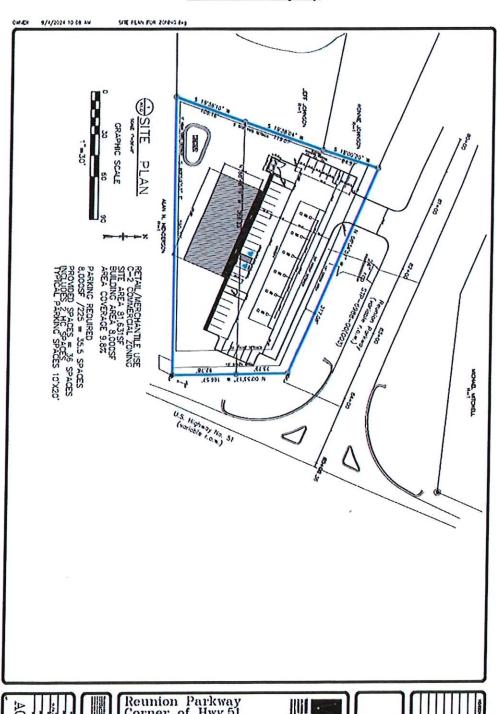
A certain parcel of land situated in Lots 1 and 2 of Lansdowne Estates and also being a part of the Northwest Quarter (NW ¼) of the Southeast Quarter (SE ¼) of Section 33, Township 8 North, Range 2 East, Madison County, Mississippi, said parcel of land containing 1.874 acres, more or less, and is more particularly described as follows:

Commencing at the southeast corner of Section 33, Township 8 North, Range 2 East, Madison County, Mississippi and being represented by an iron pin found, thence run North 55 degrees 39 minutes 13 seconds West for a distance of 2,632.64 feet to a concrete monument found and lying on the south right-of-way line of Reunion Parkway (STP-6988-00(003) and being the Point of Beginning of the tract herein described:

From the Point of Beginning thence run North 00 degrees 53 minutes 17 seconds West, along said right-of-way line, for a distance of 166.57 feet to a ½" iron rebar set on said right-of-way line; thence run North 66 degrees 34 minutes 51 seconds West, along said right-of-way line, for a distance of 317.08 feet to a ½" iron rebar set; thence leave said right-of-way line and run South 18 degrees 00 minutes 20 seconds West for a distance of 84.57 feet to a ½" iron rebar set; thence run South 19 degrees 38 minutes 04 seconds West for a distance of 119.07 feet to a ½" iron rebar set; thence run South 19 degrees 38 minutes 10 seconds West for a distance of 106.16 feet to a ½" iron rebar set; thence run South 89 degrees 59 minutes 53 seconds East for a distance of 395.37 feet back to the POINT OF BEGINNING.

EXHIBIT D TO PETITION TO REZONE AND RECLASSIFY PROPERTY

Site Plan of Property





Reunion Parkway Corner of Hwy.51 Stokes Road Madison County, Mississippi

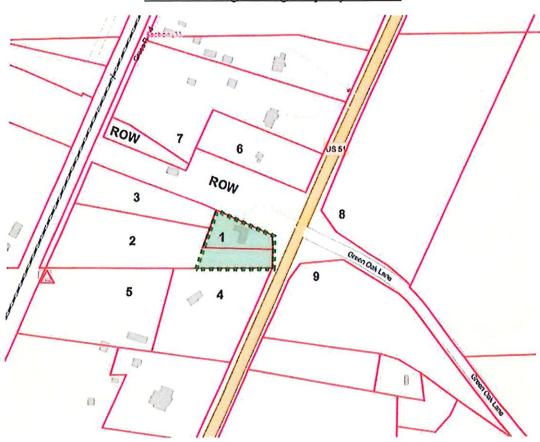






EXHIBIT F TO PETITION TO REZONE AND RECLASSIFY PROPERTY

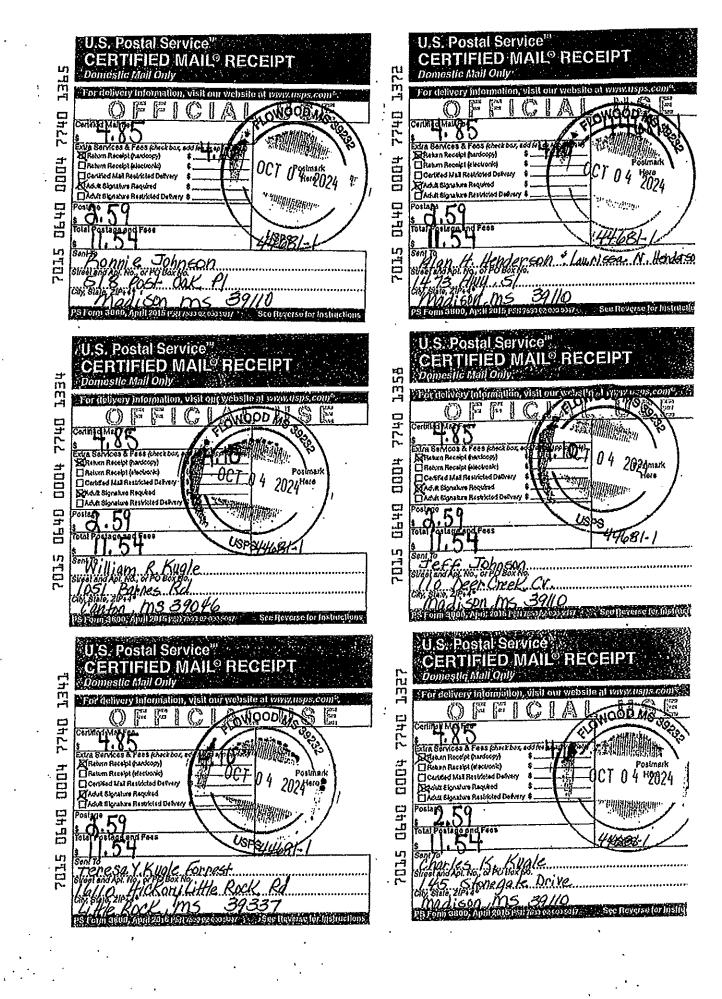
Notice to Neighboring Property Owners

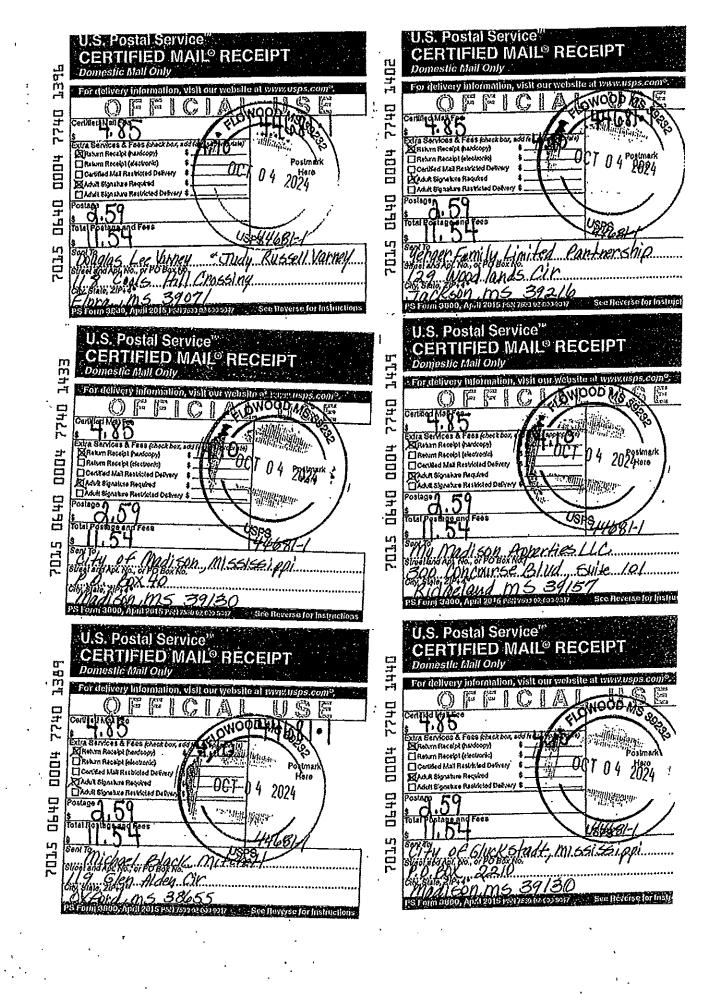


Subject Property

ROW - Right of Way

- 1 Parcel No. 082H-33-014/00.00 Charles K. Kugle, 145 Stonegate Dr., Madison, MS 39110; William R. Kugle, 1051 Barnes Rd., Canton, MS 39046; Teresa Y. Kugle Forrest, 16110 Hickory Little Rock Rd., Little Rock, MS 39337
- 2 Parcel No. 082H-33-013/00.00 Jeff Johnson, 110 Deer Creek Cv., Madison, MS 39110
- 3 Parcel No. 082H-33-015/01.00 Ronnie Johnson, 518 Post Oak Pl., Madison, MS 39110
- 4 Parcel No. 082H-33-012/00.00 Alan H. Henderson and Laurissa N. Henderson, 1473 Hwy. 51, Madison, MS 39110
- 5 Parcel No. 082H-33-011/02.00 Alan H. Henderson and Laurissa N. Henderson, 1473 Hwy. 51, Madison, MS 39110
- 6 Parcel No. 082H-33-015/02.00 Michael Black Mitchell, 119 Glen Alden Cir., Oxford, MS 38655
- 7 Parcel No. 082H-33-016/00.00 Nedah Nemati, 1529 Highway 51, Madison, MS 39110
- 8 Parcel No. 082H-33-028/04.00 Yerger Family Limited Partnership, 129 Woodland Cir., Jackson, MS 39216
- 9 Parcel No. 082H-33-028/05.00 My Madison Properties LLC, 300 Concourse Blvd., Suite 101, Ridgeland, MS 39157







Comprehensive Proposal Supporting Petition for Rezoning at New Signalized Intersection of Highway 51 & Reunion Parkway

Madison County, Mississippi

Tax Parcel Nos. 082H-33-014/00.00 and 082H-33-013/00.00 Yandell Shell, LLC



Current Zone

R-1 Single Family Residential Estate District

Requested Zone

C-2 Highway Commercial District

Proposed Use

Convenience Store

Purpose of C-2 District

"The purpose of this district is to provide relatively spacious areas for the development of vehicleoriented commercial activities which typically require direct auto traffic access and visibility from highways or other major thoroughfares."

Permitted Uses in C-2 District

- A. Any use permitted outright in the C-1 General Commercial District, subject to all of the regulations of that district.
- B. Supermarkets, as defined by this Ordinance.
- C. Hotels and motels.
- D. Bowling alleys, skating rinks, motion picture theaters and similar indoor recreational or entertainment enterprises conducted entirely within fully-enclosed buildings.
- E. Mortuaries and funeral homes.
- F. All restaurants.
- G. Convenience stores.
- H. Vehicle sales, rental or lease (new vehicles only).
- I. Vehicle service centers, as defined herein.
- J. Yard and garden centers, nurseries and greenhouse operations.
- K. Garages/body shops as defined herein, with indoor storage of all vehicles stored on site.
- L. Any other use which the Board determines to be of the same character and nature as those specifically permitted above, but not to include those uses allowed only as special exceptions under Section 2202.
- M. Temporary buildings, the use of which is not to exceed six months."



Current Zoning Map

The property is currently zoned R-1 (Single Family Residential Estate District), and the Petitioner desires to rezone the property to C-2 (Highway Commercial District) for the development of a convenience store.

The rapid commercial and residential growth in Madison County and the extension of Reunion Parkway to a new signalized intersection on Highway 51 has changed – and will continue to change – the character of the neighborhood to such an extent as to justify reclassification, and there is a significant public need for this proposed rezoning.

Although the proposed use and zoning reclassification is not a professional/office commercial use anticipated by the 2019 Land Use Map of Madison County, the Land Use Map was adopted prior to the extension of Reunion Parkway to Highway 51 (in accordance with the Transportation Plan of Madison County), so the Land Use Map is not dispositive in this matter. Further, the Land Use Plan even expressly provides that, "the realistic life expectancy of the Land Use Plan in a growing area is five to ten years," and "It is necessary to review and revise [the Land Use Plan] periodically in light of . . . changing conditions."

Additionally, a stated goal of the Land Use Plan is to "designate additional lands as needed for commercial... uses near transportation corridors," and the Transportation Plan contemplates that "the construction of major streets will create pressure for more intensive types of development." The new signalized intersection of two major thoroughfares (Reunion Parkway and Highway 51) and the rapid growth of Gluckstadt have changed the character of the area, justifying reclassification of the property and creating a public need for the proposed use as a convenience store, which is the highest and best use of the property given the expected significant increase in traffic as a result of the Reunion Parkway extension.

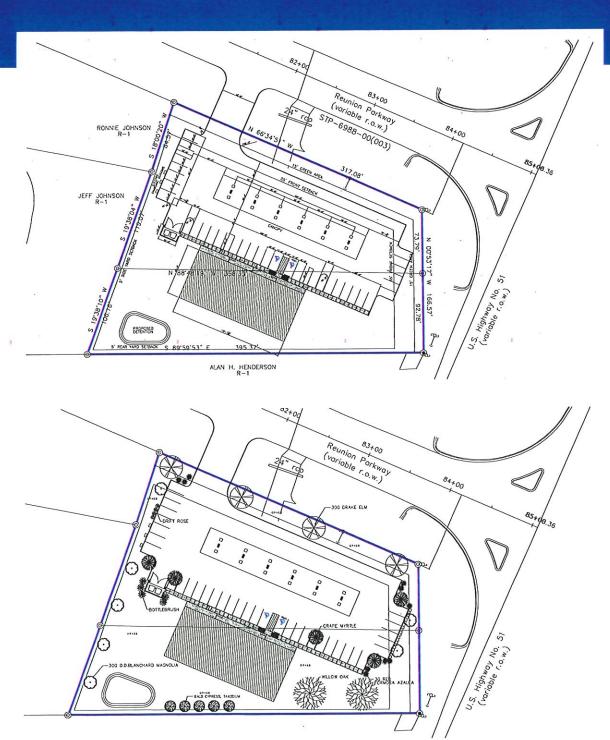
In short, the proposed use of the subject property is consistent with the growth and character of the area, which was anticipated by the Land Use Plan.







Site Plan and Landscape Plan



Madison County Zoning Ordinance

806.03 Criteria for Rezoning: No amendment to the Official Zoning Map shall be approved unless the proposed rezoning meets one of the following criteria:

- That there was a mistake in the original zoning.
- That the character of the neighborhood has changed to such an extent as to justify reclassification, and that there is a public need for the rezoning.

"It is impossible to articulate or design a particular test for determining what is sufficient evidence to show a material change and a public need to support rezoning"

Madison Citizens Against Rezoning v. Madison Cnty. Bd. of Sup'rs, 101 So.3d 711, 714-15 (Miss. Ct. App. 2012).

"Boards are not bound by just the evidence before them; rather, they can consider 'their own common knowledge and the familiarity with the ordinance area. Furthermore, hearsay evidence may be admitted and considered by the Board in making its decision."

Madison Citizens Against Rezoning v. Madison Cnty. Bd. of Sup'rs, 101 So.3d 711, 715 (Miss. Ct. App. 2012).

Madison County Comprehensive Plan

Madison County's Comprehensive Plan anticipates certain rezoning while recognizing that it is difficult or impossible to foresee every rezoning need and that deviations from the Comprehensive Plan are necessary in response to actual changes in the community:

- "Community planning does not attempt to replace market forces of supply, demand, and price."
- The plan should "be reviewed and updated periodically (every 5 to 10 years) in order for it to remain current and be effective."
- "The Land Use Plan should not be regarded as being "cast in concrete." Instead, it should be remembered the Land Use Plan is subject to change as the County grows. It may be amended at any time following the necessary public hearings and justification for such amendments."
- "Although the land use forecasts are for the next 20 years, the realistic life expectancy of the Land Use Plan in a growing area is five to ten years. It is necessary to review and revise Plans periodically in light of unforeseen events and changing conditions. This provides an opportunity to adjust the Plan well before the target year is reached. This emphasizes the need to revise the Plan every five years in order to stay current with changing conditions."

 "The construction of major streets will create pressure for more intensive types of development. If designed properly, major traffic arteries connecting focal points or community activities will have better traffic flow and fewer accidents without passing through residential areas."

The purpose of a comprehensive plan is "[to bring] about coordinated physical development in accordance with **present and future needs**," (Miss. Code Ann. § 17-1-11), and for this reason, changes to the comprehensive plan are **permitted and <u>should be expected</u>**.

Character of the Neighborhood

"The issue of defining the area of the applicable 'neighborhood' is 'fairly debatable," and in at least one case was found to include 25% of any entire municipality. (See Kuluz v. City Of D'Iberville, 890 So. 2d 938 (Miss. Ct. App. 2004).

The City of Gluckstadt just north of this proposed development has seen rapid growth in recent years.1

To the south, commercial development is one of the City of Madison's primary focuses for the remainder of the 2020s.²

The recent extension of Reunion Parkway to Highway 51 is a significant change in connectivity that did not exist at the time this property was originally zoned, and the anticipated increase in traffic to and from West Madison undoubtedly represents a change in the character of the immediate area and the overall "neighborhood."

The millions of dollars spent on infrastructure connecting this intersection to West Madison, and ultimately Interstate 55, is clear evidence of the past, present, and expected changes to the neighborhood.

"Once all phases are complete, this community will have another safe and efficient east/west corridor, which will bring economic development opportunities with it. It's a win-win." ³

"[The parkway extension] was 'much needed' and will be an important part of the county's continued growth." 4

"The project will also include access ramps which will be built by the MDOT to connect the project to Interstate 55." 5

"A new interchange off I-55 between Gluckstadt and Madison . . . will help alleviate congestion at the Gluckstadt interchange It will open up vacant land for development." ⁶

¹https://www.wjtv.com/news/in-depth-reports/gluckstadt-continues-to-grow-two-years-after-becoming-city/; https://www.northsidesun.com/city-gluckstadt-continues-enjoy-growth-incorporating-june-6-2021

²https://www.madisonthecity.com/development/

³https://www.hydesmith.senate.gov/after-more-decade-planning-reunion-parkway-becoming-reality

⁴https://www.onlinemadison.com/stories/groundbreaking-ceremony-held-for-reunion-parkway-phase-2,76650

 $^{{}^{\}mathtt{5}}\text{https://www.online} madison.com/stories/groundbreaking-ceremony-held-for-reunion-parkway-phase-2,76650}$

⁶https://www.hydesmith.senate.gov/after-more-decade-planning-reunion-parkway-becoming-reality

Public Need

Population

Madison County's population has seen rapid growth in recent years, and current projections anticipate thousands of more Madison County residents over the next decade.

As the population continues to grow, the need for amenities and necessities offered by convenience stores will also increase. **Currently, the nearest convenience store is over a mile away from this intersection.** The proposed use will support the long-term demand anticipated by Madison County's population growth.

TABLE I-1 HISTORIC POPULATION TRENDS OF MADISON, RANKIN, AND HINDS COUNTIES

Madison		County	Rankin	County	Hinds	County
Year Populat	Population	tion Percent Change	Population	Percent Change	Population	Percent Change
1900	32,493		20,955		52,577	
1910	33,505	3.11%	23,944	14.26%	63,726	21,21%
1920	29,292	-12.57%	20,272	-15.34%	57,110	-10.38%
1930	35,796	22.20%	20,353	0.40%	85,118	49.04%
1940	37,504	4.77%	27,934	37.25%	107,273	26.03%
1950	33,860	-9.72%	28,881	3.39%	142,164,	32.53%
1960	32,904	-2.82%	34,322	18.84%	187,045	31.57%
1970	29,737	-9.62%	43.933	28.00%	214,973	14.93%
1980	41,613	39.94%	69,427	58.03%	250,998	16.7695
1990	53,794	19.27%	87,161	25.54%	254,442	1.37%
2000	74,764	38.81%	115,327	32.31%	250,800	-143%
2010	95,203	27.49%	141,617	22.80%	245,285	-2.20%

Source. U.S. Census Burea

TABLE I-2
POPULATION PROJECTIONS FOR MADISON COUNTY: 2020-2040

YEAR	POPULATION PROJECTION		
2020	110,616		
2030	128,525		
2040	149,333		

Source: CMPDD

Traffic

This area of Highway 51 has an AADT of 14,000. This number should be expected to substantially increase once the Reunion Parkway extension is open, particularly considering the immeasurable number of vehicles that will ultimately traverse this intersection from Bozeman Road (AADT 15,000), Industrial Drive (AADT 2,200), and, after the planned interchange is constructed, Interstate 55 (AADT 63,000).



The proposed use will support the increased demand created by the extension of Reunion Parkway. In addition to the immediate impact of the Reunion Parkway extension, there are other planned projects that should be expected to significantly increase traffic volume and the necessity of a convenience store in this location, particularly the intended expansion of Highway 51 to 5 lanes.

The purpose of a comprehensive plan is "[to bring] about coordinated physical development in accordance with **present and future needs**." (Miss. Code Ann. § 17-1-11).

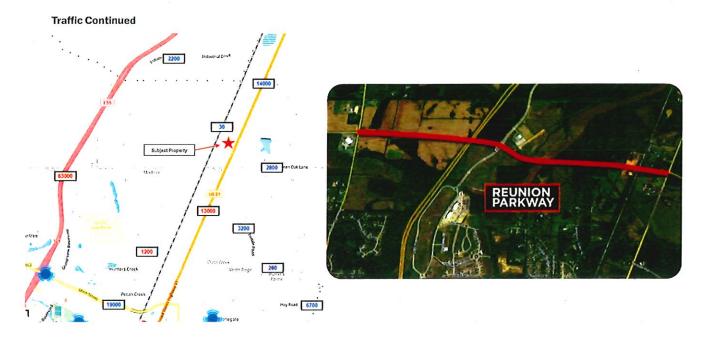


Table IV-2: Projected Traffic Volumes

	2018 AADT	2040 Projected AADT	Projected Increase
Interstate Highways			
I-55 (Gluckstadt Rd to MS Hwy 463)	64,000	58,639	(5,361)
I-55 (Sowell Rd to Gluckstadt Rd)	50,000	54,620	4,620
I-55 (Nissan Pkwy to Sowell Rd)	38,000	43,021	5,021
I-55 (MS Hwy 22 to MS Hwy 16)	25,000	29,935	4,935
Principal Arterial Highways		是於自然	
US Highway 49 (South of Flora)	13,000	14,823	1,823
US Highway 49 (North of Flora)	13,000	14,099	1,099
US Highway 51 (Yandell Rd to North of Madison)	13,000	24,033	11,033
US Highway 51 (SW of Canton to Yandell Rd)	7,000	20,218	13,218
MS Highway 16 (I-55 to US Hwy 51)	2,300	3,571	1,271
MS Highway 16 (MS Hwy 43 to Sharon Rd)	4,600	9,438	4,838
MS Highway 22 (Virlilia Rd to MS Hwy 463)	2,400	4,286	1,886
MS Highway 22 (MS Hwy 463 to Livingston-Vernon Rd)	5,400	7,208	1,808
MS Highway 22 (Livingston-Vernon Rd to Flora City Limits)	3,400	5,172	1,772
MS Highway 43 (MS Hwy 16 to Natchez Trace Pkwy)	3,600	4,956	1,356
MS Highway 463 (Annandale Rd to Gluckstadt Rd)	9,900	14,227	4,327
MS Highway 463 (Gluckstadt Rd to MS Hwy 22)	4,600	5,587	987
Gluckstadt Rd (MS Hwy 463 to Catlett Rd)	3,600	17,354	13,754
Gluckstadt Rd (Catlett Rd to I-55)	9,200	15,519	6,319
Gluckstadt Rd (I-55 to Industrial Dr)	10,000	21,557	11,557
Spillway Road (Harbor Dr to Rankin County)	32,000	45,205	13,205

JUAMTP 2040 Staged Improvement Program (Madison County) Stage II (2021-2030)

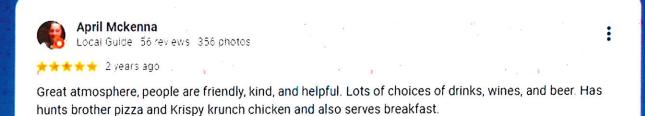
Route	Location	Improvement
US Highway 51	MS Hwy 16 to Weisenberger Rd	Widen to 4 lanes
US Highway 51	Weisenberger Rd to Tisdale Rd	Widen to 5 lanes

Community Feedback

Yandell Shell, LLC intends to build and operate an upscale convenience store offering fast, friendly service and a safe environment for all customers, much like its existing stores. Past customers attest to this, and the current property owners and surrounding neighbors support the addition of another such store.



Nice Shell station. Pumps are roomy and well lit with the choice of gas or diesel. The convenience store portion has a big selection with a Baskin Robbins and a Penn's Fish House inside. Staff is always friendly and welcoming and the gas prices are usually in line with other area stations.







Exhibits

TERESA Y. KUGLE FORREST 16110 Hickory Little Rock Road Little Rock, Mississippi 39337

September 3, 2024

Madison County, Mississippi Attn: Scott Weeks, Zoning Administrator 125 West North Street P.O. Box 608 Canton, MS 39046 Office: (601) 855-5501

Re: Rezoning of property at the SW corner of Reunion Parkway and Highway 51, Madison County, Mississippi; Madison County Tax Parcel No. 082H-33-014/00.00

Dear Scott:

Please accept this letter as confirmation that Yandell Shell LLC has the contractual right to purchase the above-referenced property as well as the right and authority to take whatever actions it deems necessary or desirable to cause the property to be rezoned from R-1 to C-2.

I support the proposed rezoning of the property from R-1 to C-2.

Sincerely,

Teresa Y. Kugle Forrest

JEFF JOHNSON 110 Deer Creek Cove Madison, Mississippi 39337

September 3, 2024

Madison County, Mississippi Atm: Scott Weeks, Zoning Administrator 125 West North Street P.O. Box 608 Canton, MS 39046 Office: (601) 855-5501

Re: Rezoning of property at the SW corner of Reunion Parkway and Highway 51, Madison County, Mississippi; Madison County Tax Parcel No. 082H-33-013/00.00

Dear Scott:

Please accept this letter as confirmation that Yandell Shell LLC has the contractual right to purchase the above-referenced property as well as the right and authority to take whatever actions it deems necessary or desirable to cause the property to be rezoned from R-I to C-2.

I support the proposed rezoning of the property from R-1 to C-2.

Sincerely,

, isocial spired by

Jeff Johnson

285EP, 2024

To Whom It May Concern:

I live [in/on MASSON COME] near the intersection of Highway 51, Green Oak Lane, and Reunion Parkway. The extension of Reunion Parkway and addition of a stoplight at this intersection is greatly appreciated by me and my neighbors. I commute through this intersection almost daily, and I believe that adding a convenience store at this intersection would be a huge benefit to the area by providing us a much closer "pit-stop" on our way home.

I was delighted to hear of the plans for this convenience store, and I support and recommend

Sincerely,

[name]
[address]
[phone]

106 PERRY COUR CANTON, MS 39046 504.510 7044 9/27 ,2024

To Whom It May Concern:

I live [in/on Madison County] near the intersection of Highway 51, Green Oak Lane, and Reunion Parkway. The extension of Reunion Parkway and addition of a stoplight at this intersection is greatly appreciated by me and my neighbors. I commute through this intersection almost daily, and I believe that adding a convenience store at this intersection would be a huge benefit to the area by providing us a much closer "pit-stop" on our way home.

I was delighted to hear of the plans for this convenience store, and I support and recommend approval for its construction.

Sincerely,

[name] Josh Cox [address] loy Runners Way Canton, MS 39046 [phone] 601-421-7384 9-27,2024

To Whom It May Concern:

I live lin/on MA durant Parkhay and addition of A stoplight at this intersection is greatly appreciated by me and my neighbors. I commute through this intersection almost daily, and I believe that adding a convenience store at this intersection would be a huge benefit to the area by providing us a much closer "pit-stop" on our way home.

I was delighted to hear of the plans for this convenience store, and I support and recommend approval for its construction.

Sincerely,

[name] Both COC [address] 224 Quail Loulaw, Canton, Ms. [phone] 401-540-7383 39046 9/26/2024/2024

To Whom It May Concern:

I live [in/on I lead to I near the intersection of Highway 51, Green Oak Lane, and Reunion Parkway. The extension of Reunion Parkway and addition of a stoplight at this intersection is greatly appreciated by me and my neighbors. I commute through this intersection almost daily, and I believe that adding a convenience store at this intersection would be a huge benefit to the area by providing us a much closer "pit-stop" on our way home.

I was delighted to hear of the plans for this convenience store, and I support and recommend approval for its construction.

Sincerely

[name] DONELLR PUKESTY [address] 530 TWIN Cedars Dr [phone] 6016242348

To Whom It May Concern:

I near the intersection of Highway 51, Green Oak Lane, and Reunion Parkway. The extension of Reunion Parkway and addition of a stoplight at this intersection is greatly appreciated by me and my neighbors. I commute through this intersection almost daily, and I believe that adding a convenience store at this intersection would be a huge benefit to the area by providing us a much closer "pit-stop" on our way home.

I was delighted to hear of the plans for this convenience store, and I support and recommend approval for its construction.

[name] BH2 OCK Wellst [phone] 601-856-4400

To Whom It May Concern:

-0 / Linear the intersection of Highway 51, Green Oak Lane, and Reunion Parkway. The extension of Reunion Parkway and addition of a stoplight at this intersection is greatly appreciated by me and my neighbors. I commute through this intersection almost daily, and I believe that adding a convenience store at this intersection would be a huge benefit to the area by providing us a much closer "pit-stop" on our way home.

I was delighted to hear of the plans for this convenience store, and I support and recommend approval for its construction.

Sep 26, 2024

To Whom It May Concern:

Reunion Parkway. The extension of Reunion Parkway and addition of a stoplight at this intersection is greatly appreciated by me and my neighbors. I commute through this intersection almost daily, and I believe that adding a convenience store at this intersection would be a huge benefit to the area by providing us a much closer "pit-stop" on our way home.

I was delighted to hear of the plans for this convenience store, and I support and recommend approval for its construction.

Sincerely,

[name]
[address]
[phone]

150 SAGESIELD SQ

CANTON, MS 39076

09/27/ 2024

To Whom It May Concern:

I live [in/on MAPISON COUNT near the intersection of Highway 51, Green Oak Lane, and Reunion Parkway. The extension of Reunion Parkway and addition of a stoplight at this intersection is greatly appreciated by me and my neighbors. I commute through this intersection almost daily, and I believe that adding a convenience store at this intersection would be a huge benefit to the area by providing us a much closer "pit-stop" on our way home.

I was delighted to hear of the plans for this convenience store, and I support and recommend approval for its construction.

Sincerely,

James Michael Cox

[name] JAMES MICHAEL COX

[address] 224 QUAIL HOLLOW CANTON MS 39046

[phone]

(001-720-8931

BEFORE THE BOARD OF SUPERVISORS OF THE COUNTY OF MADISON STATE OF MISSISSIPPI

IN THE MATTER OF REZONING
OF CERTAIN LAND SITUATED IN
SECTION 33. TOWNSHIP 8 NORTH, RANGE 2 EAST.
MADISON COUNTY, MISSISSIPPI

PETITIONER: YANDELL SHELL LLC

PETITION TO REZONE AND RECLASSIFY REAL PROPERTY

Comes now, Yandell Shell LLC, with authorization (SEE EXHIBITS A-1 – A-4) from the owners (SEE EXHIBITS B-1 – B2) of the hereinafter described land and property, and files this petition with the Board of Supervisors of Madison County. Mississippi, to rezone and reclassify a tract or parcel of land situated in Section 33. Township 8 North. Range 2 East, Madison County, Mississippi, more particularly described as follows, to-wit:

(SEE EXHIBIT C)

from its present R-1 Zoning District Classification to a C-2 Zoning District Classification, and, in support thereof, respectfully shows as follows, to-wit:

- 1. The record title holders of the subject property are:
- 2. The subject property consists of 1.874 acres, more or less.
- 3. A site plan of the proposed use of the subject property is shown on **EXHIBIT D**.
- 4. The zoning proposed is not in compliance with the adopted Land Use and Transportation Plan of Madison County, but it is the highest and best use (SEE EXHIBIT E).
- The zoning proposed is in compliance with the adopted Transportation Plan of Madison County.
- 6. Changes or conditions that support rezoning: (SEE EXHIBIT E)
- 7. Notice was provided to all property owners within 160' of the subject property, to the City of Madison, Mississippi, and to the City of Gluckstadt, Mississippi (SEE EXHIBIT F).

,	Respectfully submitted, this the		day of	, 2024.		•	
:	Yandell Shell LLC, Petitioner		* .				
	Ву:						
-	Name:						
	Title:			,			
-							
.*		:		ar .		4,	
•		,		•			

EXHIBIT A-1 TO PETITION TO REZONE AND RECLASSIFY PROPERTY

Authorization from Property Owner

CHARLES K. KUGLE 145 Stonegate Drive Madison, Mississippi 39110

September 3, 2024

Madison County, Mississippi Attn: Scott Weeks, Zoning Administrator 125 West North Street P.O. Box 608 Canton, MS 39046 Office: (601) 855-5501

Re: Rezoning of property at the SW corner of Reunion Parkway and Highway 51, Madison County, Mississippi; Madison County Tax Parcel No. 082H-33-014/00.00

Dane South

Please accept this letter as confirmation that Yandell Shell LLC has the contractual right to purchase the above-referenced property as well as the right and authority to take whatever actions it deems necessary or desirable to cause the property to be rezoned from R-1 to C-2.

I support the proposed rezoning of the property from R-1 to C-2.

Sincerely.

Charles K. Kugle

EXHIBIT A-2 TO PETITION TO REZONE AND RECLASSIFY PROPERTY

Authorization from Property Owner

WILLIAM R. KUGLE 1051 Barnes Road Canton, Mississippi 39046

September 3, 2024

Madison County, Mississippi Attn. Scott Weeks. Zoning Administrator 125 West North Street P.O. Box 608 Canton, MS 39046 Office: (601) 855-5501

> Re: Rezoning of property at the SW corner of Reunion Parkway and Highway 51, Madison County, Mississippi, Madison County Tax Parcel No. 082H-33-014/00.00

Dear Scott:

Please accept this letter as confirmation that Yandell Shell LLC has the contractual right to purchase the above-referenced property as well as the right and authority to take whatever actions it deems necessary or desirable to cause the property to be rezoned from R-1 to C-2.

I support the proposed rezoning of the property from R-1 to C-2.

Sincerely.

William R. Kugle

EXHIBIT A-3 TO PETITION TO REZONE AND RECLASSIFY PROPERTY

Authorization from Property Owner

TERESA Y. KUGLE FORREST 16110 Hickory Little Rock Road Little Rock, Mississippi 39337

September 3, 2024

Madison County, Mississippi Attn: Scott Weeks, Zoning Administrator 125 West North Street P.O. Box 608 Canton, MS 39046 Office: (601) 855-5501

> Re: Rezening of property at the SW corner of Reunion Parkway and Highway 51, Madison County, Mississippi: Madison County Tax Parcel No. 082H-33-014/00.00

Dear Scott:

Please accept this letter as confirmation that Yandell Shell LLC has the contractual right to purchase the above-referenced property as well as the right and authority to take whatever actions it deems necessary or desirable to cause the property to be rezoned from R-1 to C-2.

I support the proposed rezoning of the property from R-1 to C-2.

Sincerely,

Teresa Y. Kugle Forrest

EXHIBIT B-1 TO PETITION TO REZONE AND RECLASSIFY PROPERTY

Current Vesting Deed

BOOK 3706 PASE 141 DOC 01 TV 9 DST # 261452 REDISON COUNTY HS. This instrument was filled for record 4.7019 at 10118151 MM 90917 LOTT. C.C. 57: KAN D.C.

Prepared by & Return to:
Phillip M. Nelson, MSB #3810
P. O. Boa 2734
Madison, MS 39130
Ph: 601-856-8869

TITLE OF INSTRUMENT:

Executor's Deed

GRANTOR:

Jeff Johnson, Executor of the Estate of Billy D. John Deceased 147 Links Drive, Apt. No. 47-A Canton, Mississippi 39046 Phone: 601-601-896-1259

GRANTEES:

Charles K. Kugle 145 Stonegate Drive Madison, Mississippi 39110 Phone: 601-832-0767

William R. Kugle 1051 Barnes Road Canton, Mississippi 39046 Phone: 601-855-7376

Teresa Y. Kugle Forrest 150 Simkins Road Decatur, Mississippi 39327 Phone: 601-874-1160

INDEXING INSTRUCTIONS:

Lot I and Lot 2, Lansdowne Estates S/D, and in Section 33, T8N-R2E, Madison County, MS

Page 1 of 3

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800K 3706 PAGE 142

EXECUTORS' DEED

Pursuant to the Amended Order Waiving First and Final Accounting, Authorizing Payment of Fees and Expenses of Administration, Distributing Assets, Discharging Executor and Closing Estate entered in the Estate of Billy D. Johnson, Deceased, Probate File No. 2016-1099-B, on March 26, 2019 by the Chancery Court of Madison County, Mississippi, the undersigned JEFF JOHNSON, Executor of the Estate of Billy D. Johnson, Deceased, Grantor, does hereby convey unto CHARLES K. KUGLE, WILLIAM R. KUGLE, and TERESA Y. KUGLE FORREST, Grantees, an undivided 1/3 (33.33%) each in and to that certain parcel of land and property containing 2.43 acres, more or less, lying and being situated in Madison County, Mississippi, and being more particularly described as follows, to-wit:

A PARCEL OF LAND CONTAINING 2.43 ACRES (105,677.64 SQUARE FEET), MORE OR LESS, BEING LOTS 1 AND 2, LANSDOWNE ESTATES (MAP OR PLAT RECORDED IN BOOK 4 AT PAGE 6 IN THE OFFICE OF THE MADISON COUNTY CHANCERY CLERK, REFERENCE TO SAID PLAT BEING MADE AS A PART OF THIS DESCRIPTION), SITUATED IN SECTION 33, TOWNSHIP 8 NORTH, RANGE 2 EAST, MADISON COUNTY, MISSISSIPPLAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCE AT A FOUND IRON PIN MARKING THE SOUTHEAST CORNER OF SAID SECTION 33; RUN THENCE WEST FOR A DISTANCE OF 2170.39 FEET; THENCE NORTH FOR A DISTANCE OF 1490.50 FEET TO A FOUND CONCRETE MONUMENT; THENCE N23°39'27"E FOR A DISTANCE OF 100.00 FEET TO THE POINT OF BEGINNING FOR THE PARCEL HEREIN DESCRIBED; FROM SAID POINT OF BEGINNING, CONTINUE N23°39'27'E ALONG THE WESTERN RIGHT OF WAY OF U.S. HIGHWAY 51 FOR A DISTANCE OF 201.85 FEET; THENCE LEAVE SAID RIGHT OF WAY AND RUN N67°56'21"W FOR A DISTANCE OF 400.00 FEET; THENCE S18°06'19"W FOR A DISTANCE OF 225.20 FEET; THENCE CONTINUE S19°43'47"W FOR A DISTANCE OF 119.07 FEET; THENCE S88°42'41"E FOR A DISTANCE OF 400.00 FEET TO THE POINT OF BEGINNING.. This being one and the same tract of Property as shown on the survey of Roger Thomas Ellison dated 10/30/2017, and designated as Parcel B, attached hereto as Exhibit "A" and incorporated herein by reference together with all tenements, easements, hereditaments and appurtenances there unto in any wise appertaining

BOOK 3706 PAGE 143

By acceptance of this conveyance, Grantees hereby accept the herein conveyed property and all improvements, if any, situated thereon in their AS-IS condition, with all faults and defects, whether known or unknown.

EXECUTED on this the 30th day of March, 2019.

ESTATE OF BILLY D. JOHNSON,

DECEASED

By:

JEFF JOHNSOM EXECUTOR

STATE OF MISSISSIPPI

COUNTY OF MADISON

PERSONALLY CAME AND APPEARED BEFORE ME, the undersigned authority in and for the aforesaid state and county, on this the 30th day of March, 2019, within my jurisdiction, the within named Jeff Johnson, Executor of the Estate of Billy D. Johnson, Deceased, who acknowledged to me that while acting in such representative capacity he/she executed the above and forgoing instrument of writing, having been first duly authorized and empowered setts do.

NOTARY PUBLIC

My Commission Expires:



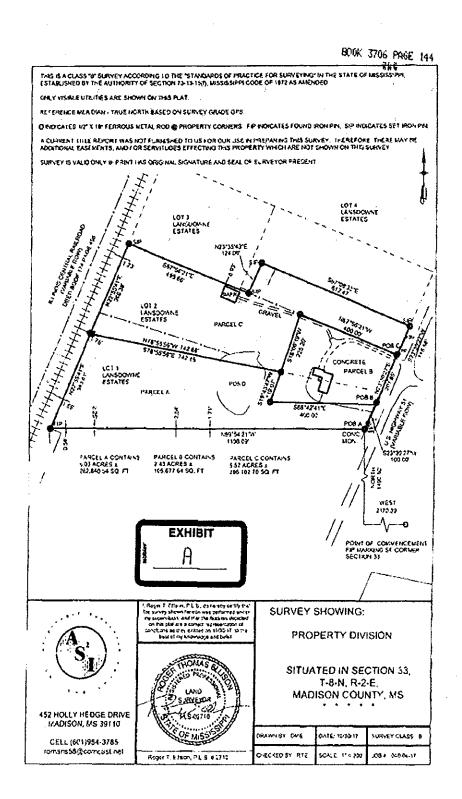


EXHIBIT B-2 TO PETITION TO REZONE AND RECLASSIFY PROPERTY

Current Vesting Deed

SOOK 3706 PAGE 130 DOC OI TY U DIST W 851448 NADISCH COUNTY MS. This instrument was filed for record 4/03/19 at 10:17:48 AM POMENY LOTT, C.C. PY: KRA D.C.

Prepared by & Return to:
Phillip M. Nelson, MSB #3810
P. O. Box 2734
Madison, MS 39130
Ph: 601-856-8869

TITLE OF INSTRUMENT:

Executor's Deed

GRANTOR:

Jeff Johnson, Executor of the Extate of Billy D. John Deceased 147 Links Drive, Apt. No. 47-A Canton, Mississippi 39046 Phone: 601-601-896-1259

GRANTEE:

Jeff Johnson

147 Links Drive, Apt. No. 47-A Canton, Mississippi 39046 Phone: 601-601-896-1259

INDEXING INSTRUCTIONS:

Lots 1, Lansdowne Estates S/D and In Section 33, T8N-R2E, Madison County, MS

800K 3706 PASE 131

EXECUTORS' DEED

Pursuant to the Amended Order Waiving First and Final Accounting, Authorizing Payment of Fees and Expenses of Administration, Distributing Assets, Discharging Executor and Closing Estate entered in the Estate of Billy D. Johnson, Deceased, Probate File No. 2016-1099-B, on March 26. 2019 by the Chancery Court of Madison County, Mississippi, the undersigned JEFF JOHNSON, Executor of the Estate of Billy D. Johnson, Deceased, Grantor, does hereby convey unto JEFF JOHNSON, Grantee, that certain parcel of land and property containing 6.03 acres, more or less. lying and being situated in Madison County, Mississippi, and being more particularly described as follows, to-wit:

A PARCEL OF LAND CONTAINING 6.03 ACRES (262,840.54 SQUARE FEET), MORE OR LESS, BEING A PART OF LOT I LANSDOWNE ESTATES (MAP OR PLAT RECORDED IN BOOK 4 AT PAGE 6 IN THE OFFICE OF THE MADISON COUNTY CHANCERY CLERK, REFERENCE TO SAID PLAT BEING MADE AS A PART OF THIS DESCRIPTION), SITUATED IN SECTION 33, TOWNSHIP 8 NORTH, RANGE 2 EAST, MADISON COUNTY, MISSISSIPPI, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCE AT A FOUND IRON PIN MARKING THE SOUTHEAST CORNER OF SAID SECTION 33; RUN THENCE WEST FOR A DISTANCE OF 2170.39 FEET; THENCE NORTH FOR A DISTANCE OF 1490.50 FEET TO A FOUND CONCRETE MONUMENT MARKING THE POINT OF BEGINNING FOR THE PARCEL HEREIN DESCRIBED: FROM SAID POINT OF BEGINNING. RUN N89°54'21"W FOR A DISTANCE OF 1198.09 FEET TO A FOUND IRON PIN ON THE EASTERN RIGHT OF WAY LINE OF THE ILLINOIS CENTRAL RAILROAD; THENCE RUN ALONG SAID RAILROAD RIGHT OF WAY N22°55'41" E FOR A DISTANCE OF 383 61 FEET; THENCE LEAVE SAID RIGHT OF WAY AND RUN \$78°55'59"E FOR A DISTANCE OF 742.88 FEET; THENCE \$19°43'47"W FOR A DISTANCE OF 119.07 FEET; THENCE \$88°42'41"E FOR A DISTANCE OF 400,00 FEET TO THE WESTERN RIGHT OF WAY LINE OF U.S. HIGHWAY 51; THENCE RUN ALONG SAID RIGHT OF WAY \$23°39'27"W FOR A DISTANCE OF 100,00 FEET TO THE POINT OF BEGINNING. This being one and the same tract of Property as shown on the survey of Roger Thomas Ellison dated 10/30/2017, and designated as Parcel A, attached hereto as Exhibit "A" and incorporated herein by reference together with all tenements, easements, hereditaments and appurtenances there unto in any wise appertaining;

800K 3706 PAGE 132

By acceptance of this conveyance, Grantee hereby accepts the herein conveyed property and all improvements, if any, situated thereon in their AS-IS condition, with all faults and defects, whether known or unknown.

EXECUTED on this the 30th day of March, 2019.

ESTATE OF BILLY D. JOHNSON, DECEASED

By:

JEFF JOHNSON, EXECUTOR

STATE OF MISSISSIPPI

COUNTY OF MADISON

PERSONALLY CAME AND APPEARED BEFORE ME, the undersigned authority in and for the aforesaid state and county, on this the 30th of March, 2019, within my jurisdiction, the within named Jeff Johnson, Executor of the Estate of Billy D. Johnson, Deceased, who acknowledged to me that while acting in such representative capacity he/she executed the above and forgoing instrument of writing, having been first duly authorized and empowered so to do.

My Commission Expires:

OF MISS,
ANY PUB

IO # 13113

JANICE ORUCHLA KELSON

Commission Explore

Sept. 21, 2722

Page 3 of 3

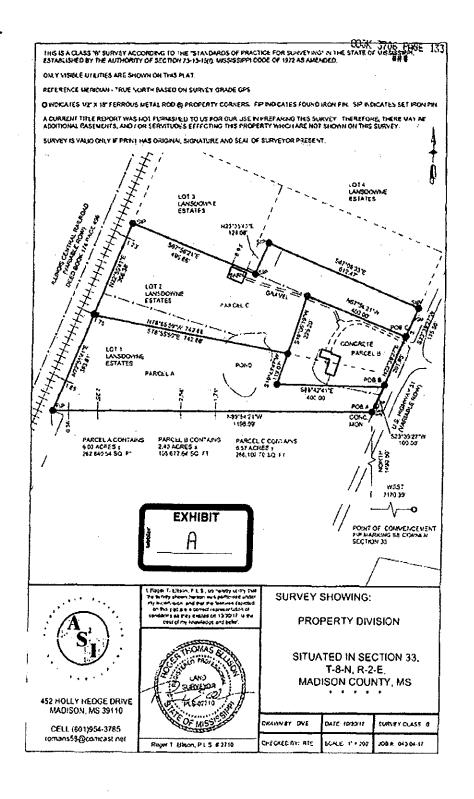


EXHIBIT C TO PETITION TO REZONE AND RECLASSIFY PROPERTY

Description of Property

A certain parcel of land situated in Lots 1 and 2 of Lansdowne Estates and also being a part of the Northwest Quarter (NW 14) of the Southeast Quarter (SE 1/2) of Section 33. Township 8 North, Range 2 East. Madison County, Mississippi, said parcel of land containing 1.874 acres, more or less, and is more particularly described as follows:

Commencing at the southeast corner of Section 33, Township 8 North, Range 2 East, Madison County. Mississippi and being represented by an iron pin found, thence run North 55 degrees 39 minutes 13 seconds West for a distance of 2,632.64 feet to a concrete monument found and lying on the south right-of-way line of Reunion Parkway (STP-6988-00(003) and being the Point of Beginning of the tract herein described:

From the Point of Beginning thence run North 00 degrees 53 minutes 17 seconds West, along said right-of-way line, for a distance of 166.57 feet to a ½" iron rebar set on said right-of-way line; thence run North 66 degrees 34 minutes 51 seconds West, along said right-of-way line, for a distance of 317.08 feet to a ½" iron rebar set; thence leave said right-of-way line and run South 18 degrees 00 minutes 20 seconds West for a distance of 84.57 feet to a ½" iron rebar set; thence run South 19 degrees 38 minutes 04 seconds West for a distance of 119.07 feet to a ½" iron rebar set; thence run South 19 degrees 38 minutes 10 seconds West for a distance of 106.16 feet to a ½" iron rebar set; thence run South 89 degrees 59 minutes 53 seconds East for a distance of 395.37 feet back to the POINT OF BEGINNING.

EXHIBIT D TO PETITION TO REZONE AND RECLASSIFY PROPERTY

Site Plan of Property

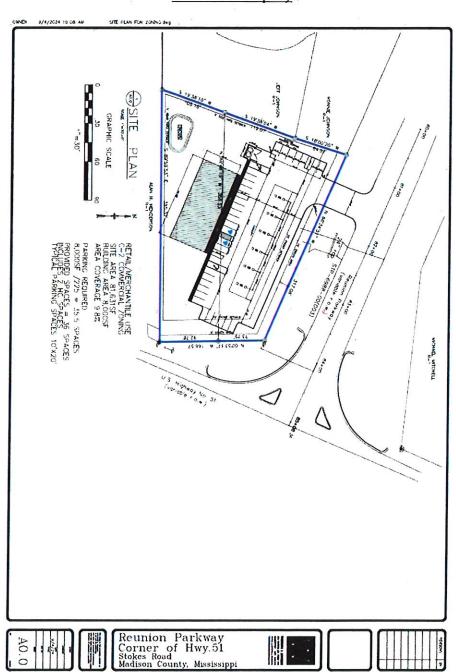


EXHIBIT E TO PETITION TO REZONE AND RECLASSIFY PROPERTY

Changes or Conditions Supporting Rezoning

The property is currently zoned R-1 (Single Family Residential Estate District), and the Petitioner desires to rezone the property to C-2 (Highway Commercial District) for the development of a convenience store.

The new signalized intersection of two major thoroughfares (Reunion Parkway and Highway 51) and the rapid growth of Gluckstadt and Madison have changed the character of the area, justifying reclassification of the property and creating a public need for the proposed use as a convenience store, which is highest and best use of the property given the expected significant increase in traffic as a result of the Reunion Parkway extension.

Character of the Neighborhood

The character of the neighborhood in which the subject property is located has and will continue to change to such an extent as to justify the reclassification of the property to C-2. The nearby cities of Gluckstadt and Madison have experienced rapid commercial growth in recent years, and they continue to prioritize commercial development to support their increasing populations. The extension of Reunion Parkway and addition of a signalized intersection where the subject property is located is a drastic change to the character of the neighborhood that did not exist when the property was originally zoned.

Public Need

The past, present, and anticipated changes to the character of the neighborhood have created a public need for the rezoning. The continuing growth of Gluckstadt and Madison and the extension of Reunion Parkway will create more traffic through this area and increase the need for everyday goods and services. Some of this need will be resolved by the addition of a convenience store at the new intersection of Reunion Parkway and Highway 51.

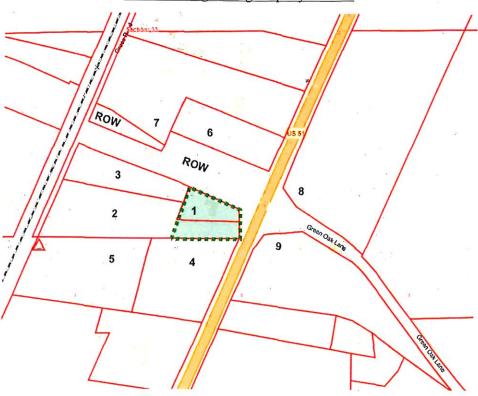
Land Use Plan

Although the proposed use and zoning reclassification is not a professional/office commercial use anticipated by the 2019 Land Use Map of Madison County, the Land Use Map was adopted prior to the extension of Reunion Parkway to Highway 51 (in accordance with the Transportation Plan of Madison County), so the Land Use Map is not dispositive in this matter. Further, the Land Use Plan provides that, "the realistic life expectancy of the Land Use Plan in a growing area is five to ten years," and "It is necessary to review and revise [the Land Use Plan] periodically in light of . . . changing conditions."

Additionally, a stated goal of the Land Use Plan is to "designate additional lands as needed for commercial... uses near transportation corridors," and the Transportation Plan contemplates that "the construction of major streets will create pressure for more intensive types of development." In short, the proposed use of the subject property is consistent with the growth and character of the area, which was anticipated by the Land Use Plan.

EXHIBIT F TO PETITION TO REZONE AND RECLASSIFY PROPERTY

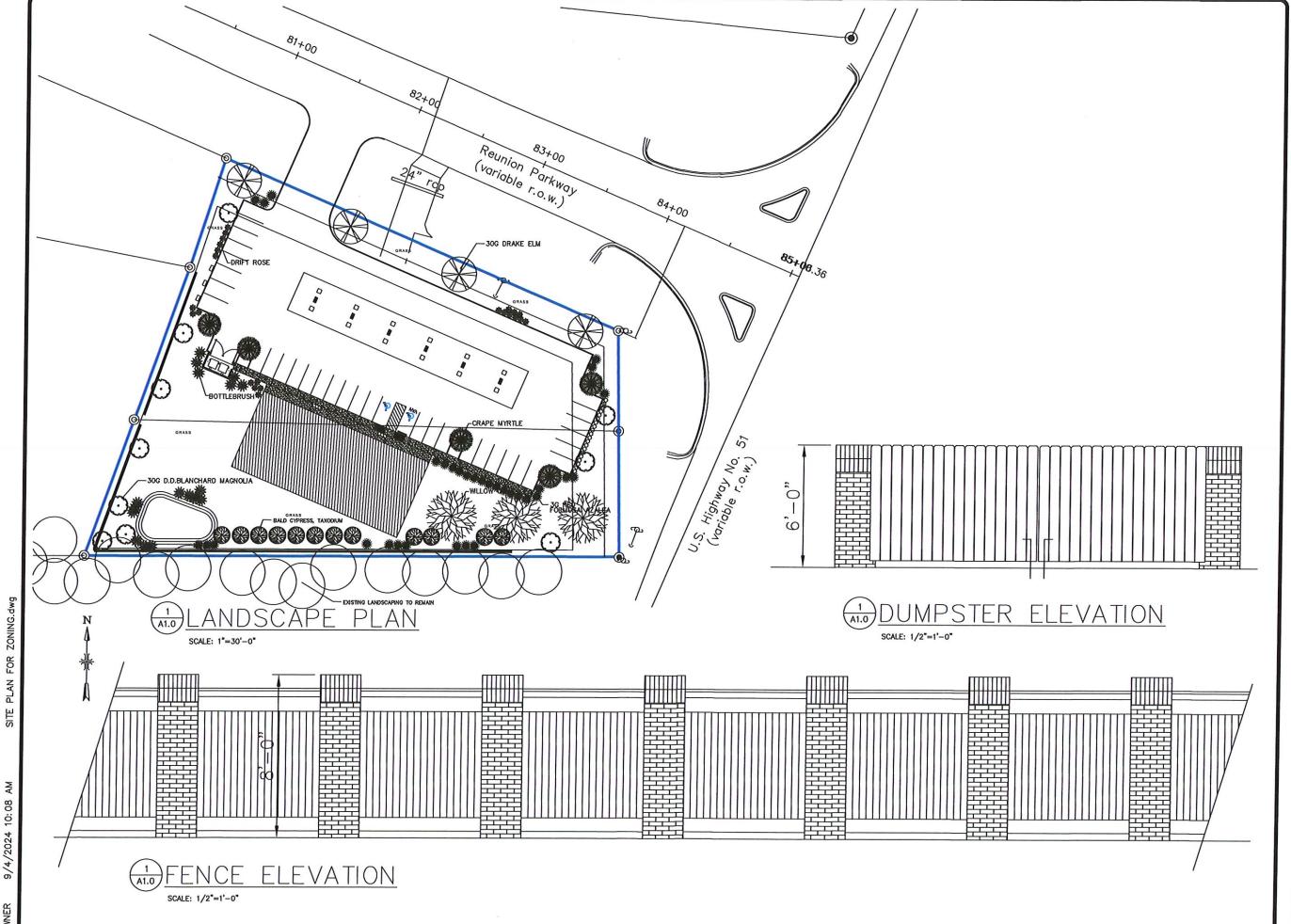
Notice to Neighboring Property Owners



Subject Property

ROW - Right of Way

- 1 Parcel No. 082H-33-014/00.00 Charles K. Kugle, 145 Stonegate Dr., Madison, MS 39110; William R. Kugle, 1051 Barnes Rd., Canton, MS 39046; Teresa Y. Kugle Forrest, 16110 Hickory Little Rock Rd., Little Rock, MS 39337
- 2 Parcel No. 082H-33-013/00.00 Jeff Johnson, 110 Deer Creek Cv., Madison, MS 39110
- 3 Parcel No. 082H-33-015/01.00 Ronnie Johnson, 518 Post Oak Pl., Madison, MS 39110
- 4 Parcel No. 082H-33-012/00.00 Alan H. Henderson and Laurissa N. Henderson, 1473 Hwy. 51, Madison, MS 39110
- 5 Parcel No. 082H-33-011/02.00 Alan H. Henderson and Laurissa N. Henderson, 1473 Hwy. 51, Madison, MS 39110
- 6 Parcel No. 082H-33-015/02.00 Michael Black Mitchell, 119 Glen Alden Cir., Oxford, MS 38655
- 7 Parcel No. 082H-33-016/00.00 Nedah Nemati, 1529 Highway 51, Madison, MS 39110
- 8 Parcel No. 082H-33-028/04.00 Yerger Family Limited Partnership, 129 Woodland Cir., Jackson, MS 39216
- 9 Parcel No. 082H-33-028/05.00 My Madison Properties LLC, 300 Concourse Blvd., Suite 101, Ridgeland, MS 39157



REVISIONS





Reunion Parkway Corner of Hwy.51 Stokes Road Madison County, Mississippi

9/4/24 904E A0.1