

BEFORE THE MADISON COUNTY, MISSISSIPPI BOARD OF SUPERVISORS

IN RE: ALTERATION OF THE PLAT OF LOT 9, THE RETREAT

RAKSHA SETHI, PETITIONER

**PETITION TO ALTER THE PLAT OF
THE RETREAT**

COMES NOW Petitioner, **Raksha Sethi**, pursuant to Section 17-1-23 (4) of the *Mississippi Code of 1972, Annotated, as Amended*, and files this her Petition before the Board of Supervisors of Madison County, Mississippi to alter the Plat of The Retreat, and in support hereof shows as follows:

1. Petitioner, **Raksha Sethi**, is the Owner of Lot 9, The Retreat, which is described as follows:

Lot 9, The Retreat, a subdivision according to a map or plat thereof on file and of record in the office of the Chancery Clerk of Madison County at Canton, Mississippi, in Plat Cabinet E at Slide 129 A & B, thereof, reference to which is hereby made in aid of and as part of this description, more particularly shown and described on the survey of Robert B. Barnes dated May 30, 2012.

LESS AND EXCEPT: A "Common Area" in the Southeast corner of the said Lot 9 which is described by metes and bounds as follows, to-wit:

Commence at the Southwest corner of the said Lot 9 of "The Retreat" and run thence East for a distance of 695.32 feet along the Southern line of the said Lot 9 to the POINT OF BEGINNING for the parcel herein described; thence leave said Southern line of Lot 9 and run North 07 degrees 18 minutes 00 seconds East for a distance of 143.77 feet to a 5/8" iron pin (set); thence South 82 degrees 42 minutes 00 seconds East for a distance of 96.39 feet to a 5/8" iron pin (set); thence North 50 degrees 18 minutes 00 seconds East for a distance of 225.43 feet to the Eastern line of the said Lot 9; thence run 10.19 feet along the arc of a 2,500.00 foot radius curve to the right along the said Eastern line of Lot

9, said arc having a 10.19 foot chord which bears South 14 degrees 08 minutes 46 seconds East; thence South 14 degrees 01 minutes 46 seconds East for a distance of 272.61 feet along the said Eastern line to the Southeast corner of the said Lot 9; thence leave said Eastern line of Lot 9 and run West for a distance of 355.89 feet along the said Southern line of Lot 9 to the Point of Beginning, containing 1.3512 acres, more or less.

2. The Retreat is a subdivision according to a map or plat thereof on file and of record in the office of the Chancery Clerk of Madison County, Mississippi, in Plat Cabinet E at Slide 129A and 129B. A reduced copy of the Plat is attached hereto as **Exhibit "A"**. The Retreat is subject to the Declaration of Covenants, Conditions and Restrictions for Meadows of Charlton Place dated November 14, 2008, recorded in Book 2369 at Page 393, and the Amendment and Supplement thereto dated October 1, 2013, recorded in Book 3034 at Page 731, all in the records in the office of the Chancery Clerk of Madison County, Mississippi.

3. The Declaration of Covenants, Conditions and Restrictions for Meadows of Charlton Place provide in Section 12.10. Parcel Division and Addition, thereof as follows:

"After conveyance of a Parcel by the Declarant, the further subdivision of such Parcel shall be allowed by this Declaration, subject to applicable governmental rules, regulations, ordinances and laws, so long as the resulting new, smaller Parcels are at least five (5) acres in area. No owner of another Parcel in the Property may object to the subdivision of a Parcel by an Owner, so long as the resulting Parcels meet the minimum area criteria set forth herein. However, it is expressly agreed and understood that Declarant makes no representation or warranty regarding the subdivision of Parcels, as same is subject to governmental rule and regulation."

4. Petitioner shows that Lot 9 contains a total of 11.03 acres (1.1252 acres had previously been reserved as common area). Petitioner is seeking to divide Lot 9 into two (2) Lots, with the North portion of Lot 9 (Lot 9A) being 5.53 acres and the South portion of Lot 9 (Lot 9B) being 5.5 acres. The legal descriptions and plat of the division are attached hereto as composite **Exhibit "B"**.

5. Petitioner shows that after division of the Lots, the minimum of the Lot size requirements of the Declaration of Covenants, Conditions and Restrictions for Meadows of Charlton Place will be complied with.

6. Pursuant to the Declaration of Covenants, Conditions and Restrictions for Meadows of Charlton Place and Amendment and Supplement thereto, and Section 17-1-23(4) of the *Mississippi Code of 1972, Annotated, as Amended*, the only parties interested in the subject matter of this Petition are:

- a. Raksha Sethi
- b. Meadows of Charlton Place Property Owner's Association, Inc.

Each of such interested parties join in this Petition.

7. That the Board should approve the division of Lot 9, The Retreat, into two (2) Lots in accordance with the depiction shown on composite **Exhibit "B"** attached hereto.

WHEREFORE, PREMISES CONSIDERED, Petitioner respectfully requests that this Petition be received, and that after due consideration, the Board of Supervisors of Madison County, Mississippi will enter its Order Altering the Plat of The Retreat to reflect that Lot 9 be divided into two (2) Lots (Lots 9A and 9B) in accordance with the Plat and Legal Descriptions attached hereto as composite **Exhibit "D"**.

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

THIS the 25th day of March, 2025.

Respectfully submitted,

Raksha Sethi

Raksha Sethi

Meadows of Charlton Place
Property Owner's Association, Inc.,
a Mississippi non-profit corporation

By:

Char Ramsey
President

Char Ramsey

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Montgomery McGraw, PLLC
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Email: dmcgraw@montgomerymcgraw.com
Attorney for Petitioner

THE RETREAT

SITUATED IN THE SW 1/4, THE NW 1/4,
THE NE 1/4 & THE SE 1/4 OF
SECTION 34, T9N-R1E

ACCESS EASEMENTS
SITUATED IN SECTIONS
22, 23, 26, 27, & 34, T9N, R1E
MADISON COUNTY, MISSISSIPPI

STATE OF MISSISSIPPI
NOTARY PUBLIC
COUNTY OF MADISON
I, the undersigned, a Notary Public for the State of Mississippi, do hereby certify that the foregoing is a true and correct copy of the original of the same as the same appears in my records.

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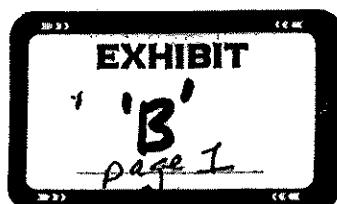
STATE OF MISSISSIPPI
NOTARY PUBLIC
COUNTY OF MADISON
I, the undersigned, a Notary Public for the State of Mississippi, do hereby certify that the foregoing is a true and correct copy of the original of the same as the same appears in my records.



A PARCEL OF LAND CONTAINING 5.53 ACRES (240,795.49 SQUARE FEET), MORE OR LESS, BEING SITUATED IN THE EASTERN 1/2 OF SECTION 34, TOWNSHIP 9 NORTH, RANGE 1 EAST, MADISON COUNTY, MISSISSIPPI, ALSO BEING PART OF LOT 9, THE RETREAT SUBDIVISION, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCE AT THE SOUTHWEST CORNER OF SECTION 34, TOWNSHIP 9 NORTH, RANGE 1 EAST, MADISON COUNTY, MISSISSIPPI; RUN THENCE N00°07'27"E FOR A DISTANCE OF 2281.65 FEET; THENCE RUN EAST FOR A DISTANCE OF 3304.60 FEET, TO THE POINT OF BEGINNING FOR THE PARCEL HEREIN DESCRIBED, THENCE RUN EAST FOR A DISTANCE OF 196.38 FEET; THENCE RUN N19°43'13"E FOR A DISTANCE OF 257.53 FEET; THENCE RUN N63°29'19"E FOR A DISTANCE OF 684.77 FEET, TO THE CENTER OF WINDERMERE BOULEVARD; THENCE RUN ALONG SAID CENTERLINE 187.19 FEET ALONG THE ARC OF A 2500.00 FOOT RADIUS CURVE TO THE LEFT, SAID CURVE HAVING A 187.15 FOOT CHORD AND A BEARING OF N22°59'30"W; THENCE LEAVE SAID CENTERLINE AND RUN S74°49'11"W FOR A DISTANCE OF 503.84 FEET; THENCE RUN S55°11'40"W FOR A DISTANCE OF 203.98 FEET; THENCE RUN S19°43'13"W FOR A DISTANCE OF 501.41 FEET TO THE POINT OF BEGINNING.

Parcel 'A'



A PARCEL OF LAND CONTAINING 5.50 ACRES (239,682.42 SQUARE FEET), MORE OR LESS, BEING SITUATED IN THE EASTERN 1/2 OF SECTION 34, TOWNSHIP 9 NORTH, RANGE 1 EAST, MADISON COUNTY, MISSISSIPPI, ALSO BEING PART OF LOT 9, THE RETREAT SUBDIVISION, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

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Parcel B

