

**S & C Farms, LLC
P.O. Box 301
Yazoo City, MS 39194
662.746.5112**

May 1, 2025

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

**RE: S & C Farm LLC (Parcels 093B-04-001/01.00; 093B-04-001/02.00; 093C-05-011/00.00; 093C-05-010/02.00; 103H-33-001/03.00; 093C-05-007/02.00)
Conditional Use Permit Application
Madison County**

Dear Mr. Weeks:

S & C Farms is hereby requesting a Conditional Use Permit for Parcels 093B-04-001/01.00, 093B-04-001/02.00, 093C-05-011/00.00, 093C-05-010/02.00, 103H-33-001/03.00, and 093C-05-007/02.00 which are located adjacent to Hwy 51 in Madison County. The total acreage is 627.2 acres. The referenced parcels are currently zoned for Agricultural Use (A). In accordance with Section 805 of the Zoning Ordinance of Madison County, Mississippi, I am requesting the Conditional Use Permit to allow Birdsong Construction Company, Inc., (Birdsong) to operate a surface mine to extract construction fill dirt from the site. Attached are the following documents:

- Madison County Department of Planning and Zoning; Conditional Use Application
- Warranty Deed; and Legal Description
- MDEQ Surface Mining Application Forms
- Figure 1: USGS Quadrangle
- Figure 2: Proposed Mining Permitted Footprint
- Figure 3: Reclamation Plan

Upon issuance of the Conditional Use Permit, Birdsong will submit a Surface Mining Permit Application to the Mississippi Department of Environmental Quality (MDEQ) along with a Storm Water Pollution Prevention Plan and Mining Notice of Intent to obtain coverage under MDEQ's Mining Storm Water General Permit.

The proposed surface mine will be approximately 407 acres and will have an entrance from Hwy 51, as shown on the attached Figure 2. Birdsong will maintain a minimum buffer distance of 100 feet from Hwy 51 right-of-way, adjacent property owners and from the unnamed stream that traverses the property. The surface mine will not require any structures or utilities. The hours of operation for the proposed mine will be 7 a.m. to 5 p.m.,

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Monday through Saturday. As needed, flag men will be utilized to control traffic entering the highway and a water truck will be utilized to control dust. Upon completion of mining activities, Birdsong intends to reclaim the site by converting the excavated areas into recreational lakes. Figure 3 shows the reclamation plan for the site.

It is our understanding that you will invoice us for the cost of publishing the public notice and the filling fee of \$100. We request that this application be included on the Agenda for the June 2025 Planning Commission meeting. If you have any questions or require additional information, please do not hesitate to contact my consultant, Ms. Gloria Tatum with Tatum and Associates at (601) 672-8626.

Sincerely,



Jeff Cox

Attachments

Cc: Stacy Rhodes, Birdsong
Gloria Tatum, Tatum and Associates
Russ Twitty, FC&E Engineering

Conditional Use Application

APPLICATION FOR CONDITIONAL USE

Name and Address of Applicant:

S&C Farms LLC

Street Address of Property (if different address):

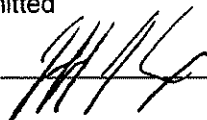
Branscomb Rd, Canton, MS 39046

APPLICATION DATE	Present Zoning of Property	Legal Description of Property:	TAX PARCEL NUMBER	FLOOD ZONE	MAP/PLAT OF PROPERTY
5/1/25	A-1	See (Warranty Deed)	See (Page 2)	A / X	See (Figure 2)

Other Comments: As per Article 805 of the Madison County Zoning Ordinance.

Comments

Respectfully Submitted



Petition submitted to Madison County Planning and Development Commission on _____

Recommendation of Madison County Planning and Development Commission on Petition _____

Public Hearing date as established by the Madison County Board of Supervisors _____

Final disposition of Petition _____

Parcel Numbers:

093B-04-001/01.00

093B-04-001/02.00

093C-05-011/00.00

093C-05-010/02.00

103H-33-001/03.00

093C-05-007/02.00

Warranty Deed; and Legal Description

PREPARED BY:

E. HARRY BRIDGFORTH, MSR# 8656
HENRY, BARBOUR, DECELL & BRIDGFORTH, LTD
117 E. JEFFERSON ST., P. O. BOX 1569
YAZOO CITY, MS 39194
P-(662) 746-2134, EXT. 14
F-(662) 746-2167

RETURN TO:

E. HARRY BRIDGFORTH, ATTORNEY AT LAW
HENRY, BARBOUR DECELL & BRIDGFORTH, LTD
P. O. BOX 1569
YAZOO CITY, MS 39194
P-(662) 746-2134, EXT. 14
F-(662) 746-2167

STATE OF MISSISSIPPI
COUNTY OF MADISON

**INDEXING: SW ¼ OF SEC. 33, T10N, R3E; NW ¼, SW ¼, NE ¼, AND SE ¼
OF SEC. 4, T9N, R3E; AND NW ¼, SW ¼, NE ¼, AND SE ¼ OF SEC. 5,
T9N, R3E**

SPECIAL WARRANTY DEED

FOR TEN DOLLARS (\$10.00) AND OTHER GOOD AND VALUABLE
CONSIDERATION, the receipt and sufficiency of which is hereby
acknowledged, the undersigned Grantor,

JIM WILLIAM FOSHEE, JR.,
AND LESLIE ANN FOSHEE (A/K/A LESLIE F. LEWIS),
AS TRUSTEES OF THE JIM WILLIAM
FOSHEE FAMILY TRUST
510 E LAKE FOREST DR
BRANDON, MS 39047
Phone: 601-613-6024

does hereby sell, convey, and specially warrant, subject to the
exceptions and exclusions hereinafter set forth, unto Grantee,

S & C FARMS LLC,
A MISSISSIPPI LIMITED LIABILITY COMPANY
PO BOX 301
YAZOO CITY, MS 39194
Phone: 662-746-5112

the lands situated in Madison County, Mississippi, and described
on Exhibit A attached hereto; LESS AND EXCEPT the lands situated
in Madison County, Mississippi, and described on Exhibit B attached
hereto (collectively, the "Property").

This conveyance is made subject to the following:

1. Property taxes and assessments for the current year and all subsequent years not yet due and payable.
2. All easements, rights-of-way, covenants, conditions, restrictions, and other matters of record affecting the Property.
3. All matters that would be shown, referenced, or otherwise indicated on a current survey of the Property or that would be determined by a physical inspection of the Property.
4. All right, title, and interest in or to any oil, gas, rock, ore, sand, gravel, minerals, or similar substances in, on, or under the Property (and all easements, extraction rights, immunities, or other rights and privileges related thereto), including, without limitation, all prior leases, conveyances, and reservations of oil, gas, rock, ore, sand, gravel, minerals, or similar substances.
5. All land use (including environmental and wetlands), building and zoning laws, regulations, codes, and ordinances affecting the Property.
6. All matters arising by, through, or under Grantee (or resulting from any action of Grantee).
7. All leases, permits, contracts, and licenses (including agricultural, hunting, recreational or other leases and any CRP, EQUIP, CSP or other USDA or governmental contract) with respect to the Property, or any portion thereof.
8. Right of way easement to American Telephone & Telegraph recorded in Book 39 at Page 482 and Book 71 at Page 286
9. Right of way to MP&L Co., recorded in Book 119 at Page 661 and Book 57 at Page 411.
10. Right of way easement in Warranty Deed recorded in Book 248 at Page 269.
11. Easement to Charles Barlow recorded in Book 351 at Page 382.
12. Matters shown on survey attached to Warranty Deed recorded in Book 427 at Page 207.
13. Easement to Baptist Homes Inc., recorded in Book 2225 at Page 559.
14. Release of damages recorded in Book 4144 at Page 31.

All recording data set forth herein refers to the records of the Chancery Clerk of Madison County, Mississippi.

Taxes and assessments for the current year shall be prorated between Grantor and Grantee as of the date hereof.

Except as otherwise provided herein, the Property is conveyed by Grantor and accepted by Grantee "AS IS, WHERE IS," without any warranty whatsoever, whether express or implied, arising by operation of law or otherwise, all of which are expressly and fully disclaimed by Grantor and waived by Grantee.

WITNESS my hand this the 11th day of March, 2025.

Jim William Foshee, Jr.
Jim William Foshee, Jr., as
Trustee
of The Jim William Foshee Family
Trust

Leslie Ann Foshee
Leslie Ann Foshee (a/k/a Leslie F.
Lewis), as Trustee of
The Jim William Foshee Family
Trust

STATE OF MISSISSIPPI

COUNTY OF Hinds

Personally, appeared before me, the undersigned authority in and for the said county and state, on this 11th day of March 2025, within my jurisdiction, the within named Jim William Foshee, Jr., who acknowledged to me that he is a Trustee of the Jim William Foshee Family Trust and that for and on behalf of said Trust and as the act and deed of said Trust he executed the above and foregoing instrument, after first having been duly authorized so to do.



T. C. Wells
NOTARY PUBLIC

My Commission Expires April 19, 2026 (SEAL)

STATE OF MISSISSIPPI

COUNTY OF Hinds

Personally, appeared before me, the undersigned authority in and for the said county and state, on this 11th day of March 2025, within my jurisdiction, the within named Leslie Ann Foshee(a/k/a Leslie F. Lewis), who acknowledged to me that she is a Trustee of the Jim William Foshee Family Trust and that for and on behalf of said Trust and as the act and deed of said Trust she executed the above and foregoing instrument, after first having been duly authorized so to do.



T. C. Wells
NOTARY PUBLIC

My Commission Expires April 19, 2026 (SEAL)

Exhibit A
to Special Warranty Deed

The following description intends to describe the same property conveyed to Grantee by virtue of that certain Quitclaim Deed dated November 17, 2011, and recorded as Instrument 662179 in Book 2733, Page 153 of the public land records in the Office of the Chancery Clerk of Madison County, Mississippi.

411.683 ACRE TRACT

A tract of land situated in the SW. 1/4 - SW. 1/4 and the SE. 1/4 - SW. 1/4 of Section 33, Township 10 North, Range 3 East and also the NW. 1/4 - NW. 1/4, the NE. 1/4 - NW. 1/4, the SW. 1/4 - NW. 1/4, the SE. 1/4 - NW. 1/4, the NW. 1/4 - SW. 1/4, the NE. 1/4 - SW. 1/4, the SW. 1/4 - SW. 1/4, the SE. 1/4 - SW. 1/4, the NW. 1/4 - SE. 1/4, the NE. 1/4 - SE. 1/4, the SW. 1/4 - SE. 1/4, the NW. 1/4 - NE. 1/4, the SW. 1/4 - NE. 1/4 and the SE. 1/4 - NE. 1/4, of Section 4, Township 9 North, Range 3 East, all in Madison County, Mississippi and more particularly described as follows:

Commencing from an iron pin found at a fence corner, representing the northwest corner of Section 4, Township 9 North, Range 3 East, Madison County, Mississippi; thence North 00 Degrees 00 Minutes 00 Seconds East, a distance of 399.39 feet to a point; thence North 90 Degrees 00 Minutes 00 Seconds East, a distance of 1204.88 feet to a point in the eastern boundary line of the John Harrold tract as described in Deed Book 248 at Page 269 of the Madison County, Mississippi Chancery Clerk's Office, said point being at the intersection of a northward-southward drainage ditch and a eastward-westward creek and also the "Point of Beginning" of the tract herein described; thence

South 20 Degrees 26 Minutes 49 Seconds West and generally along the center of a creek for a distance of 174.56 feet to a point; thence

South 60 Degrees 03 Minutes 58 Seconds East and generally along the center of a creek for a distance of 80.82 feet to a point; thence

South 29 Degrees 44 Minutes 42 Seconds East and generally along the center of a creek for a distance of 40.31 feet to a point; thence

South 29 Degrees 44 Minutes 42 Seconds West and generally along the center of a creek for a distance of 40.31 feet to a point; thence

North 75 Degrees 39 Minutes 12 Seconds West and generally along the center of a creek for a distance of 59.97 feet to a point; thence

South 47 Degrees 29 Minutes 03 Seconds West and generally along the center of a creek for a distance of 89.89 feet to a point; thence

South 66 Degrees 31 Minutes 35 Seconds West and generally along the center of a creek for a distance of 124.97 feet to a point; thence

North 53 Degrees 07 Minutes 53 Seconds West and generally along the center of a creek for a distance of 81.24 feet to a point; thence

South 63 Degrees 21 Minutes 59 Seconds West and generally along the center of a creek for a distance of 115.64 feet to a point; thence

North 54 Degrees 48 Minutes 56 Seconds West and generally along the center of a creek for a distance of 103.90 feet to a point; thence

South 79 Degrees 46 Minutes 50 Seconds West and generally along the center of a creek for a distance of 105.74 feet to a point; thence

South 23 Degrees 51 Minutes 24 Seconds West and generally along the center of a creek for a distance of 160.32 feet to a point; thence

South 78 Degrees 57 Minutes 24 Seconds West and generally along the center of a creek for a distance of 214.61 feet to a point; thence

South 32 Degrees 18 Minutes 32 Seconds West and generally along the center of a creek for a distance of 113.10 feet to a point; thence

South 46 Degrees 05 Minutes 51 Seconds West and generally along the center of a creek for a distance of 107.81 feet to a point; thence

South 47 Degrees 34 Minutes 09 Seconds West and generally along the center of a creek for a distance of 159.64 feet to a point; thence

South 12 Degrees 21 Minutes 42 Seconds East and leaving said center of said creek for a distance of 25.00 feet to a found iron pin at a fence line on the southern top bank of said creek; thence

South 12 Degrees 21 Minutes 42 Seconds East and generally along said fence line for a distance of 91.03 feet to a point; thence

South 50 Degrees 59 Minutes 05 Seconds East and generally along said fence line for a distance of 236.96 feet to a point; thence

South 72 Degrees 04 Minutes 02 Seconds East and generally along said fence line for a distance of 87.33 feet to a point; thence

South 18 Degrees 06 Minutes 05 Seconds East and generally along said fence line for a distance of 251.95 feet to a point; thence

South 32 Degrees 20 Minutes 19 Seconds East and generally along said fence line for a distance of 351.99 feet to a point; thence

South 16 Degrees 44 Minutes 08 Seconds East and generally along said fence line for a distance of 309.88 feet to a point; thence

South 11 Degrees 53 Minutes 22 Seconds West and generally along said fence line for a distance of 491.88 feet to a point; thence

South 75 Degrees 16 Minutes 36 Seconds East and generally along said fence line for a distance of 515.52 feet to a point; thence

South 11 Degrees 48 Minutes 25 Seconds West and generally along said fence line for a distance of 173.06 feet to a point in the northern line of Branscome Road (said northern line being 20 feet northward of and parallel to the physical center of said Branscome Road); thence

in a southeasterly direction along the said northern line of Branscome Road being a curve to the right having a radius of 235.20 feet, a central angle of 10 Degrees 49 Minutes 50 Seconds, an arc distance of 44.46 feet and a chord which bears South 30 Degrees 50 Minutes 01 Seconds East for a distance of 44.39 feet to a point of tangency; thence

South 25 Degrees 25 Minutes 07 Seconds East along the said northern line of Branscome Road for a distance of 741.77 feet to a point; thence

South 28 Degrees 10 Minutes 41 Seconds East and continuing along the said northern line for a distance of 131.51 feet to a point; thence

South 62 Degrees 44 Minutes 33 Seconds West for a distance of 1376.23 feet to a point; thence

in a southeasterly direction around a curve to the left, having a radius of 75.00 feet, a central angle of 143 Degrees 20 Minutes 39 Seconds, an arc distance of 187.64 feet and a chord which bears South 08 Degrees 55 Minutes 47 Seconds East for a distance of 142.39 feet to a point of tangency; thence

South 80 Degrees 36 Minutes 06 Seconds East for a distance of 105.02 feet to a point; thence

South 11 Degrees 09 Minutes 15 Seconds West for a distance of 50.00 feet to a point; thence

South 74 Degrees 55 Minutes 30 Seconds East for a distance of 458.38 feet to a point; thence

South 54 Degrees 53 Minutes 40 Seconds East for a distance of 204.96 feet to a point; thence

South 61 Degrees 37 Minutes 11 Seconds East for a distance of 342.96 feet to a point; thence

South 25 Degrees 21 Minutes 00 Seconds West for a distance of 72.53 feet to a point; thence

South 54 Degrees 13 Minutes 26 Seconds East for a distance of 404.19 feet to a point; thence

South 50 Degrees 12 Minutes 16 Seconds East for a distance of 110.47 feet to a point; thence

South 62 Degrees 11 Minutes 54 Seconds East for a distance of 132.24 feet to a point; thence

North 08 Degrees 00 Minutes 36 Seconds East for a distance of 109.38 feet to a point; thence

South 47 Degrees 04 Minutes 29 Seconds East for a distance of 340.07 feet to a point; thence
 South 49 Degrees 59 Minutes 21 Seconds East for a distance of 328.73 feet to a point; thence
 South 24 Degrees 17 Minutes 21 Seconds East for a distance of 114.93 feet to a point; thence
 South 89 Degrees 42 Minutes 18 Seconds East for a distance of 281.78 feet to a point; thence
 South 89 Degrees 42 Minutes 18 Seconds East for a distance of 1318.52 feet to a point; thence
 North 00 Degrees 04 Minutes 55 Seconds East for a distance of 1309.57 feet to a point; thence
 South 89 Degrees 45 Minutes 05 Seconds East for a distance of 660.01 feet to a point; thence
 North 00 Degrees 06 Minutes 53 Seconds East for a distance of 1310.10 feet to a point; thence
 South 89 Degrees 47 Minutes 52 Seconds East for a distance of 660.76 feet to a point; thence
 North 00 Degrees 08 Minutes 51 Seconds East for a distance of 1310.65 feet to a point; thence
 North 89 Degrees 50 Minutes 39 Seconds West for a distance of 1323.02 feet to a point; thence
 North 00 Degrees 04 Minutes 55 Seconds East for a distance of 610.70 feet to the approximate center of a tributary; thence
 South 30 degrees 45 minutes 32 seconds West along the said approximate center of the Tributary for a distance of 84.05 feet to a point; thence
 South 78 degrees 31 minutes 56 seconds West along the said approximate center of the Tributary for a distance of 64.21 feet to a point; thence
 South 89 degrees 39 minutes 54 seconds West along the said approximate center of the Tributary for a distance of 91.16 feet to a point; thence
 North 72 degrees 47 minutes 24 seconds West along the said approximate center of the Tributary for a distance of 88.80 feet to a point; thence
 South 50 degrees 21 minutes 49 seconds West along the said approximate center of the Tributary for a distance of 36.16 feet to a point; thence
 North 73 degrees 18 minutes 47 seconds West along the said approximate center of the Tributary for a distance of 61.23 feet to a point; thence
 North 24 degrees 12 minutes 45 seconds East along the said approximate center of the Tributary for a distance of 113.87 feet to a point; thence
 North 5 degrees 01 minutes 13 seconds West along the said approximate center of the Tributary for a distance of 61.26 feet to a point; thence
 North 30 degrees 10 minutes 21 seconds West along the said approximate center of the Tributary for a distance of 104.86 feet to a point; thence
 North 89 degrees 30 minutes 51 seconds West along the said approximate center of the Tributary for a distance of 60.03 feet to a point; thence
 South 28 degrees 22 minutes 21 seconds West along the said approximate center of the Tributary for a distance of 78.90 feet to a point; thence
 North 64 degrees 59 minutes 40 seconds west along the said approximate center of the Tributary for a distance of 35.34 feet to a point; thence
 North 13 degrees 52 minutes 15 seconds East along the said approximate center of the Tributary for a distance of 48.92 feet to a point; thence
 North 43 degrees 17 minutes 46 seconds West along the said approximate center of the Tributary for a distance of 87.44 feet to a point; thence
 North 87 degrees 55 minutes 23 seconds West along the said approximate center of the Tributary for a distance of 81.00 feet to a point; thence

North 26 degrees 56 minutes 40 seconds West along the said approximate center of the Tributary for a distance of 64.95 feet to a point; thence

North 66 degrees 17 minutes 26 seconds West along the said approximate center of the Tributary for a distance of 35.76 feet to a point; thence

South 35 degrees 22 minutes 51 seconds West along the said approximate center of the Tributary for a distance of 94.18 feet to a point; thence

South 53 degrees 08 minutes 33 seconds West along the said approximate center of the Tributary for a distance of 57.60 feet to a point; thence

North 57 degrees 45 minutes 22 seconds West along the said approximate center of the Tributary for a distance of 40.41 feet to a point; thence

North 0 degrees 20 minutes 41 seconds East along the said approximate center of the Tributary for a distance of 109.93 feet to a point; thence

South 87 degrees 26 minutes 03 seconds West along the said approximate center of the Tributary for a distance of 50.78 feet to a point; thence

North 63 degrees 19 minutes 20 seconds West along the said approximate center of the Tributary for a distance of 29.01 feet to a point; thence

North 45 degrees 48 minutes 24 seconds West along the said approximate center of the Tributary for a distance of 26.45 feet to a point; thence

North 34 degrees 38 minutes 34 seconds West along the said approximate center of the Tributary for a distance of 12.47 feet to the approximate center of a creek; thence

South 55 Degrees 21 Minutes 26 Seconds West along the said approximate center of a Creek for a distance of 42.44 feet to a point; thence

South 46 Degrees 00 Minutes 27 Seconds West along the said approximate center of a Creek for a distance of 99.59 feet to a point; thence

South 66 Degrees 07 Minutes 07 Seconds West along the said approximate center of a Creek for a distance of 16.63 feet to a point; thence

North 37 Degrees 18 Minutes 46 Seconds West along the said approximate center of a Creek for a distance of 59.98 feet to a point; thence

North 83 Degrees 06 Minutes 54 Seconds West along the said approximate center of a Creek for a distance of 39.28 feet to a point; thence

North 74 Degrees 52 Minutes 42 Seconds West along the said approximate center of a Creek for a distance of 68.23 feet to a point; thence

South 32 Degrees 00 Minutes 22 Seconds West along the said approximate center of a Creek for a distance of 15.27 feet to a point; thence

South 07 Degrees 33 Minutes 46 Seconds East along the said approximate center of a Creek for a distance of 62.03 feet to a point; thence

South 19 Degrees 13 Minutes 15 Seconds West along the said approximate center of a Creek for a distance of 19.83 feet to a point; thence

North 86 Degrees 15 Minutes 41 Seconds West along the said approximate center of a Creek for a distance of 50.27 feet to a point; thence

North 31 Degrees 32 Minutes 26 Seconds West along the said approximate center of a Creek for a distance of 20.55 feet to a point; thence

North 05 Degrees 20 Minutes 45 Seconds West along the said approximate center of a Creek for a distance of 71.50 feet to a point; thence

North 25 Degrees 30 Minutes 16 Seconds West along the said approximate center of a Creek for a distance of 36.69 feet to a point; thence

North 68 Degrees 50 Minutes 35 Seconds West along the said approximate center of a Creek for a distance of 76.50 feet to a point; thence

North 13 Degrees 41 Minutes 54 Seconds West along the said approximate center of a Creek for a distance of 17.82 feet to a point; thence

North 10 Degrees 26 Minutes 38 Seconds East along the said approximate center of a Creek for a distance of 81.59 feet to a point; thence

North 35 Degrees 41 Minutes 01 Seconds West along the said approximate center of a Creek for a distance of 30.64 feet to a point; thence

North 85 Degrees 16 Minutes 02 Seconds West along the said approximate center of a Creek for a distance of 18.08 feet to a point; thence

South 51 Degrees 54 Minutes 46 Seconds West along the said approximate center of a creek for a distance of 82.34 feet to a point; thence

South 38 Degrees 39 Minutes 39 Seconds West along the said approximate center of a Creek for a distance of 39.49 feet to a point; thence

South 21 Degrees 47 Minutes 51 Seconds West along the said approximate center of a Creek for a distance of 38.49 feet to a point; thence

South 55 Degrees 23 Minutes 00 Seconds West along the said approximate center of a Creek for a distance of 19.43 feet to a point; thence

North 65 Degrees 22 Minutes 58 Seconds West along the said approximate center of a Creek for a distance of 22.49 feet to a point; thence

North 02 Degrees 26 Minutes 24 Seconds West along the said approximate center of a Creek for a distance of 22.60 feet to a point; thence

North 03 Degrees 15 Minutes 49 Seconds East along the said approximate center of a Creek for a distance of 37.88 feet to a point; thence

North 49 Degrees 01 Minutes 02 Seconds West along the said approximate center of a Creek for a distance of 16.90 feet to a point; thence

South 87 Degrees 24 Minutes 35 Seconds West along the said approximate center of a Creek for a distance of 21.69 feet to a point; thence

South 56 Degrees 49 Minutes 42 Seconds West along the said approximate center of a Creek for a distance of 96.65 feet to a point; thence

North 73 Degrees 13 Minutes 50 Seconds West along the said approximate center of a Creek for a distance of 34.51 feet to a point; thence

North 39 Degrees 09 Minutes 59 Seconds West along the said approximate center of a Creek for a distance of 10.24 feet to a point; thence

North 22 Degrees 02 Minutes 53 Seconds East along the said approximate center of a Creek for a distance of 114.75 feet to a point; thence

North 21 Degrees 32 Minutes 54 Seconds West along the said approximate center of a Creek for a distance of 28.72 feet to a point; thence

North 51 Degrees 00 Minutes 04 Seconds West along the said approximate center of a Creek for a distance of 29.50 feet to a point; thence

South 82 Degrees 53 Minutes 51 Seconds West along the said approximate center of a Creek for a distance of 29.30 feet to a point; thence

South 53 Degrees 17 Minutes 01 Seconds West along the said approximate center of a Creek for a distance of 41.53 feet to a point; thence

South 30 Degrees 49 Minutes 15 Seconds West along the said approximate center of a Creek for a distance of 44.66 feet to a point; thence

South 40 Degrees 05 Minutes 25 Seconds West along the said approximate center of a Creek for a distance of 23.27 feet to a point; thence

North 49 Degrees 56 Minutes 37 Seconds West along the said approximate center of a Creek for a distance of 35.39 feet to a point; thence

North 21 Degrees 37 Minutes 26 Seconds West along the said approximate center of a Creek for a distance of 13.04 feet to a point; thence

North 27 Degrees 22 Minutes 24 Seconds East along the said approximate center of a Creek for a distance of 60.44 feet to a point; thence

North 05 Degrees 15 Minutes 32 Seconds East along the said approximate center of a Creek for a distance of 69.37 feet to a point; thence

North 37 Degrees 55 Minutes 23 Seconds West along the said approximate center of a Creek for a distance of 37.95 feet to a point; thence

North 04 Degrees 52 Minutes 05 Seconds East along the said approximate center of a Creek for a distance of 16.55 feet to a point; thence

North 02 Degrees 53 Minutes 23 Seconds West along the said approximate center of a Creek for a distance of 180.69 feet to a point; thence

North 61 Degrees 53 Minutes 47 Seconds West along the said approximate center of a Creek for a distance of 30.56 feet to a point; thence

South 80 Degrees 41 Minutes 21 Seconds West along the said approximate center of a Creek for a distance of 79.91 feet to a point; thence

North 48 Degrees 31 Minutes 10 Seconds West along the said approximate center of a Creek for a distance of 17.84 feet to a point; thence

North 04 Degrees 37 Minutes 24 Seconds East along the said approximate center of a Creek for a distance of 41.43 feet to a point; thence

North 19 Degrees 28 Minutes 11 Seconds West along the said approximate center of a Creek for a distance of 28.34 feet to a point; thence

North 45 Degrees 00 Minutes 00 Seconds West along the said approximate center of a Creek for a distance of 115.01 feet to a point; thence

South 27 Degrees 45 Minutes 19 Seconds West along the said approximate center of a Creek for a distance of 86.93 feet to a point; thence

South 78 Degrees 57 Minutes 10 Seconds West along the said approximate center of a Creek for a distance of 12.74 feet to a point; thence

South 87 Degrees 44 Minutes 42 Seconds West along the said approximate center of a Creek for a distance of 62.30 feet to a point; thence

South 18 Degrees 12 Minutes 29 Seconds West along the said approximate center of a Creek for a distance of 42.26 feet to a point; thence

South 37 Degrees 05 Minutes 11 Seconds East along the said approximate center of a Creek for a distance of 51.02 feet to a point; thence

South 27 Degrees 57 Minutes 21 Seconds East along the said approximate center of a Creek for a distance of 31.06 feet to a point; thence

South 30 Degrees 34 Minutes 28 Seconds West along the said approximate center of a Creek for a distance of 70.60 feet to a point; thence

South 81 Degrees 47 Minutes 14 Seconds West along the said approximate center of a Creek for a distance of 60.80 feet to a point; thence

North 74 Degrees 02 Minutes 41 Seconds West along the said approximate center of a Creek for a distance of 34.52 feet to a point; thence

North 35 Degrees 39 Minutes 06 Seconds West along the said approximate center of a Creek for a distance of 89.83 feet to a point; thence

North 14 Degrees 17 Minutes 43 Seconds West along the said approximate center of a Creek for a distance of 22.69 feet to a point; thence

North 58 Degrees 39 Minutes 14 Seconds West along the said approximate center of a Creek for a distance of 16.44 feet to a point; thence

North 69 Degrees 20 Minutes 30 Seconds West along the said approximate center of a creek for a distance of 23.74 feet to a point; thence

South 50 Degrees 13 Minutes 43 Seconds West along the said approximate center of a Creek for a distance of 63.23 feet to a point; thence

South 19 Degrees 43 Minutes 33 Seconds West along the said approximate center of a Creek for a distance of 61.04 feet to a point; thence

South 19 Degrees 50 Minutes 54 Seconds West along the said approximate center of a Creek for a distance of 66.97 feet to a point; thence

South 41 Degrees 44 Minutes 26 Seconds West along the said approximate center of a Creek for a distance of 44.44 feet to a point; thence

South 83 Degrees 33 Minutes 29 Seconds West along the said approximate center of a Creek for a distance of 37.89 feet to a point; thence

North 64 Degrees 35 Minutes 13 Seconds West along the said approximate center of a Creek for a distance of 27.97 feet to a point; thence

North 18 Degrees 24 Minutes 10 Seconds West along the said approximate center of a Creek for a distance of 39.75 feet to a point; thence

North 29 Degrees 52 Minutes 00 Seconds East along the said approximate center of a Creek for a distance of 174.95 feet to a point; thence

North 40 Degrees 45 Minutes 49 Seconds West along the said approximate center of a Creek for a distance of 55.77 feet to a point; thence

South 66 Degrees 39 Minutes 45 Seconds West along the said approximate center of a Creek for a distance of 126.68 feet to a point; thence

North 40 Degrees 13 Minutes 34 Seconds West along the said approximate center of a Creek for a distance of 43.92 feet to a point; thence

North 05 Degrees 53 Minutes 14 Seconds West along the said approximate center of a Creek for a distance of 63.83 feet to a point; thence

North 22 Degrees 57 Minutes 23 Seconds West along the said approximate center of a Creek for a distance of 35.05 feet to a point; thence

North 75 Degrees 48 Minutes 22 Seconds West along the said approximate center of a Creek for a distance of 39.31 feet to a point; thence

South 44 Degrees 34 Minutes 42 Seconds West along the said approximate center of a Creek for a distance of 65.58 feet to a point; thence

North 55 Degrees 00 Minutes 49 Seconds West along the said approximate center of a Creek for a distance of 41.13 feet to a point; thence

North 01 Degrees 31 Minutes 34 Seconds East along the said approximate center of a Creek for a distance of 51.44 feet to a point; thence

North 61 Degrees 21 Minutes 04 Seconds West along the said approximate center of a Creek for a distance of 30.31 feet to its intersection with the eastern boundary line of the John Harreld tract according to Deed Book 248 at Page 269 of the Madison County, Mississippi Chancery Clerk's Office and the "Point of Beginning" of the tract described herein containing 411.683 acres, more or less.

Bearings in the aforementioned description have an origin of TRUE NORTH based on computations from celestial observations.

AND ALSO:

A ROAD, KNOWN AS BRANSCOME ROAD, FOR THE PURPOSE OF INGRESS-EGRESS TO THE AFOREMENTIONED 411.683 ACRE TRACT AND BEING FURTHER DESCRIBED AS FOLLOWS:

A tract of land situated in the North 1/2 of the Southwest 1/4 of Section 4, the Southwest 1/4 of the Northwest 1/4 of Section 4, the South 1/2 of the Northeast 1/4 of Section 5 and the Southeast 1/4 of the Northwest 1/4 of Section 5, all in Township 9 North, Range 3 East, Madison County, Mississippi and more particularly described as follows:

Commencing from an iron pin found at a fence corner representing the Northwest corner of Section 4, Township 9 North, Range 3 East, Madison county, Mississippi; thence South 0 degrees, 00 minutes, 00 seconds East for 1960.27 feet to a point in the northern most line of a private gravel road known as Branscome Road (said northern line of Branscome Road being 20 feet northward of and parallel to the physical center of said Branscome Road) and also the "Point of Beginning of the easement herein described; thence

South 75 degrees, 15 minutes, 53 seconds East along the said northern line of Branscome Road for 998.85 feet to a point of curvature; thence

continuing along the said northern line of Branscome Road with a curve to the right having a radius of 235.20 feet, a central angle of 49 degrees, 50 minutes, 46 seconds, an arc length of 204.61 feet and a chord which bears South 50 degrees, 20 minutes, 30 seconds East for 198.23 feet to a point of tangency; thence

South 25 degrees, 25 minutes, 07 seconds East along the said northern line for 741.77 feet to a point; thence

South 28 degrees, 10 minutes, 41 seconds East and continuing along the said northern line of Branscome Road for 131.51 feet to a point; thence

South 62 degrees, 44 minutes, 33 seconds West for 40.01 feet to a point in the southernmost line of Branscome Road (said southernmost line being 20 feet southwestward of and parallel to the physical center of said Branscome Road); thence

North 28 degrees, 10 minutes, 41 seconds West along the said southern line of Branscome Road for 131.81 feet to a point; thence

North 25 degrees, 25 minutes, 07 seconds West along the said southern line of Branscome Road for 742.74 feet to a point of curvature; thence

continuing along the said southern line of Branscome Road with a curve to the left having a radius of 195.20 feet, a central angle of 49 degrees, 50 minutes, 46 seconds, an arc length of 169.81 feet and a chord which bears North 50 degrees, 20 minutes, 30 seconds West for 164.51 feet to a point of tangency; thence

North 75 degrees, 15 minutes, 53 seconds West and continuing along the said southern line of Branscome Road for 3317.11 feet to a point of curvature; thence

continuing along the said southern line of Branscome Road with a curve to the left having a radius of 92.41 feet, a central angle of 77 degrees, 21 minutes, 55 seconds, an arc length of 124.78 feet and a chord which bears South 66 degrees, 03 minutes, 10 seconds West for 115.51 feet to a point of tangency; thence

South 27 degrees, 22 minutes, 12 seconds West and continuing along the said southernmost line of Branscome Road for 111.66 feet to a point; thence

South 39 degrees, 28 minutes, 36 seconds West and continuing along the said southernmost line of Branscome Road for 150.47 feet to a point; thence

South 43 degrees, 54 minutes, 46 seconds west and continuing along the said southernmost line of Branscome Road for 190.54 feet to a point; thence

South 48 degrees, 59 minutes, 56 seconds West and continuing along the said southernmost line of Branscome Road for 416.81 feet to a point in the curvature of the eastern right of way line of Mississippi State Highway No. 51 (said eastern right of way line being 75 feet eastward of and parallel or concentric to the centerline of said highway); thence

continuing along the said eastern right of way line with a curve to the left having a radius of 5804.58 feet, an arc length of 97.75 feet and a chord which bears North 37 degrees, 11 minutes, 32 seconds East for 97.74 feet to a point of transition in the said eastern right of way line; thence

North 48 degrees, 59 minutes, 56 seconds East and generally along the physical center of said Branscome Road for 320.30 feet to a point; thence

North 43 degrees, 54 minutes, 46 seconds East along the said eastern right of way line and also generally along the physical center of said Branscome Road for 99.36 feet to a point; thence

North 57 degrees, 17 minutes, 37 seconds West along the said easternmost right of way line of Mississippi State Highway No. 51 for 20.39 feet to a point in the northernmost line of Branscome Road (said northernmost line being 20 feet northwestward of and parallel to the physical center of said Branscome Road); thence

North 43 degrees, 54 minutes, 46 seconds East along the said northernmost line of Branscome Road for 92.72 feet to a point; thence

North 39 degrees, 28 minutes, 36 seconds East and continuing along the said northernmost line of Branscome Road for 144.59 feet to a point; thence

North 27 degrees, 22 minutes, 12 seconds East and continuing along the said northernmost line of Branscome Road for 107.44 feet to a point of curvature; thence

continuing along the said northernmost line of Branscome Road with a curve to the right having a radius of 132.41 feet, a central angle of 77 degrees, 21 minutes, 55 seconds, an arc length of 178.79 feet and a chord which bears North 66 degrees, 02 minutes, 47 seconds East for 165.51 feet to a point of tangency; thence

South 75 degrees, 15 minutes, 53 seconds East and continuing along the said northernmost line of Branscome Road for 2318.26 feet to the said "Point of Beginning", containing 4.69 acres, more or less.

Bearings in the above description have an origin of TRUE NORTH based on computations from celestial observations.

LESS AND EXCEPT:

SE 1/4 of NE 1/4 and NE 1/4 of SE 1/4 of Section 4, Township 9N, Range 3E of Madison County, Mississippi

CERTIFICATE OF SURVEY

THIS IS TO CERTIFY that Irving and Associates of the city of Canton, Mississippi, has this day completed a survey of a tract of land situated in Madison County, Mississippi, aforesaid being further described as follows:

TRACT 1

A tract of land situated in the NW. 1/4 - NW. 1/4, the SW. 1/4 - NW. 1/4, the NW. 1/4 - SW. 1/4 and the NE. 1/4 - SW. 1/4, of Section 4, and also the NW. 1/4 - NE. 1/4, the NE. 1/4 - NE. 1/4, the SW. 1/4 - NE. 1/4, the SE. 1/4 - NE. 1/4, the NW. 1/4 - SE. 1/4, the NE. 1/4 - SE. 1/4, the SE. 1/4 - NW. 1/4, the NE. 1/4 - SW. 1/4, of Section 5, all in Township 9 North, Range 3 East, all in Madison County, Mississippi and more particularly described as follows:

Commencing from a found iron pin at the Northeast corner of the Southeast 1/4 of Section 32, Township 10 North, Range 3 East, Madison County, Mississippi; thence South 00 degrees, 33 minutes, 58 seconds West and generally along a fence line for 2644.58 feet to a found iron pin at a fence corner representing the Northwest corner of Section 4, Township 9 North, Range 3 East, Madison County, Mississippi; thence

South 12 Degrees 13 Minutes 04 Seconds East for a distance of 407.15 feet to a point in the center of a creek; thence

South 12 Degrees 21 Minutes 42 Seconds East and leaving said center of said creek for a distance of 25.00 feet to a found iron pin at a fence line on the southern top bank of said creek; thence

South 12 Degrees 21 Minutes 42 Seconds East and generally along said fence line for a distance of 91.03 feet to a point; thence

South 50 Degrees 59 Minutes 05 Seconds East and generally along said fence line for a distance of 236.96 feet to a point; thence

South 72 Degrees 04 Minutes 02 Seconds East and generally along said fence line for a distance of 87.33 feet to a point; thence

South 18 Degrees 06 Minutes 05 Seconds East and generally along said fence line for a distance of 251.95 feet to a point; thence

South 32 Degrees 20 Minutes 19 Seconds East and generally along said fence line for a distance of 351.99 feet to a point; thence

South 16 Degrees 44 Minutes 08 Seconds East and generally along said fence line for a distance of 309.88 feet to a point; thence

South 11 Degrees 53 Minutes 22 Seconds West and generally along said fence line for a distance of 491.88 feet to a point; thence

South 75 Degrees 16 Minutes 36 Seconds East and generally along said fence line for a distance of 515.52 feet to a point; thence

South 11 Degrees 48 Minutes 25 Seconds West and generally along said fence line for a distance of 173.06 feet to a point in the northern line of Branscome Road (said northern line being 20 feet northward of and parallel to the physical center of said Branscome Road); thence

in a southeasterly direction along the said northern line of Branscome Road being a curve to the right having a radius of 235.20 feet, a central angle of 10 Degrees 49 Minutes 50 Seconds, an arc distance of 44.46 feet and a chord which bears South 30 Degrees 50 Minutes 01 Seconds East for a distance of 44.39 feet to a point of tangency; thence

South 25 Degrees 25 Minutes 07 Seconds East along the said northern line of Branscome Road for a distance of 741.77 feet to a point; thence

South 28 Degrees 10 Minutes 41 Seconds East and continuing along the said northern line for a distance of 81.51 feet to a point; thence

South 62 Degrees 44 Minutes 33 Seconds West and generally along the center of a drainage ditch for a distance of 1729.03 feet to a point; thence

South 62 Degrees 44 Minutes 33 Seconds West and continuing along the said center of a drainage ditch for a distance of 69.00 feet to a point in the approximate center of Tilda Bouge Creek; thence

North 54 degrees, 57 minutes, 34 seconds West and generally along the center of Tilda Bouge Creek for 321.39 feet to a point; thence

North 75 degrees, 09 minutes, 22 seconds West and generally along the center of Tilda Bouge Creek for 231.63 feet to a point; thence

North 67 degrees, 37 minutes, 31 seconds West and generally along the center of Tilda Bouge Creek for 206.51 feet to a point; thence

North 67 degrees, 37 minutes, 26 seconds West and generally along the center of Tilda Bouge Creek for 329.80 feet to a point; thence

North 88 degrees, 49 minutes, 21 seconds West and generally along the center of Tilda Bouge Creek for 190.29 feet to a point; thence

North 78 degrees, 15 minutes, 55 seconds West and generally along the center of said Tilda Bouge Creek for 140.23 feet to a point; thence

North 60 degrees, 05 minutes, 12 seconds West and generally along the center of said Tilda Bouge Creek for 332.77 feet to a point; thence

North 63 degrees, 51 minutes, 29 seconds West and generally along the center of said Tilda Bouge Creek for 918.71 feet to a point; thence

North 64 degrees, 42 minutes, 12 seconds West and generally along the center of said Tilda Bouge Creek for 624.53 feet to a point; thence

North 62 degrees, 22 minutes, 09 seconds West and generally along the Tilda Bouge Creek for 383.40 feet to a point in the eastern right of way line of Mississippi State Highway No. 51 (said eastern right of way line being 75 feet eastward of and parallel to the centerline of said road); thence

North 42 degrees, 01 minutes, 57 seconds East along the said eastern right of way line for 323.14 feet to a point of curvature; thence

continuing with the said eastern right of way line being a counter-clockwise curve, having a radius of 5804.58 feet, a central angle of 5 degrees, 19 minutes, 34 seconds, an arc length of 539.58 feet and a chord which bears North 39 degrees, 22 minutes, 10 seconds East for 539.38 feet to a point of transition in the said eastern right of way line; thence

North 48 degrees, 59 minutes, 56 seconds East along the said eastern right of way line and generally along the center of Branscome Road for 320.30 feet to a point; thence

North 43 degrees, 54 minutes, 46 seconds East along the said eastern right of way line and being generally along the center of Branscome Road for 99.36 feet to a point; thence

North 57 degrees, 17 minutes, 37 seconds West along the said eastern right of way line for 120.03 feet to a point in the curvature of the said eastern right of way line of Mississippi State Highway No. 51; thence

continuing with the said eastern right of way line being a counter-clockwise curve, having a radius of 5779.58 feet, a central angle of 17 degrees, 31 minutes, 50 seconds, an arc length of 1768.35 feet and a chord which bears North 23 degrees, 56 minutes, 27 seconds East for 1761.46 feet to its intersection with the southern right of way line of Stump Bridge Road (said southern right of way line being 40 feet southward of and parallel to the physical center of said Stump Bridge Road); thence

South 88 degrees, 56 minutes, 38 seconds East along the said southern right of way line for 81.00 feet to a point of curvature; thence

continuing with the said southern right of way line with a counter-clockwise curve, having a radius of 609.63 feet, a central angle of 23 degrees, 54 minutes, 30 seconds, an arc length of 254.39 feet North 79 degrees, 06 minutes, 07 seconds East for 252.54 feet to the north line of Section 5, Township 9 North, Range 3 East, Madison County, Mississippi; thence

North 89 degrees, 56 minutes, 36 seconds East for 1638.99 feet to the said "Point of Beginning", containing 275.74 acres, more or less.

LESS AND EXCEPT:

A tract of land situated in the North 1/2 of the Southwest 1/4 of Section 4, the Southwest 1/4 of the Northwest 1/4 of Section 4, the South 1/2 of the Northeast 1/4 of Section 5 and the Southeast 1/4 of the

Northwest 1/4 of Section 5, all in Township 9 North, Range 3 East, Madison County, Mississippi and more particularly described as follows:

Commencing from an iron pin found at a fence corner representing the Northwest corner of Section 4, Township 9 North, Range 3 East, Madison county, Mississippi; thence South 0 degrees, 00 minutes, 00 seconds East for 1960.27 feet to a point in the northern most line of a gravel road known as Branscome Road (said northern line of Branscome Road being 20 feet northward of and parallel to the physical center of said Branscome Road) and also the "Point of Beginning" of the easement herein described; thence

South 75 degrees, 15 minutes, 53 seconds East along the said northern line of Branscome Road for 998.85 feet to a point of curvature; thence

continuing along the said northern line of Branscome Road with a curve to the right having a radius of 235.20 feet, a central angle of 49 degrees, 50 minutes, 46 seconds, an arc length of 204.61 feet and a chord which bears South 50 degrees, 20 minutes, 30 seconds East for 198.23 feet to a point of tangency; thence

South 25 degrees, 25 minutes, 07 seconds East along the said northern line for 741.77 feet to a point; thence

South 28 degrees, 10 minutes, 41 seconds East and continuing along the said northern line of Branscome Road for 81.51 feet to a point; thence

South 62 degrees, 44 minutes, 33 seconds West for 40.01 feet to a point in the southernmost line of Branscome Road (said southernmost line being 20 feet southwestward of and parallel to the physical center of said Branscome Road); thence

North 28 degrees, 10 minutes, 41 seconds West along the said southern line of Branscome Road for 81.81 feet to a point; thence

North 25 degrees, 25 minutes, 07 seconds West along the said southern line of Branscome Road for 742.74 feet to a point of curvature; thence

continuing along the said southern line of Branscome Road with a curve to the left having a radius of 195.20 feet, a central angle of 49 degrees, 50 minutes, 46 seconds, an arc length of 169.81 feet and a chord which bears North 50 degrees, 20 minutes, 30 seconds West for 164.51 feet to a point of tangency; thence

North 75 degrees, 15 minutes, 53 seconds West and continuing along the said southern line of Branscome Road for 3317.11 feet to a point of curvature; thence

continuing along the said southern line of Branscome Road with a curve to the left having a radius of 92.41 feet, a central angle of 77 degrees, 21 minutes, 55 seconds, an arc length of 124.78 feet and a chord which bears South 66 degrees, 03 minutes, 10 seconds West for 115.51 feet to a point of tangency; thence

South 27 degrees, 22 minutes, 12 seconds West and continuing along the said southernmost line of Branscome Road for 111.66 feet to a point; thence

South 39 degrees, 28 minutes, 36 seconds West and continuing along the said southernmost line of Branscome Road for 150.47 feet to a point; thence

South 43 degrees, 54 minutes, 46 seconds West and continuing along the said southernmost line of Branscome Road for 190.54 feet to a point; thence

South 48 degrees, 59 minutes, 56 seconds West and continuing along the said southernmost line of Branscome Road for 416.81 feet to a point in the curvature of the eastern right of way line of Mississippi State Highway No. 51 (said eastern right of way line being 75 feet eastward of and parallel or concentric to the centerline of said highway); thence

continuing along the said eastern right of way line with a curve to the left having a radius of 5804.58 feet, an arc length of 97.75 feet and a chord which bears North 37 degrees, 11 minutes, 32 seconds East for 97.74 feet to a point of transition in the said eastern right of way line; thence

North 48 degrees, 59 minutes, 56 seconds East and generally along the physical center of said Branscome Road for 320.30 feet to a point; thence

North 43 degrees, 54 minutes, 46 seconds East along the said eastern right of way line and also generally along the physical center of said Branscome Road for 99.36 feet to a point; thence

North 57 degrees, 17 minutes, 37 seconds West along the said easternmost right of way line of Mississippi State Highway No. 51 for 20.39 feet to a point in the northernmost line of Branscome Road (said northernmost line being 20 feet northwestward of and parallel to the physical center of said Branscome Road); thence

North 43 degrees, 54 minutes, 46 seconds East along the said northernmost line of Branscome Road for 92.72 feet to a point; thence

North 39 degrees, 28 minutes, 36 seconds East and continuing along the said northernmost line of Branscome Road for 144.59 feet to a point; thence

North 27 degrees, 22 minutes, 12 seconds East and continuing along the said northernmost line of Branscome Road for 107.44 feet to a point of curvature; thence

continuing along the said northernmost line of Branscome Road with a curve to the right having a radius of 132.41 feet, a central angle of 77 degrees, 21 minutes, 55 seconds, an arc length of 178.79 feet and a chord which bears North 66 degrees, 02 minutes, 47 seconds East for 165.51 feet to a point of tangency; thence

South 75 degrees, 15 minutes, 53 seconds East and continuing along the said northernmost line of Branscome Road for 2318.26 feet to the said "Point of Beginning", containing 4.64 acres, more or less, thus containing an aggregate area of 271.10 acres, more or less.

AND ALSO:

TRACT II

An easement for the purpose of Ingress-Egress over, on and across the above described Tract I and more particularly described as follows:

A tract of land situated in the North 1/2 of the Southwest 1/4 of Section 4, the Southwest 1/4 of the Northwest 1/4 of Section 4, the South 1/2 of the Northeast 1/4 of Section 5 and the Southeast 1/4 of the Northwest 1/4 of Section 5, all in Township 9 North, Range 3 East, Madison County, Mississippi and more particularly described as follows:

Commencing from an iron pin found at a fence corner representing the Northwest corner of Section 4, Township 9 North, Range 3 East, Madison county, Mississippi; thence South 0 degrees, 00 minutes, 00 seconds East for 1960.27 feet to a point in the northern most line of a gravel road known as Branscome Road (said northern line of Branscome Road being 20 feet northward of and parallel to the physical center of said Branscome Road) and also the "Point of Beginning" of the easement herein described; thence

South 75 degrees, 15 minutes, 53 seconds East along the said northern line of Branscome Road for 998.85 feet to a point of curvature; thence

continuing along the said northern line of Branscome Road with a curve to the right having a radius of 235.20 feet, a central angle of 49 degrees, 50 minutes, 46 seconds, an arc length of 204.61 feet and a chord which bears South 50 degrees, 20 minutes, 30 seconds East for 198.23 feet to a point of tangency; thence

South 25 degrees, 25 minutes, 07 seconds East along the said northern line for 741.77 feet to a point; thence

South 28 degrees, 10 minutes, 41 seconds East and continuing along the said northern line of Branscome Road for 81.51 feet to a point; thence

South 62 degrees, 44 minutes, 33 seconds West for 40.01 feet to a point in the southernmost line of Branscome Road (said southernmost line being 20 feet southwestward of and parallel to the physical center of said Branscome Road); thence

North 28 degrees, 10 minutes, 41 seconds West along the said southern line of Branscome Road for 81.81 feet to a point; thence

North 25 degrees, 25 minutes, 07 seconds West along the said southern line of Branscome Road for 742.74 feet to a point of curvature; thence

continuing along the said southern line of Branscome Road with a curve to the left having a radius of 195.20 feet, a central angle of 49 degrees, 50 minutes, 46 seconds, an arc length of 169.81 feet and a chord which bears North 50 degrees, 20 minutes, 30 seconds West for 164.51 feet to a point of tangency; thence

North 75 degrees, 15 minutes, 53 seconds West and continuing along the said southern line of Branscome Road for 3317.11 feet to a point of curvature; thence

continuing along the said southern line of Branscome Road with a curve to the left having a radius of 92.41 feet, a central angle of 77 degrees, 21 minutes, 55 seconds, an arc length of 124.78 feet and a chord which bears South 66 degrees, 03 minutes, 10 seconds West for 115.51 feet to a point of tangency; thence

South 27 degrees, 22 minutes, 12 seconds West and continuing along the said southernmost line of Branscome Road for 111.66 feet to a point; thence

South 39 degrees, 28 minutes, 36 seconds West and continuing along the said southernmost line of Branscome Road for 150.47 feet to a point; thence

South 43 degrees, 54 minutes, 46 seconds West and continuing along the said southernmost line of Branscome Road for 190.54 feet to a point; thence

South 48 degrees, 59 minutes, 56 seconds West and continuing along the said southernmost line of Branscome Road for 416.81 feet to a point in the curvature of the eastern right of way line of Mississippi State Highway No. 51 (said eastern right of way line being 75 feet eastward of and parallel or concentric to the centerline of said highway); thence

continuing along the said eastern right of way line with a curve to the left having a radius of 5804.58 feet, an arc length of 97.75 feet and a chord which bears North 37 degrees, 11 minutes, 32 seconds East for 97.74 feet to a point of transition in the said eastern right of way line; thence

North 48 degrees, 59 minutes, 56 seconds East and generally along the physical center of said Branscome Road for 320.30 feet to a point; thence

North 43 degrees, 54 minutes, 46 seconds East along the said eastern right of way line and also generally along the physical center of said Branscome Road for 99.36 feet to a point; thence

North 57 degrees, 17 minutes, 37 seconds West along the said easternmost right of way line of Mississippi State Highway No. 51 for 20.39 feet to a point in the northernmost line of Branscome Road (said northernmost line being 20 feet northwestward of and parallel to the physical center of said Branscome Road); thence

North 43 degrees, 54 minutes, 46 seconds East along the said northernmost line of Branscome Road for 92.72 feet to a point; thence

North 39 degrees, 28 minutes, 36 seconds East and continuing along the said northernmost line of Branscome Road for 144.59 feet to a point; thence

North 27 degrees, 22 minutes, 12 seconds East and continuing along the said northernmost line of Branscome Road for 107.44 feet to a point of curvature; thence

continuing along the said northernmost line of Branscome Road with a curve to the right having a radius of 132.41 feet, a central angle of 77 degrees, 21 minutes, 55 seconds, an arc length of 178.79 feet and a chord which bears North 66 degrees, 02 minutes, 47 seconds East for 165.51 feet to a point of tangency; thence

South 75 degrees, 15 minutes, 53 seconds East and continuing along the said northernmost line of Branscome Road for 2318.26 feet to the said "Point of Beginning", containing 4.64 acres, more or less.

Bearings in the above descriptions have an origin of TRUE NORTH based on computations from celestial observations.

Exhibit B
to Special Warranty Deed

The following description intends to describe the same property conveyed by to the Mississippi Transportation Commission by virtue of that certain Warranty Deed dated November 5, 2021, and recorded as Instrument 945927 in Book 4144, Page 31 of the public land records in the Office of the Chancery Clerk of Madison County, Mississippi, which property is **LESS AND EXCEPTED** from the conveyance of this Special Warranty Deed and the property described on the foregoing Exhibit A.

The following description is based on the Mississippi State Plane Coordinate System, MS West Zone, NAD 83/2011, and computed by the Mississippi Department of Transportation utilizing survey grade Global Position Systems to establish state plane coordinate control points for Project No. 106112/201000. It is the intent of this description to convey that portion of the Grantors property lying within the new right-of-way as defined by said project:

PARCEL NO. 1

Commence at the Northwest corner of the Northwest Quarter of Section 5, Township 9 North, Range 3 East, Madison County, Mississippi, said corner locally represented by a one half inch rebar and is defined by state plane coordinates of N 1150276.459 and E 2392873.729 of the above referenced system; thence run South 39 Degrees 51 Minutes 21 Seconds East a distance of 3173.80 feet to a point located on the proposed Eastern right of way line of U.S. Highway No. 51, said point being 90.00 feet Easterly of as measured perpendicularly to, the centerline of Project No. 106112/201000 at Station 128+62.398, as shown on the right of way acquisition map for said project, said point having grid coordinates of N 1147840.069, E 2394907.685 and being the **Point of Beginning** for the following described parcel of land:

- From said **Point of Beginning** run thence South 41 Degrees 50 Minutes 04 Seconds West along the proposed Eastern right of way line of U.S. Highway No. 51 a distance of 247.37 feet to a point 90.00 feet Easterly of as measured perpendicularly to the centerline of said project at station 126+15;
- thence run South 48 Degrees 09 Minutes 56 Seconds East along said proposed Eastern right of way line a distance of 20.00 feet to a point 110.00 feet Easterly of as measured perpendicularly to the centerline of said project at station 126+15;
- thence South 33 Degrees 18 Minutes 13 Seconds West along said proposed Eastern right of way line a distance of 48.72 feet to the South line of grantor's property and the center of a creek;
- thence run Northwesterly along said South line of grantor's property and the center of said creek the following bearings and distances:
 - thence run North 69 Degrees 44 Minutes 59 Seconds West a distance of 6.70 feet;
 - thence run North 57 Degrees 08 Minutes 28 Seconds West a distance of 16.52 feet
 - thence run North 57 Degrees 16 Minutes 41 Seconds West a distance of 19.43 feet to a point on the present Eastern right of way line of U.S. Highway No. 51;
- thence run Northeasterly along said present Eastern right of way line the following bearings and distances:
 - thence run North 41 Degrees 54 Minutes 02 Seconds East along said present Eastern right of way line a distance of 298.42 feet;
 - thence run North 40 Degrees 59 Minutes 27 Seconds East along said present Eastern right of way line a distance of 104.17 feet to a point on the previously referenced proposed Eastern right of way line of U.S. Highway No. 51 said point being 75.146 feet Easterly of as measured perpendicularly to the centerline of said project at station 129+60;
- thence run South 32 Degrees 48 Minutes 51 Seconds west along said proposed Eastern right of way line a distance of 100.15 feet to the **Point of Beginning**.

The above described parcel of land contains **0.14 acres**, more or less, and is situated in, and is a part of the Northeast Quarter of the Southwest Quarter, the Southeast Quarter of the Northwest Quarter of Section 5, all in Township 9 North, Range 3 East, Madison County, Mississippi, and,

PARCEL NO. 2

Commence at the Northwest corner of the Northwest Quarter of Section 5, Township 9 North, Range 3 East, Madison County, Mississippi, said corner locally represented by a one half inch rebar and is defined by state plane coordinates of N 1150276.459 and E 2392873.729 of the above referenced system; thence run South 66 Degrees 03 Minutes 54 Seconds East a distance of 3091.59 feet to a point located on the proposed Eastern right of way line of U.S. Highway No. 51, said point being 45.00 feet Northerly of as measured perpendicularly to, the centerline of the relocation of Branscome Road at station 10+65.171 as shown on the right of way acquisition map for Project No. 106112/201000, said point having grid

coordinates of N 1149022.205, E 2395699.463 and being the **Point of Beginning** for the following described parcel of land:

- From said **Point of Beginning** run thence South 55 Degrees 31 Minutes 58 Seconds East along the proposed Northern right of way line of the relocation of Branscome Road a distance of 103.16 feet to a point 30.00 feet Northerly of as measured radially to the centerline of the relocation of Branscome Road at station 11+70;
- thence run South 69 Degrees 43 Minutes 59 Seconds East along said proposed Northern right of way line of the relocation of Branscome Road a distance of 183.36 feet to a point 30.00 feet Northerly of as measured perpendicularly to the centerline of the relocation of Branscome Road at station 13+57.419;
- thence run South 59 Degrees 49 Minutes 42 Seconds East along said proposed Northern right of way line of the relocation of Branscome Road a distance of 43.82 feet to a point on the present Northern right of way line of Branscome road said point being 19.657 feet Northerly of as measured perpendicularly to the centerline of the relocation of Branscome Road at station 14+00;
- thence run North 75 Degrees 26 Minutes 04 Seconds West along said present Northern right of way line of Branscome Road a distance of 103.59 feet;
- thence run Southwesterly along said present Northwestern right of way line of Branscome Road and along the arc of a curve to the left, for a distance of 105.42 feet, said curve having a radius of 132.41 feet, a chord bearing of South 81 Degrees 45 Minutes 08 Seconds West for a distance of 102.66 feet, to a point on the proposed Southern right of way line the relocation of Branscome Road, said point being 35.00 feet Southerly of as measured radially to the centerline of said project at station 12+06.647;
- thence run North 59 Degrees 55 Minutes 22 Seconds West along said proposed Southern right of way line of the relocation of Branscome Road a distance of 42.88 feet to a point 30.00 feet Southerly of as measured radially to the centerline of the relocation of Branscome Road at station 11+65;
- thence run North 72 Degrees 06 Minutes 54 Seconds West along said proposed Southern right of way line of the relocation of Branscome Road a distance of 103.51 feet to the proposed Eastern right of way line of U.S. Highway No. 51 said point being 45.00 feet Southerly of as measured perpendicularly to the centerline of the relocation of Branscome Road at station 10+65.171;
- thence run South 35 Degrees 04 Minutes 44 Seconds West along said proposed Eastern right of way line of U.S. Highway No. 51 a distance of 147.71 feet to a point on the present Eastern right of way line of U.S. Highway No. 51 that is 50.679 feet Easterly of as measured radially to the centerline of said project at station 140+35;
- thence run Northeasterly along said present Eastern right of way line of U.S. Highway No. 51 and along the arc of a curve to the left, for a distance of 151.91 feet, said curve having a radius of 5376.70 feet, a chord bearing of North 29 Degrees 10 Minutes 57 Seconds East for a distance of 151.90 feet;
- thence run Northeasterly along said present Eastern right of way line of U.S. Highway No. 51 and along the arc of a curve to the left, for a distance of 236.49 feet, said curve having a radius of 4834.92 feet, a chord bearing of North 27 Degrees 34 Minutes 36 Seconds East for a distance of 236.47 feet, to a point on the proposed Eastern right of way line U.S. Highway No. 51, said point being 50.82 feet Southerly of as measured radially to the centerline of said project at station 144+20;
- thence run South 21 Degrees 33 Minutes 19 Seconds West along said proposed Eastern right of way line a distance of 152.72 feet to the **Point of Beginning**.

The above described parcel of land contains **0.41 acres**, more or less, and is situated in, and is a part of the Southwest Quarter of the Northeast Quarter of Section 5, all in Township 9 North, Range 3 East, Madison County, Mississippi, and

Parcel No. 1 and Parcel No. 2 contain an aggregate of **0.55 acres**, more or less.

MDEQ Surface Mining Application Forms

Permit No. _____

STATE OF MISSISSIPPI

Application No. _____

SURFACE MINING PERMIT APPLICATION**MISSISSIPPI DEPARTMENT OF ENVIRONMENTAL QUALITY
OFFICE OF GEOLOGY / MINING & RECLAMATION DIVISION**

Other permits required: Y/N Date
 NPDES _____
 State Operating Permit _____
 Corps of Engineers _____

P. O. Box 2279
 Jackson, Mississippi 39225-2279
 (601) 961-5515
 Fax (601) 961-5521

For Office use only

City/County approval
 Required Yes ___ No ___
 Received Date: _____
 County _____
 City _____

A. GENERAL INFORMATION

1. Name of Applicant: S&C FARMS LLC
 Mailing Address: P.O. BOX 301 YAZOO CITY MS 39194
 E-mail Address: srhodes@birdsongconst.com
 Phone No. 662-746-5112 Fax No. _____
 Authorized Representative STACY RHODES
2. Engineering Firm, Consultant, etc.: FC&E ENGINEERING LLC
 Mailing Address: P.O. BOX 1774 BRANDON MS 39042
 E-mail Address: _____
 Phone No. 601-824-1860 Fax No. _____
3. Name of Mine: S&C FARMS LLC HWY51 MINE Mine Supervisor: STACY RHODES
 Phone No. 601-238-5108 Fax No. _____
4. Location of Operation (to nearest quarter-quarter section):
NW 1/2 OF SEC4 & NE 1/2 SEC5 4,5 9N 3E MADISON

 Section Township Range County
5. Physical address of mine or nearest named road BRANSCOMB ROAD HWY 51 NORTH
6. Method of Operation ☒ Open Pit ☐ Strip ☐ Dredge ☐ Wash Operation, if so Water Source _____
 Wash System Type ☐ Closed system ☐ Open system
7. Number of Acres to be Permitted:
 Excavation 397
 Haul roads, plant site, ponds,
 storage piles, etc. 10
TOTAL PERMITTED AREA 407
8. Is the Permit Area located: Yes No
 a. within 100 feet of a public road? _____ X
 b. within 100 feet of a cemetery? _____ X
 c. within 300 feet of an occupied building? _____ X
 If YES to a, b, or c, a letter must be filed with the Office giving permission from the owner or maintaining authority to mine within these distances to the subject property.
9. Materials to be Mined: DIRT

10. Has the applicant applied for, or have, any other permits or licenses that pertain to this or any other mining operation? Yes ___ No X

If "YES," list them in the space provided on page 5, or attach separate pages, and give the current status of each, including any violations or penalties.

B. MINING PROCEDURE AND ENVIRONMENTAL ANALYSIS

- | | |
|---|---------------------------------------|
| 1. Description of materials: | 2. Anticipated Schedule (month/year) |
| Thickness of overburden <u>2</u> ft.
(Topsoil MUST be stockpiled
for use during reclamation) | Begin clearing <u>5 / 2025</u> |
| Thickness of useable material <u>19</u> ft. | Begin mining <u>5 / 2025</u> |
| Total depth of excavation <u>21</u> ft. | Complete mining <u>8 / 2035</u> |
| Estimated annual production <u>200,000 TONS</u> | Begin reclamation <u>6 / 2026</u> |
| | Complete reclamation <u>11 / 2035</u> |

3. Depth to ground water: UK ft.

4. How will dust be controlled?

☒ Water on haul roads

☐ _____

5. Types of erosion control structures that will be utilized.

☐ Settling ponds

☒ Drainage ditches

☒ Diversion berms

☐ Terraced slopes

☐ _____

6. Describe the land to be affected by mining as it presently exists:

a. Land use FARM/ TIMBER

b. Predominant vegetation TREES

7. Will explosives be used? ___ Yes ___ X No

8. Is test-boring data available? ___ Yes ___ X No

9. Are toxic materials likely to be encountered at any time? ___ Yes ___ X No

10. Will there be any discharge to local streams or other bodies of water? ___ Yes ___ X No

If any of questions 7-10 are answered "YES," provide additional information on page 5, or attach separate pages.

C. RECLAMATION PLAN

NOTE: It is suggested that the county NRCS office be consulted for specific recommendations on the following items.

1. Describe the soil handling technique for the reclamation phase of the operation:

☐ Topsoil segregated ☒ Mixed strata ☐ _____

2. Describe the protection method for the stockpiled topsoil.

☒ berm around the storage pile

☒ grass cover on the pile (recommended)

☐ stored under a cover

☐ _____

3. How will highwalls, standing faces, and banks be reduced to minimize erosion? (All highwalls must be sloped, minimum 3 horizontal to 1 vertical.)

☐ slopes will be terraced

☒ sloped to a gradient of 3 to 1

☒ blended with surrounding contours

☐ _____

4. What is the general plan for reclamation?

- ☒ reforestation
☐ establish grass cover
☒ pond or lake
☐ _____

5. What planting method will be used?

- ☐ broadcast seed ☒ mechanical seeding
☐ seeding by manual labor
☐ _____

6. How will fertilizer and lime be applied and incorporated?

- ☒ harrowing ☒ broadcasting ☐ disking

7. Quantity of lime and fertilizer to be applied?

a. For initial planting

lime: 1 tons per acre

fertilizer: 13 - 13 - 13 (type) 600 pounds per acre

b. For successive years prior to 100% release

fertilizer: 13 - 13 - 13 (type) 300 pounds per acre

when: SEPTEMBER - NOVEMBER (month)

8. Describe the planting schedule:

Tree or Seed Species	Tree spacing or lbs./acre	Planting Season
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

9. Will the area be mulched? ☒ Yes ☐ No If yes, rate per acre 2 TONS

Method of holding in place: ☐ crimped ☐ _____

10. How will the vegetation be maintained until the final bond release?

- ☐ watering
☐ mowing
times per year _____
approximate month(s) _____, _____, _____
☒ repairing gullies
☒ replanting eroded areas
☐ _____

11. How will debris be disposed of when the mine is finally closed?

- ☐ burying ☐ burning ☒ hauling away

12. Will a soil analysis be submitted for this site? ☐ Yes ☒ No

NOTE: available from the Cooperative Extension Service through the applicant's County Agent

13. Estimated cost per acre for reclamation of this site: \$1,000.00 PER ACRE (minimum of \$1,000 per acre)

D. NAMES AND ADDRESSES OF PERSONS AFFECTED BY THIS OPERATION

1. Landowner(s) of area to be mined/leased

Name: S&C FARMS LLC
Address: P.O. BOX 301
YAZOO CITY MS 39194
Phone: 662-746-5112

Name: _____
Address: _____
Phone: _____

2. Landowner(s) within 500 feet of the area

Name: BARLOW PROPERTIES LP
Address: 200 DOMINICAN DRIVEAPT1317
MADISON MS 39110
Phone: _____

Name: TERESA SCHMIDT
Address: P.O. BOX 662 CANTON MS 39046
Phone: _____

Name: PERCY GRANT
Address: 4280 OLD HWY 51 NORTH
CANTON MS 39046
Phone: _____

Name: BAPTIST HOMES INC
Address: P.O.BOX 406 CANTON, MS 39046
Phone: _____

3. Person(s) living on permit area

Name: _____
Address: _____
Phone: _____

Name: _____
Address: _____
Phone: _____

I declare that I have knowledge of the facts presented in the preceding pages and in all of the items attached to this application; furthermore, I certify that they are true to the best of my knowledge.

date

signature

printed name

title

E. ADDITIONAL COMMENTS

[illegible]

If more space is required, use full sheets of paper the same size as this page. Attach all sheets to this application.



MISSISSIPPI DEPARTMENT OF
ENVIRONMENTAL QUALITY

MINING STORM WATER, DEWATERING AND NO DISCHARGE GENERAL PERMIT MSR32

MINING GENERAL PERMIT FORMS PACKAGE

- MINING NOTICE OF INTENT (MNOI) 3
- NOTICE OF EXEMPT OPERATION 8
- SITE INSPECTION REPORT AND CERTIFICATION FORM 10
- MAJOR MODIFICATION FORM..... 12
- REQUEST FOR TRANSFER OF PERMIT, GENERAL PERMIT COVERAGE
AND/OR NAME CHANGE 14
- REQUEST FOR TERMINATION (RFT) OF COVERAGE 17

These standard forms are used to apply for permit coverage under the Mining General Permit (MSR32) and for submittals and record keeping after permit coverage has been granted. The forms are in Adobe format on our website at http://www.mdeq.ms.gov/wp-content/uploads/2016/02/Mining_Forms_Package.pdf Required information can be completed on screen, printed and signed.

General Permit MSR32 does not authorize the discharge of mine process generated wastewater or take the place of an Office of Geology Surface Mining Permit.

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MISSISSIPPI DEPARTMENT OF
ENVIRONMENTAL QUALITY

**MINING NOTICE OF INTENT (MNOI)
FOR COVERAGE UNDER
MINING STORM WATER, DEWATERING AND NO DISCHARGE
GENERAL PERMIT MSR32 ____-____-____
(Number to be assigned by State)**

File at least 30 days prior to the commencement of mining; 15 days if a Storm Water Pollution Prevention Plan (SWPPP) is already on file and mine dewatering is not proposed. Lateral expansion of an existing mine that has general permit coverage requires the submittal of the Major Modification Form, not a new MNOI. However, modification of the existing SWPPP to include the expansion is required. Discharge of storm water or impounded water associated with mining or the operation of a wastewater recirculation system with no discharge without written notification of coverage from MDEQ is a violation of State Law.

If the company seeking coverage is a corporation, a limited liability company, a partnership, or a business trust, attach proof of its registration with the Mississippi Secretary of State and/or its Certificate of Good Standing. This registration or Certificate of Good Standing must be dated within twelve (12) months of the date of the submittal of this coverage form. Coverage will be issued in the company name as it is registered with the Mississippi Secretary of State.

Please indicate the activities to be covered by this MNOI (check all that apply).

- ☒ Storm Water Discharges Associated with Mining ☐ Mine Dewatering
☐ Wastewater Recirculation System with No Discharge

The appropriate section of the MNOI must be completed if the applicant proposes to discharge storm water, discharge impounded mine water (dewatering) and/or operate a wastewater recirculation system with no discharge.

A site-specific Storm Water Pollution Prevention Plan (SWPPP) developed in accordance with ACT5 of the General Permit and a United States Geological Survey (USGS) quadrangle map or photocopy, indicating the site location and outfalls must be included with the MNOI submittal. The name of the quadrangle map must be shown on all copies. Quadrangle maps can be obtained from the MDEQ, Office of Geology at 601-961-5523. Additional submittals may include the following (check all that apply).

- ☐ Section 404 Documentation ☐ Notice of Exempt Operations Form
☐ Dam/Reservoir Safety Permit or Written Authorization

ALL INFORMATION MUST BE COMPLETED (indicate "N/A" where not applicable)

MSR32 _ _ _ _

(NUMBER TO BE ASSIGNED BY STATE)

APPLICANT IS THE: ☒ OWNER ☐ OPERATOR

OWNER CONTACT INFORMATION

OWNER CONTACT PERSON: JEFF COX
OWNER COMPANY LEGAL NAME: S&C FARMS LLC
OWNER STREET OR P. O. BOX: P.O. BOX 301
OWNER CITY: YAZOO CITY STATE: MS ZIP: 39194
OWNER PHONE #: (662) 746-5112 OWNER EMAIL: NA

OPERATOR CONTACT INFORMATION

OPERATOR CONTACT PERSON: STACY RHODES
OPERATOR COMPANY LEGAL NAME: BIRDSONG CONSTRUCTION
OPERATOR STREET OR P. O. BOX: P.O. BOX 2235
OPERATOR CITY: CLINTON STATE: MS ZIP: 39060-2235
OPERATOR PHONE #: () _____ OPERATOR EMAIL: srhodes@birdsongconst.com

MINE INFORMATION

MINE NAME: S&C FARMS LLC HWY 51 MINE
MINE SITE ADDRESS (If the physical address is not available, please indicate nearest named road.)
Street: BRANSCOMB ROAD HWY 51 NORTH
City: CANTON State: MS County: MADISON Zip: 39046
_____/4 OF _____/4 OF SECTION 485, TOWNSHIP 9N, RANGE 3E
MINE SITE TRIBAL LAND ID (N/A If not applicable): NA
ATTACH A USGS QUAD MAP, EXTENDING ½ MILE BEYOND FACILITY, OUTLINING THE MINE BOUNDARIES
(Maps can be obtained from the Mississippi Office of Geology. For information call 601-961-5523).
LATITUDE: 32 degrees 65 minutes 66 seconds LONGITUDE: 90 degrees 01 minutes 27 seconds
LAT & LONG DATA SOURCE (GPS (Please GPS Entrance Gate) or Map Interpolation): MAP
TOTAL ACREAGE: 407 MATERIAL TO BE MINED: DIRT
WILL HYDRAULIC DREDGING BE USED? ☐ YES ☒ NO
WASHING OF SAND/GRAVEL? ☐ YES ☒ NO

ESTIMATED START DATE: 5-01-2025
YYYY-MM-DD
SIC CODE 1994

ESTIMATED END DATE: 9-25-2035
YYYY-MM-DD
NAICS CODE 238910

RECEIVING STREAM INFORMATION

NEAREST NAMED RECEIVING STREAM: <u>BOGA TILDA</u>	
IS RECEIVING STREAM ON MISSISSIPPI'S 303(D) LIST OF IMPAIRED WATER BODIES? (The 303(d) list of impaired waters and TMDL stream segments may be found of MDEQ's website: http://www.deq.state.ms.us/MDEQ.nsf/page/TWB_Total_Maximum_Daily_Load_Section)	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
HAS A TMDL BEEN ESTABLISHED FOR THE RECEIVING STREAM SEGMENT?	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO

COMPLETE IF STORM WATER DISCHARGE IS PROPOSED

ATTACH A STORM WATER POLLUTION PREVENTION PLAN (SEE PERMIT FOR REQUIREMENTS)
IDENTIFY THE ASSOCIATION OR GENERIC SWPPP ON FILE AT MDEQ: _____

COMPLETE IF WASTEWATER RECIRCULATION SYSTEM WITH NO DISCHARGE IS PROPOSED

DISTANCE BETWEEN RECIRCULATION POND(S) AND PROPERTY LINE: _____ (FT) (MUST BE AT LEAST 150 FEET)
NUMBER OF RECIRCULATION POND(S): _____
STORAGE CAPACITY OF EACH RECIRCULATION POND(S): _____ (FT ³)

COMPLETE IF MINE DEWATERING IS PROPOSED

ESTIMATED DEWATERING VOLUME: _____ (GAL/DAY)
NAME AND ADDRESS OF THE RECIPIENT OF THE DISCHARGE MONITORING REPORTS (DMRs), IF DIFFERENT FROM SIGNATORY: _____

DOCUMENTATION OF COMPLIANCE WITH OTHER REGULATIONS/REQUIREMENTS

Coverage under this general permit will not be granted until all other required MDEQ permits and approvals are addressed.

WILL THE CONSTRUCTION OR OPERATION OF THIS MINE INVOLVE THE RE-ROUTING, FILLING OR CROSSING OF A WATER CONVEYANCE OF ANY KIND? ☐ YES ☒ NO

If yes, contact the U.S. Army Corps of Engineers' Regulatory Branch for permitting requirements. If the mine requires a Corps of Engineers Section 404 permit, provide appropriate documentation with this MNOI that:

- The mine has been approved by individual permit, or
- The work will be covered by a nationwide permit and NO NOTIFICATION to the Corps is required, or
- The work will be covered by a nationwide or general permit and NOTIFICATION to the Corps is required.

LIST ANY NPDES PERMIT NO(s). _____ GEOLOGY APPLICATION/PERMIT NO. _____

LIST OTHER GEOLOGY PERMIT NUMBERS THAT APPLY TO COVERAGE AREA _____

IS THE MINE LESS THAN 4 ACRES AND GREATER THAN 1320 FEET FROM ANOTHER MINE?

- ☐ YES A "Notice of Exempt Operations" Form must be included with the MNOI or proof of prior submission, if previously submitted to the Office of Geology.
- ☒ NO A "Notice of Intent to Mine Class I or Class II Materials" Form must be filed before coverage will be granted under the Mining General Permit. For information on Office of Geology requirements, call 601-961-5515.

LIST ANY LOCAL STORM WATER ORDINANCES WITH WHICH THE OPERATIONS MUST COMPLY AND SUBMIT ANY ASSOCIATED APPROVAL DOCUMENTATION. _____

IF IMPOUNDMENTS WILL BE CONSTRUCTED ABOVE NATURAL SURFACE ELEVATIONS, INDICATE WHICH, IF ANY, OF THE FOLLOWING APPLY.

- ☐ The impoundment will be constructed with a peripheral dam or levee 8 feet or greater in height, measured from the lowest elevation of its toe.
- ☐ The impoundment will have a maximum storage volume greater than 25 acre-feet.
- ☐ The impoundment will impound a watercourse with a continuous flow.
- ☐ The impoundment has the potential to threaten downstream lives or man-made structures.

If any of the impoundments meet any of the above criteria, the applicant will be required to obtain written authorization from MDEQ, Dam Safety Division before coverage will be granted under the Mining General Permit.

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

Authorized Signature¹

JEFF COX

Printed Name

Date

OWNER

Title

¹This application shall be signed according to the General Permit, Act 15, T-4 as follows:

- For a corporation, by a responsible corporate officer.
- For a partnership, by a general partner.
- For a sole proprietorship, by the proprietor.
- For a municipal, state or other public facility, by either a principal executive officer, the mayor, or ranking elected official.
- Duty Authorized Representative

Please submit this form to: Chief, Environmental Permits Division
MDEQ, Office of Pollution Control
P.O. Box 2261
Jackson, Mississippi 39225

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MISSISSIPPI DEPARTMENT OF ENVIRONMENTAL QUALITY
OFFICE OF GEOLOGY
Mining and Reclamation Division
P. O. Box 2279
Jackson, Mississippi 39225-2279
(601) 961-5515

NOTICE OF EXEMPT OPERATION

This form shall be filed with the Office of Geology, Mining and Reclamation Division **only** for operations affecting **4** acres or less **and greater** than **1320** feet from another mine. **NOTE:** Local, county, federal or other state agencies may also require permits before mining can be done on your site. This is *your* responsibility.

Name of applicant/operator: _____
Mailing address: _____

Telephone number: _____

Do you have any **other** exempt mining operations on file? ☐ yes ☐ no
Do you plan to file for a **permit** and expand this site later? ☐ yes ☐ no

LOCATION

_____ 1/4 of _____ 1/4 of Section _____, Township _____ Range _____ County _____

Include a map or aerial photo marked with site location with this form.

Name of land owner: _____
Mailing address: _____

Telephone number _____

Date operation to begin _____ Date operation to end (estimated) _____
Material to be mined _____ Number of acres to be mined _____ (A)*
Total acres to be affected by operation (mine, roads, storage, etc.) _____ (B)*
Is operation **closer** than 1,320 feet (1/4 mile) to another mine? ☐ no ☐ yes*

***If items A or B exceed 4 acres or you answered YES above, you need to apply for a MINING PERMIT.**

Applicant/operator: _____ By _____
Signature

Date: _____ Position _____

For Office of Geology use only

Date: _____ By _____
Division Director
Mining and Reclamation Division

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COVERAGE NUMBER (MSR32 _____) INSPECTION YEAR _____
SITE INSPECTION REPORT AND CERTIFICATION FORM
MINING GENERAL PERMIT



Results of the inspection by ACT7 of this permit shall be recorded on this report form and in addition, copies of all completed forms shall be retained onsite or locally available. Inspections must be performed monthly and after a 2-year, 24-hour storm event (approx. 6-inches on Gulf Coast to 4-inches at MS/TN State Line). The coverage number must be listed at the top of all Site Inspection Report and Certification Forms.

COVERAGE RECIPIENT INFORMATION

COMPANY NAME: _____	MINE NAME: <u>S&C FARMS LLC HWY 51 MINE</u>
MINE LOCATION: _____	GEOLOGY APPLICATION/PERMIT NO. _____
NEAREST PROJECT CITY: _____	COUNTY: _____
MAILING ADDRESS: _____	
MAILING CITY: _____	STATE: <u>MS</u> ZIP: <u>39194</u>
CONTACT PERSON: _____	CONTACT PHONE NUMBER: _____

INSPECTION DOCUMENTATION

DATE (mm/dd/yy)	TIME (hh:mm AM/PM)	AFTER 2-YEAR, 24-HOUR STORM EVENT? (CHECK IF YES)	ANY DEFICIENCIES? (CHECK IF YES)	INSPECTOR(S)
		<input type="checkbox"/>	<input type="checkbox"/>	
		<input type="checkbox"/>	<input type="checkbox"/>	
		<input type="checkbox"/>	<input type="checkbox"/>	
		<input type="checkbox"/>	<input type="checkbox"/>	
		<input type="checkbox"/>	<input type="checkbox"/>	
		<input type="checkbox"/>	<input type="checkbox"/>	
		<input type="checkbox"/>	<input type="checkbox"/>	
		<input type="checkbox"/>	<input type="checkbox"/>	
		<input type="checkbox"/>	<input type="checkbox"/>	
		<input type="checkbox"/>	<input type="checkbox"/>	
		<input type="checkbox"/>	<input type="checkbox"/>	
		<input type="checkbox"/>	<input type="checkbox"/>	
		<input type="checkbox"/>	<input type="checkbox"/>	
		<input type="checkbox"/>	<input type="checkbox"/>	
		<input type="checkbox"/>	<input type="checkbox"/>	

Deficiencies Noted During any Inspection (give date(s); attach additional sheets if necessary): _____

Corrective Action Taken or Planned (give date(s); attach additional sheets if necessary): _____

Based upon this inspection which I or personnel under my direct supervision conducted, I certify that all erosion and sediment controls have been implemented and maintained, except for those deficiencies noted above, in accordance with the Storm Water Pollution Prevention Plan filed with the Office of Pollution Control and sound engineering practices as required by the above referenced permit. I further certify that the MNOI and SWPPP information on file with MDEQ is up to date.

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fines and imprisonment for knowing violations.

Authorized Signature _____

Printed Name _____

OWNER

Date _____

Title _____

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**MAJOR MODIFICATION FORM
FOR MINING GENERAL PERMIT**
Coverage No. MSR32 _____ County _____



INSTRUCTIONS

Coverage recipients shall notify the Mississippi Department of Environmental Quality of plans to expand the acreage or "footprint" of an existing mining activity or modify the existing mining operation. This form must be submitted when (check all that apply):

- | | |
|--|---|
| <input type="checkbox"/> SWPPP details have been developed and are ready for MDEQ review for subsequent phases of an existing, covered mining activity | |
| <input type="checkbox"/> "Footprint" identified in the original MNOI is proposed to be enlarged (a modified SWPPP and an updated USGS topographic map must be submitted) | |
| <input type="checkbox"/> Mine dewatering is proposed | <input type="checkbox"/> Mine dewatering has been discontinued |
| <input type="checkbox"/> Closed loop wash operations are proposed | <input type="checkbox"/> Closed loop wash operations have been discontinued |

This form must be signed by the original coverage recipient under Mississippi's Mining General Permit. A different operator must have general permit coverage transferred prior to coverage being modified. Coverage recipients are authorized to discharge storm water associated with proposed expansions of dewater pits or operate a recirculation system with no discharge, under the conditions of the General Permit, only upon receipt of written notification of approval by the MDEQ. If mining activities change which will incorporate a hydraulic dredging operation or a discharge of process wastewaters to State waters additional permitting actions shall be required.

COVERAGE RECIPIENT INFORMATION

COVERAGE RECIPIENT CONTACT PERSON: _____
COMPANY NAME: _____
STREET OR P.O. BOX: _____
CITY: _____ STATE: _____ ZIP: _____
PHONE NUMBER : _____ EMAIL ADDRESS: _____

PROJECT INFORMATION

FORMER ACREAGE: _____ ADDITIONAL ACREAGE TO BE DISTURBED: _____
TOTAL ACREAGE: _____ MINE NAME: _____
GEOLOGY APPLICATION/PERMIT NO. _____ CITY: _____ COUNTY: _____

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

Signature (must be signed by coverage recipient) _____

Date _____

Printed Name _____

Title _____

Please submit this form to:

Chief, Environmental Permits Division
MS Department of Environmental Quality, Office of Pollution Control
P.O. Box 2261
Jackson, Mississippi 39225

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Environmental Permits for Industrial Facilities

Request for Transfer of Permit, General Permit Coverage and/or Name Change

Instructions: For Ownership Change-Complete all Items on Page 1 (except Item VIII) and Page 2 (reverse side).

For Name Change Only-Complete Items I, II, V, VI, VII, VIII, and Page 2 (reverse side).

Note-This form should be submitted to MDEQ when a transferal date is finalized but prior to the actual transfer.

Item I. Facility Name: _____ Location: (Do Not Use P.O. Box) Street: _____ City: _____ State: <u>MS</u> Zip: _____ County: _____ Telephone: _____	Item II. Responsible official after transfer or name change: Name: _____ Title: _____ Mailing Address: Street/P.O. Box: _____ City: _____ State: _____ Zip: _____ Telephone: _____								
Item III. Previous Permittee ¹ : _____ Mailing Address: Street/P.O. Box: _____ City: _____ State: _____ Zip: _____ Telephone: _____	Item IV. New Permittee ¹ : _____ Mailing Address: Street/P.O. Box: _____ City: _____ State: _____ Zip: _____ Telephone: _____								
Item V. Industrial Activity SIC Code: _____ Brief Description: _____	Item VI. Will Facility Operations Change? Yes <input type="checkbox"/> No <input type="checkbox"/> If yes, the appropriate applications and permits may require modification prior to change.								
Item VII. Will Facility Name Change? Yes <input type="checkbox"/> No <input type="checkbox"/> If Yes, Provide New Name for Permit Coverage. New Name: _____	Item VIII. Signature for Name Change Print Name: _____ Authorized Signature ² : _____ Title: _____ Date: _____								
Item IX. We the undersigned request transfer of permit(s) and/or permit coverage(s) listed on the backside of this form. From: _____ To: _____ Acquisition Date: _____ <p>By signature below, the recipient certifies that: 1) they are aware of the requirements of the permit(s), 2) the applicant can demonstrate to the Permit Board it has the financial resources and operational expertise and 3) agrees to accept responsibility and liability for the permit(s) listed on the back of this document. By signature below, the previous permittee is requesting that the permit(s) and/or permit coverage(s) be transferred to the recipient. The transfer of the permit(s) or permit coverage(s) will be by written notification from the Office of Pollution Control (OPC). The OPC may require submittal of information regarding financial capability and past compliance history of the recipient.</p> <table style="width: 100%;"> <tr> <td style="width: 50%;"> _____ Print New Permittee¹ Name </td> <td style="width: 50%;"> _____ Print Previous Permittee¹ Name </td> </tr> <tr> <td> _____ New Authorized Signature² </td> <td> _____ Previous Authorized Signature² </td> </tr> <tr> <td> _____ Title </td> <td> _____ Title </td> </tr> <tr> <td> _____ Date </td> <td> _____ Date </td> </tr> </table>		_____ Print New Permittee ¹ Name	_____ Print Previous Permittee ¹ Name	_____ New Authorized Signature ²	_____ Previous Authorized Signature ²	_____ Title	_____ Title	_____ Date	_____ Date
_____ Print New Permittee ¹ Name	_____ Print Previous Permittee ¹ Name								
_____ New Authorized Signature ²	_____ Previous Authorized Signature ²								
_____ Title	_____ Title								
_____ Date	_____ Date								

¹A Permittee is a company or individual that has been issued an individual permit or coverage under a general permit.

²Authorized Signature must be owner or in the case of a corporation, a corporate officer as defined in Regulations APC-S-2 and WPC-1.

Mississippi Department of Environmental Quality/Office of Pollution Control
P.O. Box 2261
Jackson, Mississippi 39225
(601) 961-5171

<p>Item X. Storm Water</p> <p>(Check One)</p> <p><input type="checkbox"/> A Storm Water Pollution Prevention Plan (SWPPP) is not required for the site.</p> <p><input type="checkbox"/> The recipient certifies that they have received a copy of the Office of Pollution Control approved SWPPP from the original owner.</p> <p><input type="checkbox"/> The recipient is submitting a new SWPPP, which is attached to this form.</p> <p><input type="checkbox"/> A copy of the SWPPP cannot be obtained from the original owner.</p>	<p>Item XI. Hazardous Waste ID Number</p> <p>EPA ID No. _____</p> <p>(Check One)</p> <p><input type="checkbox"/> An EPA Hazardous Waste ID Number is not required for the site.</p> <p><input type="checkbox"/> The site's EPA ID Number is listed above and a Notification of Regulated Waste Activity Form is attached.</p>
<p>Item XII. Permit(s) and/or Coverage(s) to be Transferred</p>	
<p>Permit Type: _____</p> <p>Permit/Coverage No.: _____</p> <p>Permit Issuance Date: _____</p> <p>Date of General Permit Coverage: _____</p> <p>Permit Expiration Date: _____</p>	<p>Permit Type: _____</p> <p>Permit/Coverage No.: _____</p> <p>Permit Issuance Date: _____</p> <p>Date of General Permit Coverage: _____</p> <p>Permit Expiration Date: _____</p>
<p>Permit Type: _____</p> <p>Permit/Coverage No.: _____</p> <p>Permit Issuance Date: _____</p> <p>Date of General Permit Coverage: _____</p> <p>Permit Expiration Date: _____</p>	<p>Permit Type: _____</p> <p>Permit/Coverage No.: _____</p> <p>Permit Issuance Date: _____</p> <p>Date of General Permit Coverage: _____</p> <p>Permit Expiration Date: _____</p>
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<p>Permit Type: _____</p> <p>Permit/Coverage No.: _____</p> <p>Permit Issuance Date: _____</p> <p>Date of General Permit Coverage: _____</p> <p>Permit Expiration Date: _____</p>	<p>OTHER INFORMATION:</p>

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Request for Termination (RFT) of Coverage



Mining General NPDES Permit No. MSR32 County MADISON
(Fill in your Certificate of Coverage Number and County)

Use this form to request coverage termination only after mining activities have permanently stopped and permanent erosion and sediment controls are successfully established. Inspections must continue until the coverage recipient receives written notice of coverage termination by MDEQ.

Please check which of the following apply:

- ☐ Non-Exempt Mining Operation (copy of Permit Board Order, authorizing 90% or final release of mining performance bond attached)
- ☐ Exempt Mining Operation (as defined in MDEQ's Mississippi Surface Mining and Reclamation Rules and Regulations)

(Please Print or Type)

Facility Name: _____ Closure Date: _____

Physical Site Street Address (if not available, indicate nearest named road): _____

City: CANTON County: _____

Landowner Company Name: _____

Landowner Company Contact Name and Position: _____

Street Address / P.O. Box: _____

City: _____ State: MS Zip: 39046

Tel. # (____) _____

Operator Company Name (if different than owner): _____

Operator Contact Name and Position: _____

Street/ Address / P.O. Box: _____

City: _____ State: _____ Zip: _____

Tel. # (____) 746-5112

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fines and imprisonment for knowing violations. I understand that by submitting this Request for Termination and receiving written confirmation, I will no longer be authorized to discharge storm water associated with industrial activity under this general permit. Discharging pollutants in storm water associated with industrial activity to waters of the United States is unlawful under the Clean Water Act where the discharge is not authorized by a NPDES permit. I also understand that the submittal of this Request for Termination does not release an owner or operator from liability for any violations of this permit or the Clean Water Act.

Authorized Name (Print) _____

Telephone _____

Signature _____

Date Signed _____

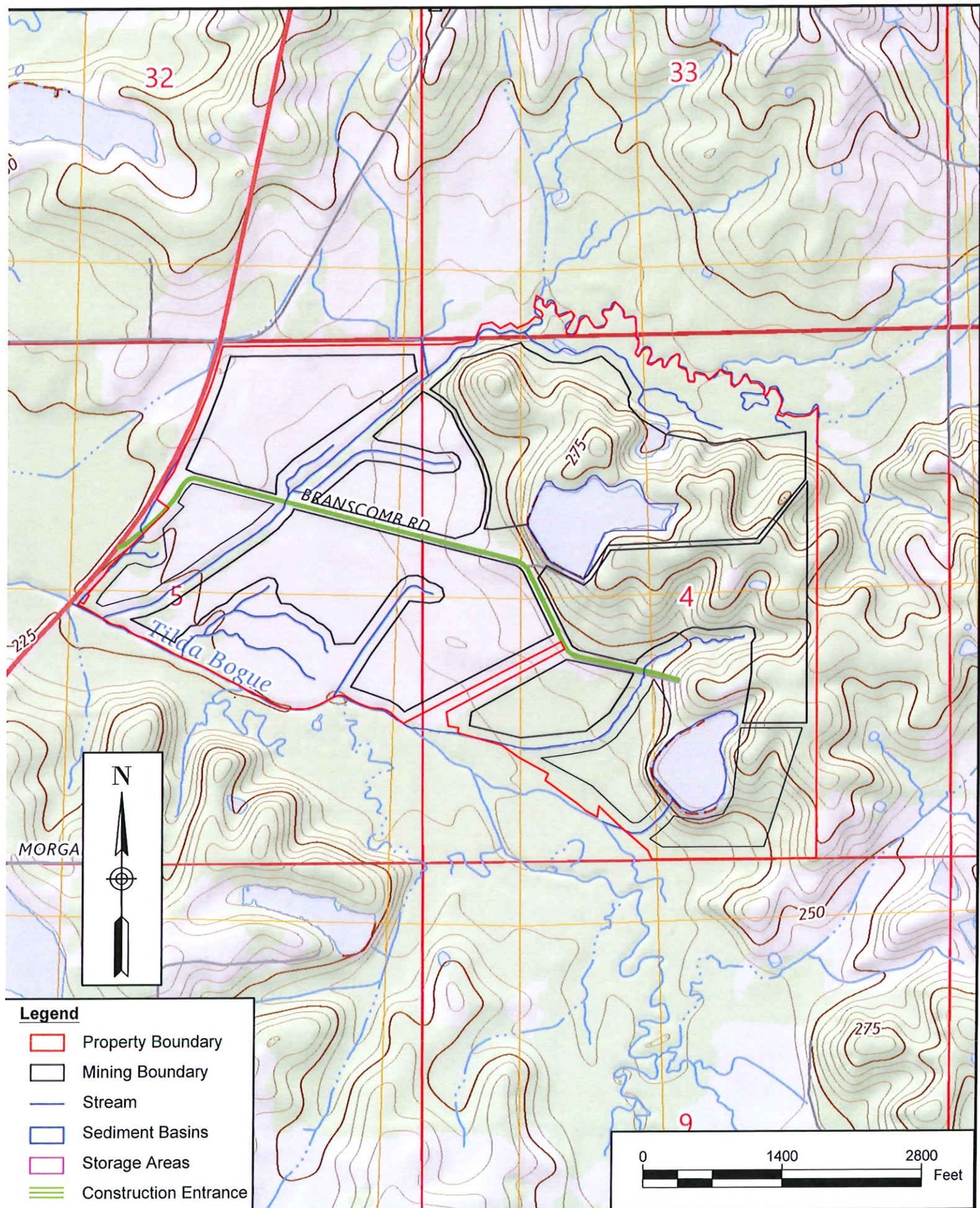
¹This application shall be signed according to the General Permit, ACT 15, T-4 as follows:

- For a corporation, by a responsible corporate officer.
- For a partnership, by a general partner.
- For a sole proprietorship, by the proprietor.
- For a municipal, state or other public facility, by principal executive officer, mayor, or ranking elected official.

After signing please mail to: Environmental Permits Division, Office of Pollution Control
P.O. Box 2261
Jackson, MS 39225

Revision: 2/16/2018

Figure 1: USGS Quadrangle



Legend

- ▭ Property Boundary
- ▭ Mining Boundary
- Stream
- ▭ Sediment Basins
- ▭ Storage Areas
- ▬▬▬ Construction Entrance

0 1400 2800
Feet

Figure 2: Proposed Mining Permitted Footprint

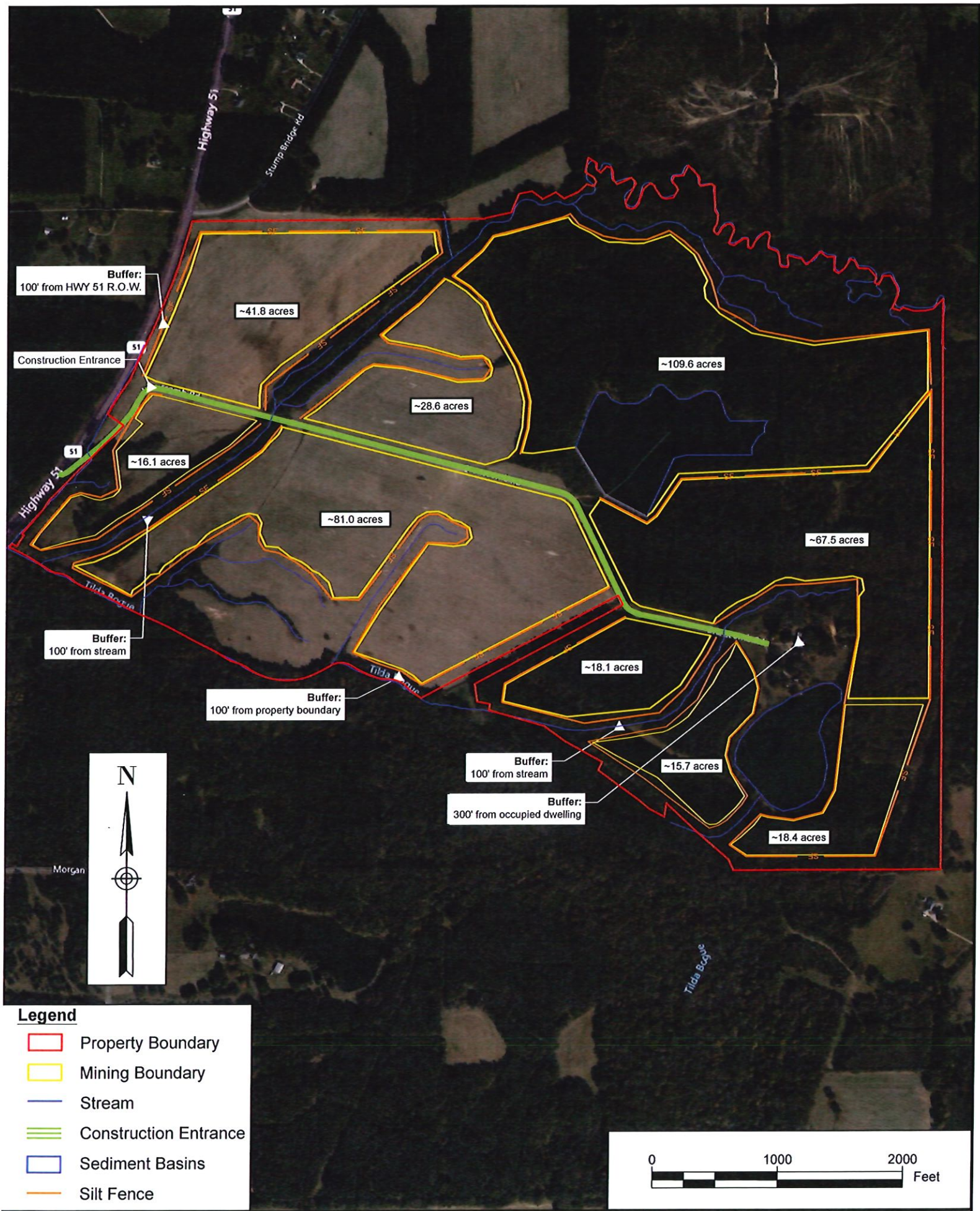


Figure 3: Reclamation Plan

