

# MADISON COUNTY PLANNING COMMISSION

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P. O. Box 608, Canton, Mississippi

Phone 601-859-1177 or 601-855-5501

Henry Brown, Chairman

Jim Streetman, Attorney

Brad Sellers, Zoning Administrator

## AGENDA

November 14, 2013, 9:00 A. M.

1. Consideration of October 17, 2013 minutes
2. **Madison County Schools** - Petition for Special Exception to use existing building as Public/Quasi-Public facility.  
Location: 350 Industrial Drive South, Section 28, T8N-R2E  
Data: Madison County Schools is proposing converting an existing commercial building for use as an Academic Options Center and for maintenance purposes. The property is 3.06 acres, and is zoned I-2 Heavy Industrial.  
**Planning Commission Recommendation: Approved**
3. Attorney Fees
4. Set date for December meeting (12<sup>th</sup>).

**APPLICATION FOR SPECIAL EXCEPTION**

Public-Quasi Public Facility

Applicant

Madison County School District

Street Address of Property (if different address):

350 Industrial Drive South  
Madison, MS 39110

APPLICATION DATE	Present Zoning of Property	Legal Description of Property:	TAX PARCEL NUMBER	FLOOD ZONE	MAP/PLAT OF PROPERTY
10/4/2013	I-2 Industrial	See (Exhibit A)	See attached letter	<del>☒</del> X	See (Exhibit B)

Other Comments: As per Section 2605 of the Madison County Zoning Ordinance.

Respectfully Submitted

Ronnie L. McGehee

Superintendent MCSD

Petition submitted to Madison County Planning and Development Commission on Nov. 14

Recommendation of Madison County Planning and Development Commission on Petition Approve

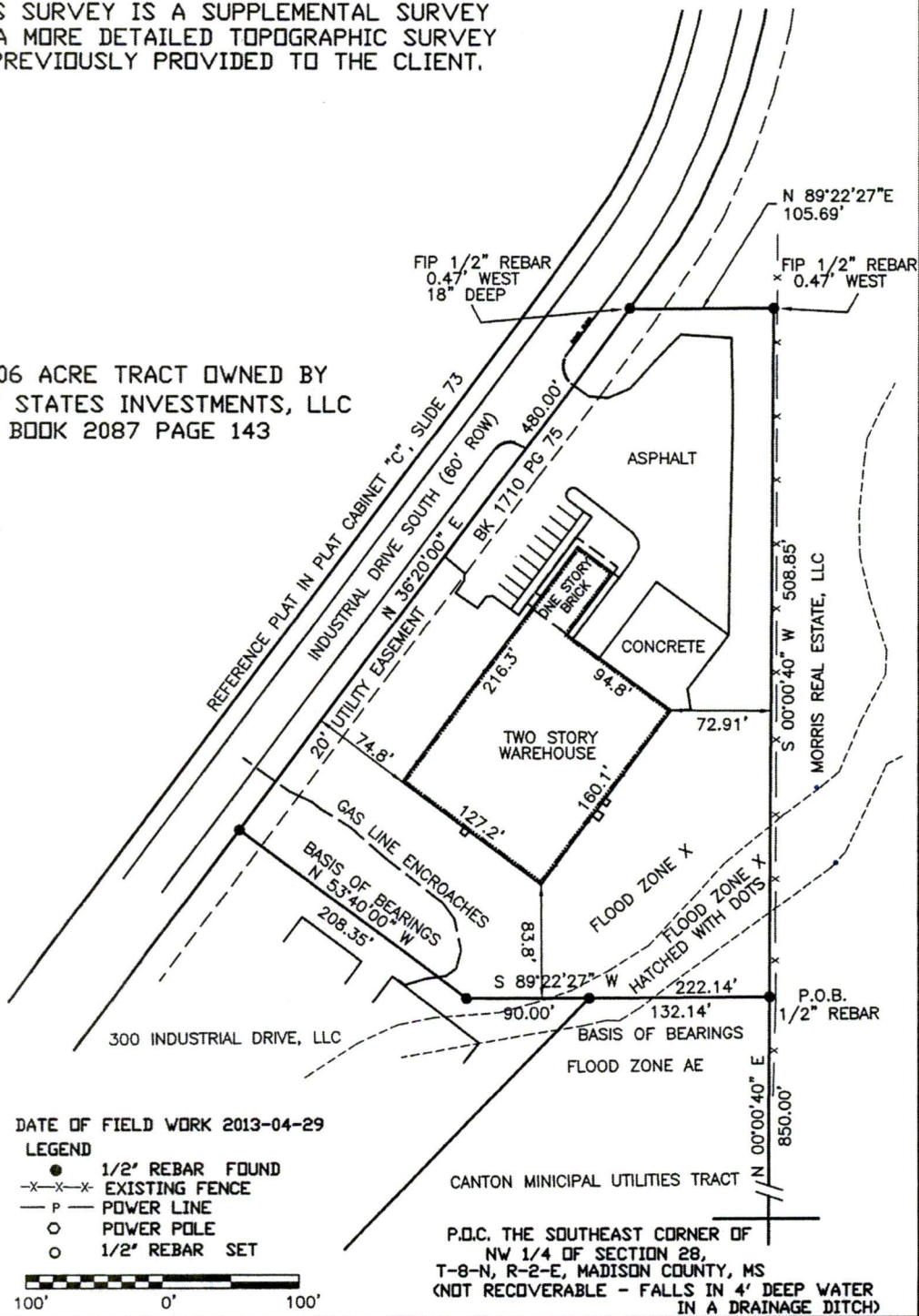
Public Hearing date as established by the Madison County Board of Supervisors Dec 16

Final disposition of Petition \_\_\_\_\_

THIS SURVEY IS A SUPPLEMENTAL SURVEY  
TO A MORE DETAILED TOPOGRAPHIC SURVEY  
PREVIOUSLY PROVIDED TO THE CLIENT.

3.06 ACRE TRACT OWNED BY  
GULF STATES INVESTMENTS, LLC  
BOOK 2087 PAGE 143

BEARINGS ROTATED TO RECORD DEED  
USING FIP'S ALONG SOUTH PROPERTY LINE.

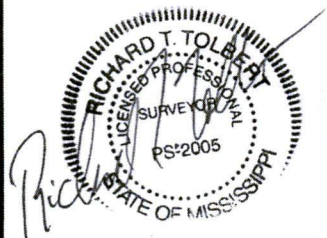


DATE OF FIELD WORK 2013-04-29

LEGEND

- 1/2" REBAR FOUND
- x-x-x- EXISTING FENCE
- P- POWER LINE
- POWER POLE
- 1/2" REBAR SET

100' 0' 100'



PLAT SHOWS SURVEY OF 3.06 ACRE TRACT  
FOR THE MADISON COUNTY SCHOOL BOARD  
SITUATED IN NW 1/4 OF SECT. 28, T-8-N, R-2-E,  
MADISON COUNTY, MISSISSIPPI

RICHARD T. TOLBERT, PLS  
MADISON COUNTY SURVEYOR  
100 OLD ORCHARD ROAD, MADISON, MS 39110  
TELEPHONE: (601)-750-1669 (CELL)

BEARINGS: RTK/DPUS	DATE: 2013-04-29	JOB NO. MCS 092	SCALE: 1" = 100'
DRAWN BY: R. TOLBERT	CLASS B SURVEY	NOTES: ALL D.C.	DWG = MCS 092 B

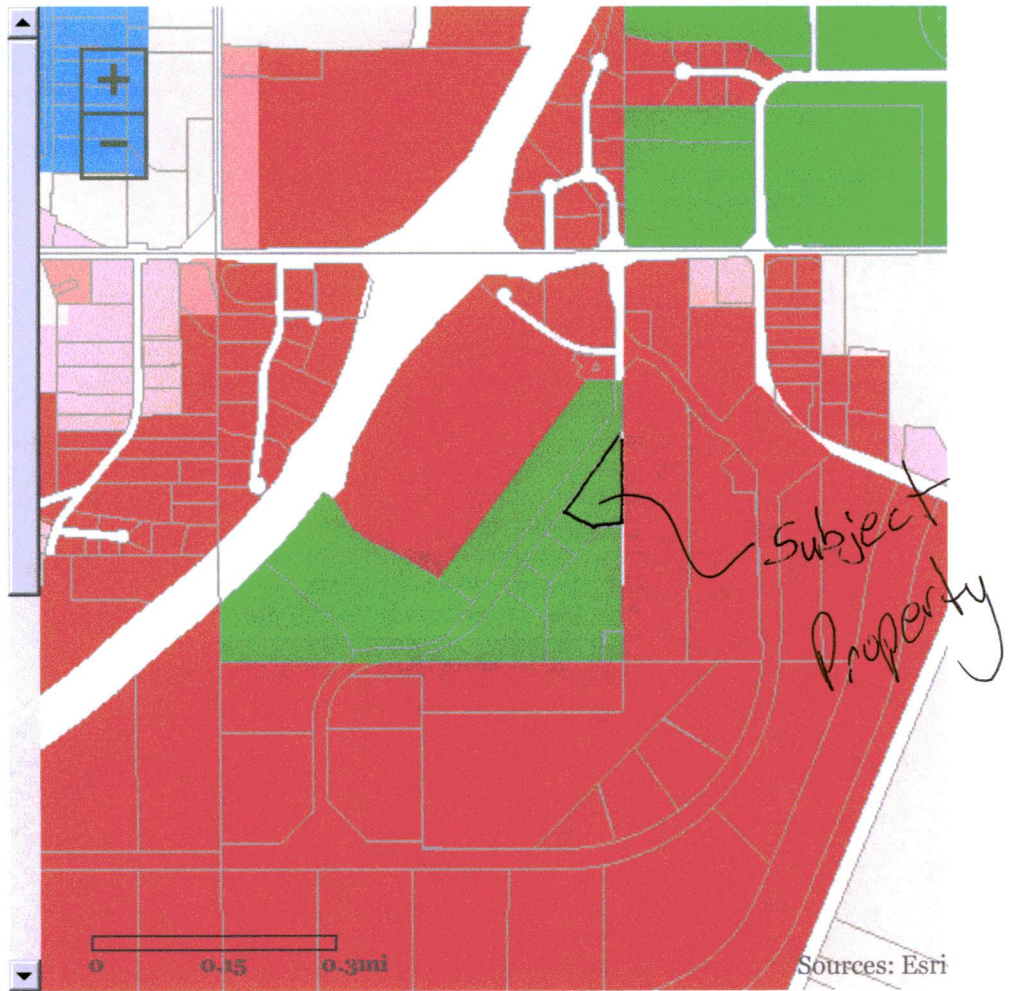


# Madison County

MISSISSIPPI

## Select Layers:

- Address Ranges
- Congressional
- County Boundary
- Fire Departments
- Fire Response Areas
- Flood Plain
- Garbage Collection
- House
- House (proposed)
- Justice Court
- Library
- Local Roads
- Municipal Limits
- Parcels [2013]
- Parks
- Polling Locations
- Precincts
- PRVWSD
- Schools
- School Districts
- Sections







**MADISON COUNTY  
SCHOOLS**

**MARK OF EXCELLENCE**

SUPERINTENDENT  
Dr. Ronnie McGehee

BOARD OF EDUCATION  
Shirley Simmons, President  
William Grissett, Secretary  
Ken McCoy  
Philip Huskey  
Sam Kelly

October 4, 2013

Mr. Brad Sellers  
Zoning Administrator  
P.O. Box 404  
Canton, MS 39046

RE: Petition for Special Exception in NW1/4 of Section 28,  
Township 8 North, Range 2 East, Madison County, Mississippi  
Tax Parcel #082H-28-003/04.00

Dear Brad:

In response to the Madison County School District's request for Special Exception regarding the 3.06± acres in Section 28, Township 8 North, Range 2 East, Madison County, Mississippi, enclosed please find the following information:

1. A copy of the General Warranty Deed from Gulf States Investments, LLC to Madison County School District recorded in Book 2936 at Page 55 in the land records of the Chancery Clerk of Madison County is attached hereto.
2. Madison County School District is the legal owner of the property.
3. Gulf States Investments, LLC owned the subject property for 6-1/2 years and the building was occupied by Tuscan Stone Imports. The building as it currently exists contains two restrooms and the entire building is sprinkled throughout and it is electrically wired. The building also has central air conditioning and gas heat. Utilities are in place and provided by the appropriate entities, e.g., electricity is provided by Entergy Mississippi, gas is provided by Center Point Energy, and water and sewage are provided by Bear Creek.
4. The legal description of the property in a digital format is included in the attached flash drive.
5. A survey of the subject property showing flood hazard areas is attached hereto and also included on the attached flash drive. NOTE: The subject property is located in Flood Zone ~~X~~ according to FEMA Map No. 28089C0415F dated 3/17/10.  
X
6. The current zoning of the subject property is I-2 Industrial and it is proposed to be rezoned to special use exemption.



7. If rezoned, the subject property will be used for educational purposes, i.e., an Academic Options Center and also for maintenance purposes.

8. The footprint of the existing building will not be changed, so the "site plan" should remain the same as it currently exists. There will be some changes made to the inside of the building to allow for the specific uses as outlined above.

9. There is no municipality that exists within one (1) mile of this building as the corporate limits of Canton and Madison are both outside the one mile limit.

A Digital format of all the documentation is included on the attached cd. Please let me know if you need anything else regarding this matter.

Sincerely,

A handwritten signature in cursive script that reads "Ronnie L. McGehee".

Ronnie L. McGehee  
Superintendent



12.00 Adams & Reese  
#549  
(E)

BOOK 2936 PAGE 55 DOC 01 TY W  
INST # 701636 MADISON COUNTY MS.  
This instrument was filed for  
record 4/30/13 at 2:12:15 PM  
ARTHUR JOHNSTON, C.C. BY: HRM D.C.

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**THIS INSTRUMENT PREPARED BY AND  
WHEN RECORDED RETURN TO:**

Sharon G. Plunkett, Esq.  
Taggart, Rimes & Graham, PLLC  
1022 Highland Colony Parkway, Suite 101  
Ridgeland, Mississippi 39157  
Telephone: 601-898-8400  
Facsimile: 601-898-8426  
MSBN 10457

**INDEXING INSTRUCTIONS:**

NW ¼ of Section 28, Township 8 North, Range 2 East, Madison County, MS

**GENERAL WARRANTY DEED**

**Grantor:**

Gulf States Investments, LLC  
350 Industrial Drive South  
Madison, Mississippi 39110  
Telephone: (601) 238-6018

**Grantee:**

Madison County School District  
117 Fourth Street  
Flora, Mississippi 39071-0159  
Telephone: (601) 879-3000

**GENERAL WARRANTY DEED**

FOR AND IN CONSIDERATION of cash in hand paid, and other good and valuable considerations, the receipt and sufficiency of which are hereby acknowledged, GULF STATES INVESTMENTS, LLC, a Mississippi limited liability company (the "Grantor"), does hereby grant, bargain, sell, convey, and warrant to MADISON COUNTY SCHOOL DISTRICT, MADISON COUNTY, MISSISSIPPI, a body corporate and politic (the "Grantee"), the following described land and property located in Madison County, Mississippi, and being more particularly described as follows, to-wit:

SEE EXHIBIT "A" ATTACHED HERETO

together with all easements and rights-of-way appurtenant thereto and improvements and fixtures situated thereon.

The conveyance made hereby is made subject to, and there is excepted from the warranties hereof, the following:

1. Ad valorem taxes for the year of 2013, which are accruing but not yet due and payable.
2. Easement and Right of Way Agreement executed by and between Jack H. Wilson and Mississippi Major Economic Impact Authority recorded in Book 1710 at Page 75.

Ad valorem taxes and assessments for the current year have been prorated between Grantor and Grantee on an estimated basis and shall be paid by Grantee when due and payable. When said taxes and assessments are actually determined, if the proration as of this date is incorrect, then the parties agree to readjust the prorations based on actual amounts. Grantee agrees to pay Grantor any tax short fall, and Grantor agrees to pay Grantee any tax amount overpaid. Grantee assumes and agrees to pay ad valorem taxes for all subsequent years to the extent required by law.



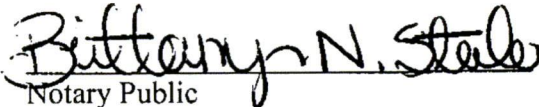
IN WITNESS WHEREOF, the signature of the undersigned is effective as of the 30<sup>th</sup> day of April, 2013, with actual execution by Grantor on the date so acknowledged.

**GULF STATES INVESTMENT, LLC, A MS  
LIMITED LIABILITY COMPANY**

By:   
Richard C. Perry, Member

STATE OF MISSISSIPPI  
COUNTY OF MADISON

On this, the 20th day of April, 2013, before me, the undersigned authority in and for the said county and state, within my jurisdiction, personally appeared Richard C. Perry, who acknowledged that he is the sole member of Gulf States Investments, LLC, a Mississippi limited liability company, and that for and on behalf of said limited liability company, and as its act and deed, he executed and delivered the above and foregoing instrument, after first having been duly authorized by said limited liability company so to do.

  
Notary Public

My Commission Expires:  
1/25/16





## Exhibit "A"

A parcel of land containing 3.06 acres (133,408.88 square feet), more or less, being situated in the Northwest  $\frac{1}{4}$  of Section 28, Township 8 North, Range 2 East, Madison County, Mississippi, and being more particularly described by metes and bounds as follows:

Commence at the Southeast corner of the Northwest  $\frac{1}{4}$  of Section 28; run thence North 00 degrees 00 minutes 40 seconds East for a distance of 850.00 feet to a found iron pin marking the POINT OF BEGINNING for the parcel herein described;

thence South 89 degrees 22 minutes 27 seconds West for a distance of 222.14 feet to a found iron pin; thence North 53 degrees 40 minutes 00 seconds West for a distance of 208.35 feet to a found iron pin on the Eastern Right of Way line of Industrial Drive South; thence run along said right of way North 36 degrees 20 minutes 00 seconds East for a distance of 480.00 feet; thence leave said right of way and run North 89 degrees 22 minutes 27 seconds East for a distance of 105.69 feet; thence South 00 degrees 00 minutes 40 seconds West for a distance of 508.85 feet to the POINT OF BEGINNING.



A parcel of land containing 3.06 acres (133,408.88 square feet), more or less, being situated in the Northwest 1/4 of Section 28, Township 8 North, Range 2 East, Madison County, Mississippi, and being more particularly described by metes and bounds as follows:

Commence at the Southeast corner of the Northwest 1/4 of Section 28; run thence North 00 degrees 00 minutes 40 seconds East for a distance of 850.00 feet to a found iron pin marking the POINT OF BEGINNING for the parcel herein described; thence South 89 degrees 22 minutes 27 seconds West for a distance of 222.14 feet to a found iron pin; thence North 53 degrees 40 minutes 00 seconds West for a distance of 208.35 feet to a found iron pin on the Eastern Right-of-Way line of Industrial Drive South; thence run along said right-of-way North 36 degrees 20 minutes 00 seconds East for a distance of 480.00 feet; thence leave said right-of-way and run North 89 degrees 22 minutes 27 seconds East for a distance of 105.69 feet; thence South 00 degrees 00 minutes 40 seconds West for a distance of 508.85 feet to the POINT OF BEGINNING.