

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

**IN THE MATTER OF VACATION
OR ALTERATION OF CERTAIN
RIGHT OF WAY PLAT
IN MADISON COUNTY, MISSISSIPPI**

PETITIONER:

**Madison County Economic
Development Authority**

PETITION TO VACATE OR ALTER PORTION OF RIGHT OF WAY PLAT

COMES NOW Madison County Economic Development Authority ("MCEDA"), as owner in interest of that certain parcel of property located in the NW ¼ of Section 28, T8N, R2E, Madison County, Mississippi consisting of 0.09 acres, more or less, and more particularly described by the legal description and survey attached hereto as **Exhibit "A,"** and petitions the Board of Supervisors of Madison County, Mississippi, pursuant to MISS. CODE ANN. § 17-1-23 to vacate, or alter a portion of the right of way plat entitled "Central Mississippi Industrial Center Right of Way Plat" recorded in Plat Cabinet C-Slides 172-173, and in support thereof would respectfully show the following, to wit:

1. MCEDA is the owner of a certain parcel of property on the north side of Denim Way in the Central Mississippi Industrial Center, as well as 0.09 acres, more or less, lying both to the south and west of Denim Way, and more particularly described by the legal description and survey attached hereto as **Exhibit "A."**

2. Approximately 0.13 acres, more or less, lying to the north of Denim Way, and more particularly described by the legal description and survey attached hereto as **Exhibit "B,"** is currently part of the Right of Way for Denim Way as shown in the Central Mississippi Industrial Center Right of Way Plat in Plat Cabinet C-slides 172-173.

3. Upon information and belief, the 0.13 acres, more or less lying to the north of Denim Way, and more particularly described by the legal description and survey attached hereto as **Exhibit "B,"** was placed in the Right of Way for Denim Way for a planned cul-de-sac area for truck traffic entering the nearby Levi Strauss plant. However, said cul-de-sac was never constructed.

4. The current status of the above-referenced properties has left MCEDA with a wedge of property to the south and west of Denim Way, and across Denim Way from its larger tract.

5. MCEDA is in the process of conveying its property and desires to have one contiguous piece of property to convey.

6. Levi Strauss & Co., is an adjacent landowner and, therefore, under MISS. CODE ANN. § 17-1-23 (5), is a corporate citizen "directly interested" in the vacation or alteration of said right of way plat, is hereby made aware of the proposed action, and agrees to the vacation or alteration of said right of way plat as evidenced by its signature on the correspondence attached hereto as **Exhibit "C."**

7. MCEDA hereby petitions the Board of Supervisors of Madison County, Mississippi, and requests that the Central Mississippi Industrial Center Right of Way Plat be vacated or altered in that the 0.13 acres, more or less, lying to the north of Denim Way, and more particularly described by the legal description and survey attached hereto as **Exhibit "B,"** which is currently part of the Right of Way for Denim Way, be removed from the right of way plat, and that the 0.09 acres, more or less, lying both to the south and west of Denim Way, and more particularly described by the legal description and survey attached hereto as **Exhibit "A,"** be added to the right of way plat. The resultant parcel which MCEDA will own, after the

requested action will consist of 1.44 acres, more or less, and more particularly described by the legal description and survey attached hereto as **Exhibit "D."**

WHEREFORE, PREMISES CONSIDERED, Petitioner respectfully requests the Board of Supervisors of Madison County, vacate or alter the Central Mississippi Industrial Center Right of Way Plat by removing the 0.13 acres, more or less, lying to the north of Denim Way, and more particularly described by the legal description and drawing attached hereto as **Exhibit "B,"** which is currently part of the Right of Way for Denim Way, from the right of way plat, and add the 0.09 acres, more or less, lying both to the south and west of Denim Way, and more particularly described by the legal description and drawing attached hereto as **Exhibit "A,"** to the right of way plat, so that the resultant parcel which MCEDA will own, after the requested action will consist of 1.44 acres, more or less, and more particularly described by the legal description and survey attached hereto as **Exhibit "D."** .

Respectfully submitted, this the 12th day of August, 2014.

**MADISON COUNTY ECONOMIC
DEVELOPMENT AUTHORITY**


**TIM COURSEY
EXECUTIVE DIRECTOR**

MS DEPT. OF TRANSPORTATION
(GLUCKSTADT ROAD)
DB 2736 PG 877

R.O.W. (VARIES)

R.O.W. (VARIES)

R=105.000'
L=114.988'
CHD=N85°55'09"W
CHD=109.327'

R=50.010'
L=18.648'
CHD=S44°58'17"E
CHD=18.540'

R=105.000'
L=51.023'
CHD=N48°47'13"E
CHD=50.522'

R=80.000'
L=120.028'
CHD=N79°31'58"W
CHD=109.083'

LEVI STRAUSS, CO.
DB 454 PG 675

TERRA HOLDINGS, LLC
DB 2738, PG 532

Legal Description:


A parcel of land situated in the Northeast quarter of the Northwest quarter Section 28, Township 8 North, Range 2 East and more particularly described as follows:

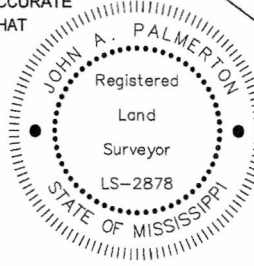
Commence at a found 1/2" rebar at the Southeast corner of the Northwest 1/4 of Section 28, Township-8-North, Range-2-East, Madison County, Mississippi and run thence N13°19'23"W for 2245.27 feet to a point lying on the north right-of-way line of Denim Way paved public road as it is recorded in Plat Cabinet C, Slot 172 in the office of the Chancery Clerk of Madison County, Mississippi; thence run N54°32'47"W on and along said right-of-way of Denim Way for 304.60 feet; thence, leaving said right-of-way, run on and along along a curve that arcs to the left, said curve having a radius of 105.00 feet, a curve length of 114.988 feet, a chord bearing of N85°55'09"W and a chord distance of 109.327 feet to the POINT OF BEGINNING:

From said POINT OF BEGINNING, run thence on and along a non-tangent curve that arcs to the left, said curve having a radius of 50.010 feet, a curve length of 18.648 feet, a chord bearing of S44°58'17"E and a chord distance of 18.540 feet to a point lying on a projection of the south right-of-way line of said Denim Way; thence run S54°32'47"E for 68.94 feet; thence run along a non-tangent curve that arcs to the right, said curve having a radius of 80.000 feet, a curve length of 120.028, a chord bearing of N79°31'58"W and a chord distance of 109.083 feet to a point lying on the northerly right-of-way line of said Denim Way; thence run on and along said Denim Way right-of-way along a non-tangent curve that arcs to the right, said curve having a radius of 105.000 feet, a curve length of 51.023 feet, a chord bearing of N48°47'13"E and a chord distance of 50.522 feet back to the point of beginning, containing 0.09 acres, more or less.

CERTIFICATE:

THIS IS TO CERTIFY THAT I, JOHN A. PALMERTON, A REGISTERED LAND SURVEYOR, HAVE CAUSED AN ACCURATE SURVEY OF THE PREMISES SHOWN HEREON, AND THAT SAID SURVEY IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF. WITNESS MY SIGNATURE THIS THE 17th DAY OF February 2014.

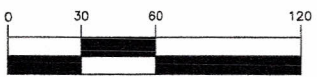
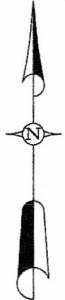

JOHN A. PALMERTON, MS. LS #2878
171 SUMAC DRIVE
MADISON, MS 39110



NOTE: THIS SURVEY HAS BEEN PERFORMED WITHOUT THE BENEFIT OF A TITLE OPINION. EASEMENTS, RIGHTS OF WAY, AND OTHER ENCUMBRANCES MAY EXIST THAT WERE NOT APPARENT AT THE TIME OF SURVEY. SAID COULD BE REVEALED BY A THOROUGH INSPECTION OF TITLE BY A COMPETENT ATTORNEY.

REF: THE SOUTHEAST CORNER OF THE NORTHWEST 1/4 OF SECTION 28, T8N-R2E, MADISON CO., MS

I-55 R.O.W. (VARIES)



SCALE: 1"=60'

SURVEY CLASS "B"-AS PER THE MINIMUM STANDARDS FOR LAND SURVEYING IN THE STATE OF MISSISSIPPI. 1/2" REBARs SET AT ALL CORNERS UNLESS OTHERWISE NOTED.

PLAT OF SURVEY FOR:

CONVEYANCE OF 0.09 ACRES ± OF MCEDA PARCEL TO DENIM WAY RIGHT OF WAY

BEING A PART OF

SECTION 28, T-8-N, R-2-E, MADISON COUNTY, MS

MS DEPT. OF TRANSPORTATION
(GLUCKSTADT ROAD)
DB 2736 PG 877

R.O.W. (VARIES)

1-55 R.O.W. (VARIES)

R.O.W. (VARIES)

R=105.000'
L=114.988'
CHD=N85°55'09"W
CHD=109.327'

R=50.010'
L=207.918'
CHD=N84°48'55"E
CHD=87.391'

S54°32'47"E
27.03'

MCEDA
DB 471 PG 463

MCEDA
DB 471 PG 463

TERRA HOLDINGS, LLC
DB 2738, PG 532

LEVI STRAUSS, CO.
DB 454 PG 675

DENIM WAY (26' ASPHALT W/ 2' CURB)
PLAT CABINET C, SLOT 172

N54°32'47"W
304.60'

60' R.O.W.

N13°19'23"W
2245.27'

Legal Description:

A parcel of land situated in the Northeast quarter of the Northwest quarter Section 28, Township 8 North, Range 2 East and more particularly described as follows:

Commence at a found 1/2" rebar at the Southeast corner of the Northwest 1/4 of Section 28, Township 8-North, Range-2-East, Madison County, Mississippi and run thence N13°19'23"W for 2245.27 feet to a point lying on the north right-of-way line of Denim Way paved public road as it is recorded in Plat Cabinet C, Slot 172 in the office of the Chancery Clerk of Madison County, Mississippi; thence run N54°32'47"W on and along said right-of-way for 304.60 feet to the POINT OF BEGINNING:

From said POINT OF BEGINNING and leaving said right-of-way, run thence on and along a curve that arcs to the left, said curve having a radius of 105.00 feet, a curve length of 114.988 feet, a chord bearing of N85°55'09"W and a chord distance of 109.327 feet; thence run on and along a non-tangent curve that arcs to the right, said curve having a radius of 50.010 feet, a curve length of 207.918 feet, a chord bearing of N84°48'55"E and a chord distance of 87.391 feet; thence run S54°32'47"E for 27.030 feet back to the point of beginning, containing 0.13 acres, more or less.

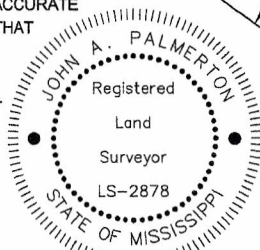


SCALE: 1"=60'

CERTIFICATE:

THIS IS TO CERTIFY THAT I, JOHN A. PALMERTON, A REGISTERED LAND SURVEYOR, HAVE CAUSED AN ACCURATE SURVEY OF THE PREMISES SHOWN HEREON, AND THAT SAID SURVEY IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF. WITNESS MY SIGNATURE THIS THE 17th DAY OF February 2014.

(Signature)
JOHN A. PALMERTON, MS. LS #2878
171 SUMAC DRIVE
MADISON, MS 39110



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REF: THE SOUTHEAST CORNER OF THE NORTHWEST 1/4 OF SECTION 28

SURVEY CLASS "B"-AS PER THE MINIMUM STANDARDS FOR LAND SURVEYING IN THE STATE OF MISSISSIPPI. 1/2" REBARS SET AT ALL CORNERS UNLESS OTHERWISE NOTED.

PLAT OF SURVEY FOR:

CONVEYANCE OF 0.13 ACRES ± OF DENIM WAY RIGHT OF WAY TO MCEDA

BEING A PART OF

SECTION 28, T-8-N, R-2-E, MADISON COUNTY, MS

1155 Battery Street
San Francisco, CA 94111

levistrauss.com

July 22, 2014

Madison County Economic Development Authority
c/o Andy Clark
Law Offices of Andy Clark, PLLC
359 Industrial Drive South
Madison, MS 39110

Re: Amendment of Plat of Central Mississippi Industrial Center Right of Way Plat,
recorded in the Office of the Chancery Clerk of Madison County, Mississippi, in
Plat Cabinet C-Slides 172-73

Dear Sirs:

Levi-Strauss & Co., the owner of land within the Central Mississippi Industrial Center, consents to the amendment of the above-described plat to (a)) add the 0.09 acre parcel shown on Exhibit A hereto to the right of way of Denim Drive, and (b) remove the 0.13 acre parcel shown on Exhibit B hereto from the right of way of Denim Drive.

We understand that you may file this letter with the Board of Supervisors of Madison County, Mississippi, in connection with filing a petition to amend the plat.

Yours truly,

LEVIS STRAUSS & CO.

By: *Stephan Dunlop*

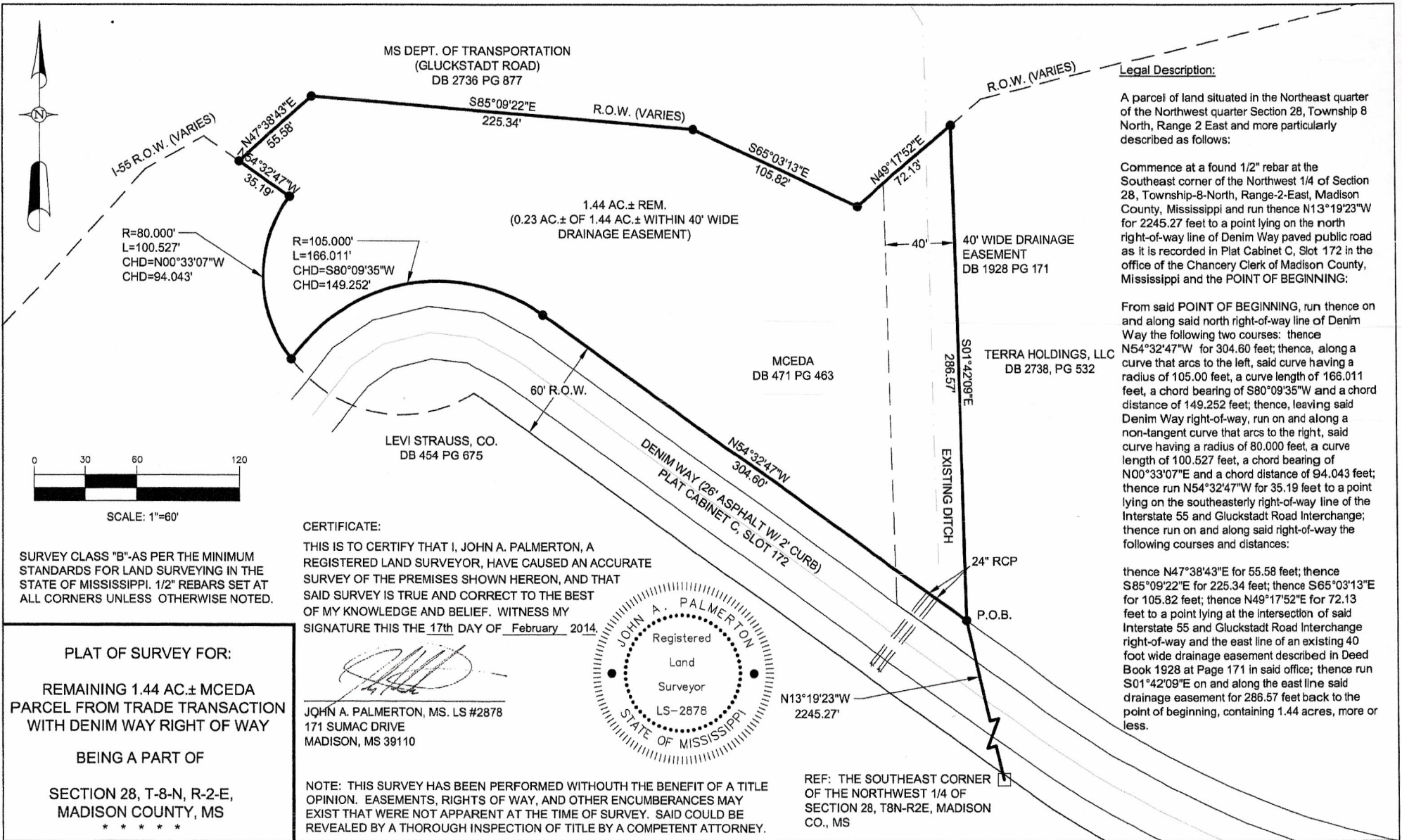
Its: *Senior Real Estate Manager*

Date: *July 22*, 2014

EXHIBIT "C"

LEVI'S®
DOCKERS®
DENIZEN™

LEVI STRAUSS & CO.



Legal Description:

A parcel of land situated in the Northeast quarter of the Northwest quarter Section 28, Township 8 North, Range 2 East and more particularly described as follows:

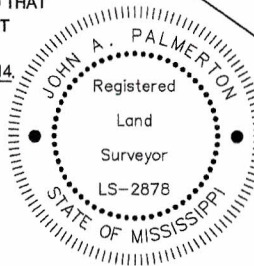
Commence at a found 1/2" rebar at the Southeast corner of the Northwest 1/4 of Section 28, Township-8-North, Range-2-East, Madison County, Mississippi and run thence N13°19'23"W for 2245.27 feet to a point lying on the north right-of-way line of Denim Way paved public road as it is recorded in Plat Cabinet C, Slot 172 in the office of the Chancery Clerk of Madison County, Mississippi and the POINT OF BEGINNING:

From said POINT OF BEGINNING, run thence on and along said north right-of-way line of Denim Way the following two courses: thence N54°32'47"W for 304.60 feet; thence, along a curve that arcs to the left, said curve having a radius of 105.00 feet, a curve length of 166.011 feet, a chord bearing of S80°09'35"W and a chord distance of 149.252 feet; thence, leaving said Denim Way right-of-way, run on and along a non-tangent curve that arcs to the right, said curve having a radius of 80.000 feet, a curve length of 100.527 feet, a chord bearing of N00°33'07"E and a chord distance of 94.043 feet; thence run N54°32'47"W for 35.19 feet to a point lying on the southeasterly right-of-way line of the Interstate 55 and Gluckstadt Road Interchange; thence run on and along said right-of-way the following courses and distances:

thence N47°38'43"E for 55.58 feet; thence S85°09'22"E for 225.34 feet; thence S65°03'13"E for 105.82 feet; thence N49°17'52"E for 72.13 feet to a point lying at the intersection of said Interstate 55 and Gluckstadt Road Interchange right-of-way and the east line of an existing 40 foot wide drainage easement described in Deed Book 1928 at Page 171 in said office; thence run S01°42'09"E on and along the east line said drainage easement for 286.57 feet back to the point of beginning, containing 1.44 acres, more or less.

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SURVEY CLASS "B"-AS PER THE MINIMUM STANDARDS FOR LAND SURVEYING IN THE STATE OF MISSISSIPPI. 1/2" REBARs SET AT ALL CORNERS UNLESS OTHERWISE NOTED.

PLAT OF SURVEY FOR:
 REMAINING 1.44 AC.± MCEDA PARCEL FROM TRADE TRANSACTION WITH DENIM WAY RIGHT OF WAY
 BEING A PART OF
 SECTION 28, T-8-N, R-2-E, MADISON COUNTY, MS
 * * * * *