

PETITION FOR REZONING – MADISON COUNTY, MISSISSIPPI

Date: January 26, 2015

Applicant's Name: KEDD, LLC

Mailing Address: 385-B Highland Colony Parkway,
Suite 404
Ridgeland, MS 39157

Present Zoning Classification of Property: R1

Proposed Zoning Classification of Property: C1

Legal Description of Property:

A PARCEL OF LAND CONTAINING 6.82 ACRES (297,264.92 SQUARE FEET), MORE OR LESS, BEING SITUATED IN THE SOUTHWEST 1/4 OF SECTION 32, TOWNSHIP 8 NORTH, RANGE 2 EAST, MADISON COUNTY, MISSISSIPPI, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCE AT A FOUND IRON PIPE MARKING THE SOUTHWEST CORNER OF SECTION 32, TOWNSHIP 8 NORTH, RANGE 2 EAST, MADISON COUNTY, MISSISSIPPI, SAID PIPE ALSO BEING THE POINT OF BEGINNING FOR THE PARCEL HEREIN DESCRIBED; FROM SAID POINT OF BEGINNING, RUN N00°08'58"E FOR A DISTANCE OF 1167.74 FEET TO THE CENTERLINE OF BEAR CREEK; THENCE RUN ALONG SAID CENTERLINE THE FOLLOWING CALLS AND DISTANCES: S65°14'07"E FOR A DISTANCE OF 61.30 FEET; S40°58'31"E FOR A DISTANCE OF 51.45 FEET; S07°30'14"E FOR A DISTANCE OF 70.64 FEET; S13°56'38"E FOR A DISTANCE OF 81.95 FEET; S53°06'19"E FOR A DISTANCE OF 165.87 FEET; S58°08'13"E FOR A DISTANCE OF 62.43 FEET; THENCE LEAVE SAID CENTERLINE OF BEAR CREEK AND RUN S00°03'45"W FOR A DISTANCE OF 820.56 FEET; THENCE S89°53'50"W FOR A DISTANCE OF 306.20 FEET TO THE POINT OF BEGINNING.

This petition for re-zoning is for a 6.82 acre parcel of land east of the existing Sorrento Office buildings and parking lots on the Galleria Parkway. KEDD, LLC currently has a contract to purchase the 6.82 parcel of land and has been authorized by the record owner to request an amendment to the Official Zoning Map from Residential Estate District (R-1) to General Commercial District (C-1). The amendment will allow KEDD, LLC, whose owners have ownership interests in the Sorrento I and Sorrento II office buildings, to construct an additional parking lot to add 661 parking spaces to the Sorrento office complex. The parking lot has been designed by McCarty-Granberry Engineering, as shown on the attached Site Plan, to meet all Madison County Development requirements.

The adjoining property to the west of the proposed site, the Sorrento Office building complex, is zoned C-1, the property adjoining to the north, undeveloped property owned by St. Dominic

Health Services, Inc., is zoned C-2. The properties adjoining to the east and south are undeveloped and zoned R-1 and PUD, respectively (see attached ownership map). The *character of this neighborhood* has changed through the development and construction of the Galleria Parkway and the Sorrento I and Sorrento II office buildings. These developments have caused an increase of commercial activity in this area and this 6.82 acre parcel of a C-1 zoned parking lot would fit the character of the neighborhood as it has developed and changed. Further justification for the County's intended commercial use for this property is shown in the Madison County Land Use and Thoroughfares Plan – see attached. The Land Use plan includes this parcel in a Low Intensity Commercial zone, which would include a parking lot for office buildings.

The *Public Need* for this Official Zoning Map Amendment is evidenced by the high occupancy level of the Sorrento I and Sorrento II office buildings. The current parking shortage at these buildings is leading to over-crowding in the existing parking lot and limiting the amount of Madison county residents and out-of-county residents that can serve and be served in Madison County.

The approval of this Official Zoning Map Amendment will enable this area to continue to grow and further meet the needs of the citizens of Madison County and its surrounding areas.

Respectfully,



Brock Maples

Brock Maples, PLLC
Brock.Maples@gmail.com
601.573.6588

- Attachments: (1) Land owner authorization to submit Re-zoning Petition
(2) Survey with flood hazard areas shown
(3) Warranty Deed for subject property
(4) Site Plan
(5) Madison County Zoning Map
(6) City of Madison Zoning Map
(7) Adjacent Landowner information
(8) Madison County Land Use & Thoroughfares Plan

January 27, 2015

Scott Weeks
Madison County Zoning Administrator
125 West North Street
Canton, Mississippi 39046

RE: PERMISSION TO RE-ZONE PARCEL TO C-1 COMMERCIAL

Dear Mr. Weeks,

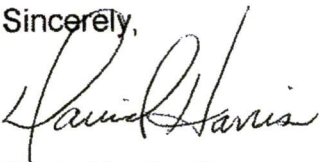
I am David Harris and currently have a contract to purchase real estate from KEDD, LLC the Buyer and me the Seller.

KEDD, LLC has requested a zoning change for this parcel under contract. I am authorizing the re-zoning for the benefit of the Buyer, KEDD, LLC. In an effort for clarity, I have enclosed the survey and legal description of the property being re-zoned.

Mr. John Granberry, P.E. will be presenting all needed information to your office in order to complete the re-zoning process.

I appreciate your help with this re-zoning.

Sincerely,



David Harris, Sr.
P.O. Box 2187
Madison, Mississippi 39130
Phone: (601) 594-5855

Enclosure

THIS IS A CLASS "B" SURVEY ACCORDING TO THE "STANDARDS OF PRACTICE FOR SURVEYING" IN THE STATE OF MISSISSIPPI, ESTABLISHED BY THE AUTHORITY OF SECTION 73-13-15(f), MISSISSIPPI CODE OF 1972 AS AMENDED.

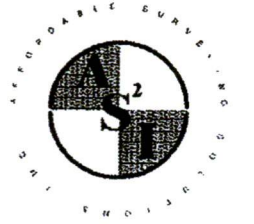
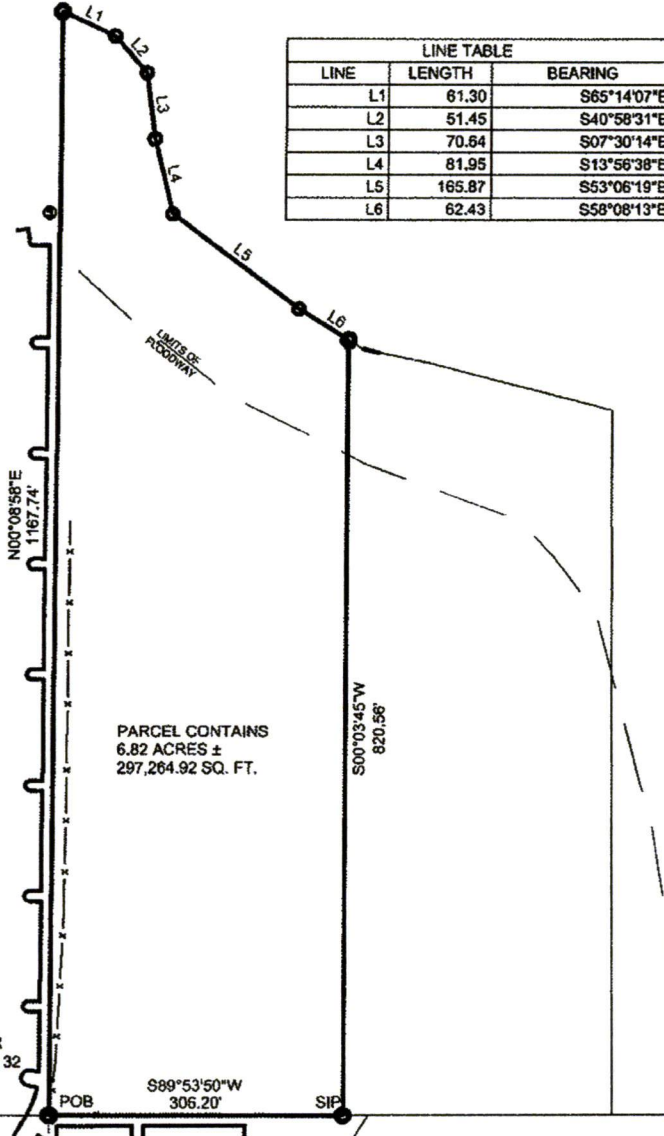
ONLY VISIBLE UTILITIES ARE SHOWN ON THIS PLAT.

REFERENCE MERIDIAN - TRUE NORTH BASED ON FOUND MONUMENTS.

○ INDICATES 1/2" X 18" FERROUS METAL ROD @ PROPERTY CORNERS. FIP INDICATES FOUND IRON PIN. SIP INDICATES SET IRON PIN.

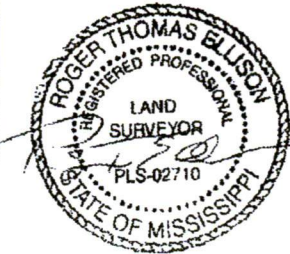
A CURRENT TITLE REPORT WAS NOT FURNISHED TO US FOR OUR USE IN PREPARING THIS SURVEY. THEREFORE, THERE MAY BE ADDITIONAL EASEMENTS, AND / OR SERVITUDES EFFECTING THIS PROPERTY WHICH ARE NOT SHOWN ON THIS SURVEY.

SURVEY IS VALID ONLY IF PRINT HAS ORIGINAL SIGNATURE AND SEAL OF SURVEYOR PRESENT.



452 HOLLY HEDGE DRIVE
MADISON, MS 39110
CELL (601)964-3785
romans58@comcast.net

I, Roger T. Ellison, P.L.S., do hereby certify that the survey shown hereon was performed under my supervision, and that the features depicted on this plat are a correct representation of conditions as they existed on 12/29/14, to the best of my knowledge and belief.



Roger T. Ellison, P.L.S. # 2710

SURVEY SHOWING:
CERTAIN PROPERTIES
SITUATED IN SW 1/4 SECTION 32,
T-8-N, R-2-E,
MADISON COUNTY, MS

DRAWN BY: DME	DATE: 12/29/14 REV: 01/17/15	SURVEY CLASS: B
CHECKED BY: RTE	SCALE: 1" = 150'	JOB #: 153-15-14

RTE

PREPARED BY & RETURN TO:

Sean Wesley Ellis (MSB 8550)
YoungWilliams P.A.
P.O. Box 23059
Jackson, Mississippi 39225-3059
(601) 948-6100

INDEXING INSTRUCTIONS:

SW ¼
Section 32, Township 8 North, Range 2
East
Madison County, Mississippi

306-12



WARRANTY DEED

FOR AND IN CONSIDERATION of the sum of Ten Dollars (\$10.00) cash in hand paid, and other good and valuable consideration, the receipt and sufficiency of all of which are hereby acknowledged, **ARTHUR A. PHILLIPS** and **GERALDINE W. PHILLIPS**, whose address and telephone number are 567 Countryside Place, Madison, Mississippi 39110-8393, (601) 856-6205, (hereinafter referred to as "Grantors") do hereby sell, convey and warrant unto **LELAND DAVID HARRIS, TRUSTEE**, of the **ARTHUR A. PHILLIPS REVOCABLE LAND TRUST, DATED MAY 10, 2011**, whose address and telephone number are 102 Chantilly Drive, Madison, Mississippi 39110-8411, (601) 853-0897, (hereinafter referred to as "Grantee"), the following described property of the Grantors located and situated in Madison County, Mississippi, more particularly described as follows, to-wit:

All that part of the West half (W ½) of the Southwest Quarter (SW ¼) that lies South of Bear Creek, in Section thirty-two (32), Township eight (8) North, Range two (2) East, Madison County, Mississippi.

LESS AND EXCEPT any portion of the following property which is located in the W ½ SW ¼, South of Bear Creek in Section 32, Township 8 North, Range 2 East, Madison County, Mississippi:

Commence at a 2" pipe marking the Southwest corner of the SE ¼ of the SW ¼ of Section 32, Township 8 North, Range 2 East, Madison County, Mississippi, and from this point run thence Easterly along the line between Section 32 and Section 5 for 660.0 feet to a point; run thence right thru a deflection angle of 90°51' and run Southerly along a fence line marking the line between the East ½ and West ½ of the NE ¼ of the NW ¼ of Section 5, for 655.0 feet to a point; turn thence right thru a deflection angle of 89°09' and run Westerly for 545.0 feet to a point; turn thence right thru a deflection angle of 90°51' and run Northerly for 250.0 feet to a point; turn thence left thru a deflection angle of 90°51' and run Westerly for 611.0 feet to a point; turn thence right thru a deflection angle of 76°45' and run Northwesterly for 235.3 feet to a point; turn thence right thru a deflection angle of 31°39' and run Northeasterly for 238.6 feet to a point; turn thence left thru a deflection angle of 108°24' and run thence Westerly for 296.7 feet to a point; turn thence 90°00' right and run Northerly for 659.3 feet to the centerline of Bear Creek; turn thence right thru a deflection angle of 101°08' and run Southeasterly along the centerline of Bear Creek for 289.5 feet to a point; turn thence right thru a deflection angle of 6°27' and run Southeasterly along the centerline of Bear Creek for 209.6 feet to a point; turn thence left thru a deflection angle of 4°38' and run Southeasterly along the centerline of Bear Creek for 300.2 feet to a point on the line between the East - ½ and West - ½ of the SW ¼ of said Section 32; turn thence right thru a deflection angle of 77°03' and run Southerly along said ¼ Section line for 523.4 feet to the point of beginning.

The above described property lying and being situated in the SW ¼ of Section 32, Township 8 North, Range 2 East and in the NW ¼ of Section 5, Township 7 North, Range 2 East,

Madison County, Mississippi, and containing 24.85 acres,
more or less.

The warranty of this conveyance is subject to any and all prior protective
covenants, oil, gas and mineral severances or leases or reservations, easements and/or
rights of way or governmental ordinances or regulations of record among the Madison
County Land Records affecting the subject property.

The subject property is not part of the homestead of the Grantors.

This instrument was prepared without the benefit of a survey or title exam.

WITNESS OUR SIGNATURES, this the 10th day of May, 2011.

GRANTORS:

Arthur A. Phillips
Arthur A. Phillips

Geraldine W. Phillips
Geraldine W. Phillips

STATE OF MISSISSIPPI
COUNTY OF MADISON

Personally appeared before me, the undersigned authority in and for the said
county and state, on this 10th day of May, 2011, within my jurisdiction, the within named
ARTHUR A. PHILLIPS, who acknowledged that he executed the above and foregoing
instrument.



Ken Self
Notary Public

My Commission Expires: 11-26-2013

STATE OF MISSISSIPPI
COUNTY OF MADISON

Personally appeared before me, the undersigned authority in and for the said county and state, on this 10th day of May, 2011, within my jurisdiction, the within named **GERALDINE W. PHILLIPS**, who acknowledged that she executed the above and foregoing instrument.



Notary Public

My Commission Expires:

11-26-2013



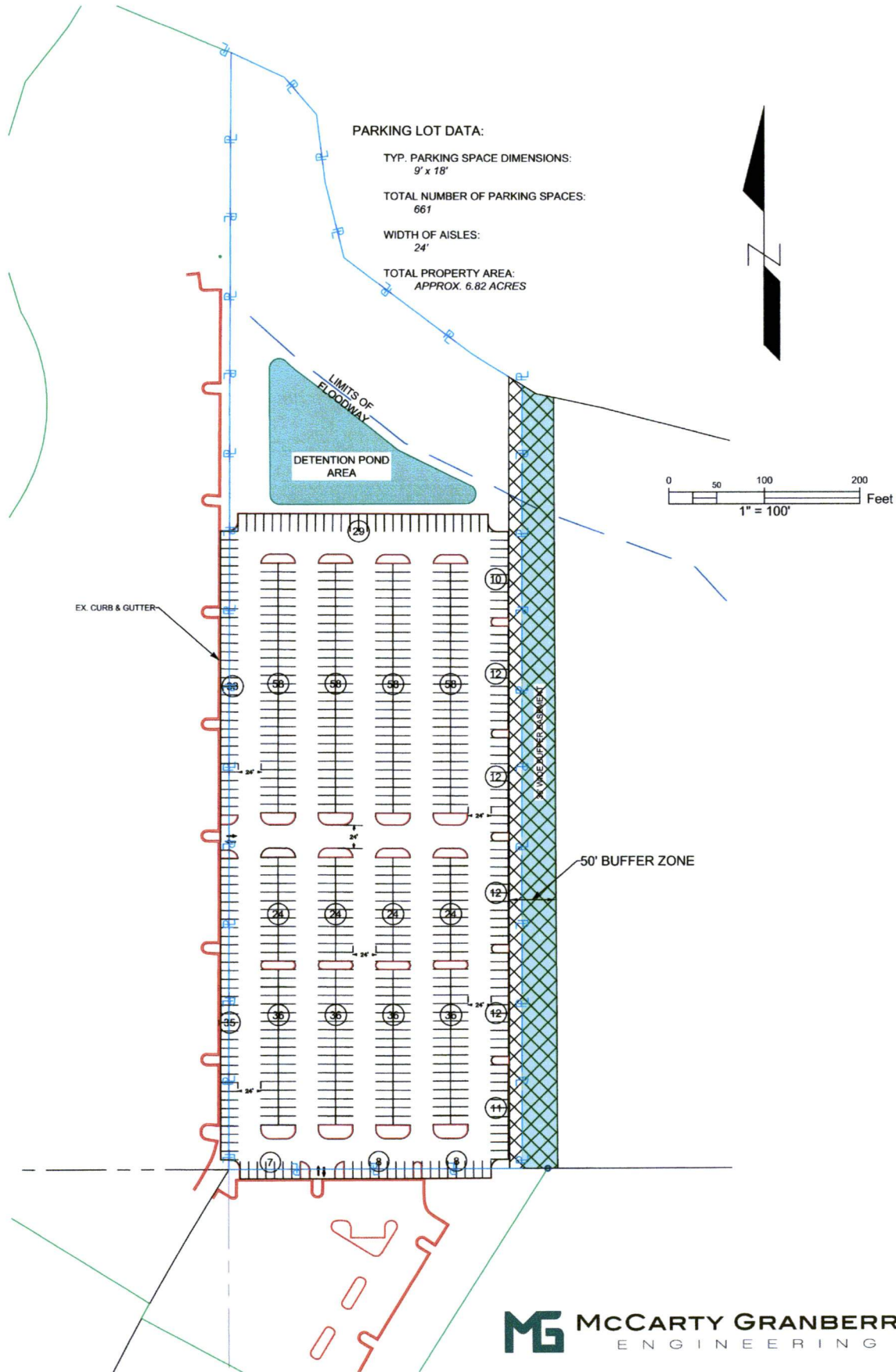
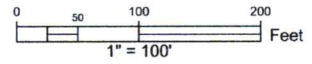
PARKING LOT DATA:

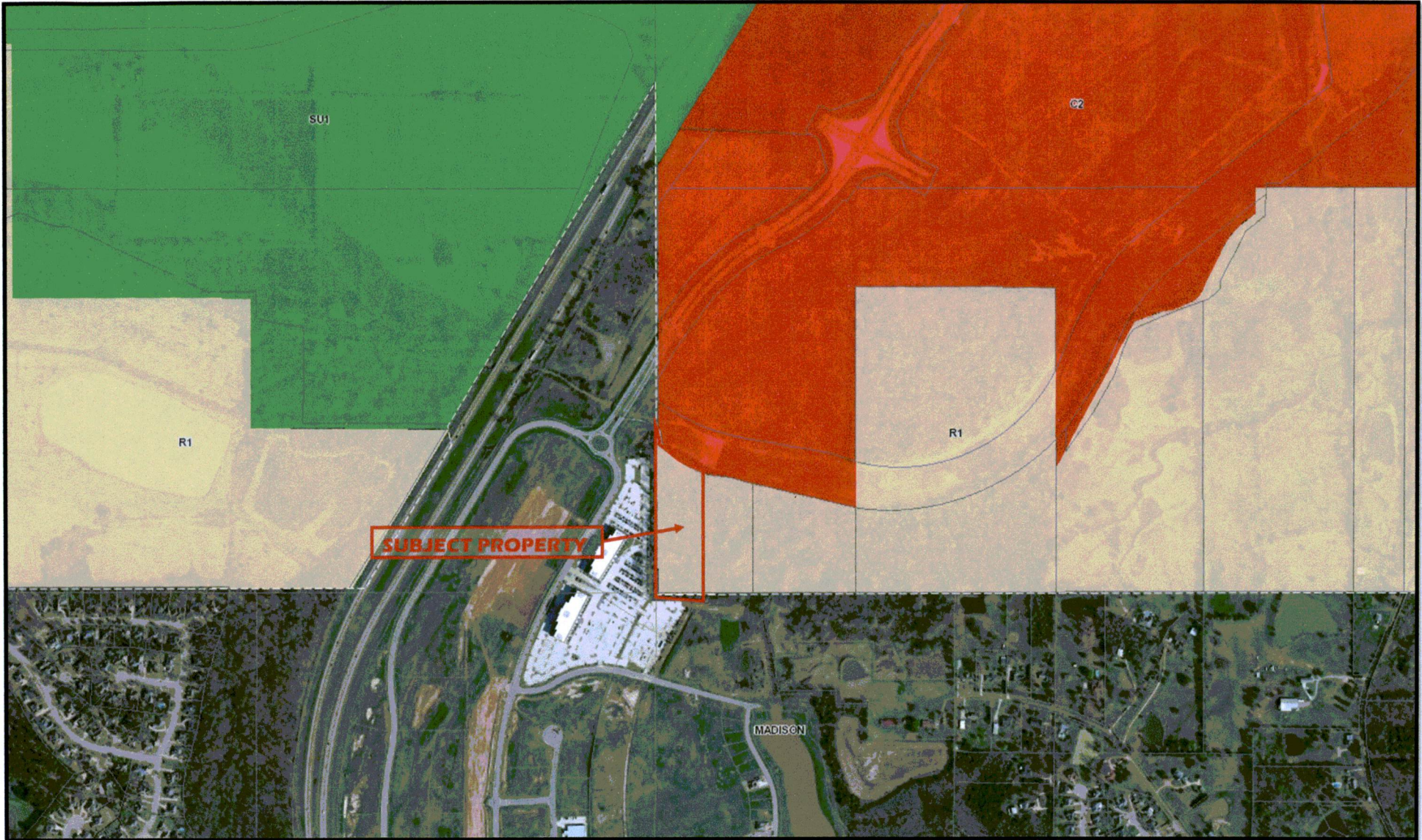
TYP. PARKING SPACE DIMENSIONS:
9' x 18'

TOTAL NUMBER OF PARKING SPACES:
661

WIDTH OF AISLES:
24'

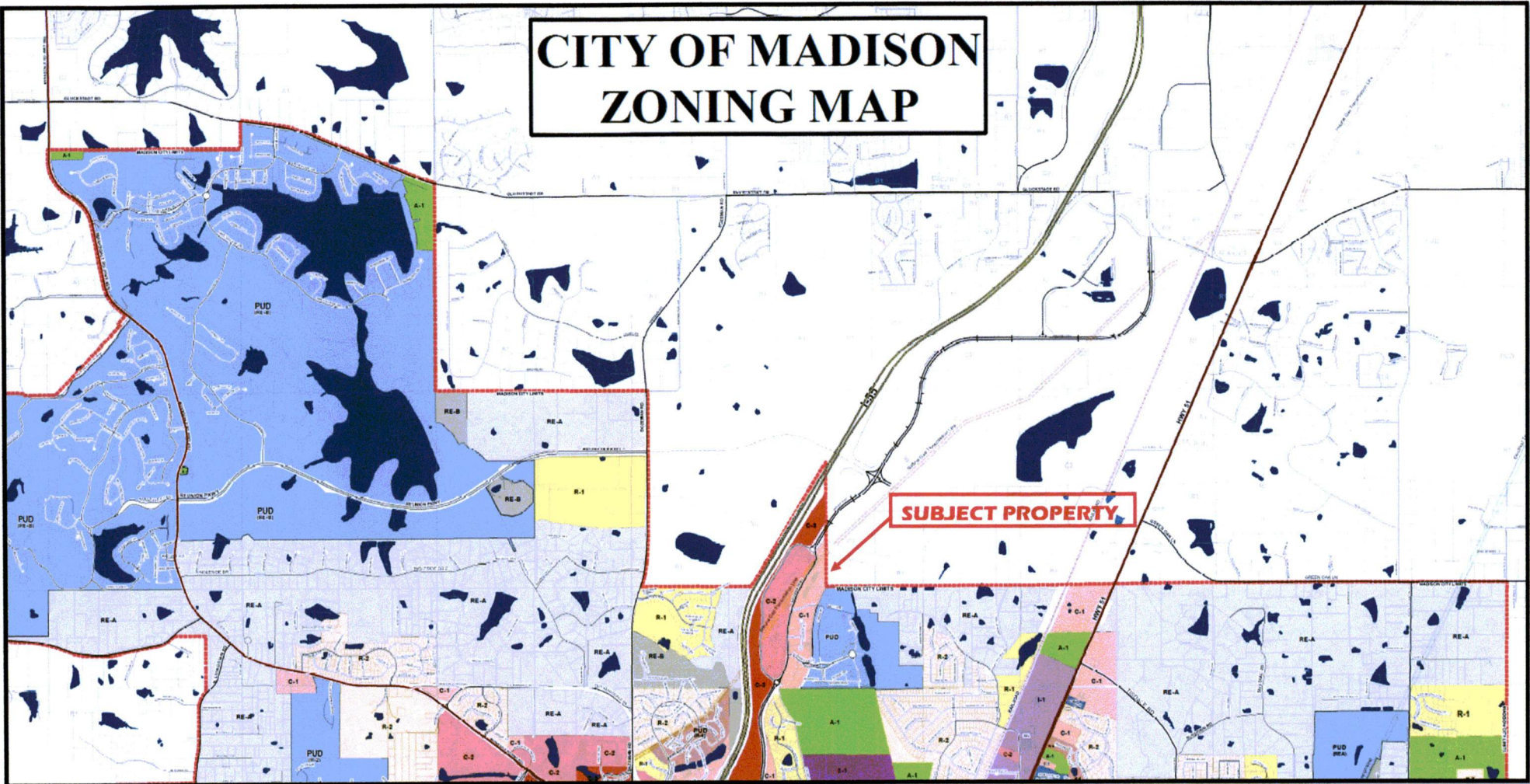
TOTAL PROPERTY AREA:
APPROX. 6.82 ACRES



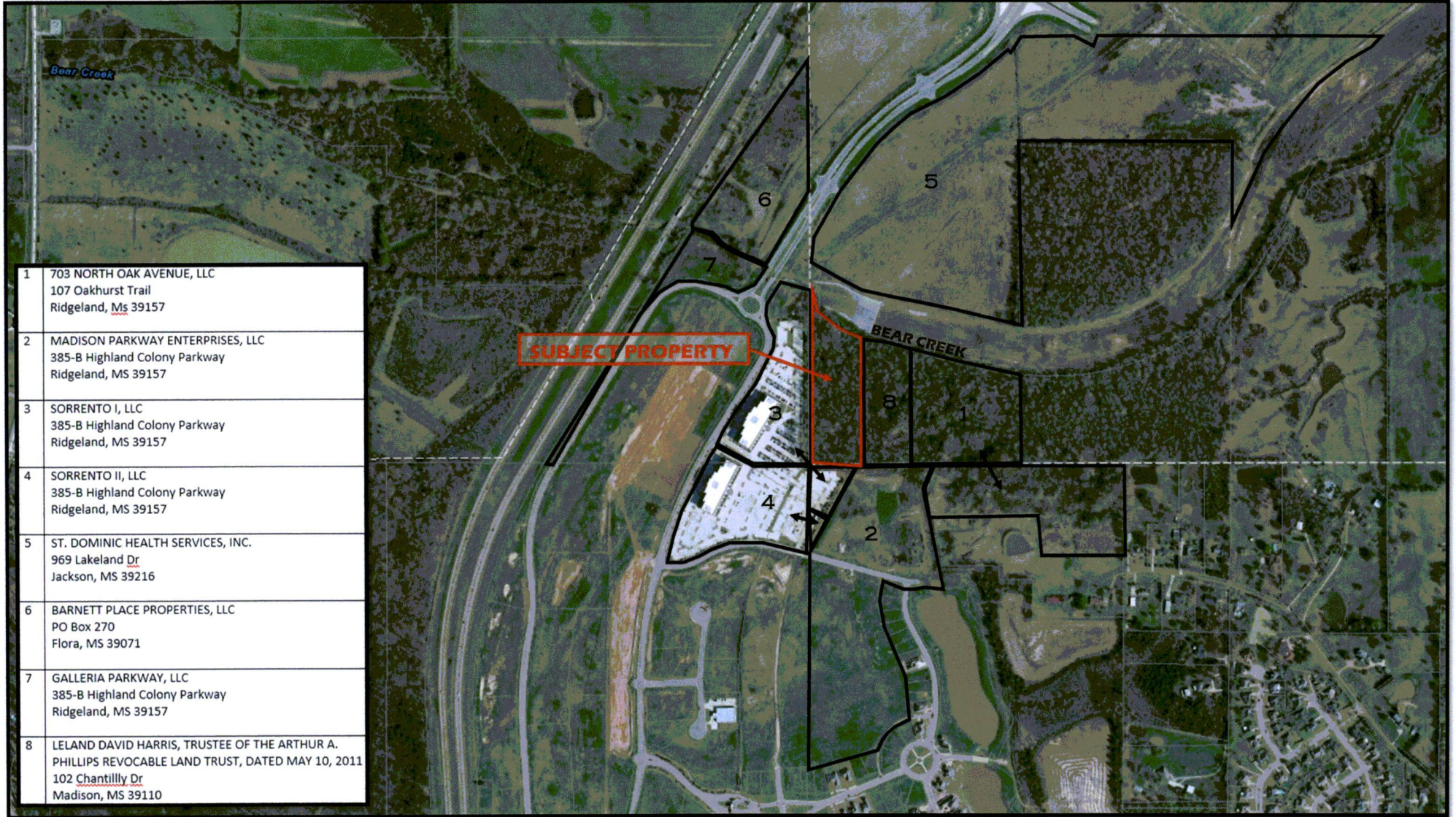


**SORRENTO – PROPOSED PARKING LOT EXPANSION
MADISON COUNTY ZONING MAP**

CITY OF MADISON ZONING MAP



**SORRENTO – PROPOSED PARKING LOT EXPANSION
CITY OF MADISON ZONING MAP**

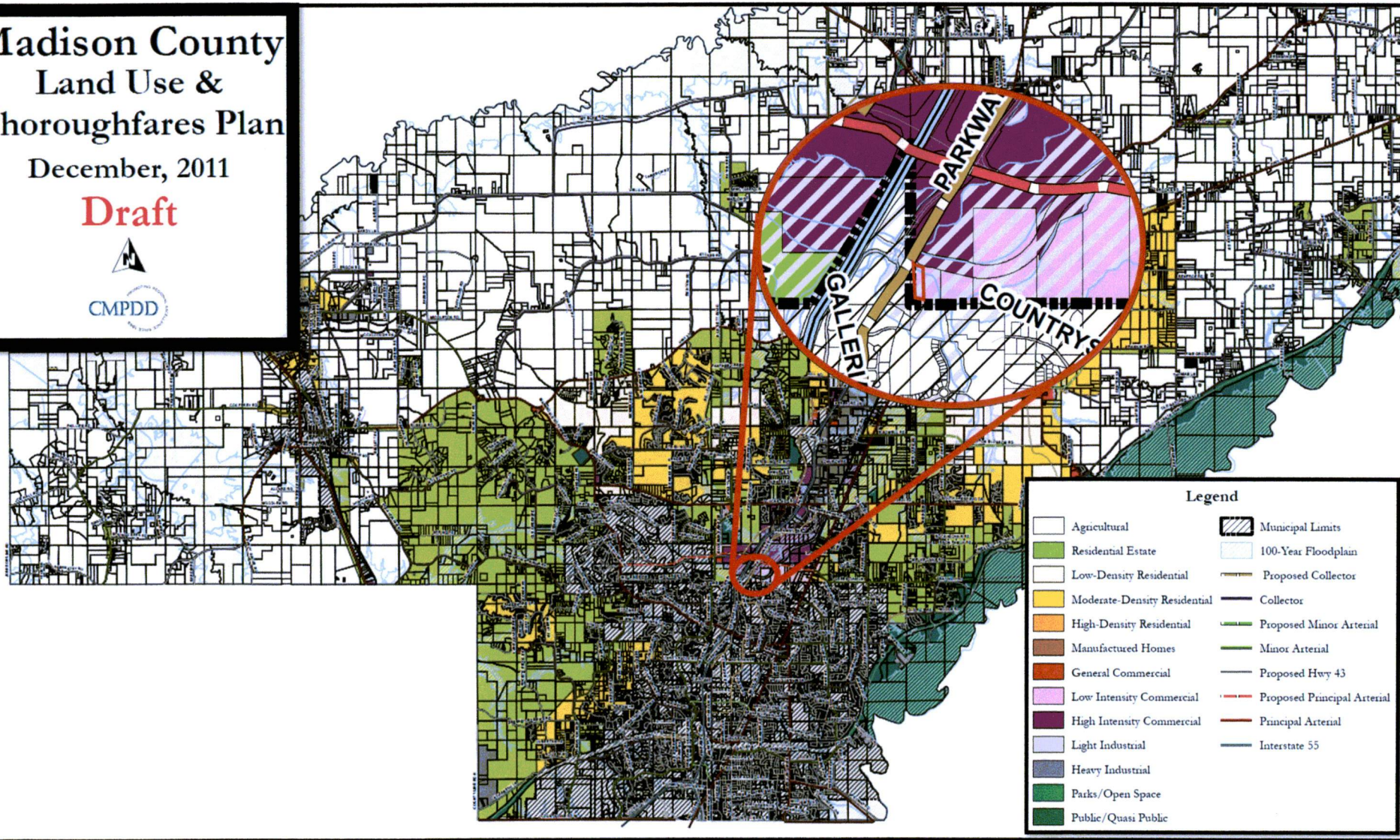


**SORRENTO – PROPOSED PARKING LOT EXPANSION
ADJACENT LAND OWNERS**

Madison County Land Use & Thoroughfares Plan

December, 2011

Draft



**SORRENTO – PROPOSED PARKING LOT EXPANSION
LAND USE: LOW INTENSITY COMMERCIAL**