

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

IN THE MATTER OF REZONING OF
CERTAIN LAND SITUATED IN SECTION 11
TOWNSHIP 8 NORTH, RANGE 2 EAST
MADISON COUNTY, MISSISSIPPI

PETITIONER:

Phoenix Development Company, LLC

PETITION TO REZONE AND RECLASSIFY REAL PROPERTY

Comes now Phoenix Development Company, LLC, owner of the hereinafter described land and property, and files this petition with the Board of Supervisors of Madison County, Mississippi, to rezone and reclassify a tract or parcel of land situated in Section 11 Township 8N, Range 2E, Madison County, Mississippi, more particularly described as follows, to-wit:

SEE EXHIBIT A

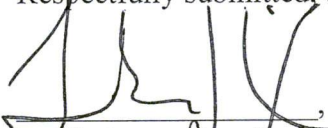
from its present Zoning District Classification of R-1 District to a C-2 District, in support thereof would respectfully show as follows, to-wit:

1. The subject property consists of 14.43 acres.
2. The zoning proposed (is) is not in compliance with the adopted Land Use and Transportation Plan of Madison County, but is the highest and best use.
3. List of changes or conditions that support rezoning:
 - a.) Frontage on Highway 51
 - b.) Properties directly across the highway is zoned C-2 and currently has active business on the properties.
 - c.) There are no residential dwellings on any adjacent and/or joining properties.

SEE EXHIBIT B

WHEREFORE, PREMISES CONSIDERED, Petitioners respectfully request that this petition be received, and after due consideration, the Board of Supervisors of Madison County will enter an order amending the land use plan to reflect C-2 zoning, and reclassifying this property from its present R-1 District classification to a C-2 District.

Respectfully submitted, this the 20th day of March, 2015.


Owner - Phoenix Development, Petitioner

Utilities Verified For Subject Property

Centerpoint Gas

Entergy

Bear Creek Water

Approved septic sewer system needed

AT&T

Comcast cable and internet

Specific Use Subject Property

5 to 7 acres of the subject property will be used as an asphalted parking lot fenced with a 10 foot cyclone fence (screened) and one metal building to be used as a mechanics shop.

INDEXING INSTRUCTIONS: 13.53 ACRES +/- IN THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 11, TOWNSHIP 8 NORTH, RANGE 2 EAST, MADISON COUNTY, MISSISSIPPI

WARRANTY DEED

STATE OF MISSISSIPPI
COUNTY OF MADISON

FOR AND IN CONSIDERATION of the sum of Ten Dollars (\$10.00), and other good and valuable consideration, the receipt and sufficiency of all of which is hereby acknowledged JAMES MORRIS and MORRIS GRAY, Grantors, do hereby sell, convey and warrant unto PHOENIX DEVELOPMENT COMPANY, LLC, Grantee, the following described property situated in the County of Madison, State of Mississippi, being more particularly described as follows, to-wit:

See Exhibit "A" attached hereto and incorporated herein by reference.

THIS CONVEYANCE is made subject to any and all recorded building restrictions, rights of way, easements, protective covenants and mineral reservations applicable to the above described property.

Taxes for the current year have been prorated as of this date on an estimated basis. When said taxes are actually determined, if the proration as of this date is incorrect, Grantors agree to pay unto Grantee or its assigns any deficit on an actual proration, and likewise Grantee agrees to pay unto Grantors or their assigns any amount overpaid by it.

WITNESS THE SIGNATURE OF THE UNDERSIGNED, this the 11th day of September, 2007.

James Morris
JAMES MORRIS

Morris Gray
MORRIS GRAY

STATE OF MISSISSIPPI
COUNTY OF RANKIN

PERSONALLY appeared before me, the undersigned authority in and for the jurisdiction aforesaid, the within named JAMES MORRIS, who acknowledged to me that he signed and delivered the above and foregoing instrument of writing on the day and year therein mentioned.

GIVEN UNDER MY HAND AND OFFICIAL SEAL OF OFFICE, this the 11th day of September, 2007.



Notary Public State of Mississippi
At Large
My Commission Expires
January 10, 2011
NOTARY PUBLIC
BONDED THRU
HERDEN, BROOKS & GARLAND, INC.

MY COMMISSION EXPIRES:

STATE OF MISSISSIPPI
COUNTY OF RANKIN

PERSONALLY appeared before me, the undersigned authority in and for the jurisdiction aforesaid, the within named MORRIS GRAY, who acknowledged to me that he signed and delivered the above and foregoing instrument of writing on the day and year therein mentioned.

GIVEN UNDER MY HAND AND OFFICIAL SEAL OF OFFICE, this the 11th day of September, 2007.

Heather L. Sutton
NOTARY PUBLIC

MY COMMISSION EXPIRES



GRANTORS' ADDRESS:

James Morris

3155 Louis Wilson Drive
Brandon, MS 39042
Telephone: 601.825.4486

GRANTEE'S ADDRESS:
165 Butler Dr.
Ridgeland, MS 39157
Telephone: 601-354-5400

Morris Gray

544 Daniel Lane
Brandon, MS 39042
Telephone: 601.939.9483

PREPARED BY:

MARK C. BAKER, SR., (MSB #1717)
BAKER LAW FIRM, P.C.
306 Maxey Drive, Suite D
Post Office Box 947
Brandon, MS 39043
Telephone (601) 824-7455
Facsimile (601) 824-7456

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**DESCRIPTION
FOR
13.53 ACRES**

A TRACT OR PARCEL OF LAND CONTAINING **13.53 ACRES**, MORE OR LESS, LYING AND BEING SITUATED IN THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 11, T8N-R2E, MADISON COUNTY, MISSISSIPPI. AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A FOUND CONCRETE MONUMENT MARKING THE SOUTHWEST CORNER OF SAID SECTION 11: RUN THENCE

NORTH FOR A DISTANCE OF 667.83 FEET; THENCE

EAST FOR A DISTANCE OF 1692.21 FEET TO A FOUND IRON PIN ON THE EAST RIGHT-OF-WAY OF U.S. HIGHWAY NO. 51 AND THE **POINT OF BEGINNING** OF THE HEREIN DESCRIBED PROPERTY: THENCE

NORTH 23 DEGREES 45 MINUTES 27 SECONDS EAST ALONG THE SAID EAST RIGHT-OF-WAY FOR A DISTANCE OF 382.50 FEET: THENCE

SOUTH 66 DEGREES 14 MINUTES 31 SECONDS EAST ALONG THE SAID EAST RIGHT-OF-WAY OF U.S. HIGHWAY NO. 51 FOR A DISTANCE OF 60.00 FEET TO A FOUND CONCRETE RIGHT-OF-WAY MONUMENT: THENCE

NORTH 23 DEGREES 45 MINUTES 27 SECONDS EAST ALONG SAID EAST RIGHT-OF-WAY OF U.S. HIGHWAY NO. 51 FOR A DISTANCE OF 349.97 FEET TO A SET 1/2 INCH IRON PIN ON THE NORTH LINE OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 11: THENCE

SOUTH 89 DEGREES 50 MINUTES 00 SECONDS EAST ALONG THE SAID NORTH LINE FOR A DISTANCE OF 589.53 FEET TO A POINT ON THE EAST LINE OF THE SAID SOUTHWEST 1/4: THENCE

SOUTH ALONG THE SAID EAST LINE OF THE SOUTHWEST 1/4 FOR A DISTANCE OF 846.22 FEET TO A SET 1/2 INCH IRON PIN ON THE NORTH LINE OF THE EDWARD L. LEWIS PROPERTY AS RECORDED IN DEED BOOK 308, PAGE 115 IN THE OFFICE OF THE CHANCERY CLERK OF MADISON COUNTY, MISSISSIPPI; THENCE

NORTH 77 DEGREES 53 MINUTES 00 SECONDS WEST ALONG A FENCE LINE, MORE OF LESS,
AND THE SAID NORTH LINE OF THE LEWIS PROPERTY FOR A DISTANCE OF 960.94 FEET TO
THE POINT OF BEGINNING.

C:\Documents and Settings\MEwer\My Documents\G-4704\13 53 ACRES.wpd
3/23/05

Prepared by
Guest Consultants, Inc
Consulting Engineers - Surveyors
26 Eastgate Drive, Suite C
Brandon, MS 39042
P O Box 1225
Brandon, MS 39043
(601)825-8341

MADISON COUNTY MS This instrument was
filed for record September 12, 2007, at 8:00 A.M.

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ARTHUR JOHNSTON, C. C.

BY: [Signature] D.C.



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INDEXING INSTRUCTIONS: 0.92 ACRES +/- IN THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 AND THE NORTHWEST 1/4 OF THE SOUTHEAST 1/4 AND THE SOUTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 11, TOWNSHIP 8 NORTH, RANGE 2 EAST, MADISON COUNTY, MISSISSIPPI

QUITCLAIM DEED

STATE OF MISSISSIPPI
COUNTY OF MADISON

FOR AND IN CONSIDERATION of the sum of Ten and No/100 Dollars (\$10.00), cash in hand paid, and other good and valuable considerations, the receipt and sufficiency of all of which is hereby acknowledged, We, JAMES MORRIS and MORRIS GRAY, GRANTORS, do hereby transfer, sell, convey and quitclaim unto PHOENIX DEVELOPMENT COMPANY, LLC, GRANTEE, all of our right, title and interest in and to the following described real property situated in the State of Mississippi, County of Madison, and being more particularly described as follows, to wit:

See description attached as Exhibit "A".

WITNESS MY SIGNATURE, this the 11th day of September, 2007.



JAMES MORRIS

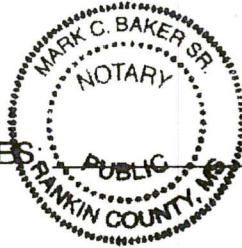


MORRIS GRAY

STATE OF MISSISSIPPI
COUNTY OF RANKIN

PERSONALLY CAME AND APPEARED BEFORE ME, the undersigned authority in and for the jurisdiction aforesaid, the within named JAMES MORRIS, who acknowledged to me that he signed and delivered the above and foregoing instrument of writing on the day and year therein mentioned.

GIVEN UNDER MY HAND AND OFFICIAL SEAL OF OFFICE, this the 11th day of September, 2007.



[Signature]
Notary Public, State of Mississippi
At Large
NOTARY PUBLIC
My Commission Expires
January 18, 2010
BONDED THRU
HEIDEN, BROOKS & GARLAND, INC.

MY COMMISSION EXPIRES

STATE OF MISSISSIPPI
COUNTY OF MADISON

PERSONALLY CAME AND APPEARED BEFORE ME, the undersigned authority in and for the jurisdiction aforesaid, the within named MORRIS GRAY, who acknowledged to me that he signed and delivered the above and foregoing instrument of writing on the day and year therein mentioned.

GIVEN UNDER MY HAND AND OFFICIAL SEAL OF OFFICE, this the 11th day of September, 2007.



Heather L. Sutton
NOTARY PUBLIC

MY COMMISSION EXPIRES

GRANTORS' ADDRESS:

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Telephone: 601.825.4486

Morris Gray

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PREPARED BY:

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Telephone (601) 824-7455
Facsimile (601) 824-7456

12-1311
E

GRANTEE'S ADDRESS:

165 Butler Dr
Ridgeland, MS 39157
Telephone: 601-354-5400

**DESCRIPTION
FOR
QUIT CLAIM**

A TRACT OR PARCEL OF LAND CONTAINING **0.92 ACRES**, MORE OR LESS, LYING AND BEING SITUATED IN THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 AND THE NORTHWEST 1/4 OF THE SOUTHEAST 1/4 AND THE SOUTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 11, T8N-R2E, MADISON COUNTY, MISSISSIPPI, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A FOUND CONCRETE MONUMENT MARKING THE SOUTHWEST CORNER OF SAID SECTION 11: RUN THENCE

NORTH FOR A DISTANCE OF 667.83 FEET: THENCE

EAST FOR A DISTANCE OF 1692.21 FEET TO A FOUND IRON PIN ON THE EAST RIGHT-OF-WAY OF U.S. HIGHWAY NO. 51: THENCE

NORTH 23 DEGREES 45 MINUTES 27 SECONDS EAST ALONG THE SAID EAST RIGHT-OF-WAY FOR A DISTANCE OF 382.50 FEET: THENCE

SOUTH 66 DEGREES 14 MINUTES 33 SECONDS EAST ALONG THE SAID EAST RIGHT-OF-WAY OF U.S. HIGHWAY NO. 51 FOR A DISTANCE OF 60.00 FEET TO A FOUND CONCRETE RIGHT-OF-WAY MONUMENT: THENCE

NORTH 23 DEGREES 45 MINUTES 27 SECONDS EAST ALONG SAID EAST RIGHT-OF-WAY OF U.S. HIGHWAY NO. 51 FOR A DISTANCE OF 349.97 FEET TO A SET 1/2 INCH IRON PIN ON THE NORTH LINE OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 11 AND MARKING THE **POINT OF BEGINNING** OF THE HEREIN DESCRIBED PROPERTY; THENCE

NORTH 23 DEGREES 45 MINUTES 27 SECONDS EAST ALONG THE SAID EAST RIGHT-OF-WAY OF U.S. HIGHWAY NO. 51 FOR A DISTANCE OF 7.02 FEET TO A FENCE LINE: THENCE

NORTH 85 DEGREES 17 MINUTES 48 SECONDS EAST ALONG A FENCE LINE, MORE OR LESS, FOR A DISTANCE OF 388.53: THENCE

NORTH 85 DEGREES 35 MINUTES 13 SECONDS EAST ALONG A FENCE LINE, MORE OR LESS, FOR A DISTANCE OF 117.41 FEET: THENCE

NORTH 88 DEGREES 12 MINUTES 36 SECONDS EAST ALONG A FENCE LINE, MORE OR LESS, FOR A DISTANCE OF 110.11 FEET TO A FENCE CORNER: THENCE

SOUTH 00 DEGREES 42 MINUTES 29 SECONDS WEST ALONG A FENCE LINE, MORE OR LESS, FOR A DISTANCE OF 219.69 FEET: THENCE

SOUTH 01 DEGREES 11 MINUTES 37 SECONDS EAST ALONG A FENCE LINE, MORE OR LESS, FOR A DISTANCE OF 360.27 FEET: THENCE

SOUTH 05 DEGREES 36 MINUTES 30 SECONDS WEST ALONG A FENCE LINE, MORE OR LESS,
FOR A DISTANCE OF 320.66 FEET; THENCE

NORTH 77 DEGREES 53 MINUTES 00 SECONDS WEST FOR A DISTANCE OF 1.56 FEET TO A
POINT ON THE EAST LINE OF THE SOUTHWEST 1/4 OF SAID SECTION 11; THENCE

NORTH ALONG THE SAID EAST LINE OF THE SOUTHWEST 1/4 FOR A DISTANCE OF 846.22
FEET; THENCE

NORTH 89 DEGREES 50 MINUTES 00 SECONDS WEST ALONG THE NORTH LINE OF THE
SOUTH HALF OF THE SOUTHWEST 1/4 OF SAID SECTION 11 FOR A DISTANCE OF 589.53 FEET
TO THE **POINT OF BEGINNING.**

C:\Documents and Settings\MEwer\My Documents\G-4704\QUIT CLAIM
3/23/05
Prepared by
Guest Consultants, Inc
Consulting Engineers - Surveyors
26 Eastgate Drive, Suite C
Brandon, MS 39042
P O Box 1225
Brandon, MS 39043
(601)825-8341

MADISON COUNTY MS This instrument was
filed for record September 12, 2007, at 8:00 A.M.

Book 2237 Page 357
ARTHUR JOHNSTON, C. C.

BY:  D.C.



