

# JLT REALTY, INC.

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Real Estate  
Appraisals & Consulting

September 2, 2015

Madison County, Mississippi  
3142 S. Liberty Street  
Canton, MS 39046

File: 1003-15010-13  
Parcel: # 93D-18C-149/02

Dear President Banks and Madison County Board of Supervisors,

The City of Canton Board of Alderman plans to proceed with the "Liberty Village Cove Drainage Improvement Project". The purpose of this project is to correct on-going drainage issues within the Liberty Village Cove area, and extending from United States Highway #51 southwest to Brasher Creek west of North Union Street, that continue to negatively impact the community and the public roadways. As part of this project, we need to acquire a permanent drainage easement from your property. Trees, brush, and obstructions will have to be removed from the drainage easement area in order to solve these issues. The City of Canton will pay for all necessary expense for improvements completed within this drainage easement area. Below you will find illustration of the affected area as well as a survey of the easement.

The legal documents and enclosed agreements cover the terms of our proposed real property agreement. Please read these documents carefully and, if acceptable, have your signature notarized where indicated. If you would like to discuss the project with an authorized county agent, or have questions about the documents enclosed please call our office at 601-790-0443. Return these signed forms to this office at your earliest convenience so that work may commence as soon as possible. The City of Canton will pay recording costs, title insurance premiums, and all other normal costs of transfer.

Thank you for doing your part in the Liberty Village Cove Drainage Improvement Project.

Sincerely,

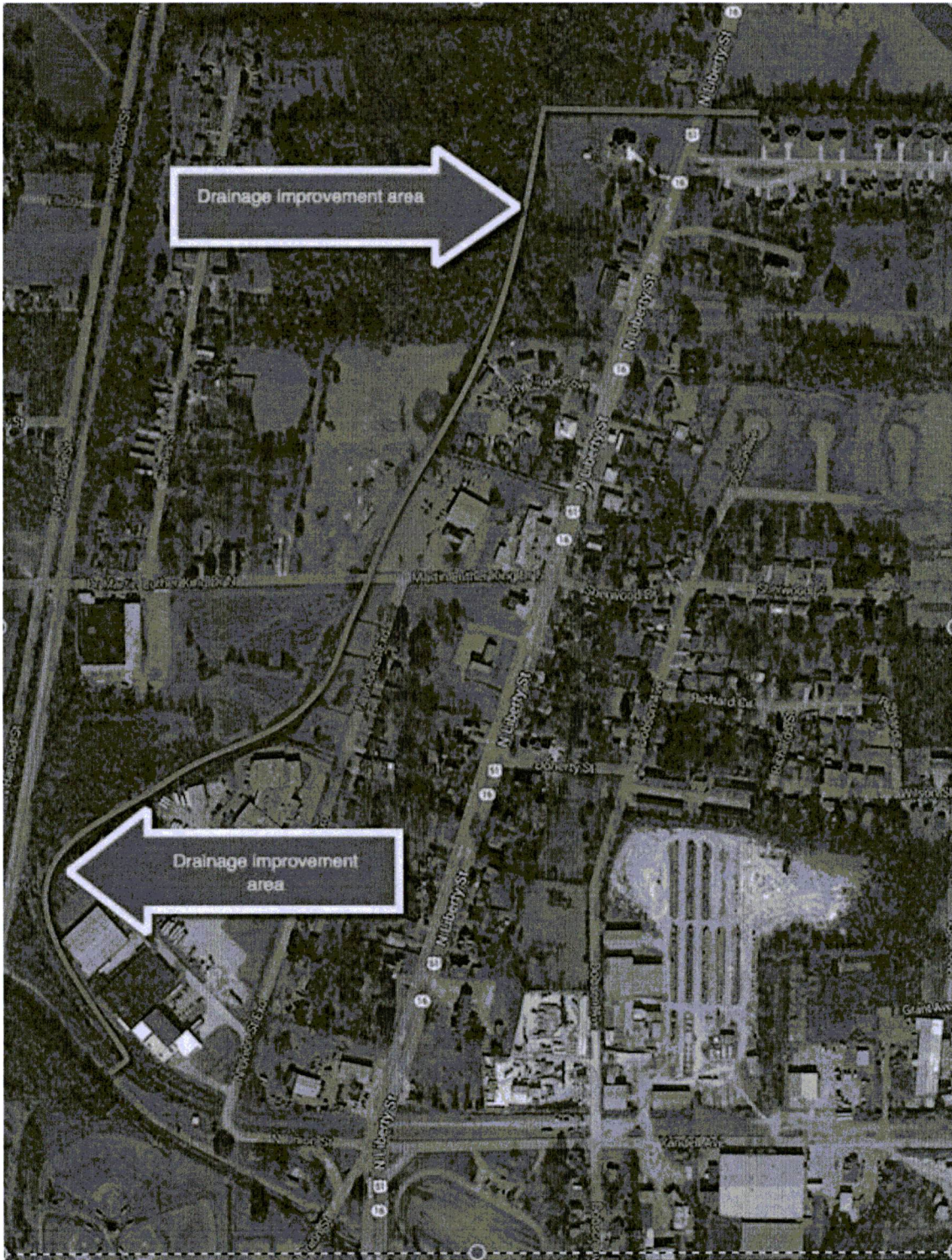


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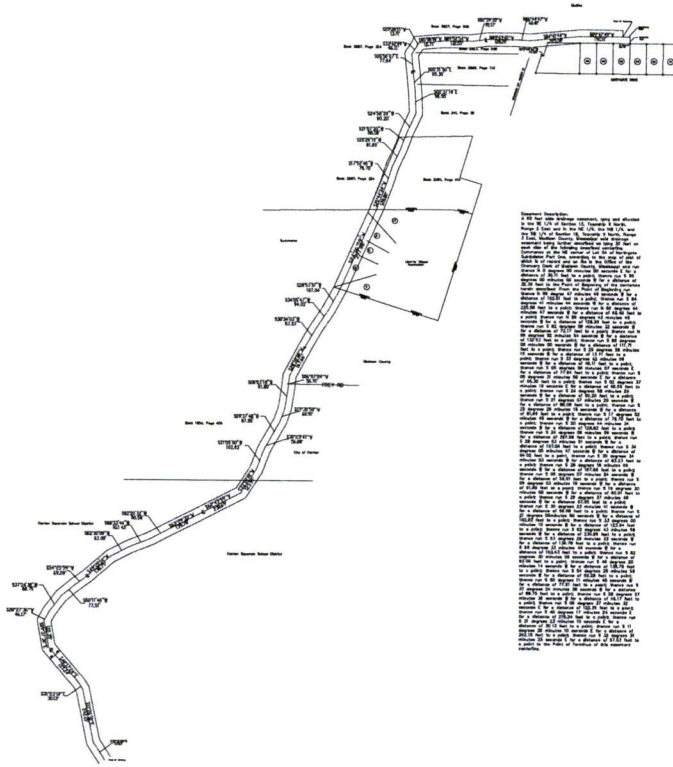
Greg Thompson, Authorized Agent



Proposed Drainage Easement Map

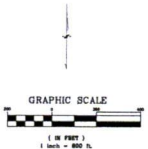



# Proposed Drainage Survey



**NOTES:**

1. This plan shows the proposed drainage system for the area shown on the attached site plan. The system is designed to collect and convey stormwater runoff from the area to the existing drainage system.
2. The drainage system is designed to meet the requirements of the local health department and the state of Tennessee.
3. The drainage system is designed to be installed in accordance with the standards of the National Fire Protection Association (NFPA).
4. The drainage system is designed to be installed in accordance with the standards of the International Association of Plumbing and Mechanical Officials (IAPMO).
5. The drainage system is designed to be installed in accordance with the standards of the International Association of Bridge, Structural, Ornamental and Reinforcing Iron Workers (IABROR).
6. The drainage system is designed to be installed in accordance with the standards of the International Association of Bridge, Structural, Ornamental and Reinforcing Iron Workers (IABROR).
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80 Feet Wide Drainage Easement Sections 15, 19N, R2E & Section 18, 19N, R2E			 WARLICK & ASSOCIATES, L.L.C. ENGINEERING, MANAGEMENT & PLANNING 101 WEST CENTER STREET CANTON, MS 39016 662.201.1111	THESE NOTES AND SPECIFICATIONS SHALL BE READ IN CONJUNCTION WITH THE PLANS AND SHALL BE CONSIDERED PART OF THE CONTRACT. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND FOR OBTAINING ALL NECESSARY INFORMATION FROM THE LOCAL HEALTH DEPARTMENT AND THE STATE OF TENNESSEE. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY INFORMATION FROM THE LOCAL HEALTH DEPARTMENT AND THE STATE OF TENNESSEE. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY INFORMATION FROM THE LOCAL HEALTH DEPARTMENT AND THE STATE OF TENNESSEE.
City of Canton, Madison County, MS				
DRAWN BY: JWS	DATE: 04/15/15	SURVEY CLASS: B	PROJECT TITLE: SANITARY SEWER SYSTEM	
CHECKED BY: JWS	SCALE: 1" = 200'	JOB #: 2208		



**MONTGOMERY McGRAW, PLLC**  
**ATTORNEYS-AT-LAW**

151 WEST PEACE STREET  
POST OFFICE BOX 1039  
CANTON, MISSISSIPPI 39046

601-859-3616: TELEPHONE  
601-859-3622: FACSIMILE

[jmcdavid@montgomerymcgraw.com](mailto:jmcdavid@montgomerymcgraw.com)

**CERTIFICATE OF TITLE**

City of Canton  
PO Box 1605  
Canton, MS 39046-1605

Re: The following described real property lying and being situated in the City of Canton, Madison County, Mississippi, and being more particularly described as follows, to wit:

A lot or parcel of land fronting 385.92 feet on the North side of Frey Street, containing 2.93 acres, more or less, lying and being situated in the SW1/4 of Section 18, Township 9 North, Range 3 East, Canton, Madison County, Mississippi, and more particularly described as follows:

Beginning at an iron pin representing the SW corner of the McAlpin lot conveyed by deed recorded in Deed Book 175 at Page 560 in the records of the Chancery Clerk of said county; thence run S 88°35' W along the North line of Frey Street for 385.92 feet to a point in a drainage ditch, said point being the SE corner of the Summerlin lot, Deed Book 169, Page 266; thence N 27°21'57" E, along the East line of Summerlin lot and said drainage ditch; for 470.06 feet to their intersection with a small ditch; thence S 71°54' E along said small ditch; for 288.06 feet to a point on the West line extended of said McAlpin lot; thence S 18°06' W, along said extension and West line of said McAlpin lot for 335 feet to the Point of Beginning.

THIS IS TO CERTIFY that we have made a careful examination of the public records of Madison County, Mississippi, properly indexed, insofar as they pertain to the above described property for a period of thirty-two (32) years, next preceding the date hereof, and based upon such examination we are of the opinion that the fee simple merchantable title to such property is vested in:

**MADISON COUNTY, MISSISSIPPI**  
**a political subdivision of the State of Mississippi**

SUBJECT ONLY to the following liens and exceptions, to wit:

1. City of Canton and County of Madison, Mississippi, ad valorem taxes for the year 2015 are exempt.

other minerals lying in, on and under the subject property.

4. Rights-of-way and easements for public roads, power lines, drainage, and other utilities.
5. Other Matters of Record:
  - A. This Title Report covers fee simple title only. Leasehold title has not been researched, however please satisfy yourself as to the status of the following:  
  
Lease and Option to Purchase recorded in Book 340 at Page 76; Ground Lease recorded in Book 340 at Page 150; and Trust Agreement recorded in Book 340 at Page 162.
  - B. Please contact the Tax Collector for any Personal Property Taxes which may be due on subject property.
6. Any and all matters which would be reflected by an actual survey of the premises and the rights of parties in possession, if any.

We do not certify as to acreage.

**Any unauthorized duplications or reproductions of this certificate shall render this certificate void and relieve the undersigned from any and all liability hereunder. Further, this certificate may not be relied upon by any person or firm other than the above named addressee for any purpose whatsoever without the prior written consent of the undersigned. Subsequent reliance contrary hereto shall render this certificate void and relieve the undersigned of any liability hereunder.**

CERTIFIED AT Canton, Mississippi, on the 19<sup>th</sup> day of June, 2015, at 8:00 A.M.

MONTGOMERY McGRAW, PLLC

By: 

John S. McDavid

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**PREPARED BY:**

John S. McDavid – MSB# 2365  
Montgomery McGraw, PLLC  
Post Office Box 1039  
Canton, MS 39046  
601-859-3616

**RETURN TO:**

John S. McDavid  
Montgomery McGraw, PLLC  
Post Office Box 1039  
Canton, MS 39046  
601-859-3616

**INDEXING INSTRUCTIONS:** SW 1/4 of Section 18, Township 9 North, Range 3 East,  
Canton, Madison County, Mississippi

**DRAINAGE EASEMENT**

STATE OF MISSISSIPPI  
COUNTY OF MADISON

**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 which is hereby acknowledged, the GRANTOR:

Madison County, Mississippi  
3142 S. Liberty Street  
Canton, MS 39046  
601-\_\_\_\_\_

does hereby bargain, grant, transfer and convey unto GRANTEE:

City of Canton, Mississippi  
P.O. Box 1605  
Canton, MS 39046  
601-859-4331

a drainage easement on, over, under, across and through the following described land and property located in Madison County, Mississippi, and more particularly described as follows:

**See Exhibit A**

Grantor further conveys unto Grantee the right of ingress and egress for the purposes of location, construction, improvement, repair, operation, inspection and maintenance of the Drainage Easement.

The Grantor acknowledges the existence of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, Public Law 91-646, and Sections 43-37-1, et seq., and Sections 43-39-1, et seq., of the Mississippi Code Annotated (1972), and acknowledge that Grantor is aware of her rights under said Act and laws, including, but not limited to:

- A. Notification of the Grantee's desire to obtain the property and receipt of a copy of the above named Act; and,
- B. The opportunity to receive an appraisal and to accompany the appraiser during the initial inspection; and,
- C. An opportunity to have the value of the property determined by a Court of competent jurisdiction and to be compensated therefore.

The Grantor does hereby waive all additional rights and privileges pursuant to Public Law 91-646, and under the "Real Property Acquisition Policies Law", plus any rights and privileges under the "Relocation Assistance Law" and Sections 43-37-1 et seq., and Sections 43-39-1 et seq., of the Mississippi Code Annotated (1972), and Grantor further acknowledges that the Grantee has complied with any and all laws and procedures set forth above. Grantor further acknowledges that she has received just compensation for the real property herein described.

**WITNESS MY SIGNATURE**, this the \_\_\_\_\_ day of \_\_\_\_\_, 2015.

Madison County, Mississippi

\_\_\_\_\_

By: \_\_\_\_\_

Its: \_\_\_\_\_



STATE OF MISSISSIPPI  
COUNTY OF MADISON

**PERSONALLY APPEARED BEFORE ME**, the undersigned authority in and for the said jurisdiction, the within named \_\_\_\_\_, who acknowledged that he/she is the \_\_\_\_\_ of Madison County, Mississippi, a body politic, and that in said representative capacity he/she executed the above and foregoing instrument, after first having been duly authorized so to do.

**WITNESS MY HAND AND OFFICIAL SEAL ON THIS**, the \_\_\_\_ day of \_\_\_\_\_, 2015.

\_\_\_\_\_  
NOTARY PUBLIC

MY COMMISSION EXPIRES:

\_\_\_\_\_  
[SEAL]



## EXHIBIT A

All that part of the following described easement tract which lies within a tract described as follows:

A lot or parcel of land fronting 385.92 feet on the North side of Frey Street, containing 2.93 acres, more or less, lying and being situated in the SW 1/4 of Section 18, Township 9 North, Range 3 East, Canton, Madison County, Mississippi, and more particularly described as follows:

Beginning at an iron pin representing the SW corner of the McAlpin lot conveyed by deed recorded in Deed Book 175 at Page 560 in the records of the Chancery Clerk of said county; thence run S 88° 35' W along the North line of Frey Street for 385.92 feet to a point in a drainage ditch, said point being the SE corner of the Summerlin lot, Deed Book 169, Page 266; thence N 27° 21' 57" E, along the East line of said Summerlin lot and said drainage ditch; for 470.06 feet to their intersection with a small ditch; thence S 71° 54' E along said small ditch; for 288.06 feet to a point on the West line extended of said McAlpin lot; thence S 18°06' W, along said extension and West line of said McAlpin lot for 335 feet to the POINT OF BEGINNING.

### LEGAL DESCRIPTION/PERMANENT DRAINAGE EASEMENT:

#### Easement Description:

A 60 feet wide drainage easement, lying and situated in the SE 1/4 of Section 13, Township 9 North, Range 2 East and in the NE 1/4, the NW 1/4, and the SW 1/4 of Section 18, Township 9 North, Range 3 East, Madison County, Mississippi said drainage easement being further described as lying 30 feet on each side of the following described centerline.

Commence at the NE corner of Lot 54 of Northgate Subdivision Part One, according to the map of plat of which is of record and on file in the Office of the Chancery Clerk of Madison County, Mississippi and run thence N 0 degrees 00 minutes 00 seconds E for a distance of 30.11 feet to a point; thence run S 90 degrees 00 minutes 00 seconds W for a distance of 32.39 feet to the Point of Beginning of the centerline herein described. From the Point of Beginning run thence N 89 degree 47 minutes 49 seconds W for a distance of 192.51 feet to a point; thence run S 84 degrees 41 minutes 44 seconds W for a distance of 225.58 feet to a point; thence run N 86 degrees 44 minutes 47 seconds W for a distance of 60.40 feet to a point; thence run N 89 degrees 43 minutes 45

seconds W for a distance of 128.20 feet to a point; thence run S 82 degrees 59 minutes 32 seconds W for a distance of 72.17 feet to a point; thence run N 89 degrees 52 minutes 54 seconds W for a distance of 132.53 feet to a point; thence run S 85 degrees 08 minutes 00 seconds W for a distance of 111.71 feet to a point; thence run S 25 degrees 28 minutes 15 seconds W for a distance of 13.71 feet to a point; thence run S 33 degrees 42 minutes 09 seconds W for a distance of 46.11 feet to a point; thence run S 05 degrees 56 minutes 07 seconds E for a distance of 77.64 feet to a point; thence run S 05 degrees 31 minutes 50 seconds E for a distance of 95.30 feet to a point; thence run S 02 degrees 37 minutes 16 seconds E for a distance of 96.55 feet to a point; thence run S 24 degrees 58 minutes 29 seconds W for a distance of 90.20 feet to a point; thence run S 21 degrees 07 minutes 20 seconds W for a distance of 88.08 feet to a point; thence run S 25 degrees 29 minutes 15 seconds W for a distance of 81.69 feet to a point; thence run S 17 degrees 52 minutes 45 seconds W for a distance of 79.70 feet to a point; thence run S 20 degrees 44 minutes 34 seconds W for a distance of 128.82 feet to a point; thence run S 24 degrees 06 minutes 59 seconds W for a distance of 397.98 feet to a point; thence run S 28 degrees 53 minutes 51 seconds W for a distance of 107.04 feet to a point; thence run S 34 degrees 05 minutes 47 seconds W for a distance of 94.02 feet to a point; thence run S 30 degrees 34 minutes 03 seconds W for a distance of 83.23 feet to a point; thence run S 28 degrees 18 minutes 00 seconds W for a distance of 167.66 feet to a point; thence run S 06 degrees 07 minutes 24 seconds W for a distance of 56.91 feet to a point; thence run S 09 degrees 03 minutes 18 seconds W for a distance of 91.89 feet to a point; thence run S 19 degrees 30 minutes 50 seconds W for a distance of 60.91 feet to a point; thence run S 29 degrees 37 minutes 48 seconds W for a distance 87.95 feet to a point; thence run S 30 degrees 23 minutes 41 seconds W for a distance of 56.08 feet to a point; thence run S 21 degrees 05 minutes 50 seconds W for a distance of 102.62 feet to a point; thence run S 33 degrees 00 minutes 10 seconds W for a distance of 123.94 feet to a point; thence run S 62 degrees 43 minutes 59 seconds W for a distance of 230.69 feet to a point; thence run S 63 degrees 29 minutes 33 seconds W for a distance of 139.78 feet to a point; thence run S 68 degrees 33 minutes 44 seconds W for a distance of 103.43 feet to a point; thence run S 62 degrees 30 minutes 09 seconds W for a distance of 93.09 feet to a point; thence run S 49 degrees 20 minutes 14 seconds W for a distance of 138.75 feet to a point; thence run S 54 degrees 25 minutes 59 seconds W for a distance of 69.28 feet to a point; thence run S 50 degrees 11 minutes 45 seconds W for a distance of 77.51 feet to a point; thence run S 37 degrees 24 minutes 38 seconds W for a distance of 88.75 feet to a point; thence run S 28

degrees 27 minutes 36 seconds W for a distance of 46.17 feet to a point; thence run S 09 degrees 37 minutes 32 seconds E for a distance of 122.35 feet to a point; thence run S 40 degrees 17 minutes 24 seconds E for a distance of 215.24 feet to a point; thence run S 31 degrees 23 minutes 10 seconds E for a distance of 30.13 feet to a point; thence run S 11 degrees 26 minutes 10 seconds E for a distance of 242.15 feet to a point; thence run S 32 degrees 31 minutes 25 seconds E for a distance of 97.03 feet to a point to the Point of Terminus of this easement centerline.