

# APPLICATION FOR SPECIAL EXCEPTION

<b>Name and Address of Applicant:</b> Mega Site Cell Tower, GP 732 Magnolia St Madison, MS 39110	<b>Street Address of Property (if different address):</b> 153Z Madison County Parkway Canton, MS 39046
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APPLICATION DATE	Present Zoning of Property	Legal Description of Property:	TAX PARCEL NUMBER	FLOOD ZONE	MAP/PLAT OF PROPERTY
10/22/2024	I-2	See (Exhibit A)	092H-28-002/06.00	X	See (Exhibit B)

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

**Comments**

Request is for approval of a 255' monopole wireless telecommunications facility with space for a total of four (4) carriers and their associated ground equipment.

Respectfully Submitted

\_\_\_\_\_  
 Belinda Bodie

\_\_\_\_\_



Petition submitted to Madison County Planning and Development Commission on \_\_\_\_\_

Recommendation of Madison County Planning and Development Commission on Petition \_\_\_\_\_

Public Hearing date as established by the Madison County Board of Supervisors \_\_\_\_\_

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



October 22, 2024

VIA HAND DELIVERY

Madison County  
Mr. Scott Weeks  
125 West North Street  
Canton, MS 39046

Re: Application for Wireless Telecommunications Facility  
Mega Site Cell Tower  
NS Reference No. 18361

Dear Mr. Weeks:

Please find enclosed the Use permit application, filed on behalf of my client Mega Site Cell Tower, GP. Also enclosed with the request are:

- Eight (8) copies of the plans with legal description and survey
- Copy of the Warranty Deed
- Authorization to file from structure owner
- Property is currently zoned I-2
- Flash drive with all documents including the legal description in word format.

As indicated on the site plans, my client is proposing to construct a 255 ft. wireless telecommunications structure with ground space four (4) carriers. The site is on property owned by MCEDA. The site is located at 153Z Madison County Parkway, Canton, MS 39046.

I would appreciate it if you place the request on the December 12, 2024 Planning Commission agenda and the following Board of Supervisors agenda. If I can provide any additional information, please do not hesitate to call me at 601-707-3585.

Thank you very much.

Sincerely,  
NEEL-SCHAFFER, INC.

*Belinda Bodie*

Belinda Bodie  
Site Acquisition Manager  
Encl

landscape architects | environmental scientists | surveyors | planners | engineers

October 8, 2024



Belinda Bodie  
Neel-Schaffer Inc.  
1022 Highland Colony Parkway, Ste 202  
Ridgeland, MS 39157

Re: Zoning Authorization Letter

Dear Ms. Bodie:

Please let this letter serve as an authorization for your company, Neel-Schaffer Inc., to file the Zoning Application, including the Conditional Use Application and building permit Application with Madison County for purposes of obtaining approval for a wireless telecommunications facility located on your property at 153Z Madison County Parkway, Canton, MS 39046.

Specifically, we authorize Neel-Schaffer Inc. and Belinda Bodie to complete, sign, and file all zoning and building permit documents, (including, but not limited to, the Application for Conditional Use), in any way connected with Mega Site Cell Tower GP, proposed construction of a telecommunication facility accompanied by ground equipment on the leased tract of land.

Thank you for time in this matter.

Sincerely,

*Michael Jarvis* 10-21-24  
BY: Michael Jarvis

STATE OF \_\_\_\_\_

COUNTY OF \_\_\_\_\_

The foregoing instrument was sworn to (or affirmed) and subscribed before me this \_\_\_\_\_ day of \_\_\_\_\_, 2024 by \_\_\_\_\_ (name of person providing oath or affirmation), who is personally known to me or who has produced \_\_\_\_\_ (type of identification) as identification.

Signature of Notary Public \_\_\_\_\_  
My Commission Expires: \_\_\_\_\_

P: 601.898.3358 | F: 601.898.8485

1022 Highland Colony Parkway, Suite 301  
Ridgeland, MS 39157

www.neel-schaffer.com

landscape architects  
environmental scientists  
surveyors  
planners  
engineers





**MCEDA UTILITY EASEMENT DESCRIPTION  
CITY OF CANTON, MADISON COUNTY, MISSISSIPPI**

**Tract 1 (Cell Tower Lease Area)**

**Commencing** at a found wooden fence post (SPC MS-WEST N:1,123,854.00 E:2,366,458.65), recognized as marking the apparent Southwest corner of the Southwest Quarter of Section 28, Township 09 North, Range 02 East, Madison County, Mississippi; thence run North for a distance of 145.52 feet to a point; thence run East for a distance of 1,570.82 feet to a set capped ½ inch rebar(N:1,123,999.52 E:2,368,029.47) for the **Point of Beginning**; thence run North 83 degrees 17 minutes 11 seconds East for a distance of 60.00 feet to a set capped ½ inch rebar; thence run South 07 degrees 52 minutes 16 seconds East for a distance of 60.00 feet to a found capped ½ inch rebar; thence run South 83 degrees 17 minutes 11 seconds West for a distance of 60.00 feet to a set capped ½ inch rebar; thence run North 07 degrees 52 minutes 16 seconds West for a distance of 60.00 feet to the **Point of Beginning**.

**INDEXING INSTRUCTIONS:** All lying and being in the Southwest Quarter of the Southwest Quarter of Section 28, Township 09, Range 02 East, Madison County, Mississippi, and containing 0.083 acres (3,599.27 sq ft.), more or less.

**Tract 2 (Utility Easement)**

**Commencing** at a found wooden fence post (SPC MS-WEST N:1,123,854.00 E:2,366,458.65), recognized as marking the apparent Southwest corner of the Southwest Quarter of Section 28, Township 09 North, Range 02 East, Madison County, Mississippi; thence run North for a distance of 145.52 feet to a point; thence run East for a distance of 1,570.82 feet to a set capped ½ inch rebar; thence run North 83 degrees 17 minutes 11 seconds East for a distance of 60.00 feet to a set capped ½ inch rebar(N:1,124,006.53 E:2,368,089.06) for the **Point of Beginning**; thence run South 83 degrees 17 minutes 11 seconds West for a distance of 15.00 feet to a set capped ½ inch rebar; thence run North 07 degrees 52 minutes 16 seconds West for a distance of 349.64 feet to a set capped ½ inch rebar; thence run North 89 degrees 52 minutes 33 seconds East for a distance of 15.14 feet to a found capped ½ inch rebar; thence run South 07 degrees 52 minutes 16 seconds East for a distance of 347.90 feet to the **Point of Beginning**.

**INDEXING INSTRUCTIONS:** All lying and being in the Southwest Quarter of the Southwest Quarter of Section 28, Township 09, Range 02 East, Madison County, Mississippi, and containing 0.080 acres (3,484.9 sq ft.), more or less.

Basis of Bearing: Grid North by GPS Observation

PREPARED BY AND RETURN TO:

360-  
1500  
Ann Taylor, Esq. (MSB #6534)  
JONES WALKER LLP  
190 East Capitol Street, Suite 800  
Jackson MS 39201  
(601) 949-4744

GRANTOR ADDRESS:

Walker Lands II, LLC  
1020 Highland Colony Parkway, Suite 802  
Ridgeland, MS 39157  
Phone: (601) 939-3003

GRANTEE ADDRESS:

Madison County Economic Development Authority  
135 Mississippi Parkway  
Canton, MS 39046  
Phone: (601) 605-0368

INDEXING INSTRUCTIONS: NW ¼, SW ¼ and SE ¼ of Section 28, NE ¼ and SE ¼ of Section 29, NW ¼ and NE ¼ of Section 33, T9N-R2E, Madison County, Mississippi

**SPECIAL WARRANTY DEED**

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 which are hereby acknowledged, **WALKER LANDS II, LLC**, a Mississippi limited liability company, Grantor, does hereby grant, bargain, sell, convey and warrant specially to **MADISON COUNTY ECONOMIC DEVELOPMENT AUTHORITY**, Grantee, the following described property situated in Madison County, Mississippi, to-wit:

See Exhibit A attached hereto and made a part hereof.

This conveyance, and the special warranty hereof, are subject to all matters set forth on Exhibit B attached hereto.

Grantee acknowledges that the property is being conveyed by Grantor in its "AS IS WHERE IS" condition and without representation or warranty of any kind from Grantor concerning the condition of the property.

During the period of one hundred fifty (150) days from April 4, 2019, Grantor and/or its agents may enter upon the property for the purpose of (i) removing the existing home, barn and pavilion located on the property and (ii) removing timber located on the property.

The 2019 taxes are being prorated between Grantor and Grantee, and Grantee will pay the 2019 taxes when they become due and payable.

IN WITNESS WHEREOF, this instrument has been executed on the 4<sup>th</sup> day of April, 2019.

WALKER LANDS II, LLC,  
a Mississippi limited liability

By: Belinda B. Styres  
Printed Name: Belinda B. Styres  
Title: Exec. Vice President & CEO

STATE OF MS  
COUNTY OF Hinds

Personally appeared before me, the undersigned authority in and for the said county and state, on this 4<sup>th</sup> day of April, 2019, within my jurisdiction, the within named Belinda B. Styres, who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed in the above and foregoing instrument and acknowledged that he/she executed the same in his/her representative capacity, and that by his/her signature on the instrument, and as the act and deed of the person or entity upon behalf of which he/she acted, executed the above and foregoing instrument, after first having been duly authorized so to do.

Regina Proctor  
NOTARY PUBLIC

My Commission Expires:



## EXHIBIT "A"

**DESCRIPTION-PARCEL 1**

A parcel or tract of land, containing **231.82 acres**, more or less, lying and being situated in Section 28 and Section 29, T9N-R2E, Madison County, Mississippi, being a part of the Walker Lands II, LLC property as described in Deed Book 3385 at Page 454 of the Records of the Office of the Chancery Clerk of said Madison County, at Canton, Mississippi, and being more particularly described as follows:

**COMMENCING** at the SW corner of the SW  $\frac{1}{4}$  of Section 29, T9N-R2E, Madison County, Mississippi; run thence

East along the Southerly boundary of the SW  $\frac{1}{4}$  of said Section 29, T9N-R2E, for a distance of 2,667.77 feet to the SE corner, thereof, said point also lying at the SW corner of a parcel of land described as the "West  $\frac{1}{2}$  of the SE  $\frac{1}{4}$  less a strip of 4.0 chains evenly off East side of same"; thence

Continue East along the Southerly boundary of said parcel of land described as the "West  $\frac{1}{2}$  of the SE  $\frac{1}{4}$  less a strip of 4.0 chains evenly off East side of same" for a distance of 1,069.89 feet to the SE corner, thereof; thence

North along the Easterly boundary of said parcel of land described as the "West  $\frac{1}{2}$  of the SE  $\frac{1}{4}$  less a strip of 4.0 chains evenly off East side of same" for a distance of 494.94 feet to an iron pin and **POINT OF BEGINNING** of the herein described property; thence

Leaving the Easterly boundary of said parcel of land described as the "West  $\frac{1}{2}$  of the SE  $\frac{1}{4}$  less a strip of 4.0 chains evenly off East side of same", run to iron pins at each of the following calls;

East for a distance of 2948.56 feet; thence

North 28 degrees 00 minutes 43 seconds West for a distance of 613.56 feet; thence

North 64 degrees 06 minutes 34 seconds East for a distance of 1772.68 feet to the Easterly boundary of the SW  $\frac{1}{4}$  of said Section 28, T9N-R2E; thence

North along the Easterly boundary of the SW  $\frac{1}{4}$  and the Easterly boundary of the NW  $\frac{1}{4}$  of said Section 28, T9N-R2E for a distance of 1387.14 feet; thence

Leaving the Easterly boundary of the NW  $\frac{1}{4}$  of said Section 28, T9N-R2E, run West for a distance of 4255.16 feet to the Easterly boundary of said parcel of land described as the "West  $\frac{1}{2}$  of the SE  $\frac{1}{4}$  less a strip of 4.0 chains evenly off East side of same"; thence

South along the Easterly boundary of said parcel of land described as the "West  $\frac{1}{2}$  of the SE  $\frac{1}{4}$  less a strip of 4.0 chains evenly off East side of same" for a distance of 2702.87 feet to the **POINT OF BEGINNING** of the above described parcel or tract of land.

**DESCRIPTION-PARCEL 2**

A parcel or tract of land, containing **32.21 acres**, more or less, lying and being situated in the SW  $\frac{1}{4}$  of Section 28, T9N-R2E, Madison County, Mississippi, being a part of the Walker Lands II, LLC property as described in

Deed Book 3385 at Page 454 of the Records of the Office of the Chancery Clerk of said Madison County, at Canton, Mississippi, and being more particularly described as follows:

**COMMENCING** at the SW corner of the SW  $\frac{1}{4}$  of Section 29, T9N-R2E, Madison County, Mississippi; run thence

East along the Southerly boundary of the SW  $\frac{1}{4}$  of said Section 29, T9N-R2E, for a distance of 2,667.77 feet to the SE corner, thereof, said point also lying at the SW corner of a parcel of land described as the "West  $\frac{1}{2}$  of the SE  $\frac{1}{4}$  less a strip of 4.0 chains evenly off East side of same"; thence

Continue East along the Southerly boundary of said parcel of land described as the "West  $\frac{1}{2}$  of the SE  $\frac{1}{4}$  less a strip of 4.0 chains evenly off East side of same" for a distance of 1,069.89 feet to the SE corner, thereof; thence

North along the Easterly boundary of said parcel of land described as the "West  $\frac{1}{2}$  of the SE  $\frac{1}{4}$  less a strip of 4.0 chains evenly off East side of same" for a distance of 494.94 feet; thence

Leaving the Easterly boundary of said parcel of land described as the "West  $\frac{1}{2}$  of the SE  $\frac{1}{4}$  less a strip of 4.0 chains evenly off East side of same" run East for a distance of 2948.56 feet to an iron pin and **POINT OF BEGINNING** of the herein described property; thence

North 28 degrees 00 minutes 43 seconds West for a distance of 613.56 feet to an iron pin; thence

North 64 degrees 06 minutes 34 seconds East for a distance of 1772.68 feet to an iron pin lying on the Easterly boundary of the SW  $\frac{1}{4}$  of said Section 28, T9N-R2E; thence

South along the Easterly boundary of the SW  $\frac{1}{4}$  of said Section 28, T9N-R2E for a distance of 338.60 feet to an iron pin; thence

Continue South along the Easterly boundary of the SW  $\frac{1}{4}$  of said Section 28, T9N-R2E for a distance of 474.34 feet to an iron pin; thence

Continue South along the Easterly boundary of the SW  $\frac{1}{4}$  of said Section 28, T9N-R2E for a distance of 502.78 feet to an iron pin; thence

Leaving the Easterly boundary of the SW  $\frac{1}{4}$  of said Section 28, T9N-R2E, run West for a distance of 1230.12 feet to an iron pin; thence

Continue West for a distance of 76.48 feet to the **POINT OF BEGINNING** of the above described parcel or tract of land.

### DESCRIPTION-PARCEL 3

A parcel or tract of land, containing **54.88 acres**, more or less, lying and being situated in the SW  $\frac{1}{4}$  and the SE  $\frac{1}{4}$  of Section 28, T9N-R2E, and the NE  $\frac{1}{4}$  and the NW  $\frac{1}{4}$  of Section 33, T9N-R2E, Madison County, Mississippi, being a part of the Walker Lands II, LLC property as described in Deed Book 3385 at Page 454 of the Records of the Office of the Chancery Clerk of said Madison County, at Canton, Mississippi, and being more particularly described as follows:

**COMMENCING** at the SW corner of the SW  $\frac{1}{4}$  of Section 29, T9N-R2E, Madison County, Mississippi; run thence

East along the Southerly boundary of the SW  $\frac{1}{4}$  of said Section 29, T9N-R2E, for a distance of 2,667.77 feet to the SE corner, thereof, said point also lying at the SW corner of a parcel of land described as the "West  $\frac{1}{2}$  of the SE  $\frac{1}{4}$  less a strip of 4.0 chains evenly off East side of same"; thence

Continue East along the Southerly boundary of said parcel of land described as the "West  $\frac{1}{2}$  of the SE  $\frac{1}{4}$  less a strip of 4.0 chains evenly off East side of same" for a distance of 1,069.89 feet to the SE corner, thereof; thence

North along the Easterly boundary of said parcel of land described as the "West  $\frac{1}{2}$  of the SE  $\frac{1}{4}$  less a strip of 4.0 chains evenly off East side of same" for a distance of 494.94 feet to an iron pin; thence

Leaving the Easterly boundary of said parcel of land described as the "West  $\frac{1}{2}$  of the SE  $\frac{1}{4}$  less a strip of 4.0 chains evenly off East side of same", run to iron pins at each of the following calls;

East for a distance of 2,948.56 feet; thence

Continue East for a distance of 76.48 feet to the **POINT OF BEGINNING** of the herein described property; thence

South for a distance of 92.14 feet; thence



North 86 degrees 26 minutes 00 seconds West for a distance of 56.72 feet; thence  
 South 07 degrees 45 minutes 00 seconds East for a distance of 551.00 feet; thence  
 South 41 degrees 20 minutes 00 seconds East for a distance of 332.00 feet; thence  
 East for a distance of 853.00 feet; thence  
 South 48 degrees 14 minutes 00 seconds East for a distance of 138.00 feet; thence  
 South 51 degrees 14 minutes 00 seconds East for a distance of 141.00 feet; thence  
 South 58 degrees 34 minutes 00 seconds East for a distance of 82.00 feet; thence  
 South 66 degrees 40 minutes 00 seconds East for a distance of 91.00 feet; thence  
 South 76 degrees 31 minutes 27 seconds East for a distance of 174.46 feet; thence  
 South 80 degrees 03 minutes 19 seconds East for a distance of 138.82 feet; thence  
 South 40 degrees 59 minutes 25 seconds East for a distance of 139.02 feet to the Northerly Right-Of-Way of  
 Mississippi Highway No. 22, as it existed in December, 2018, said right-of-way being more fully and particularly  
 described in that certain conveyance from Mississippi Major Economic Authority to the Mississippi Department  
 of Transportation recorded on June 17, 2010 in Deed Book 2548 at Page 667 of the Records of said Madison  
 County at Canton, Mississippi; thence

Along the Northerly Right-Of-Way of said Mississippi Highway No. 22 to iron pins at each of the following calls;  
 North 44 degrees 39 minutes 42 seconds East for a distance of 266.64 feet; thence  
 North 47 degrees 14 minutes 36 seconds East for a distance of 446.44 feet; thence  
 Leaving the Northerly Right-Of-Way of said Mississippi Highway No. 22, run to iron pins at each of the  
 following calls;  
 North 01 degrees 04 minutes 22 seconds East for a distance of 295.86 feet; thence  
 North 41 degrees 25 minutes 38 seconds West for a distance of 300.00 feet; thence  
 North 48 degrees 34 minutes 22 seconds East for a distance of 25.00 feet; thence  
 North 41 degrees 25 minutes 38 seconds West for a distance of 285.62 feet; thence  
 211.65 feet along the arc of a 637.00 foot radius curve to the left, said arc having a 210.68 foot chord which bears  
 North 50 degrees 56 minutes 44 seconds West; thence  
 North 60 degrees 27 minutes 51 seconds West for a distance of 395.30 feet; thence  
 365.26 feet along the arc of a 825.00 foot radius curve to the right, said arc having a 362.29 foot chord which  
 bears North 47 degrees 46 minutes 50 seconds West to an iron pin lying on the Westerly boundary of the SE ¼ of  
 said Section 28, T9N-R2E, said point also lying on the Easterly boundary of the SW ¼ of said Section 28, T9N-  
 R2E; thence  
 South along the Easterly boundary of the SW ¼ of said Section 28, T9N-R2E, for a distance of 502.78 feet;  
 thence  
 Leaving the Easterly boundary of the SW ¼ of said Section 28, T9N-R2E, run West for a distance of 1,230.12  
 feet to the **POINT OF BEGINNING** of the above described parcel or tract of land.

EXHIBIT "B"

1. Any prior reservation or conveyance of minerals of every kind and character, including, but not limited to, oil, gas, sand, and gravel in, on, and under the property.
2. Taxes and assessments for the year 2019 and subsequent years, not yet due and payable.
3. Ingress and Egress Easement reserved in Warranty Deed in Book 42 at Page 522.
4. Right of Way Easement to Canton Municipal Utilities in Book 327 at Page 228.
5. Utility Easement to Canton Municipal Utilities in Book 510 at Page 118.
6. Utility Easement to Canton Municipal Utilities in Book 2571 at Page 440.
7. Wire fence and power poles located on the property as shown on survey of McMaster & Associates, dated January 15, 2019.
8. Restrictive Covenants by and between Walker Lands II, LLC and Madison County Economic Development Authority dated April 4, 2019 and recorded on or about the date of the recording of this Special Warranty Deed.
9. Building and zoning restrictions.