

3/17/05 8:42:30
BK 494 PG 668
DESOTO COUNTY, MS
W.E. DAVIS, CH CLERK

Prepared by and Return to:
Bridforth & Buntin
P. O. Box 241
Southaven, MS 38671
662-393-4450

QUITCLAIM DEED

DESOTO COUNTY, MISSISSIPPI

GRANTOR(S)

TO

LEATHERMAN FAMILY LAND PARTNERSHIP, L.P.,
A MISSISSIPPI LIMITED PARTNERSHIP

GRANTEE(S)

FOR AND IN CONSIDERATION of the sum of Ten Dollars (\$10.00) cash in hand paid and other good and valuable considerations, the receipt of all of which is hereby acknowledged, DESOTO COUNTY, MISSISSIPPI, does hereby give, convey and quitclaim unto the LEATHERMAN FAMILY LAND PARTNERSHIP, L.P., a Mississippi Limited Partnership, all of its right, title and interest in and to the hereinafter described property lying and being situated in DeSoto County, Mississippi, more particularly described as follows, to-wit:

Beginning at Station 224+00.3 on the centerline of U. S. Hwy. No. 61 as referenced on MDOT State Project 94-0009-06-019-10; thence southeasterly 80 feet perpendicular to the centerline of said highway to a point on the new right of way line of said highway and the POINT OF BEGINNING; thence North 37°17' East along said right of way line, a distance of 16.5 feet to a point on the north right of way line of the abandon portion of Star Landing Road; thence South 89°18' East along the north right of way line of the said abandon road, distance of 706.5 feet to a point; thence South 70°33' West, a distance of 232.6 feet to a point on the south right of way line of the said abandon road; thence North 89°18' West along the south right of way line of the said abandon road, a distance of 482.4 feet; thence North 12°23' West, a distance of 68.5 feet to the point of beginning.

INDEXING INSTRUCTIONS:

Southeast Quarter Southwest Quarter of Section 18, Township 2 South, Range 7 West.

This deed abandons 80 feet of right of way centered along the abandoned section of Star Landing Road, as shown on Sheet 3 of 10 on the Right of Way Plat of MDOT State Project 94-0009-06-019-10, whether correctly described or not.

This deed is granted pursuant to Minutes of the Board of Supervisors Meetings on October 18, 2004, and November 3, 2004, copies of which are attached hereto.

Bob

WITNESS the signature of the duly authorized officer of the Board of Supervisors this the 29th day of November, 2004.

DESOTO COUNTY, MISSISSIPPI

BY: Eugene C. Shack
President of DeSoto County Board
of Supervisors

STATE OF MISSISSIPPI

COUNTY OF DESOTO

PERSONALLY appeared before me, the undersigned authority in and for the state and said state on this 29 day of November, 2004, within my jurisdiction, the within named Eugene C. Shack, who acknowledged that he is the President of the DeSoto County Board of Supervisors and that in said representative capacity he executed the above and foregoing instrument, after first having been duly authorized so to do.



Elizabeth Carol Hunt
Notary Public

MISSISSIPPI STATEWIDE NOTARY PUBLIC
MY COMMISSION EXPIRES JUNE 9, 2006

GRANTOR(S) ADDRESS:

2535 Hwy 51 So.
Hernando Ms 38632
(662) 429-5011

GRANTEE(S) ADDRESS:

c/o Tyne Brownlow
NAI Saig Co
One Commerce Square
Suite 1100
Memphis TN 38103
(B) (901) 526-3100

Mr. McDougal said the Bike/Ped Plan covers the northern eight miles of DeSoto County. He said it will begin this spring and it is on a very tight schedule. Mr. McDougal said the Bike/Ped plan is transportation oriented. He said that people would go to work by bike rather than travel in vehicles. Mr. McDougal said any time Federal money is used on a road, it must include a bike/ped path. He said this excludes interstates. Mr. McDougal said that there have been two Public Hearings and he has done his best to notify the Cities of these meetings. Mr. McDougal said that MPO funding is from the Federal Highway Administration and no County money will be used in this project.

Mr. McDougal explained that the Greenway Plan originated in the Council of Governments. He said the cost of this study is \$6,000 and the County's portion is \$13,000. Mr. McDougal said the Greenway Plan is a recreational effort. He said it includes connectivity of parks and recreational areas throughout the County.

Mr. McDougal said that both plans are extremely important because our growth depends on their success. He said both of these are important to growth and development in the County.

Mr. McDougal thanked Jim Flanagan for his support of the plan. He said the Leadership DeSoto Class is going to take on the County Greenway Project.

4. Public Hearing – Abandon Old Starlanding Road

Supervisor Jessie Medlin made the motion and Supervisor Allen Latimer seconded the motion to open the Public Hearing to abandon Old Starlanding Road. The motion passed by a unanimous vote.

Board Attorney Bobby Chamberlin said that a Public Hearing was published for the abandonment of Old Starlanding Road which is a portion of Starlanding Road. Mr. Chamberlin explained that the path of the road changed when the State built new Hwy 61 and the State gave up a portion of Hwy 61. Mr. Chamberlin said this does not change ownership of the property.

Supervisor Thach asked if any one is present to speak for or against the abandonment. Tye Brown said this is the old road bed for Starlanding Road. Mr. Brown said that his family ask that the County abandon that property. Supervisor Bill Russell said the nearest the County could determine was this property was donated years ago by the Leatherman family. He said the property is of no use to the County. Supervisor Russell said the Leathermans own property on both sides of this road bed.

In accordance with Section 65-7-121, Supervisor Bill Russell made the motion and Supervisor Tommy Lewis seconded the motion to acknowledge the Board's finding of fact that the portion of Starlanding Road more completely described as:

Beginning at Station 224+00.3 on the centerline of U.S. Hwy. No. 61 as referenced on MDOT State Project 94-0009-06-019-10; thence southeasterly 80 feet perpendicular to the centerline of said highway to a point on the new right-of-way line of said highway and the POINT OF BEGINNING; thence N 37° 17' E along said right-of-way line, a distance of 16.5 feet to a point on the north right-of-way line of the abandon portion of Star Landing Road; thence S 89° 18' E along the north right-of-way line of the said abandon road, distance of 706.5 feet to a point; thence S 70° 33' W, a distance of 232.6 feet to a point on the south right-of-way line of the said abandon road; thence N 89° 18' W along the south right-of-way line of the said abandon road, a distance of 482.4 feet; thence N 12° 23' W, a distance of 68.5 feet to the point of beginning. This deed abandons 80 feet of right-of-way centered along the abandoned section of Star Landing Road, as shown on


E.C.T.

Sheet 3 of 10 on the Right-of-Way Plat of MDOT State Project 94-0009-06-019-10, whether correctly described or not.

This does not provide primary access to occupied properties; The Board of Supervisors has, for a period of at least the previous five (5) years, not maintained such section as part of the County road system, and for any reason the public interest or convenience does not require the section to remain open to the public or that it is in the public interest or convenience to close, vacate, and abandon the section of road.

The motion passed by a unanimous vote:

Supervisor Bill Russell made the motion and Supervisor Jessie Medlin seconded the motion to close the Public Hearing. The motion passed by a unanimous vote.

See Exhibit G.4

5. Animal Control -

a. Approval to Hire the Chamberlin Nowak Law Firm to Amend/Revise the Animal Control Ordinance

Director of Animal Services Larry Houston explained to the Board of Supervisors the need to amend the Animal Control Ordinance. Mr. Houston said that the Ordinance was last approved when there was one Animal Control Officer in the County and now there is a Department of Animal Control. Also, there are some items that need to be addressed in the Ordinance since we have a department than was necessary before. Supervisor Tommy Lewis made the motion and Supervisor Jessie Medlin seconded the motion to hire the Chamberlin Nowak Law Firm to amend and revise the Animal Control Ordinance. The motion passed by a vote as follows:

Supervisor Jessie Medlin-----	YES
Supervisor Eugene C. Thach-----	YES
Supervisor Bill Russell-----	YES
Supervisor Allen Latimer-----	ABSENT
Supervisor Tommy Lewis-----	YES

b. Approval for AC Officers to Carry Firearms

Supervisor Eugene Thach said he has a problem with Animal Control Officers carrying firearms. Mr. Houston explained that officers are often in dangerous situations when they are out with animals. He said the firearms would be used for protection. Mr. Houston said because Animal Services is no longer operating under the Sheriff's Department it would be necessary for them to qualify to carry firearms through the Department of Public Safety.

After discussing the issue, Supervisor Jessie Medlin made the motion and Supervisor Bill Russell seconded the motion to approve allowing the Animal Control Officer and Director to apply through the Department of Public Safety to carry a firearm and to qualify through the Sheriff's Department and to add to the Animal Control Ordinance a policy for carrying the firearms. The motion passed by a vote as follows:

Supervisor Jessie Medlin-----	YES
Supervisor Eugene C. Thach-----	NO
Supervisor Bill Russell-----	YES
Supervisor Allen Latimer-----	ABSENT
Supervisor Tommy Lewis-----	YES


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Verna Wallace

6262 Hacks Cross Rd. Olive Branch 895-5693

Bus#128

The motion passed by a vote as follows:

Supervisor Jessie Medlin-----NO
 Supervisor Eugene Thach-----YES
 Supervisor Bill Russell-----ABSENT
 Supervisor Allen Latimer-----ABSENT
 Supervisor Tommy Lewis-----YES

Supervisor Tommy Lewis made the motion and Supervisor Jessie Medlin seconded the motion to adopt the form for future use where the property owner will sign for their approval of the school bus turnaround work. The motion passed by a vote as follows:

Supervisor Jessie Medlin-----YES
 Supervisor Eugene Thach-----YES
 Supervisor Bill Russell-----ABSENT
 Supervisor Allen Latimer-----ABSENT
 Supervisor Tommy Lewis-----YES

See Exhibit E.2

3. Appointment – License Commission District 2

Vanessa Lynchard presented an updated Appointment Book page showing the corrected terms of the License Commissioners.

Supervisor Eugene Thach made the motion and Supervisor Jessie Medlin seconded the motion to hold over the District 2 Appointment to the License Commission until a later date. The motion passed by a vote as follows:

Supervisor Jessie Medlin-----YES
 Supervisor Eugene Thach-----YES
 Supervisor Bill Russell-----ABSENT
 Supervisor Allen Latimer-----ABSENT
 Supervisor Tommy Lewis-----YES

See Exhibit E.3

4. Property on Starlanding Road

Board Attorney Bobby Chamberlin reminded the Board of Supervisors that this portion of roadway was abandoned on October 18th by the Board of Supervisors. Mr. Chamberlin said that Dudley Bridgforth, representing the Leatherman family who originally donated the property to the County is asking the County to declare this surplus property under Section 19-7-3 of the Mississippi Code and deed it back to the Leatherman family. Mr. Chamberlin said, if the property was not declared surplus and deeded back to the Leatherman family, nothing could be built on the property the way it is situated. Mr. Chamberlin explained that the County has ownership by deed of this property and this is the correct procedure for abandoning the road.

Supervisor Eugene Thach asked why the County is giving the property back. Mr. Chamberlin said if the Board makes the finding that the condition of the property meets the

E.C.T.

guidelines of the condition set forth in Section 19-7-3, it can be returned to the Leathermans if the Board of Supervisors chooses to do so.

Supervisor Allen Latimer verified that the Leatherman family donated the ROW to the County. Dudley Bridgforth said yes.

Mr. Chamberlin said the Board of Supervisors has received an Attorney General's opinion on a different matter where the AG said we could donate the ROW back to the people because we are not going to use the property.

Supervisor Bill Russell made the motion and Supervisor Jessie Medlin seconded the motion that the Board of Supervisors has made a finding of fact that this property located near the intersection of Old Starlanding Road and Hwy 61, more appropriately described as:

Beginning at Station 224+00.3 on the centerline of U.S. Hwy. No. 61 as referenced on MDOT State Project 94-0009-06-019-10; thence southeasterly 80 feet perpendicular to the centerline of said highway to a point on the new right-of-way line of said highway and the POINT OF BEGINNING; thence N 37° 17' E along said right-of-way line, a distance of 16.5 feet to a point on the north right-of-way line of the abandon portion of Star Landing Road; thence S 89° 18' E along the north right-of-way line of the said abandon road, distance of 706.5 feet to a point; thence S 70° 33' W, a distance of 232.6 feet to a point on the south right-of-way line of the said abandon road; thence N 89° 18' W along the south right-of-way line of the said abandon road, a distance of 482.4 feet; thence N 12°23'W, a distance of 68.5 feet to the point of beginning. This deed abandons 80 feet of right-of-way centered along the abandoned section of Star Landing Road, as shown on Sheet 3 of 10 on the Right-of-Way Plat of MDOT State Project 94-0009-06-019-10, whether correctly described or not.

is no longer needed for County or related purposes and will not to be used in the operation of the County, but the sale of the property in the manner otherwise provided by law is not necessary or desirable for the financial welfare of the County, and that the use of the County property for the purpose of which it is to be conveyed will promote and foster the development and improvement of the community in which it is located and the economic welfare thereof. Therefore, the motion authorizes the County to dispose of the property by conveying the property to the Leatherman family. The motion passed by a unanimous vote.

See Exhibit E.4

F. NEW BUSINESS

1. Bids- Authority to Open Bids

- a. Sale of One Used Motorcycle – Nov. 29, 2004
- b. Annual Supplies – Nov. 23, 2004
- c. One or More Motorcycles with Police Package – Nov. 30, 2004

At the recommendation of Purchasing Administrator Jeannine Ruby, Supervisor Tommy Lewis made the motion and Supervisor Jessie Medlin seconded the motion to authorize the County Administrator or his designee to open bids as follows:

Bid File No:	05-200-001	Sale of One Used Motorcycle	Nov. 29, 2004
Bid File No:	05-156-002	Annual Supplies	Nov, 23, 2004
	05-156-002 a. -	Roadside Herbicides	
	05-156-002 b. -	Hot Mix and Cold Mix Asphalt	

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