

**CITY OF CLINTON
REGULAR MEETING OF THE MAYOR AND BOARD OF ALDERMEN
TUESDAY, MARCH 5, 2002 – 7:00 P.M.
MUNICIPAL COURTROOM - 305 MONROE STREET**

WELCOME AND CALL TO ORDER - Mayor Rosemary Aultman

INVOCATION AND PLEDGE OF ALLEGIANCE TO THE FLAG

The invocation was led by Alderman Hisaw followed by the Pledge of Allegiance to the Flag led by Mayor Aultman.

ROLL CALL - City Clerk Wayne Derrick

Present: Jehu Brabham - Alderman-At-Large
 Tony Hisaw – Alderman Ward 1
 Clint Brantley - Alderman Ward 3
 Phil Fisher - Alderman Ward 4
 Herb Touchton – Alderman Ward 5
 Sharbert Lott – Alderman Ward 6
 Ken Dreher – City Attorney

Absent: Tony Greer – Alderman Ward 2

APPROVAL OF AGENDA ITEMS A-V

MOTION made by Alderman Brabham and **SECONDED** by Alderman Fisher to approve Consent Agenda Items A-V. Amendment to item A was offered by Alderman Fisher and Seconded by Alderman Brabham to have the minutes of February 19, 2002, reflect that no General Fund money is to be used to upgrade or staff the 1 ¾ ton heavy rescue vehicle which was donated to the City of Clinton by AMR. Only funds already in the Fire Department's budget for the current fiscal year are to be expended without further action by the Mayor and Board of Aldermen. The Amendment carried Unanimously. The original **MOTION CARRIED UNANIMOUSLY**

PLANNING & ZONING ITEMS:

APPROVAL OF CONDITIONAL USE FOR MURPHY OIL USA GASOLINE FUELING STATION TO BE LOCATED AT WAL-MART SUPER CENTER-950 HIGHWAY 80 EAST

Upon recommendation by Gary Ward, Zoning Administrator, **MOTION** made by Alderman Brabham and **SECONDED** by Alderman Fisher to approve the Resolution of conditional use for Murphy Oil USA for gasoline fueling station to be located at Wal-Mart Super Center, 950 Highway 80 East, Clinton, MS 39056. The Planning & Zoning Commission recommended approval with no opposition. Copy of Resolution is attached. **MOTION CARRIED UNANIMOUSLY**

APPROVAL OF PRELIMINARY SITE PLAN FOR MURPHY OIL USA GASOLINE FUELING STATION TO BE LOCATED AT WAL-MART SUPER CENTER - 950 HIGHWAY 80 EAST

Upon recommendation by Gary Ward, Zoning Administrator, **MOTION** made by Alderman Brabham and **SECONDED** by Alderman Fisher to approve the preliminary site plan for Murphy Oil USA for gasoline fueling station to be located at Wal-Mart Super Center, 950 Highway 80 East, Clinton, MS 39056. The Planning & Zoning Commission recommended approval with no opposition. Preliminary site plan is on file with the Zoning Administrator. **MOTION CARRIED UNANIMOUSLY**

REAPPOINTMENT OF WILLIAM CAMPBELL TO PLANNING & ZONING COMMISSION

Upon recommendation by Gary Ward, Zoning Administrator, **MOTION** made by Alderman Brantley and **SECONDED** by Alderman Touchton to approve the reappointment of William Campbell to Planning & Zoning Commission beginning January 1, 2002 to January 1, 2006. **MOTION CARRIED UNANIMOUSLY**

FINAL PLAT APPROVAL FOR CLINTON BUSINESS PARK

Upon recommendation by Richard Broome, City Engineer, **MOTION** made by Alderman Hisaw and **SECONDED** by Alderman Touchton to approve the Final Plat for Clinton Business Park. A copy of the Final Plat is on file at the Public Works Department. **MOTION CARRIED UNANIMOUSLY**

REQUEST TO WAIVE THE "ONE HUNDRED FOOT FRONTAGE TO PUBLIC ROAD" REQUIREMENTS FOR MR. ROBERT LEWIS

A request was made by Robert Lewis to permit him to purchase 1 acre of a 4-acre tract from his mother so that he could take care of her and his stepfather. Mr. Lewis sought to make the purchase under the Isolated Sales Provision of the City's Subdivision Regulations. Mr. Lewis stated that within 6 months, if the City approved his purchase, he would upgrade Flower Drive, a private road not maintained by the City, by use of clay gravel or crushed limestones to widen the surfaces to allow two cars to pass. The upgrade would also make it easier for Fire Department equipment to go the site in an emergency. Mr. Lewis stated that he would put a turn around near his mother's house but wanted to secure financial participation from others who would use it.

With these representations by Mr. Lewis and after a thorough discussion, **MOTION** made by Alderman Hisaw and **SECONDED** by Alderman Brabham to approve the request for an "isolated sale" of 1 acre of a 4 - acre tract. A copy of the legal description and plat are attached. **MOTION CARRIED UNANIMOUSLY**.

APPROVAL OF 5-YEAR TAX EXEMPTION FOR MCI WORLDCOM MANAGEMENT COMPANY, INC.

Upon recommendation by Wayne Derrick, City Clerk, **MOTION** made by Alderman Fisher and **SECONDED** by Alderman Lott to approve a 5-year tax exemption for MCI World Com Management Company, Inc. beginning January 1, 2001 and ending December 31, 2005 for property having a fair value of \$8,981,147. A copy of the Resolution authoring the approval of the 5 - year tax exemption is attached. **MOTION CARRIED UNANIMOUSLY**

APPROVAL OF 5 –YEAR TAX EXEMPTION FOR GULF STATE CANNERS, INC.

Upon recommendation by Wayne Derrick, City Clerk, **MOTION** made by Alderman Hisaw and **SECONDED** by Alderman Brabham to approve a 5 – year tax exception for Gulf State Canners, Inc. beginning December 31, 2000 and ending December 30, 2005 for property having a fair value of \$588,880. A copy of the Resolution authorizing the approval of the 5 – year tax exemption is attached. **MOTION CARRIED UNANIMOUSLY**

BANKS ROAD SPECIAL ASSESSMENT (A & B)

A. **MOTION** made by Alderman Hisaw and **SECONDED** by Alderman Brantley to approve Resolution setting the costs of the improvements for the Clinton-Raymond Road/Banks Road Sewer Project at \$30,209.59, after application of grant funds. A copy of the Resolution is attached. **MOTION CARRIED UNANIMOUSLY**

B. **MOTION** made by Alderman Hisaw and **SECONDED** by Alderman Lott to complete the assessment roll for the Clinton-Raymond Road/Banks Road Sewer Project, delivering said roll to the City Clerk and setting April 2, 2002 at 7:00 p.m. for a public hearing to determine any objections or defenses to the proposed assessment. A copy of the Resolution is attached. **MOTION CARRIED UNANIMOUSLY**

HOBBY FARMS SPECIAL ASSESSMENT (A & B)

A. **MOTION** made by Alderman Brantley and **SECONDED** by Alderman Brabham to approve Resolution setting the costs of the improvements for the Hobby Farms Sewer Project at \$229,706.05, after application of grant funds. A copy of the Resolution is attached. **MOTION CARRIED UNANIMOUSLY**

B. **MOTION** made by Alderman Brantley and **SECONDED** by Alderman Brabham to complete the assessment roll for the Hobby Farms Sewer Project, delivering said roll to the City Clerk and setting April 2, 2002 at 7:00 p.m. for a public hearing to determine any objections or defenses to the proposed assessment. A copy of the Resolution is attached. **MOTION CARRIED UNANIMOUSLY**

ADJOURN 7:30 P.M.

MOTION made by Alderman Brabham and **SECONDED** by Alderman Lott to adjourn. **MOTION CARRIED UNANIMOUSLY**

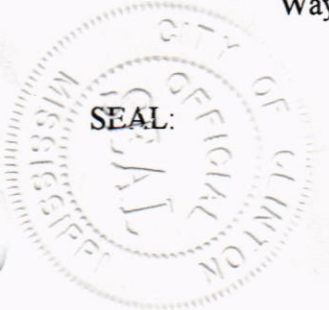
APPROVED: Rosemary G. Aultman
Rosemary G. Aultman, Mayor

March 13, 2002
Date

ATTEST: Wayne Derrick
Wayne Derrick, City Clerk

03/13/2002
Date

SEAL:



CITY OF CLINTON AGENDA ITEM FACT SHEET

Board Meeting Date: March 5, 2002

Agenda Item No. 7. a

Consent Agenda:

To:

For:

Acct. No.

Discussion/Action: Conditional Use
 Murphy Oil USA
 (Wal-Mart Super Center – 950 Highway 80 East)

Introduced by: Gary Ward**Telephone:** 924-2256**Exhibits for Review:****Minutes** _____**Invoice** _____**Other:** _____**Ordinance** _____**Plans, Maps** _____**Resolution** _____**Contract** _____**Recommendation:** Planning and Zoning recommends approval**Board Action:****Motion made by:** Brabham**Seconded by:** Fisher**Vote Cast:****"Aye"****"Nay"****Action Taken:****Brabham****Hisaw****Greer****Brantley****Fisher****Touchton****Lott****Mayor Aultman**

f
 absent
 f
 f
 f
 f

BOARD APPROVED

REQUEST FOR CONDITIONAL USE
APPLICATION

Subject Property Address Hwy. 80 Clinton MS
Owner Murphy Oil U.S.A.
Address 131 ROBERTSON ST., 13TH FLOOR
NEW ORLEANS, LA 70112
Phone # 615.360.7554 (CEI NASHVILLE TN.)
Current Zoning District C-2

Requirements of Applicant:

1. Letter stating reason for requested conditional use.
2. Copy of the written legal description.
3. Site plan of property.
4. \$250.00 fee required for processing.

Requirements for Granting Conditional Uses: (Section 2405.01 – Zoning Ordinance)

A conditional use shall not be granted unless satisfactory provisions and arrangements have been met concerning all the following:

- (a). Ingress and egress to property and proposed structures.
- (b). Off-street parking and loading areas.
- (c). Refuse and service areas.
- (d). Utilities, with reference locations, availability and compatibility.
- (e). Screening and buffering with reference to type, dimensions and character.
- (f). Required yards and other open space.
- (g). General compatibility with adjacent properties and other property in the district.
- (h). Any other provisions deemed applicable by the Mayor/Board of Aldermen.

Applicant shall be present at the Planning and Zoning Commission meeting and Mayor/Board of Aldermen meeting. Documents shall be submitted thirty (30) days prior to the Planning and Zoning Commission meeting.

Applicant is responsible for complying with all applicable requirements of the Zoning Ordinance.

By signing this application, it is understood and agreed that permission is given to the Zoning Administrator to have a sign erected on subject property, giving notice to the public that said property is being considered for a conditional use.

Signature

Dave R. Ruff
Project Coordinator
CEI - NASHVILLE, TN.

Date

1.31.02



CEI Engineering Associates, Inc.

BOARD APPROVED

Two International Plaza, Suite 300 • Nashville, TN 37217 • (615) 360-7554 • Fax (615) 360-7973

January 31, 2002

Gary Ward
City of Clinton, MS
Planning, Zoning & Building Codes Official
202-A West Leake Street
Clinton, MS 39060

Distribution:
GWO/File

**RE: Letter stating REASON for Conditional Use Permit
Murphy Oil
Clinton, Mississippi
CEI #16960.0**

Dear Mr. Ward:

The purpose of this communication is to notify you of our intentions of applying for a "Conditional Use Permit" for a proposed Murphy Oil U.S.A. Gasoline Fueling Station. As you are aware, the proposed Gasoline Fueling Station would be located on a separate Parcel of Land as described in the Legal Description enclosed. The proposed Murphy Oil Fuel Station would provide gasoline-dispensing services only. There will be no service bays, car wash or oil/lube changing proposed at this facility.

Our request for "Conditional Use Permitting" would come from the City of Clinton Zoning Ordinance under:

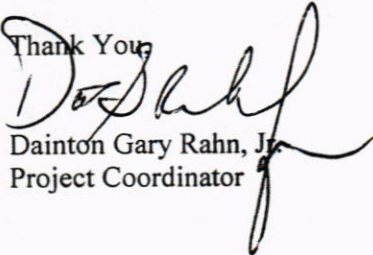
ARTICLE XV: GENERAL COMMERCIAL DISTRICT (C-2);

SECTION 1502 – CONDITIONAL USES AND STRUCTURES AS PROVIDED UNDER SECTION 2405.

Please review the Application, Legal Description & Letter of Request to determine if any other items are required for the Planning Commission to make a favorable decision concerning our Application for Conditional Use.

If you need any further information concerning this project, please feel free to contact CEI Engineering Associates at 615.360.7554.

Thank You,


Dainton Gary Rahn, Jr.
Project Coordinator

HWY. 80

ONLY

Signal Box

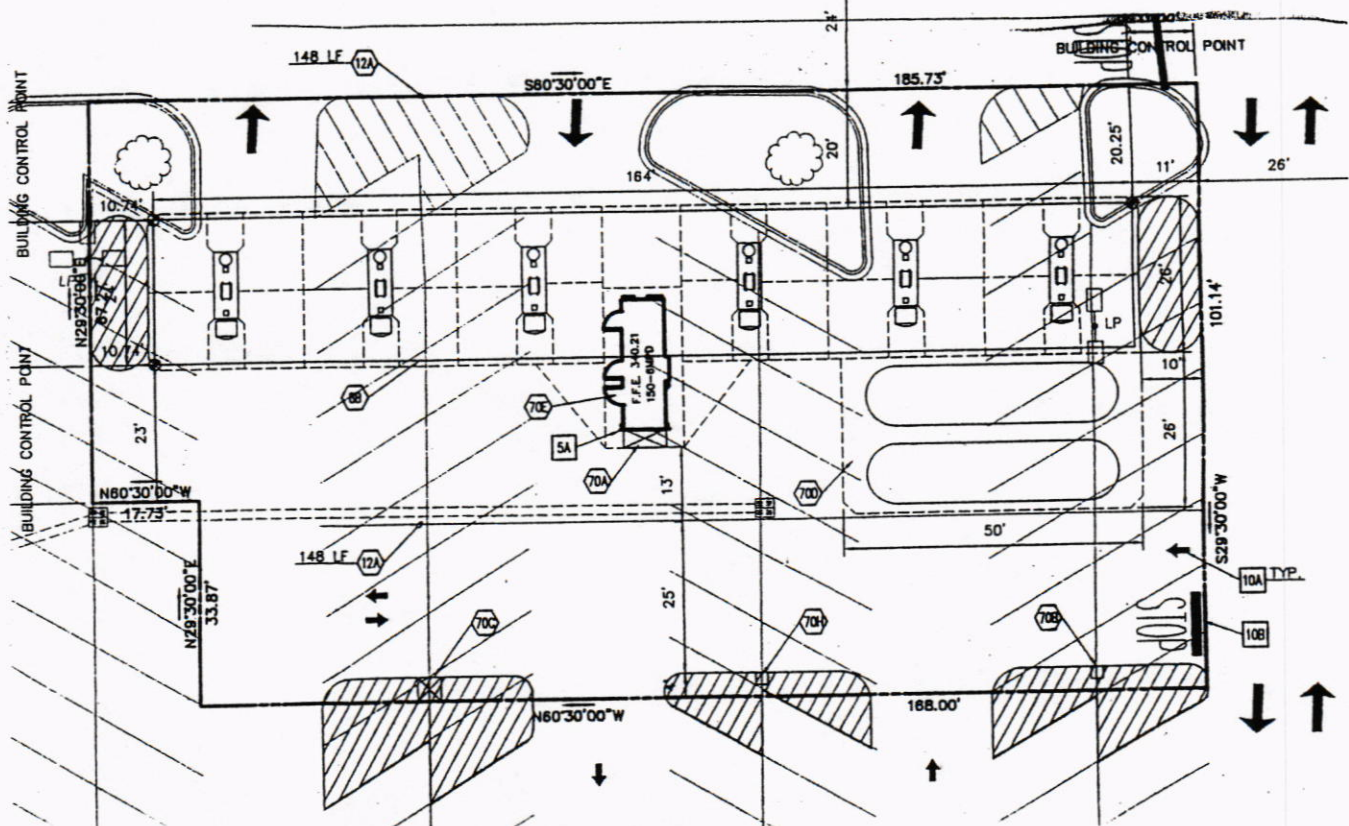
"KEEP RIGHT
SIGN" —

NO
TRUCK

r Maps

per Maps

LEASE AREA
18,184 SF
0.4174 ACRES



**RESOLUTION APPROVING A CONDITIONAL USE FOR
MURPHY OIL U.S.A. FOR PROPERTY LOCATED AT
950 HIGHWAY 80 EAST, CLINTON, MISSISSIPPI**

WHEREAS, Murphy Oil U.S.A., did file a request for a conditional use for the property located at 950 Highway 80 East to operate a fuel center; and

WHEREAS, all notice requirements of the Zoning Ordinance of the City of Clinton were accomplished and a public hearing was held on February 26, 2002, as required; and,

WHEREAS, the Planning and Zoning Commission upon conclusion of the public hearing on February 26, 2002, adopted a motion to approve the request for a conditional use and that the motion be forwarded to the next meeting of the Mayor and Board of Aldermen for their consideration.

WHEREAS, the Mayor and Board of Aldermen of the City of Clinton, Mississippi, have the final authority with regard to all matters involving the Zoning Ordinances; and

WHEREAS, the Mayor and Board of Aldermen are fully familiar with the request and the area involved in the request; and

BE IT RESOLVED by the Mayor and Board of Aldermen of the City of Clinton, Mississippi that the request of Murphy Oil U.S.A. for a Conditional Use of the property located at 950 Highway 80 East as a fuel center and hereby granted and such action is taken pursuant to the findings of fact set out as follows:

1. The Mayor and Board of Aldermen of the City of Clinton, Mississippi, have the final authority with regard to all matters involving the Zoning Ordinance.
2. The recommendation of the Planning and Zoning Commission is advisory in nature.
3. The Mayor and Board of Aldermen have knowledge of the area involved and are aware of the need for the conditional use.
4. The requested designation meets the definitions of a Conditional Use of the Zoning Ordinance.
5. The Conditional-Use will promote the general welfare of the City of Clinton and will not adversely affect adjacent property. Future projects within the designation area will remain subject to the Zoning Ordinance and approval of site plans or other matter will allow the City to continue to monitor the area.

6. The Mayor and Board of Aldermen find that Section 402 of the Zoning Ordinances has been complied with and that the requirements of Section 2405.01 of the Zoning Ordinances are satisfied based upon the presentation of the applicants and the site plan presented to the Planning Commission and to the Mayor and Board of Aldermen.
7. The granting of this conditional-use does not relieve the requested from compliance with any applicable law, court order, covenants or contracts.

The foregoing Resolution, having been reduced to writing, Alderman _____ moved that said Resolution be adopted. Alderman _____ seconded. The vote was as follows:

Alderman Brabham voted: _____

Alderman Hisaw voted: _____

Alderman Greer voted: _____

Alderman Brantley voted: _____

Alderman Fisher voted: _____

Alderman Touchton voted: _____

Alderman Lott voted: _____

Whereupon the Mayor declared the Motion carried and the ordinance approved and adopted.

The foregoing ordinance was approved this the 5th day of March, 2002.

CITY OF CLINTON

BY: _____
Rosemary Aultman, Mayor

ATTEST:

Wayne Derrick, City Clerk

(S E A L)

PLANNING AND ZONING COMMISSION

Clinton, Mississippi

Tuesday, February 26, 2002

Public Hearing - 7:00 P.M.

Municipal Courtroom

305 Monroe Street

Minutes

Present: Commission members Bill Campbell, Edward Taylor, Gayle Albritton, Bettye King, Janet Sherer, Jim Martin and city officials Gary Ward (Zoning Administrator), Clint Brantley (Alderman) and Ken Dreher (City Attorney).

I. Call to Order

Commission chairman Bill Campbell called the meeting to order at 7:00 p.m.

II. Consideration and approval of January 22, 2002 minutes

MOTION was made by Bettye King to accept the Minutes of the January 22, 2002 meeting. SECOND by Janet Sherer. MOTION carried, none opposed.

III. Considerations from previous meetings

There were no considerations from previous meetings.

IV. New Considerations

1. Murphy Oil U.S.A. (Wal-Mart)

- a. Conditional Use
- b. Preliminary Site Plan

Representatives present: Pov Chin and Glen Wright

Gary Ward informed the Commission that Murphy Oil is requesting a Conditional Use to operate a fuel center in the northeast corner of the Wal-Mart parking lot located at 950 Highway 80 East. All department heads have reviewed the site plan and all requirements except issues regarding the water lines have been met and approved.

Gayle Albritton questioned if this fuel center would be only a gas-pumping center with no on-site mechanic work being performed. Pov Chinn replied that this facility would be used for gas and some retail sales such as oil, anti-freeze, snacks, etc. No mechanic work would be done.

Janet Sherer questioned the construction date. Mr. Chinn replied that construction would begin within two months once approval from Wal-Mart and Murphy Oil has been received. The start date is September 2002. Mr. Chinn also stated that should Wal-Mart require any substantial changes of plans submitted, he would forward these to Gary Ward for approval. Mrs. Sherer asked he anticipated there would any changes. Mr. Chinn replied no.

Bettye King inquired as to the nature of the agreement between Murphy Oil and Wal-Mart. Mr. Wright replied that Murphy Oil leases the land from Wal-Mart. Should all options of the lease be exercised, the lease is a twenty-year lease.

Jim Martin asked about the water line issue mentioned before. Gary Ward replied that Wal-Mart has an 8-inch line to which Murphy Oil proposes to tie on to. The Public Works Director is looking into this to see if there is another avenue to take so that Murphy Oil will not have to lay a great distance of water line. City department heads are requiring a fire hydrant be installed at this site.

A public hearing was held and no opposition was expressed.

A MOTION was made by Jim Martin to recommend to the Mayor and Board of Aldermen to approve the request for the Conditional Use for Murphy Oil USA to be found in the Wal-Mart parking lot located at 950 Highway 80 East pending that all issues regarding the water lines and fire hydrant have been met and satisfied with all City of Clinton department heads. SECOND by Gayle Albritton. MOTION carried unanimously, none opposed.

A MOTION was made by Gayle Albritton to recommend approval to the Mayor and Board of Aldermen for the preliminary site plan of Murphy Oil USA positioned in the northeast corner of the Wal-Mart parking lot located at 950 Highway 80 East pending all conditions have been satisfied with the City of Clinton department heads. SECOND by Bettye King. MOTION carried unanimously, none opposed.

Site plans are on file with the Zoning Administrator.

V. Other Business

There were no other business items to be discussed.

VI. Confirmation of next meeting

Confirmation of the next Planning and Zoning Commission Meeting to be held on March 26, 2002 at 7:00 P.M. with the Informational Meeting set for 6:30 P.M.

VII. Adjournment

MOTION to adjourn was made by Edward Taylor. SECOND by Janet Sherer. MOTION carried unanimously, none opposed.

**RESOLUTION APPROVING A CONDITIONAL USE FOR
MURPHY OIL U.S.A. FOR PROPERTY LOCATED AT
950 HIGHWAY 80 EAST, CLINTON, MISSISSIPPI**

WHEREAS, Murphy Oil U.S.A., did file a request for a conditional use for the property located at 950 Highway 80 East to operate a fuel center; and

WHEREAS, all notice requirements of the Zoning Ordinance of the City of Clinton were accomplished and a public hearing was held on February 26, 2002, as required; and,

WHEREAS, the Planning and Zoning Commission upon conclusion of the public hearing on February 26, 2002, adopted a motion to approve the request for a conditional use and that the motion be forwarded to the next meeting of the Mayor and Board of Aldermen for their consideration.

WHEREAS, the Mayor and Board of Aldermen of the City of Clinton, Mississippi, have the final authority with regard to all matters involving the Zoning Ordinances; and

WHEREAS, the Mayor and Board of Aldermen are fully familiar with the request and the area involved in the request; and

BE IT RESOLVED by the Mayor and Board of Aldermen of the City of Clinton, Mississippi that the request of Murphy Oil U.S.A. for a Conditional Use of the property located at 950 Highway 80 East as a fuel center and hereby granted and such action is taken pursuant to the findings of fact set out as follows:

1. The Mayor and Board of Aldermen of the City of Clinton, Mississippi, have the final authority with regard to all matters involving the Zoning Ordinance.
2. The recommendation of the Planning and Zoning Commission is advisory in nature.
3. The Mayor and Board of Aldermen have knowledge of the area involved and are aware of the need for the conditional use.
4. The requested designation meets the definitions of a Conditional Use of the Zoning Ordinance.
5. The Conditional-Use will promote the general welfare of the City of Clinton and will not adversely affect adjacent property. Future projects within the designation area will remain subject to the Zoning Ordinance and approval of site plans or other matter will allow the City to continue to monitor the area.

6. The Mayor and Board of Aldermen find that Section 402 of the Zoning Ordinances has been complied with and that the requirements of Section 2405.01 of the Zoning Ordinances are satisfied based upon the presentation of the applicants and the site plan presented to the Planning Commission and to the Mayor and Board of Aldermen.
7. The granting of this conditional-use does not relieve the requested from compliance with any applicable law, court order, covenants or contracts.
8. The conditional use is granted, subject to the following conditions:
 - a. If fuel center ceases operation, all structures associated with the center's operation shall be removed by the MURPHY OIL, U.S.A., its successors, or assigns within (6) six months after the fuel center ceases its operation.
 - b. All support columns for canopy shall be brick. Type of material and colors shall be presented to Zoning Administrator for approval prior to construction.

The foregoing Resolution, having been reduced to writing, Alderman Brabham moved that said Resolution be adopted. Alderman Fisher seconded. The vote was as follows:

Alderman Brabham voted: yes
Alderman Hisaw voted: yes
Alderman Greer voted: absent
Alderman Brantley voted: yes
Alderman Fisher voted: yes
Alderman Touchton voted: yes
Alderman Lott voted: yes

Whereupon the Mayor declared the Motion carried and the ordinance approved and adopted.

The foregoing ordinance was approved this the 5th day of March, 2002.

CITY OF CLINTON
BY: Rosemary A. Aultman
Rosemary Aultman, Mayor

ATTEST: W. Derrick
Wayne Derrick, City Clerk

(S E A L)

BOARD APPROVED
CITY OF CLINTON AGENDA ITEM FACT SHEET

Board Meeting Date: March 5, 2002

Agenda Item No. 7. b

Consent Agenda:

To:

For:

Acct. No.

Discussion/Action: Preliminary Site Plan
Murphy Oil USA
(Wal-Mart Super Center – 950 Highway 80 East)

Introduced by: Gary Ward

Telephone: 924-2256

Exhibits for Review:

Minutes _____

Invoice _____

Other: 7

Ordinance _____

Plans, Maps _____

Resolution _____

Contract _____

Recommendation: Planning and Zoning recommends approval

Board Action:

Motion made by: Brabham

Seconded by: Fisher

Vote Cast:

"Aye"

"Nay"

Action Taken:

Brabham

Hisaw

Greer

Brantley

Fisher

Touchton

Lott

Mayor Aultman

F
absent
f
f
f
f
f

BOARD APPROVED

CITY OF CLINTON AGENDA ITEM FACT SHEET

Board Meeting Date: March 5, 2002

Agenda Item No. 8

Consent Agenda:	To:
For:	Acct. No.

Discussion/Action:	Re-appointment of William Campbell to Planning and Zoning Commission (Term to expire January 1, 2006)		
Introduced by:	Gary Ward	Telephone:	924-2256

Exhibits for Review:			
Minutes	_____	Invoice	_____
Ordinance	_____	Plans, Maps	_____
Resolution	_____	Contract	_____
		Other:	_____

Recommendation:

Board Action:	Motion made by: <u>Brantley</u>		
	Seconded by: <u>Touchton</u>		
<u>Vote Cast:</u>	<u>"Aye"</u>	<u>"Nay"</u>	<u>Action Taken:</u>
Brabham	<u>1</u>	_____	_____
Hisaw	_____	_____	_____
Greer	<u>Absent</u>	_____	_____
Brantley	<u>1</u>	_____	_____
Fisher	_____	_____	_____
Touchton	_____	_____	_____
Lott	_____	_____	_____
Mayor Aultman	_____	_____	_____

Agenda items must be turned in to the City Clerk with all attachments no later than 5 P.M. on the Wednesday preceding the Tuesday Board Meeting to be included on the Agenda. This deadline will be strictly enforced.

BOARD APPROVED

CITY OF CLINTON AGENDA ITEM FACT SHEET

Board Meeting Date: March 05, 2002

Agenda Item No. 9

Consent Agenda: For:	To:
Account No.	

Discussion/Action: Final Plat approval for Clinton Business Park	
Introduced by: Richard Broome	Telephone No. 924-5462

Exhibits for Review:

Minutes: _____	Invoice: _____	Other: _____
Ordinance: _____	Plans, Maps: _____	_____
Resolution: _____	Contract: _____	_____

Recommendation:

Board Action:

Motion made by: Hisaw
Seconded by: Touchton

<u>Vote Cast:</u>	<u>"Aye":</u>	<u>"Nay":</u>	<u>Action Taken:</u>
Brabham	<u>I</u>	_____	_____
Hisaw	<u>Albert</u>	_____	_____
Greer	<u>I</u>	_____	_____
Brantley	<u>I</u>	_____	_____
Fisher	<u>I</u>	_____	_____
Touchton	<u>I</u>	_____	_____
Lott	<u>I</u>	_____	_____
Mayor Aultman	_____	_____	_____

Agenda items must be turned in to the City Clerk with all attachments no later than 5 P.M. on the Wednesday preceding the Tuesday Board Meeting to be included on the Agenda. This deadline will be strictly enforced.

BOARD APPROVED

CITY OF CLINTON AGENDA ITEM FACT SHEET

Board Meeting Date: March 5, 2002

Agenda Item No. 10

Consent Agenda:

To:

For:

Acct. No.

Discussion/Action: Request to waive the "One Hundred Foot Frontage to Public Road" requirement for Mr. Robert Lewis

Introduced by: Tim Rogers

TR

Telephone: 924-2239

Exhibits for Review:

Minutes

Ordinance

Resolution

Invoice

Plans, Maps

Contract

Other:

*city is
Horse Drive is not a public
drivage not responsible for its maint &
drivage waiver as "isolated
sale" uphoop.*

Recommendation:

Board Action:

Motion made by:

Hisaw

Seconded by:

Brabham

Vote Cast:

"Aye"

"Nay"

Action Taken:

Brabham

Hisaw

Greer

Brantley

Fisher

Touchton

Lott

Mayor Aultman

I
Albert
I
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I

BOARD APPROVED

Request for Dimensional Variance on hundred foot drive addition

Date: 2-14-2002

To: Dimensional Variance Director

From: Robert L. Lewis, Junior

To Whom it May Concern

I, Robert L. Lewis, Junior, am making a hardship request for dimensional variance for a hundred foot entrance to Flowers Drive, located at 108 Flowers Drive on submitted (site plan).

My hardship for this request is that I need to take care of my 80 year old mother and my 87 year old step-father. I have only one living relative, my sister and she is disabled and is unable to help me at all. I am 61 years old and I will abide by any and all rules applied to this ordinance.

Please help me out with my situation, as it is a hardship case and I would appreciate any help with this request.

Sincerely,

A handwritten signature in cursive script that reads "Robert L. Lewis, Junior".

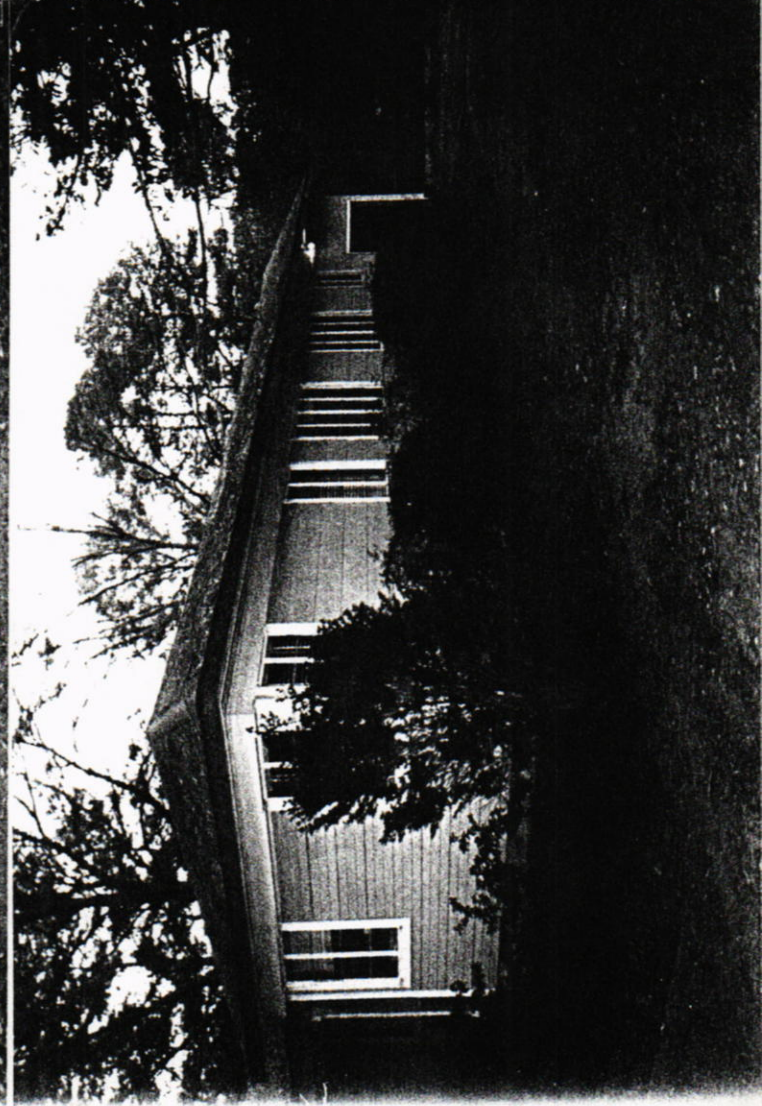
Robert L. Lewis, Junior

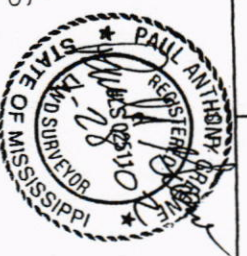
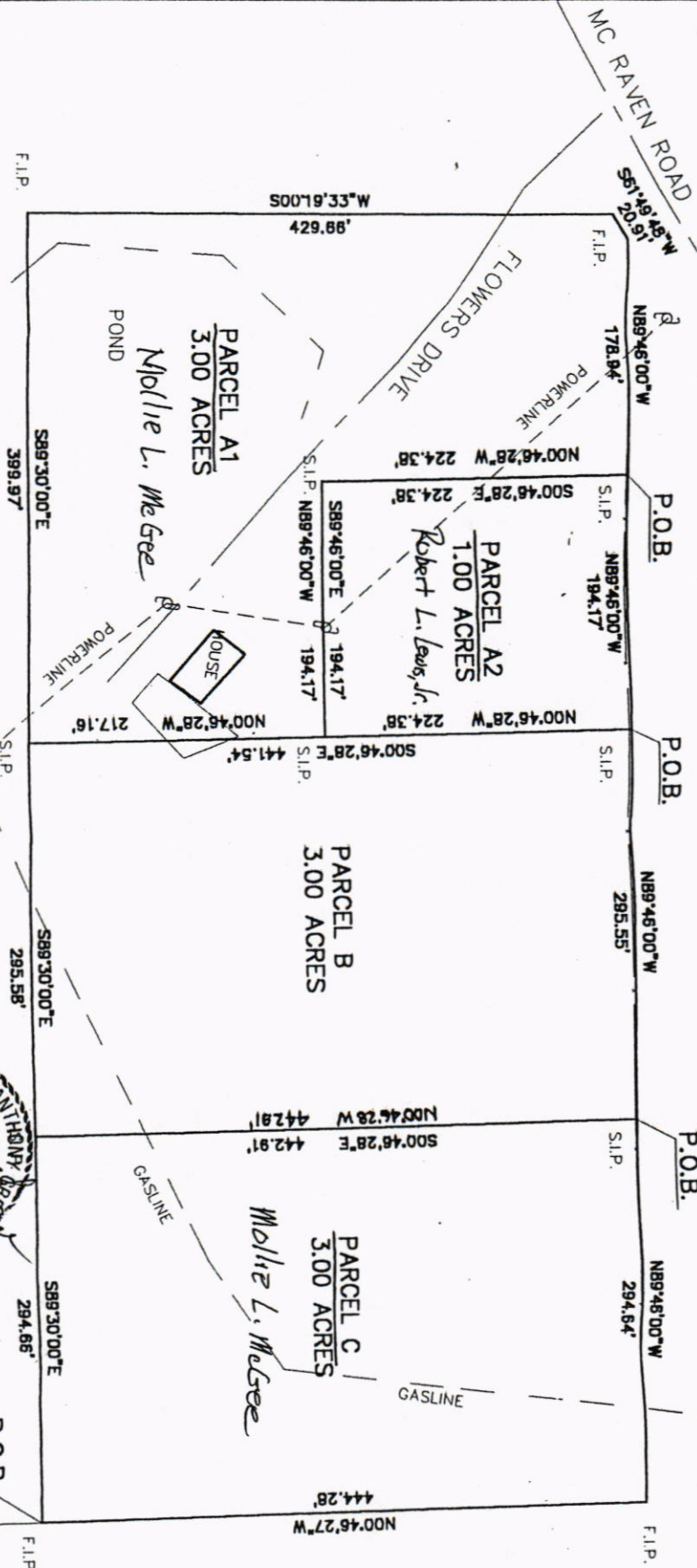
DESCRIPTION OF PARCEL A2
1.00 ACRE

1.00 acre located in the Northeast Quarter of the Southwest Quarter of Section 6, Township 5 North, Range 1 West, Hinds County, Mississippi, and more particularly described as follows:

Commence at the Southeast corner of the Southwest Quarter of Section 6, Township 5 North, Range 1 West, Hinds County, Mississippi, and run thence North a distance of 1574.91 feet to the Southeast corner of that certain parcel of land conveyed to Mollie McGee by Warranty Deed on file and of record in the office of the Chancery Clerk of Hinds County and filed in Deed Book 3854 at page 262, reference to which is hereby made in aid of and as a part of this description; Run thence North 00 degrees 46 minutes 27 seconds West along the East line of said parcel as described in said Deed Book 3854 at page 262 for a distance of 444.28 feet to a point; Run thence North 89 degrees 46 minutes 00 seconds West along the North line of said parcel as described in Deed Book 3854 at page 262 for a distance of 590.19 feet to the Point Of Beginning of the parcel of land described as follows:

Continue thence North 89 degrees 46 minutes 00 seconds West along the North line of said parcel as described in Deed Book 3854 at page 262 for a distance of 194.17 feet to a point; Run thence South 00 degrees 46 minutes 28 seconds East for a distance of 224.38 feet to a point; Run thence South 89 degrees 46 minutes 00 seconds East for a distance of 194.17 feet to a point; Run thence North 00 degrees 46 minutes 28 seconds West for a distance of 224.38 feet to the Point Of Beginning.





PLAT OF SURVEY FOR
MOLLIE MCGEE

LOC. NE1/4 OF SW1/4, SEC. 6
T5N, R1W, HINDS COUNTY, MISS

GREENE LAND SURVEYING, INC.

872 PRISOCK ROAD

JACKSON, MS 39272

TEL. NO. 601 373-5755

DATE: 01-28-02
SCALE: 1" = 100'

NOTE:
 * CLASS 'C' SURVEY.
 BEARINGS ARE BASED ON RECORD
 DEED AND FOUND IRON PINS AT CORNERS.
 REFERENCE DEED BOOK 3854, PAGE 262.
 EASEMENTS OF RECORD IF ANY, NOT SHOWN.
 NOT FURNISHED TO ME.

Planned Unit Development (PUD) as prescribed under Article XIV of the Zoning Ordinance, all lot dimensions shall comply with the minimum standards of the Zoning Ordinance for the zone in which the subdivision is located. Except for such approved PUD's, each lot shall front for the minimum width distance required by the Zoning Ordinance on a public dedicated street or approved private drive.



404.2 Lot Arrangement: Side lot lines shall be as close as possible to right angles to straight street lines and radial to curved street lines.

X 404.3 Frontage of Residential Lots on Arterial Streets:
In order to alleviate traffic congestion on arterial streets in the City of Clinton and to avoid safety hazards caused by vehicles entering traffic on such arterial streets, no lot shall front on an arterial street unless such frontage is specifically approved in writing by the Superintendent of Public Works. Lot frontage on an arterial street shall not be approved by the Superintendent unless special circumstances (as determined by the Superintendent) prevent frontage on a non-arterial street.

For the purposes of these regulations, arterial streets shall include the following and any others designated by the Mayor and Board of Aldermen through the amendment of these regulations:

1. Pinehaven Road;
2. Clinton - Tinnin Road;
3. Northside Drive (including West Northside Drive);
4. Old Vicksburg Road;
5. Cynthia Road;
6. Magnolia Road;
7. Clinton Boulevard;
8. Shaw Road;
9. U. S. Highway 80;
10. Springridge Road;
11. Clinton - Raymond Road;
12. McRaven Road;
13. Wells Road; and
14. Midway Road.

404.4 Planting Screen Easement Required for Lots Abutting Arterial Streets: A planting screen easement of at least ten (10) feet in width shall be provided along the line of lots abutting the arterial streets listed under Section 404.3. The spacing, sizes, and specific types of landscaping material to be installed within this planting screen easement shall be shown on the preliminary plat of the proposed subdivision,

- (4) Collector street - A street intended to provide both land access and traffic circulation within residential neighborhoods, commercial and industrial areas. A collector street collects traffic from local streets and channels it to principal and minor arterial streets and highways.
- (5) Local street - A street intended to provide access to abutting land and access to collector streets and arterial streets and highways. A local street provides the lowest level of mobility, and service to through traffic movement is usually deliberately discouraged.

Street Right-of-Way Line: The legal property boundary line delineating the street right-of-way and the abutting property.

Structure: Anything constructed or erected, the use of which requires a fixed location on the ground, or attached to something having a fixed location on the ground. Among other things, structures include buildings, mobile homes, and certain types of signs (see Zoning Ordinance). The term "structure" shall not include fences or "Transient Trailers" as the latter term is defined by the Zoning Ordinance. "Structure" shall be construed as if followed by the words "or part thereof."

Subdivider: Any person, firm, partnership, corporation or other entity acting as a unit, who, having an interest in land, causes it, directly or indirectly, to be divided into a subdivision.

X Subdivision: The division of any lot, tract or parcel of land into two (2) or more lots for the immediate or future purpose of sale or building development by means of an appropriately recorded legal document; however, the term "subdivision" as used herein shall not include the exceptions to these regulations as cited under Article I.

Superintendent of Public Works or "Superintendent": The person or persons designated by the Mayor and Board of Aldermen as responsible for the administration and enforcement of the Subdivision Regulations. Said person is also responsible for planning, controlling, and supervising street maintenance, water distribution, wastewater treatment and drainage facilities.

Thoroughfares Plan: One of the elements of a Comprehensive Plan, usually developed concurrently with another element, the "Land Use Plan." As used in these regulations, "Thoroughfares Plan" shall refer to a document adopted by

X
AN ORDINANCE AMENDING SECTION 202
OF THE SUBDIVISION REGULATIONS OF
THE CITY OF CLINTON, MISSISSIPPI,
WITH RESPECT TO THE DEFINITIONS
OF THE TERM SUBDIVISION

Section 202 of the Subdivision Regulations is amended to include the following as a part of and in addition to the definition of the term "subdivision".

SECTION I.

The term "subdivision" as defined herein shall not include the isolated sale of a lot or lots which have at least 100 feet fronting on an existing public road, highway or street. The term "isolated sale" shall mean a sale of not more than one lot or parcel from an existing parcel during any one-year period. Additionally, the term "isolated sale" shall mean any transfer or transfers to a member of the grantor's immediate family for the purpose of construction of a residence or residences, regardless of the number of such transfers. The term "immediate family" means and is limited to the parents or children of at least one of the Grantors. Any such parcel sold or conveyed which is not held by the vendee for a period of at least one year after the recording of the deed conveying the same in the office of the Chancery Clerk of Hinds County, shall not be an isolated sale. In such case both the vendee and vendor shall be fully responsible for compliance with the provisions of the Subdivision Regulations of the City of Clinton. Provided, however, any such property may be transferred within one year of the date of recording provided that the owner thereof provides clear and convincing evidence to the Mayor and Board of Aldermen that said transfer was not prearranged prior to the transfer and that it is not a mere subterfuge to avoid the requirements of the Subdivision Regulations of the City of Clinton.

BOARD APPROVED

CITY OF CLINTON AGENDA ITEM FACT SHEET

Board Meeting Date: March 5, 2002

Agenda Item No. 11

Consent Agenda:

Discussion/Action: Approval of 5-Year Tax Exemption Beginning January 1, 2001 and ending December 31, 2005 for MCI WorldCom Management Company, Inc. for Property Having a Fair Value of \$8,981,147.

Introduced by: Wayne Derrick, City Clerk

City tax 44,550 -
School tax 70,200 +

Exhibits for Review:

Minutes: _____
Ordinance: _____
Resolution: X

Invoice: _____
Plans, Maps: _____
Contract: _____

Other: Application for Exemption

Recommendation:

Board Action:

Motion made by: Fisher
Seconded by: Lott

Vote Cast:

"Aye":

"Nay":

Action Taken:

Brabham

Hisaw

Greer

Brantley

Fisher

Touchton

Lott

Mayor Aultman

I
absent
I

Agenda items must be turned in to the City Clerk with all attachments no later than 5 P.M. on the Wednesday preceding the Tuesday Board Meeting to be included on the Agenda. This deadline will be strictly enforced.

BOARD APPROVED

APPLICATION TO THE MAYOR AND BOARD OF ALDERMEN
OF CLINTON, MISSISSIPPI
FOR EXEMPTIONS FROM AD VALOREM TAXES

RECEIVED
MAY 18 2001

CITY OF CLINTON

**APPLICATION OF MCIWORLDCOM MANAGEMENT COMPANY, INC. FOR
EXEMPTION FROM AD VALOREM TAXES FOR A PERIOD OF FIVE
YEARS AS AUTHORIZED BY SECTION 27-31-101, et seq., OF THE
MISSISSIPPI CODE OF 1972, AS AMENDED**

TO THE MAYOR AND BOARD OF ALDERMEN OF CLINTON, MISSISSIPPI:

1. **MCIWORLDCOM MANAGEMENT COMPANY, INC.** files this its application in triplicate for exemption from ad valorem taxation, except State and school district ad valorem taxation, and respectfully represents unto this Honorable Mayor and Board of Aldermen as follows:
2. Applicant, **MCIWORLDCOM MANAGEMENT COMPANY, INC.** is a Delaware corporation, domiciled in the city of Clinton, Hinds County, Mississippi, and qualified to do business in Mississippi, with the headquarters of its operation in Clinton, Hinds County, Mississippi.
3. Applicant is now operating within the City of Clinton, Hinds County, Mississippi, located at 500 Clinton Center Drive and is a bona fide enterprise of public utility within the meaning of Sections 27-31-101, et seq., and 27-31-105, et seq., and related Sections of the Mississippi Code of 1972, as amended, which has made additions to or expansions of its facilities or properties or has replaced equipment used in connection with or necessary to the operation of its business.
4. That Applicant is a corporate regional and national headquarters under the Department of Economic and Community Development guidelines (copies of which are attached

BOARD APPROVED

hereto as Exhibit "A") for purposes of ad valorem tax exemption under Section 27-31-105 of the Miss. Code of 1972, as amended.

5. Applicant therefore is eligible for the exemption granted by section 27-31-105 of the Mississippi Code of 1972, as amended, namely as a corporate regional and national headquarters within the meaning of Sections 27-31-101, et seq., and 27-31-105, et seq., of the Mississippi Code of 1972, as amended.
6. The exemption prayed for in this Application is with respect to additions to, expansions of, or replacements with respect to Applicant's said enterprise of public utility as enumerated in Section 27-31-101, which expansions, additions, and replacements will promote the development of Hinds County, Mississippi and the City of Clinton, Mississippi.
7. Applicant constructed a building in Hinds County, Clinton, Mississippi, located at 500 Clinton Center Drive, Clinton, Mississippi 39056, for the purpose of housing its regional and national headquarters. This Application relates to the additions and replacements of personal property (as listed in Exhibit "B" hereto) as a result of the expansion.
8. The expansion, which is the subject of this Application, was completed on or about the 31st day of December 2000, within the meaning of the applicable statutes of the State of Mississippi, and therefore, the exemption hereby claimed should commence on January 1, 2001.
9. When hiring, the Applicant will give preference to Hinds County residents and will utilize Hinds County minority vendors, suppliers, subcontractors, and professionals to the extent consistent with the law and to the extent consistent with the following. The Applicant affirms that it is an equal opportunity employer. Nothing in this paragraph is intended to create third-party beneficiary rights or, since the Application is intended to apply only to the Applicant's facility in Hinds County, to restrict the Applicant's

discretion in employment decisions or contracts of national or international scope and not of a purely local nature, or otherwise unrelated to Hinds County, nor to restrict the applicant from employing the best qualified applicants for positions in all locations, including the Hinds County facility. Thus, Applicant will continue to hire the best-qualified applicant for each position, giving preference to Hinds County residents for positions in its Hinds County facility when all other factors, such as education, experience, and skill level are equal.

10. The true value of all personal property to be exempted is \$8,981,147 as shown in itemized list attached hereto as Exhibits "B" and made a part hereof.
11. Said exemption of the personal property described in Exhibit "B" should be granted for an initial period of five (5) years beginning on January 1, 2001 and ending on the 31st day of December, 2005. Applicant should be entitled to apply for and granted an extension of five (5) years upon furnishing proof of compliance, with the total years for any exemption not to exceed ten (10) years.

Prayer

WHEREFORE, Applicant prays that the Mayor and Board of Aldermen enter a finding that applicant's business is in fact a corporate regional and national headquarters, that Applicant has in fact undertaken an addition to, expansion of, or replacement with respect to an enterprise of public utility; within the meaning of the applicable laws of Mississippi;

That applicant be granted an exemption from ad valorem taxation except State and School District ad valorem taxation, as provided by law, for an initial period of five (5) years beginning on the 1st day of January, 2001, and ending on the 31st day of December, 2005, upon the personal property

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described in Exhibits "B" attached hereto and made a part hereof, used in, or necessary to the operation of applicant's business in the City of Clinton, Hinds County, Mississippi;

That Applicant be entitled to apply for and be granted an extension of five (5) years upon furnishing proof of compliance, with the total years for any exemption granted not to exceed ten (10) years; and

That the Mayor and Board of Aldermen approve this application by an order or resolution spread upon its minutes, declaring that such property is exempt from all ad valorem taxation, except State and School District ad valorem taxation, for an initial period of five (5) years beginning on January 1, 2001; that the Applicant will be entitled to apply for and be granted an extension of five (5) additional years; that the total years for exemption for this expansion shall not exceed ten (10) years; and that said Mayor and Board of Aldermen shall forward the original and three certified copies of this application and a certified transcript of such approval to the Mississippi State Tax Commission and upon approval of this application by the said Mississippi State Tax Commission and certification of its approval, the Mayor and Board of Aldermen will enter a final order of its minutes granting the exemption herein prayed and notify the County Tax Assessor of such exemption and obtain a certificate of the County Tax Assessor verifying the status of said property as non-taxable on the appropriate tax rolls.

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Respectfully submitted, this 17th day of May 2001.

MCIWORLDCOM MANAGEMENT COMPANY, INC.
Applicant

By: *Rafael Garces*
Title: Director

ATTEST:

City of Washington, D.C.

Personally appeared before me, the undersigned authority, Rafael Garces known to me to be the Director of MCIWORLDCOM MANAGEMENT COMPANY, INC., who being first duly sworn upon his oath says the facts stated in the foregoing application for Exemption from Ad Valorem Taxes are true and correct.

Given under my hand and seal of office this is the 17th day of May, 2001

Maria A. Rosel
Notary Public

MARIA A. ROSSEL
Notary Public District of Columbia
My Commission Expires: 2/17/2006



BOARD APPROVED

EXHIBIT "A"

MDECD GUIDELINES FOR AD VALOREM EXEMPTION

National Headquarters

That location or office, of a multi-state business, where managerial, professional, technical and administrative personnel are domiciled and employed and where the businesses financial, personnel, legal, technical, support staff, support services, and other centralized business functions are performed. The function and purpose of the national headquarters is to plan, direct, and control all aspects of the organization operations and has final authority over all regional offices, operating facilities, or any other offices of the business enterprise. The "national headquarters" is subordinate only to the ownership of the organization or its representatives.

BOARD APPROVED

Exhibit "B"

**WorldCom Management Company, Inc.
Schedule of Exempt Personal Property
500 Clinton Center Drive
Hinds County, Mississippi 39056
Y/E 12/31/00
2001 Additions**

<u>Description</u>	<u>Cost</u>	<u>Depreciation</u>	<u>Net Book Value</u>
Furniture & Fixtures	19,797	990	18,807
Fiber Optic Electronics	138,137	17,267	120,870
Personal Computers	8,015,170	1,335,862	6,679,308
Office Equipment	808,043	50,502	757,541
TOTAL	8,981,147	1,404,621	7,576,526

**RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN
OF THE CITY OF CLINTON, MISSISSIPPI GRANTING EXEMPTION
FROM AD VALOREM TAXES**

The Board of Aldermen next took up for consideration the matter of granting tax exemption from ad valorem taxes for MCIWorldCom Management Company, Inc., and the following Resolution, having first been reduced to writing, was introduced:

RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF CLINTON, MISSISSIPPI, GRANTING EXEMPTION FROM AD VALOREM TAXES FOR A FIVE-YEAR PERIOD BEGINNING JANUARY 1, 2001 AND ENDING DECEMBER 31, 2005 TO MCIWORLD COM MANAGEMENT COMPANY, INC. AS AUTHORIZED BY SECTION 27-31-105, ET SEQ., OF THE MISSISSIPPI CODE, AS AMENDED.

WHEREAS, MCIWorldCom Management Company, Inc. filed in triplicate with this Board its Application for exemption from ad valorem taxation on expanded or replaced equipment and facilities located within the City of Clinton, Hinds County, Mississippi; and

WHEREAS, MCIWorldCom Management Company, Inc. has produced written verification and documentation to this Board as to the authenticity and correctness of its Application in regard to the true value of the prayed-for exemption and the completion date of said enterprise; and

WHEREAS, the property described in the aforementioned Application was completed on December 31, 2000, and as of that date the true value of all property to be exempt was \$8,981,147, as shown in an itemized list provided with the application, a copy of which is attached as Exhibit "B"; and

WHEREAS, this Board finds as a fact that the property described in the aforesaid Application was an expansion completed

BOARD APPROVED

on December 31, 2000 made by a telecommunications enterprise and constitutes the corporate national headquarters of the Applicant and that said company is entitled to an exemption of five (5) years beginning on January 1, 2001 and ending on December 31, 2005, subject to approval and certification by the Mississippi State Tax Commission. Applicant may apply for consideration of an additional five-year extension of this exemption at the conclusion of the five years granted herein.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Board of Aldermen of the City of Clinton, Mississippi, as follows:

1. That the Application for ad valorem tax exemption by MCIWorldCom Management Company, Inc. on the property described in Exhibit "B" of the Application filed by said Company for tax exemption with a true value of \$8,981,147 is hereby approved and said exemption is hereby granted to the extent of a five-year period beginning on January 1, 2001 and ending on December 30, 2005, subject to certification of eligibility by the Mississippi State Tax Commission.

2. That the Clerk of this Board spread a copy of this Order on the minutes of this Board; and that the Clerk forward the original and three certified copies of the Application and a certified copy of the transcript of this Order approving said Application to the Mississippi State Tax Commission for its certification of eligibility; and that the Clerk also forward one certified copy to the Tax Assessor of Hinds County, Mississippi and obtain the Certificate of said Tax Assessor stating that the

BOARD APPROVED

aforementioned property as itemized in the Application has been placed on the appropriate tax roll as "Non-Taxable", except for Mississippi and Clinton Public School District ad valorem taxes, for the duration of the exemption period only.

After a full discussion of the matter, Alderman Fisher moved that the foregoing Resolution be adopted and said motion was seconded by Alderman Lott, and upon the question being put to a vote, the Resolution was unanimously adopted by affirmative vote of the members of the Board of Aldermen of the City of Clinton present.

WHEREUPON, the foregoing Resolution was declared passed and adopted at a regular meeting of the Mayor and Board of Aldermen of the City of Clinton, Mississippi, on this 5th day of March, 2002.

Rosemary G. Aultman
Rosemary G. Aultman, Mayor

ATTEST:

W. Wayne Derrick
W. Wayne Derrick, CPA
City Clerk

BOARD APPROVED

CITY OF CLINTON AGENDA ITEM FACT SHEET

Board Meeting Date: March 5, 2002

Agenda Item No. 12

Consent Agenda:

Discussion/Action: Approval of 5-Year Tax Exemption Beginning December 31, 2000 and ending December 31, 2005 for Gulf States Cannery, Inc. for Property Having a Fair Value of \$588,880

Introduced by: Wayne Derrick, City Clerk

City 2920 -
School 4602 +

Exhibits for Review:

Minutes: _____
Ordinance: _____
Resolution: X

Invoice: _____
Plans, Maps: _____
Contract: _____

Other: Application for Exemption

Recommendation:

Board Action:

Motion made by: Hisaw
Seconded by: Brabham

Vote Cast:

"Aye":

"Nay":

Action Taken:

Brabham

Hisaw

Greer

Brantley

Fisher

Touchton

Lott

Mayor Aultman

T

Absent

T

T

T

Agenda items must be turned in to the City Clerk with all attachments no later than 5 P.M. on the Wednesday preceding the Tuesday Board Meeting to be included on the Agenda. This deadline will be strictly enforced.

**RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN
OF THE CITY OF CLINTON, MISSISSIPPI GRANTING EXEMPTION
FROM AD VALOREM TAXES**

The Board of Aldermen next took up for consideration the matter of granting tax exemption from ad valorem taxes for Gulf States Cannery, Inc., and the following Resolution, having first been reduced to writing, was introduced:

RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF CLINTON, MISSISSIPPI, GRANTING EXEMPTION FROM AD VALOREM TAXES FOR A FIVE-YEAR PERIOD BEGINNING DECEMBER 31, 2000 AND ENDING DECEMBER 30, 2005 TO GULF STATES CANNERS, INC., AS AUTHORIZED BY SECTION 27-31-101, ET SEQ. OF THE MISSISSIPPI CODE, AS AMENDED.

WHEREAS, Gulf States Cannery, Inc. filed in triplicate with this Board its Application for exemption from ad valorem taxation on expanded or replaced equipment and facilities located within the City of Clinton, Hinds County, Mississippi; and

WHEREAS, Gulf States Cannery, Inc. has produced written verification and documentation to this Board as to the authenticity and correctness of its Application in regard to the true value of the prayed-for exemption and the completion date of said enterprise; and

WHEREAS, the additions and expansions and replacement of equipment were completed on December 31, 2000, and as of that date the true value of all property to be exempt was \$588,880, as shown in an itemized list provided with the application, a copy of which is attached as Exhibit "A"; and

WHEREAS, this Board finds as a fact that the property described in the aforesaid Application constitutes an expanded industrial enterprise which was completed on December 31, 2000, and

that said company is entitled to an exemption of five (5) years beginning on December 31, 2000 and ending on December 30, 2005, subject to approval and certification by the Mississippi State Tax Commission. Applicant may apply for consideration of an additional five-year extension of this exemption at the conclusion of the five years granted herein.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Board of Aldermen of the City of Clinton, Mississippi, as follows:

1. That the Application for ad valorem tax exemption by Gulf States Cannery, Inc. on the property described in Exhibit "A" of the Application filed by said Company for tax exemption with a true value of \$588,880 is hereby approved and said exemption is hereby granted to the extent of a five-year period beginning on December 31, 2000 and ending on December 30, 2005, subject to certification of eligibility by the Mississippi State Tax Commission.

2. That the Clerk of this Board spread a copy of this Order on the minutes of this Board; and that the Clerk forward the original and three certified copies of the Application and a certified copy of the transcript of the Order approving said Application to the Mississippi State Tax Commission for its certification of eligibility; and that the Clerk also forward one certified copy to the Tax Assessor of Hinds County, Mississippi and obtain the Certificate of said Tax Assessor stating that the aforementioned property as itemized in this Application has been placed on the appropriate tax roll as "Non-Taxable", except

for Mississippi and Clinton Public School District ad valorem taxes, for the duration of the exemption period only.

After a full discussion of the matter, Alderman Hisaw moved that the foregoing Resolution be adopted and said motion was seconded by Alderman Brabham, and upon the question being put to a vote, the Resolution was unanimously adopted by affirmative vote of the members of the Board of Aldermen of the City of Clinton present.

WHEREUPON, the foregoing Resolution was declared passed and adopted at a regular meeting of the Mayor and Board of Aldermen of the City of Clinton, Mississippi, on this 5th day of March, 2002.


Rosemary G. Aultman, Mayor

ATTEST:



W. Wayne Derrick, CPA
City Clerk

BOARD APPROVED

APPLICATION OF GULF STATES CANNERS, INC.,
FOR EXEMPTION FROM AD VALOREM TAXES
FOR A PERIOD OF FIVE YEARS AS AUTHORIZED
BY SECTION 27-31-105, ET SEQ., OF THE
MISSISSIPPI CODE OF 1972, AS AMENDED

TO THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF CLINTON, HINDS
COUNTY, MISSISSIPPI:

(1)

Gulf States Canners, Inc., files this its Application in triplicate for exemption from ad valorem taxation, and respectfully represents unto this Honorable Mayor and Board of Aldermen of the City of Clinton, Hinds County, Mississippi, as follows:

(2)

Applicant, Gulf States Canners, Inc., is a Mississippi corporation domiciled in the City of Clinton, Hinds County, Mississippi.

(3)

Applicant is now operating as a processor of canned soft drinks within the City of Clinton, Hinds County, Mississippi, which factory is a bona fide expanded enterprise of public utility within the meaning of Section 27-31-105, et seq., and related Sections of the Mississippi Code of 1972, as amended, and is eligible for the exemption granted by the above mentioned Sections, by specific enumeration, a manufacturer and processor as contemplated by the pertinent laws of the State of Mississippi, particularly Title 27, Chapter 31, Mississippi Code of 1972. The exemption sought in this Application is for the acquisition of additional equipment necessary for the operation of Applicant and for raw materials and work in process of Applicant used in connection with the said additional equipment.

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CITY OF CLINTON

BOARD APPROVED

(4)

Said enterprise was completed on the 31st day of December, 2000, within the meaning of the applicable statutes of the State of Mississippi, and, therefore, the exemption hereby claimed should commence on December 31, 2000, as provided by Section 27-31-105, Mississippi Code of 1972, as amended.

(5)

On the date of this Application, Applicant employs at its Clinton Industrial Park plant approximately ninety-five (95) employees with an estimated annual payroll of approximately \$2,700,000.00. Additionally, the operations of Applicant have created numerous additional jobs for firms in Hinds County, Mississippi, supplying trucking services for the transporting of Applicant's products to various consumers of these products in the States of Louisiana, Arkansas, Tennessee, Alabama and Mississippi.

(6)

The additions and expansions described in this Application are essential to the preservation of existing jobs and to the maintenance of Applicant's competitive position with other manufacturing operations.

(7)

The exemption of the tangible property described in Exhibit "A" should be granted for a initial period of five (5) years from December 31, 2000.

(8)

The true value of the property for which exemption is sought as listed on Exhibit "A" is \$588,879.71.

(9)

The Applicant may file for and be granted an additional five (5) years upon furnishing proof of compliance by giving preference to Hinds County residents in hiring and utilizing Hinds County minority vendors, supplies, subcontractors and professionals.

(10)

Applicant also seeks exemption from ad valorem taxation for the raw materials and work in process used in the production of the can products for which the subject exemption is sought, which exemption for raw materials and work in process shall run concurrently with the exemption of the items shown on Exhibit "A" attached to this Application. Applicant estimates the value of these raw materials and work in process would not exceed at any time during the life of the exemption the sum of \$2,000,000.00.

Wherefore, Applicant prays that this Board enter a finding that Applicant's factory is, in fact, an expanded enterprise of public utility, and that the same was completed on the 31st day of December, 2000, within the meaning of the applicable laws of the State of Mississippi.

Applicant further prays that it be granted an exemption from ad valorem taxes except State and School District ad valorem taxes, as provided by law, for an initial period of five (5) years beginning on the 31st day of December, 2000, and ending on the 30th day of December, 2005, upon all of the tangible property described "A" attached hereto and made a part hereof, used in, or necessary to the operation of Applicant's factory in the City of Clinton, Hinds County, Mississippi.

Applicant further prays that it be granted an exemption from ad valorem taxation, except State and School District taxation for an initial period of five (5) years beginning on the 31st day of December, 2000, and ending on the 30th of December, 2005, upon the raw materials and work in

BOARD APPROVED

process used in the production of the products produced by the equipment described in Exhibit "A".

Applicant further prays that this Board approve this Application by an Order or Resolution spread upon its minutes, declaring that such property is exempt from all ad valorem taxation, except State and School District ad valorem taxation, for the said five (5) year period, and forward the original and three (3) copies of this Application and a certified transcript of such approval to the Mississippi State Tax Commission, and upon approval of such Application by the said Mississippi State Tax Commission and certification of its approval, the Board enter a Final Order on its minutes granting the exemption herein prayed.

Respectfully submitted, this the 17 day of January 2001.

GULF STATES CANNERS, INC.

BY: Randy Lee
RANDY LEE, GENERAL MANAGER

Marion Smith
MARION SMITH
MSB #7628
TRULY, SMITH & LATHAM, P.L.L.C.
P.O. BOX 1307
NATCHEZ, MS 39121
(601) 442-6495
ATTORNEYS FOR APPLICANT,
GULF STATES CANNERS, INC.

BOARD APPROVED

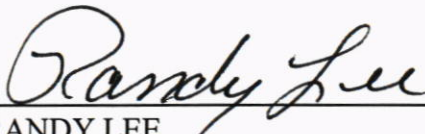
STATE OF MISSISSIPPI
COUNTY OF HINDS

Personally came and appeared before me, the undersigned authority in and for the jurisdiction aforesaid, RANDY LEE, who being by me first placed on oath, deposes and says:

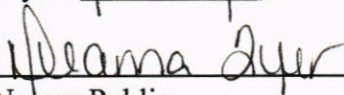
Affiant is the duly constituted, acting and serving General Manager of Gulf States Canners, Inc., the Applicant named in the above and foregoing Application for tax exemption addressed to the Mayor and Board of Aldermen of the City of Clinton, Hinds County, Mississippi, and as such, is duly authorized to execute, file and present this Application on behalf of the Corporate Applicant.

The additions and expansions described in the Application were completed on December 31, 2000.

All of the matters and facts set forth in the above and foregoing Application are true and correct as therein stated.

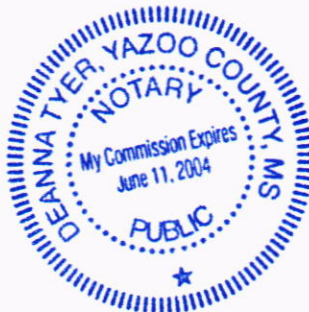

RANDY LEE

Sworn to and subscribed
before me, this the 17
day of January, 2001.


Notary Public

MY COMMISSION EXPIRES:

June 11, 2004



BOARD APPROVED

EXHIBIT "A"

ASSET #	ASSET NAME	AMOUNT
19950	100 CAN PULL OFF-LINE 2	\$ 3,481.87
19951	LAPTOP COMPUTER	3,195.02
19953	PRINTER FOR PARTS RM	2,963.02
19954	HEAT EXCHANGE	7,021.90
19955	LANTECH STRETCH WRAPPER	56,249.90
19956	WALK-BEHIND SCRUBBER	6,789.15
19957	SCRUBBER-RIDER	31,890.28
19958	CIP VALVE CLUSTER FROM YE 12-99	43,632.90
19959	MAIN BEARING L2-FILLER	38,918.04
19960	1-5000 DUAL LIFTS - 9H2325	27,328.06
19961	1-5000 DUAL LIFTS - 9H2789	27,328.06
19962	1-6000 DUAL LIFT - 9L0769 #EW	31,578.05
19963	SEAMSCAN	5,442.13
19967	OSHA GUARDS	4,167.65
19968	SPIDER GEAR	8,925.00
19969	RELIEF VALVE ON CO2 TANK	3,038.68
19971	L2 DEPAL MAT CONVEYOR	6,063.83
19972	PUMP MOTOR FOR CIP SUPPLY	2,414.37
19973	LINE 1 & 2 CAN TWIST	19,450.11
19974	CHEM CONTROL 4 AIR COMP COOL TOWE	3,087.81
19975	2 GEAR BOXES FOR WASTEWATER	4,129.73
19976	CARBON-WATER TREATMENT	13,971.48
19977	NITROGEN DRIP SYSTEM	10,981.43
19978	HFCS #42 PROJECT	188,924.29
19980	ICE BUILDER UPGRADE	18,814.76
19982	WASTE WATER FLOW METER	2,971.68
19983	BEVERAGE DECARBONATOR	5,896.32
19984	GLUE POT	7,655.56
19985	LIGHT CURTAIN	2,568.63
TOTAL		\$588,879.71

RAW MATERIALS ESTIMATED NOT TO EXCEED \$2,000,000.00.

BOARD APPROVED

CITY OF CLINTON AGENDA ITEM FACT SHEET

Board Meeting Date: March 5, 2002

Agenda Item No. 13

Consent Agenda:

Discussion/Action: Banks Road Special Assessment

Introduced by: Richard Broome, City Engineer

Exhibits for Review:

Minutes: _____
Ordinance: _____
Resolution: _____

Invoice: _____
Plans, Maps: _____
Contract: _____

Other: _____

Recommendation:

Board Action:

Motion made by: _____
Seconded by: _____

April 2, 2002
Setting Assessment Cost
Hisaw
Brantley
Public Hearing
Hisaw
Lott

Vote Cast:

"Aye":

"Nay":

Action Taken:

Brabham
Hisaw
Greer
Brantley
Fisher
Touchton
Lott

I
absent
I
I
I
I

I
absent
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I
I
I

Mayor Aultman

Agenda items must be turned in to the City Clerk with all attachments no later than 5 P.M. on the Wednesday preceding the Tuesday Board Meeting to be included on the Agenda. This deadline will be strictly enforced.

City of Clinton
 Computation of Special Assessments per
 Parcel and Required Annual Payments
 Hobby Farms and Banks Road Sewer Improvements

	Hobby Farms	Banks Road	Total
COMPUTATION OF SPECIAL ASSESSMENTS PER PARCEL:			
Costs associated with project:			
Construction	\$329,911.20	\$46,927.00	\$376,838.20
Engineering	40,829.82	5,806.18	46,636.00
Legal	22,627.79	3,217.77	25,845.56
Easements	1,775.00	750.00	2,525.00
Appraisals	600.00	0.00	600.00
Administrative:			
Sample & Associates	18,385.50	2,614.50	21,000.00
CMPPD	6,128.50	871.50	7,000.00
Asphalt repairs	20,252.92	0.00	20,252.92
Advertising and other	850.95	121.01	971.96
	-----	-----	-----
Total project costs	441,361.68	60,307.96	501,669.64
Less credit for grant proceeds	(211,655.63)	(30,098.37)	(241,754.00)
	-----	-----	-----
Net costs to be assessed	\$229,706.05	\$30,209.59	\$259,915.64
	=====	=====	=====
Number parcels	71	9	
	=====	=====	
Assessment per parcel	\$3,235.30	\$3,356.62	
	=====	=====	

City of Clinton
 Computation of Special Assessments per
 Parcel and Required Annual Payments
 Hobby Farms and Banks Road Sewer Improvements

Page 3

COMPUTATION OF ANNUAL PAYMENTS:

Banks Road parcels:

20 Annual Payments of \$292.64 @ 6% APR

<----- Payment ----->						
Due	#	Amt	Principal	Interest	Balance	
					3,356.62	
01-Feb-2003	1	292.64	91.24	201.40	3,265.38	
01-Feb-2004	2	292.64	96.72	195.92	3,168.66	
01-Feb-2005	3	292.64	102.52	190.12	3,066.14	
01-Feb-2006	4	292.64	108.67	183.97	2,957.47	
01-Feb-2007	5	292.64	115.19	177.45	2,842.28	
01-Feb-2008	6	292.64	122.10	170.54	2,720.17	
01-Feb-2009	7	292.64	129.43	163.21	2,590.74	
01-Feb-2010	8	292.64	137.20	155.44	2,453.55	
01-Feb-2011	9	292.64	145.43	147.21	2,308.12	
01-Feb-2012	10	292.64	154.15	138.49	2,153.97	
01-Feb-2013	11	292.64	163.40	129.24	1,990.57	
01-Feb-2014	12	292.64	173.21	119.43	1,817.36	
01-Feb-2015	13	292.64	183.60	109.04	1,633.76	
01-Feb-2016	14	292.64	194.61	98.03	1,439.15	
01-Feb-2017	15	292.64	206.29	86.35	1,232.86	
01-Feb-2018	16	292.64	218.67	73.97	1,014.19	
01-Feb-2019	17	292.64	231.79	60.85	782.40	
01-Feb-2020	18	292.64	245.70	46.94	536.70	
01-Feb-2021	19	292.64	260.44	32.20	276.26	
01-Feb-2022	20	292.64	276.26	16.58	0.00	
			-----	-----		
			3,356.62	2,496.38		
			=====	=====		

**RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE
CITY OF CLINTON, MISSISSIPPI ASCERTAINING AND DETERMINING
THE COSTS OF THE IMPROVEMENTS FOR THE CLINTON-RAYMOND
ROAD/BANKS ROAD SEWER PROJECT AND FOR RELATED PURPOSES**

WHEREAS, the Mayor and Board of Aldermen of the City of Clinton, Mississippi, being the governing authorities thereof, did cause local improvements designated in Section 21-41-3, Mississippi Code of 1972, to be made, said project to be referred to as the Clinton-Raymond Road/Banks Road Sewer Project, at the cost of the property owners benefited thereby; and,

WHEREAS, the levying and collecting of said costs of said improvements is provided in Section 21-41-1, et seq., Mississippi Code of 1972; and,

WHEREAS, a resolution declaring necessary the proposed improvements, describing the nature and extent of the work, the material to be used, defining the boundary of the areas in which the improvements were to be made, and fixing a date to hear objections or remonstrances that may be made to said improvements was duly approved and adopted on the 20th day of July, 1999, all as contemplated by Section 21-41-5, Mississippi Code of 1972; and,

WHEREAS, a resolution determining to proceed with the same improvements and directing that the total cost and expenses of the improvements shall be a charge upon the property benefited was duly approved and adopted by the Mayor and Board of Aldermen of the City of Clinton, Mississippi, on the 2nd day of November, 1999, as contemplated by Section 21-41-9, Mississippi Code of 1972; and,

WHEREAS, the improvements are now completed;

NOW THEREFORE:

BE IT RESOLVED BY THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF CLINTON, MISSISSIPPI, that the costs of the improvements of the Clinton-Raymond Road/Banks Road Sewer Project are determined to be \$60,307.96 of which \$30,098.37 shall be paid from certain grant funds secured by the City of Clinton for this project and the balance of \$30,209.59 shall be accessed to the benefited property owners.

SO RESOLVED BY THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF CLINTON, MISSISSIPPI, in the Regular Meeting of the Mayor and Board of Aldermen held on this 5th day of March, 2002.

APPROVED:

ROSEMARY AULTMAN, MAYOR

ATTEST:

W. WAYNE DERRICK, CITY CLERK

mw\clinton\resolution\raymond road-banks road
March 5, 2002- jbell

RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF CLINTON, MISSISSIPPI, ADJUDICATING AND DETERMINING THE COMPLETION OF THE ASSESSMENT ROLL OF SPECIAL ASSESSMENT IMPROVEMENTS OF THE CLINTON-RAYMOND ROAD/BANKS ROAD SEWER PROJECT, INCLUDING CONSTRUCTION OF SANITARY SEWER UTILITIES, PROVIDING FOR DELIVERY OF SAME TO THE CLERK, ACKNOWLEDGING NOTICE OF MEETING TO HEAR AND DETERMINE ANY OBJECTIONS OR DEFENSES, AND FOR RELATED PURPOSES

WHEREAS, the Mayor and Board of Aldermen of the City of Clinton, Mississippi, being the governing authorities thereof, did cause local improvements designated in Section 21-41-3, Mississippi Code of 1972, to be made, at the cost of the property owners benefited thereby; and,

WHEREAS, the levying and collecting of said costs of said improvements is provided in Section 21-41-1, et seq., Mississippi Code of 1972; and,

WHEREAS, a resolution declaring necessary the proposed improvements, describing the nature and extent of the work, the material to be used, defining the boundary of the areas in which the improvements were to be made, and fixing a date to hear objections or remonstrances that may be made to said improvements was duly approved and adopted on the 20th day of July, 1999, all as contemplated by Section 21-41-5, Mississippi Code of 1972; and,

WHEREAS, a resolution determining to proceed with the same improvements and directing that the total cost and expenses of the improvements shall be a charge upon the property benefited was duly approved and adopted by the Mayor and Board of Aldermen of the City of Clinton, Mississippi, on the 2nd day of November, 1999, as contemplated by Section 21-41-9, Mississippi Code of 1972; and,

WHEREAS, said improvements were duly authorized to be made and constructed, and by Resolution approved and adopted by the Mayor and Board of Aldermen of the City of Clinton on the 5th day of March, 2002, the costs of the improvements was ascertained and determined to be in the amount of \$30,209.59 after application of certain grant funds; and,

WHEREAS, said improvements are now complete and the Mayor and Board of Aldermen have determined the cost of same pursuant to Section 21-41-11, Mississippi Code Annotated of 1972 (Supp. 1999) to be in the amount of \$30,209.59 after application of certain grant funds; and,

WHEREAS, pursuant to Section 21-41-3, Mississippi Code Annotated of 1972, the Mayor and Board of Aldermen of the City of Clinton is required to cause to be prepared a roll or list to be called the "assessment roll" showing the names of the property owners, and, opposite each name a description of each parcel and land to be assessed; and,

WHEREAS, said assessments have been determined and the assessment roll prepared and such has been delivered to the Clerk of the City of Clinton, who has informed the Mayor and Board of Aldermen that said rolls are opened for inspection at the Clerk's office and that on April 2, 2002, at 7:00 o'clock p.m., at the Municipal Courtroom, 305 Monroe Street,

Clinton, Mississippi, the governing authorities of said City of Clinton will meet to hear and determine any objections or defense to said assessments and assessment roll, with publication of such to be made in the Clarion Ledger, as set out by statute in three issues, with the first publication to be made not less than fifteen days from the date of the hearing;

NOW THEREFORE:

BE IT RESOLVED BY THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF CLINTON, MISSISSIPPI, that the following assessments and Assessment Roll in connection with the Special Assessment Improvements of the Clinton-Raymond Road/Banks Road Sewer Project, including construction of sanitary sewer utilities, has been caused to be prepared by the Mayor and Board of Aldermen of the City of Clinton, Mississippi, being the governing authorities thereof, to-wit:

CLINTON-RAYMOND ROAD/BANKS ROAD SEWER PROJECT
SPECIAL ASSESSMENT ROLL

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF.

BE IT FURTHER RESOLVED that the said Assessment Roll be, and the same is hereby, delivered to the Clerk of the City of Clinton, who shall maintain said Assessment Roll at the Clerk's office at City Hall at Clinton, Mississippi, open for inspection.

BE IT FURTHER RESOLVED that the Mayor and Board of Aldermen of the City of Clinton, Mississippi, being the governing authorities thereof, shall meet on April 2, 2002, at 7:00 o'clock p.m., at the Municipal Courtroom, 305 Monroe Street, Clinton, Mississippi, to hear and determine any objections or defense to said assessment or Assessment Roll.

BE IT FURTHER RESOLVED that the City Clerk be, and he is hereby, authorized and directed to give notice by publication in some newspaper the assessment roll has been delivered to him and is open for inspection at his office, and that at a time and place therein mentioned, not less than fifteen days from the date of the first publication, being April 2, 2002, the governing authorities of said City of Clinton, Mississippi, will meet to hear and determine any objections or defense, which said notice by publication shall be in substantially the following form, to-wit:

NOTICE OF FILING OF ASSESSMENT ROLL AND MEETING
TO HEAR OBJECTIONS AND DEFENSE -
(Special Assessment Improvements in the
Clinton-Raymond Road/Banks Road Sewer Project)

NOTICE IS HEREBY given that the Mayor and Board of Aldermen of the City of Clinton, Mississippi, being the governing authorities thereof, have delivered to the undersigned Clerk of the City of Clinton the assessment roll of special improvement project known as "Special Assessment Improvements of Clinton-Raymond Road/Banks Road Sewer Project," being the construction of sanitary sewer improvements.

Notice is further given that the said assessment roll is open for inspection at the office of the City Clerk located in the City Hall at the City of Clinton, Mississippi, and that the governing authorities of the City of Clinton will meet to hear and determine any objections or defense to said assessment roll or any assessment therein contained on April 2, 2002, at 7:00 o'clock p.m., at the Municipal Courtroom, 305 Monroe Street, Clinton, Mississippi.

Notice is further given that the owner of any property assessed for improvements, or any party having an interest therein, may appear at the time and place fixed for the hearing and determining of any objections of defense, and object to the proposed assessment against the property or to the amount thereof.

The said governing authorities shall hear and determine all objections and protests to the proposed assessment, but no assessment shall be increased without notice to the owner of the property.

The said governing authorities shall, by resolution, approve and confirm all assessments as finally fixed and adjusted at the said hearing, and said assessments shall, from the date of such confirmation, constitute a lien upon the respective lots or parcels of lands and other real estate upon which they are levied, superior to all other liens except those for state and county taxes.

All persons who fail to object to the proposed assessments, in the manner herein provided, shall be deemed to have consented to and approved the same.

CITY OF CLINTON, MISSISSIPPI

BY: _____
W. WAYNE DERRICK, CITY CLERK

(S E A L)

Publish: _____

BE IT FURTHER RESOLVED that the Mayor and Board of Aldermen of the City of Clinton, Mississippi, do hereby find, determine and adjudicate that the assessments appearing in the said Assessment roll have been made and apportioned in the manner fixed by the resolution of the governing authorities determining to proceed with the improvements.

BE IT FURTHER RESOLVED that the owner of any property assessed for an improvement, or any party having an interest therein, may appear at the time and place fixed for the hearing and determining of any objections or defense, and object to the proposed assessment against the property or to the amount thereof.

BE IT FURTHER RESOLVED that the governing authorities of the City of Clinton, Mississippi, shall hear and determine all objections and protests to the proposed assessment, under such reasonable rules and regulations as they may adopt, which such rules and regulation

shall be: (1) that the protest be reduced to writing and filed with the City Clerk not later than the time and date of the meeting and hearing on objections; (2) that the specific basis for the objection be set forth in writing; and (3) that the objection contain in writing the sum and calculation which the objector asserts to be correct as appropriate, if any.

BE IT FURTHER RESOLVED that at such meeting, or at any adjournment thereof, the governing authorities may alter, change or correct any assessment, but no assessment shall be increased without notice to the owner of the property.

BE IT FURTHER RESOLVED that the governing authorities shall, by resolution, approve and confirm all assessments as finally fixed and adjusted at said hearing, and said assessments shall, from the date of such confirmation, constitute a lien upon the respective lots or parcels of land and other real property upon which they are levied, superior to all other liens except those for state and county taxes.

SO RESOLVED BY THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF CLINTON, MISSISSIPPI, in the Regular Meeting of the Mayor and Board of Aldermen held on this 5th day of March, 2002.

APPROVED:

ROSEMARY AULTMAN, MAYOR

ATTEST:

W. WAYNE DERRICK, CITY CLERK

**RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE
CITY OF CLINTON, MISSISSIPPI ASCERTAINING AND DETERMINING
THE COSTS OF THE IMPROVEMENTS FOR THE CLINTON-RAYMOND
ROAD/BANKS ROAD SEWER PROJECT AND FOR RELATED PURPOSES**

WHEREAS, the Mayor and Board of Aldermen of the City of Clinton, Mississippi, being the governing authorities thereof, did cause local improvements designated in Section 21-41-3, Mississippi Code of 1972, to be made, said project to be referred to as the Clinton-Raymond Road/Banks Road Sewer Project, at the cost of the property owners benefited thereby; and,

WHEREAS, the levying and collecting of said costs of said improvements is provided in Section 21-41-1, et seq., Mississippi Code of 1972; and,

WHEREAS, a resolution declaring necessary the proposed improvements, describing the nature and extent of the work, the material to be used, defining the boundary of the areas in which the improvements were to be made, and fixing a date to hear objections or remonstrances that may be made to said improvements was duly approved and adopted on the 20th day of July, 1999, all as contemplated by Section 21-41-5, Mississippi Code of 1972; and,

WHEREAS, a resolution determining to proceed with the same improvements and directing that the total cost and expenses of the improvements shall be a charge upon the property benefited was duly approved and adopted by the Mayor and Board of Aldermen of the City of Clinton, Mississippi, on the 2nd day of November, 1999, as contemplated by Section 21-41-9, Mississippi Code of 1972; and,

WHEREAS, the improvements are now completed;

NOW THEREFORE:

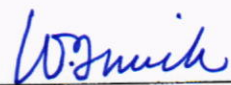
BE IT RESOLVED BY THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF CLINTON, MISSISSIPPI, that the costs of the improvements of the Clinton-Raymond Road/Banks Road Sewer Project are determined to be \$60,307.96 of which \$30,098.37 shall be paid from certain grant funds secured by the City of Clinton for this project and the balance of \$30,209.59 shall be accessed to the benefited property owners.

SO RESOLVED BY THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF CLINTON, MISSISSIPPI, in the Regular Meeting of the Mayor and Board of Aldermen held on this 5th day of March, 2002.

APPROVED:


ROSEMARY AULTMAN, MAYOR

ATTEST:


W. WAYNE DERRICK, CITY CLERK

RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF CLINTON, MISSISSIPPI, ADJUDICATING AND DETERMINING THE COMPLETION OF THE ASSESSMENT ROLL OF SPECIAL ASSESSMENT IMPROVEMENTS OF THE CLINTON-RAYMOND ROAD/BANKS ROAD SEWER PROJECT, INCLUDING CONSTRUCTION OF SANITARY SEWER UTILITIES, PROVIDING FOR DELIVERY OF SAME TO THE CLERK, ACKNOWLEDGING NOTICE OF MEETING TO HEAR AND DETERMINE ANY OBJECTIONS OR DEFENSES, AND FOR RELATED PURPOSES

WHEREAS, the Mayor and Board of Aldermen of the City of Clinton, Mississippi, being the governing authorities thereof, did cause local improvements designated in Section 21-41-3, Mississippi Code of 1972, to be made, at the cost of the property owners benefited thereby; and,

WHEREAS, the levying and collecting of said costs of said improvements is provided in Section 21-41-1, et seq., Mississippi Code of 1972; and,

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WHEREAS, said improvements are now complete and the Mayor and Board of Aldermen have determined the cost of same pursuant to Section 21-41-11, Mississippi Code Annotated of 1972 (Supp. 1999) to be in the amount of \$30,209.59 after application of certain grant funds; and,

WHEREAS, pursuant to Section 21-41-3, Mississippi Code Annotated of 1972, the Mayor and Board of Aldermen of the City of Clinton is required to cause to be prepared a roll or list to be called the "assessment roll" showing the names of the property owners, and, opposite each name a description of each parcel and land to be assessed; and,

WHEREAS, said assessments have been determined and the assessment roll prepared and such has been delivered to the Clerk of the City of Clinton, who has informed the Mayor and Board of Aldermen that said rolls are opened for inspection at the Clerk's office and that on April 2, 2002, at 7:00 o'clock p.m., at the Municipal Courtroom, 305 Monroe Street,

Clinton, Mississippi, the governing authorities of said City of Clinton will meet to hear and determine any objections or defense to said assessments and assessment roll, with publication of such to be made in the Clarion Ledger, as set out by statute in three issues, with the first publication to be made not less than fifteen days from the date of the hearing;

NOW THEREFORE:

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CLINTON-RAYMOND ROAD/BANKS ROAD SEWER PROJECT
SPECIAL ASSESSMENT ROLL

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF.

BE IT FURTHER RESOLVED that the said Assessment Roll be, and the same is hereby, delivered to the Clerk of the City of Clinton, who shall maintain said Assessment Roll at the Clerk's office at City Hall at Clinton, Mississippi, open for inspection.

BE IT FURTHER RESOLVED that the Mayor and Board of Aldermen of the City of Clinton, Mississippi, being the governing authorities thereof, shall meet on April 2, 2002, at 7:00 o'clock p.m., at the Municipal Courtroom, 305 Monroe Street, Clinton, Mississippi, to hear and determine any objections or defense to said assessment or Assessment Roll.

BE IT FURTHER RESOLVED that the City Clerk be, and he is hereby, authorized and directed to give notice by publication in some newspaper the assessment roll has been delivered to him and is open for inspection at his office, and that at a time and place therein mentioned, not less than fifteen days from the date of the first publication, being April 2, 2002, the governing authorities of said City of Clinton, Mississippi, will meet to hear and determine any objections or defense, which said notice by publication shall be in substantially the following form, to-wit:

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Notice is further given that the owner of any property assessed for improvements, or any party having an interest therein, may appear at the time and place fixed for the hearing and determining of any objections of defense, and object to the proposed assessment against the property or to the amount thereof.

The said governing authorities shall hear and determine all objections and protests to the proposed assessment, but no assessment shall be increased without notice to the owner of the property.

The said governing authorities shall, by resolution, approve and confirm all assessments as finally fixed and adjusted at the said hearing, and said assessments shall, from the date of such confirmation, constitute a lien upon the respective lots or parcels of lands and other real estate upon which they are levied, superior to all other liens except those for state and county taxes.

All persons who fail to object to the proposed assessments, in the manner herein provided, shall be deemed to have consented to and approved the same.

CITY OF CLINTON, MISSISSIPPI

BY:

W. Wayne Derrick
W. WAYNE DERRICK, CITY CLERK

(S E A L)

Publish: _____

BE IT FURTHER RESOLVED that the Mayor and Board of Aldermen of the City of Clinton, Mississippi, do hereby find, determine and adjudicate that the assessments appearing in the said Assessment roll have been made and apportioned in the manner fixed by the resolution of the governing authorities determining to proceed with the improvements.

BE IT FURTHER RESOLVED that the owner of any property assessed for an improvement, or any party having an interest therein, may appear at the time and place fixed for the hearing and determining of any objections or defense, and object to the proposed assessment against the property or to the amount thereof.

BE IT FURTHER RESOLVED that the governing authorities of the City of Clinton, Mississippi, shall hear and determine all objections and protests to the proposed assessment, under such reasonable rules and regulations as they may adopt, which such rules and regulation

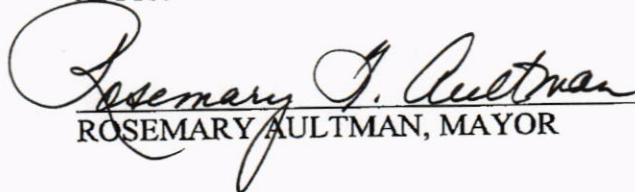
shall be: (1) that the protest be reduced to writing and filed with the City Clerk not later than the time and date of the meeting and hearing on objections; (2) that the specific basis for the objection be set forth in writing; and (3) that the objection contain in writing the sum and calculation which the objector asserts to be correct as appropriate, if any.

BE IT FURTHER RESOLVED that at such meeting, or at any adjournment thereof, the governing authorities may alter, change or correct any assessment, but no assessment shall be increased without notice to the owner of the property.

BE IT FURTHER RESOLVED that the governing authorities shall, by resolution, approve and confirm all assessments as finally fixed and adjusted at said hearing, and said assessments shall, from the date of such confirmation, constitute a lien upon the respective lots or parcels of land and other real property upon which they are levied, superior to all other liens except those for state and county taxes.

SO RESOLVED BY THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF CLINTON, MISSISSIPPI, in the Regular Meeting of the Mayor and Board of Aldermen held on this 5th day of March, 2002.

APPROVED:


ROSEMARY AULTMAN, MAYOR

ATTEST:


W. WAYNE DERRICK, CITY CLERK

EXHIBIT "A"

CLINTON-RAYMOND ROAD/BANKS ROAD PROJECT

<u>Name and Address</u>	<u>Parcel Number</u>
Ronald & Willie G. Evans 1460 Clinton Raymond Road Clinton, MS 39056	(9110)2862-119
Charles & Essie Mounger 1524 Clinton Raymond Road Clinton, MS 39056	(9110)2862-119-1
Ronald & Willie G. Evans 1460 Clinton Raymond Road Clinton, MS 39056	(1110)2862-119-2
Charles & Essie Mounger 1524 Clinton Raymond Road Clinton, MS 39056	(1110)2862-119-4
James & Eddie M. Mounger 1524 Clinton Raymond Road Clinton, MS 39056	(9110)2862-119-5
Ronald & Willie G. Evans 1460 Clinton Raymond Road Clinton, MS 39056	(1110)2862-119-6
Lawrence Mitchell Cap MGT Group LTD06 P. O. Box 310 Madison, MS 39120	(1110)2862-120
James Cooper ET UX 424 Ravine Ave. Waukegan, ILL 60085	(9110)2862-121
Charles N. Jr. & Jimmie J. Banks 1416 Clinton Raymond Road Clinton, MS 39056	(1110)2862-122

BOARD APPROVED

CITY OF CLINTON AGENDA ITEM FACT SHEET

Board Meeting Date: March 5, 2002

Agenda Item No. 14

Consent Agenda:

Discussion/Action: Hobby Farms Special Assessment

Introduced by: Richard Broome, City Engineer

Exhibits for Review:

Minutes: _____
Ordinance: _____
Resolution: _____

Invoice: _____
Plans, Maps: _____
Contract: _____

Other: _____

Recommendation:

Board Action:

Motion made by: _____
Seconded by: _____

① Setting
Assessment
Brantley
Lott
② Setting public
hearing for
4/2/2002
Brantley
Brabham

Vote Cast:

"Aye":

"Nay":

Action Taken:

Brabham
Hisaw
Greer
Brantley
Fisher
Touchton
Lott

① T
absent
T
T
T
T

② T
absent
T
T
T
T

Mayor Aultman

Agenda items must be turned in to the City Clerk with all attachments no later than 5 P.M. on the Wednesday preceding the Tuesday Board Meeting to be included on the Agenda. This deadline will be strictly enforced.

City of Clinton
 Computation of Special Assessments per
 Parcel and Required Annual Payments
 Hobby Farms and Banks Road Sewer Improvements

	Hobby Farms	Banks Road	Total
COMPUTATION OF SPECIAL ASSESSMENTS PER PARCEL:			
Costs associated with project:			
Construction	\$329,911.20	\$46,927.00	\$376,838.20
Engineering	40,829.82	5,806.18	46,636.00
Legal	22,627.79	3,217.77	25,845.56
Easements	1,775.00	750.00	2,525.00
Appraisals	600.00	0.00	600.00
Administrative:			
Sample & Associates	18,385.50	2,614.50	21,000.00
CMPPD	6,128.50	871.50	7,000.00
Asphalt repairs	20,252.92	0.00	20,252.92
Advertising and other	850.95	121.01	971.96
	-----	-----	-----
Total project costs	441,361.68	60,307.96	501,669.64
Less credit for grant proceeds	(211,655.63)	(30,098.37)	(241,754.00)
	-----	-----	-----
Net costs to be assessed	\$229,706.05	\$30,209.59	\$259,915.64
	=====	=====	=====
Number parcels	71	9	
	=====	=====	
Assessment per parcel	\$3,235.30	\$3,356.62	
	=====	=====	

City of Clinton
 Computation of Special Assessments per
 Parcel and Required Annual Payments
 Hobby Farms and Banks Road Sewer Improvements

COMPUTATION OF ANNUAL PAYMENTS:

Hobby Farms parcels:

20 Annual Payments of \$282.02 @ 6% APR

<----- Payment ----->						
Due	#	Amt	Principal	Interest	Balance	
					3,235.30	
01-Feb-2003	1	282.02	87.90	194.12	3,147.40	
01-Feb-2004	2	282.02	93.18	188.84	3,054.22	
01-Feb-2005	3	282.02	98.77	183.25	2,955.46	
01-Feb-2006	4	282.02	104.69	177.33	2,850.76	
01-Feb-2007	5	282.02	110.97	171.05	2,739.79	
01-Feb-2008	6	282.02	117.63	164.39	2,622.16	
01-Feb-2009	7	282.02	124.69	157.33	2,497.46	
01-Feb-2010	8	282.02	132.17	149.85	2,365.29	
01-Feb-2011	9	282.02	140.10	141.92	2,225.19	
01-Feb-2012	10	282.02	148.51	133.51	2,076.68	
01-Feb-2013	11	282.02	157.42	124.60	1,919.26	
01-Feb-2014	12	282.02	166.86	115.16	1,752.40	
01-Feb-2015	13	282.02	176.88	105.14	1,575.52	
01-Feb-2016	14	282.02	187.49	94.53	1,388.03	
01-Feb-2017	15	282.02	198.74	83.28	1,189.30	
01-Feb-2018	16	282.02	210.66	71.36	978.63	
01-Feb-2019	17	282.02	223.30	58.72	755.33	
01-Feb-2020	18	282.02	236.70	45.32	518.63	
01-Feb-2021	19	282.02	250.90	31.12	267.73	
01-Feb-2022	20	282.02	267.73	14.29	0.00	
			-----	-----		
			3,235.30	2,405.10		
			=====	=====		

**RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE
CITY OF CLINTON, MISSISSIPPI ASCERTAINING AND DETERMINING
THE COSTS OF THE IMPROVEMENTS FOR THE HOBBY FARMS
SEWER PROJECT AND FOR RELATED PURPOSES**

WHEREAS, the Mayor and Board of Aldermen of the City of Clinton, Mississippi, being the governing authorities thereof, did cause local improvements designated in Section 21-41-3, Mississippi Code of 1972, to be made, said project to be referred to as the Hobby Farms Sewer Project, at the cost of the property owners benefited thereby; and,

WHEREAS, the levying and collecting of said costs of said improvements is provided in Section 21-41-1, et seq., Mississippi Code of 1972; and,

WHEREAS, a resolution declaring necessary the proposed improvements, describing the nature and extent of the work, the material to be used, defining the boundary of the areas in which the improvements were to be made, and fixing a date to hear objections or remonstrances that may be made to said improvements was duly approved and adopted on the 20th day of July, 1999, all as contemplated by Section 21-41-5, Mississippi Code of 1972; and,

WHEREAS, a resolution determining to proceed with the same improvements and directing that the total cost and expenses of the improvements shall be a charge upon the property benefited was duly approved and adopted by the Mayor and Board of Aldermen of the City of Clinton, Mississippi, on the 2nd day of November, 1999, as contemplated by Section 21-41-9, Mississippi Code of 1972; and,

WHEREAS, the improvements are now completed;

NOW THEREFORE:

BE IT RESOLVED BY THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF CLINTON, MISSISSIPPI, that the costs of the improvements of the Hobby Farms Sewer Project are determined to be \$441,361.68 of which \$211,655.63 shall be paid from certain grant funds secured by the City of Clinton for this project and the balance of \$229,706.05 shall be accessed to the benefited property owners.

SO RESOLVED BY THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF CLINTON, MISSISSIPPI, in the Regular Meeting of the Mayor and Board of Aldermen held on this 5th day of March, 2002.

APPROVED:

ROSEMARY AULTMAN, MAYOR

ATTEST:

W. WAYNE DERRICK, CITY CLERK

RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF CLINTON, MISSISSIPPI, ADJUDICATING AND DETERMINING THE COMPLETION OF THE ASSESSMENT ROLL OF SPECIAL ASSESSMENT IMPROVEMENTS OF THE HOBBY FARMS SEWER PROJECT, INCLUDING CONSTRUCTION OF SANITARY SEWER UTILITIES, PROVIDING FOR DELIVERY OF SAME TO THE CLERK, ACKNOWLEDGING NOTICE OF MEETING TO HEAR AND DETERMINE ANY OBJECTIONS OR DEFENSES, AND FOR RELATED PURPOSES

WHEREAS, the Mayor and Board of Aldermen of the City of Clinton, Mississippi, being the governing authorities thereof, did cause local improvements designated in Section 21-41-3, Mississippi Code of 1972, to be made, at the cost of the property owners benefited thereby; and,

WHEREAS, the levying and collecting of said costs of said improvements is provided in Section 21-41-1, et seq., Mississippi Code of 1972; and,

WHEREAS, a resolution declaring necessary the proposed improvements, describing the nature and extent of the work, the material to be used, defining the boundary of the areas in which the improvements were to be made, and fixing a date to hear objections or remonstrances that may be made to said improvements was duly approved and adopted on the 20th day of July, 1999, all as contemplated by Section 21-41-5, Mississippi Code of 1972; and,

WHEREAS, a resolution determining to proceed with the same improvements and directing that the total cost and expenses of the improvements shall be a charge upon the property benefited was duly approved and adopted by the Mayor and Board of Aldermen of the City of Clinton, Mississippi, on the 2nd day of November, 1999, as contemplated by Section 21-41-9, Mississippi Code of 1972; and,

WHEREAS, said improvements were duly authorized to be made and constructed, and by Resolution approved and adopted by the Mayor and Board of Aldermen of the City of Clinton on the 5th day of March, 2002, the costs of the improvements was ascertained and determined to be in the amount of \$229,706.05 after application of certain grant funds; and,

WHEREAS, said improvements are now complete and the Mayor and Board of Aldermen have determined the cost of same pursuant to Section 21-41-11, Mississippi Code Annotated of 1972 (Supp. 1999) to be in the amount of \$229,706.05 after application of certain grant funds; and,

WHEREAS, pursuant to Section 21-41-3, Mississippi Code Annotated of 1972, the Mayor and Board of Aldermen of the City of Clinton is required to cause to be prepared a roll or list to be called the "assessment roll" showing the names of the property owners, and, opposite each name a description of each parcel and land to be assessed; and,

WHEREAS, said assessments have been determined and the assessment roll prepared and such has been delivered to the Clerk of the City of Clinton, who has informed the Mayor and Board of Aldermen that said rolls are opened for inspection at the Clerk's office and that on April 2, 2002, at 7:00 o'clock p.m., at the Municipal Courtroom, 305 Monroe Street, Clinton, Mississippi, the governing authorities of said City of Clinton will meet to hear and

determine any objections or defense to said assessments and assessment roll, with publication of such to be made in the Clarion Ledger, as set out by statute in three issues, with the first publication to be made not less than fifteen days from the date of the hearing;

NOW THEREFORE:

BE IT RESOLVED BY THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF CLINTON, MISSISSIPPI, that the following assessments and Assessment Roll in connection with the Special Assessment Improvements of the Hobby Farms Sewer Project, including construction of sanitary sewer utilities, has been caused to be prepared by the Mayor and Board of Aldermen of the City of Clinton, Mississippi, being the governing authorities thereof, to-wit:

**HOBBY FARMS SEWER PROJECT
SPECIAL ASSESSMENT ROLL**

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF.

BE IT FURTHER RESOLVED that the said Assessment Roll be, and the same is hereby, delivered to the Clerk of the City of Clinton, who shall maintain said Assessment Roll at the Clerk's office at City Hall at Clinton, Mississippi, open for inspection.

BE IT FURTHER RESOLVED that the Mayor and Board of Aldermen of the City of Clinton, Mississippi, being the governing authorities thereof, shall meet on April 2, 2002, at 7:00 o'clock p.m., at the Municipal Courtroom, 305 Monroe Street, Clinton, Mississippi, to hear and determine any objections or defense to said assessment or Assessment Roll.

BE IT FURTHER RESOLVED that the City Clerk be, and he is hereby, authorized and directed to give notice by publication in some newspaper the assessment roll has been delivered to him and is open for inspection at his office, and that at a time and place therein mentioned, not less than fifteen days from the date of the first publication, being April 2, 2002, the governing authorities of said City of Clinton, Mississippi, will meet to hear and determine any objections or defense, which said notice by publication shall be in substantially the following form, to-wit:

**NOTICE OF FILING OF ASSESSMENT ROLL AND MEETING
TO HEAR OBJECTIONS AND DEFENSE –
(Special Assessment Improvements in the
Hobby Farms Sewer Project)**

NOTICE IS HEREBY given that the Mayor and Board of Aldermen of the City of Clinton, Mississippi, being the governing authorities thereof, have delivered to the undersigned Clerk of the City of Clinton the assessment roll of special improvement project known as "Special Assessment Improvements of Hobby Farms Sewer Project," being the construction of sanitary sewer improvements.

Notice is further given that the said assessment roll is open for inspection at the office of the City Clerk located in the City Hall at the City of Clinton, Mississippi, and that the

governing authorities of the City of Clinton will meet to hear and determine any objections or defense to said assessment roll or any assessment therein contained on April 2, 2002, at 7:00 o'clock p.m., at the Municipal Courtroom, 305 Monroe Street, Clinton, Mississippi.

Notice is further given that the owner of any property assessed for improvements, or any party having an interest therein, may appear at the time and place fixed for the hearing and determining of any objections of defense, and object to the proposed assessment against the property or to the amount thereof.

The said governing authorities shall hear and determine all objections and protests to the proposed assessment, but no assessment shall be increased without notice to the owner of the property.

The said governing authorities shall, by resolution, approve and confirm all assessments as finally fixed and adjusted at the said hearing, and said assessments shall, from the date of such confirmation, constitute a lien upon the respective lots or parcels of lands and other real estate upon which they are levied, superior to all other liens except those for state and county taxes.

All persons who fail to object to the proposed assessments, in the manner herein provided, shall be deemed to have consented to and approved the same.

CITY OF CLINTON, MISSISSIPPI

BY: _____
W. WAYNE DERRICK, CITY CLERK

(S E A L)

Publish: _____

BE IT FURTHER RESOLVED that the Mayor and Board of Aldermen of the City of Clinton, Mississippi, do hereby find, determine and adjudicate that the assessments appearing in the said Assessment roll have been made and apportioned in the manner fixed by the resolution of the governing authorities determining to proceed with the improvements.

BE IT FURTHER RESOLVED that the owner of any property assessed for an improvement, or any party having an interest therein, may appear at the time and place fixed for the hearing and determining of any objections or defense, and object to the proposed assessment against the property or to the amount thereof.

BE IT FURTHER RESOLVED that the governing authorities of the City of Clinton, Mississippi, shall hear and determine all objections and protests to the proposed assessment, under such reasonable rules and regulations as they may adopt, which such rules and regulation shall be: (1) that the protest be reduced to writing and filed with the City Clerk not later than the time and date of the meeting and hearing on objections; (2) that the specific basis for the

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objection be set forth in writing; and (3) that the objection contain in writing the sum and calculation which the objector asserts to be correct as appropriate, if any.

BE IT FURTHER RESOLVED that at such meeting, or at any adjournment thereof, the governing authorities may alter, change or correct any assessment, but no assessment shall be increased without notice to the owner of the property.

BE IT FURTHER RESOLVED that the governing authorities shall, by resolution, approve and confirm all assessments as finally fixed and adjusted at said hearing, and said assessments shall, from the date of such confirmation, constitute a lien upon the respective lots or parcels of land and other real property upon which they are levied, superior to all other liens except those for state and county taxes.

SO RESOLVED BY THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF CLINTON, MISSISSIPPI, in the Regular Meeting of the Mayor and Board of Aldermen held on this 5th day of March, 2002.

APPROVED:

ROSEMARY AULTMAN, MAYOR

ATTEST:

W. WAYNE DERRICK, CITY CLERK

**RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE
CITY OF CLINTON, MISSISSIPPI ASCERTAINING AND DETERMINING
THE COSTS OF THE IMPROVEMENTS FOR THE HOBBY FARMS
SEWER PROJECT AND FOR RELATED PURPOSES**

WHEREAS, the Mayor and Board of Aldermen of the City of Clinton, Mississippi, being the governing authorities thereof, did cause local improvements designated in Section 21-41-3, Mississippi Code of 1972, to be made, said project to be referred to as the Hobby Farms Sewer Project, at the cost of the property owners benefited thereby; and,

WHEREAS, the levying and collecting of said costs of said improvements is provided in Section 21-41-1, et seq., Mississippi Code of 1972; and,

WHEREAS, a resolution declaring necessary the proposed improvements, describing the nature and extent of the work, the material to be used, defining the boundary of the areas in which the improvements were to be made, and fixing a date to hear objections or remonstrances that may be made to said improvements was duly approved and adopted on the 20th day of July, 1999, all as contemplated by Section 21-41-5, Mississippi Code of 1972; and,

WHEREAS, a resolution determining to proceed with the same improvements and directing that the total cost and expenses of the improvements shall be a charge upon the property benefited was duly approved and adopted by the Mayor and Board of Aldermen of the City of Clinton, Mississippi, on the 2nd day of November, 1999, as contemplated by Section 21-41-9, Mississippi Code of 1972; and,

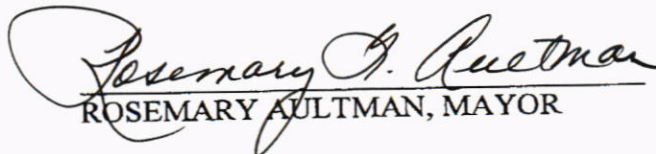
WHEREAS, the improvements are now completed;

NOW THEREFORE:

BE IT RESOLVED BY THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF CLINTON, MISSISSIPPI, that the costs of the improvements of the Hobby Farms Sewer Project are determined to be \$441,361.68 of which \$211,655.63 shall be paid from certain grant funds secured by the City of Clinton for this project and the balance of \$229,706.05 shall be accessed to the benefited property owners.

SO RESOLVED BY THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF CLINTON, MISSISSIPPI, in the Regular Meeting of the Mayor and Board of Aldermen held on this 5th day of March, 2002.

APPROVED:


ROSEMARY AULTMAN, MAYOR

ATTEST:


W. WAYNE DERRICK, CITY CLERK

RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF CLINTON, MISSISSIPPI, ADJUDICATING AND DETERMINING THE COMPLETION OF THE ASSESSMENT ROLL OF SPECIAL ASSESSMENT IMPROVEMENTS OF THE HOBBY FARMS SEWER PROJECT, INCLUDING CONSTRUCTION OF SANITARY SEWER UTILITIES, PROVIDING FOR DELIVERY OF SAME TO THE CLERK, ACKNOWLEDGING NOTICE OF MEETING TO HEAR AND DETERMINE ANY OBJECTIONS OR DEFENSES, AND FOR RELATED PURPOSES

WHEREAS, the Mayor and Board of Aldermen of the City of Clinton, Mississippi, being the governing authorities thereof, did cause local improvements designated in Section 21-41-3, Mississippi Code of 1972, to be made, at the cost of the property owners benefited thereby; and,

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WHEREAS, said improvements were duly authorized to be made and constructed, and by Resolution approved and adopted by the Mayor and Board of Aldermen of the City of Clinton on the 5th day of March, 2002, the costs of the improvements was ascertained and determined to be in the amount of \$229,706.05 after application of certain grant funds; and,

WHEREAS, said improvements are now complete and the Mayor and Board of Aldermen have determined the cost of same pursuant to Section 21-41-11, Mississippi Code Annotated of 1972 (Supp. 1999) to be in the amount of \$229,706.05 after application of certain grant funds; and,

WHEREAS, pursuant to Section 21-41-3, Mississippi Code Annotated of 1972, the Mayor and Board of Aldermen of the City of Clinton is required to cause to be prepared a roll or list to be called the "assessment roll" showing the names of the property owners, and, opposite each name a description of each parcel and land to be assessed; and,

WHEREAS, said assessments have been determined and the assessment roll prepared and such has been delivered to the Clerk of the City of Clinton, who has informed the Mayor and Board of Aldermen that said rolls are opened for inspection at the Clerk's office and that on April 2, 2002, at 7:00 o'clock p.m., at the Municipal Courtroom, 305 Monroe Street, Clinton, Mississippi, the governing authorities of said City of Clinton will meet to hear and

determine any objections or defense to said assessments and assessment roll, with publication of such to be made in the Clarion Ledger, as set out by statute in three issues, with the first publication to be made not less than fifteen days from the date of the hearing;

NOW THEREFORE:

BE IT RESOLVED BY THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF CLINTON, MISSISSIPPI, that the following assessments and Assessment Roll in connection with the Special Assessment Improvements of the Hobby Farms Sewer Project, including construction of sanitary sewer utilities, has been caused to be prepared by the Mayor and Board of Aldermen of the City of Clinton, Mississippi, being the governing authorities thereof, to-wit:

HOBBY FARMS SEWER PROJECT
SPECIAL ASSESSMENT ROLL

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF.

BE IT FURTHER RESOLVED that the said Assessment Roll be, and the same is hereby, delivered to the Clerk of the City of Clinton, who shall maintain said Assessment Roll at the Clerk's office at City Hall at Clinton, Mississippi, open for inspection.

BE IT FURTHER RESOLVED that the Mayor and Board of Aldermen of the City of Clinton, Mississippi, being the governing authorities thereof, shall meet on April 2, 2002, at 7:00 o'clock p.m., at the Municipal Courtroom, 305 Monroe Street, Clinton, Mississippi, to hear and determine any objections or defense to said assessment or Assessment Roll.

BE IT FURTHER RESOLVED that the City Clerk be, and he is hereby, authorized and directed to give notice by publication in some newspaper the assessment roll has been delivered to him and is open for inspection at his office, and that at a time and place therein mentioned, not less than fifteen days from the date of the first publication, being April 2, 2002, the governing authorities of said City of Clinton, Mississippi, will meet to hear and determine any objections or defense, which said notice by publication shall be in substantially the following form, to-wit:

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TO HEAR OBJECTIONS AND DEFENSE -
(Special Assessment Improvements in the
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Notice is further given that the said assessment roll is open for inspection at the office of the City Clerk located in the City Hall at the City of Clinton, Mississippi, and that the

governing authorities of the City of Clinton will meet to hear and determine any objections or defense to said assessment roll or any assessment therein contained on April 2, 2002, at 7:00 o'clock p.m., at the Municipal Courtroom, 305 Monroe Street, Clinton, Mississippi.

Notice is further given that the owner of any property assessed for improvements, or any party having an interest therein, may appear at the time and place fixed for the hearing and determining of any objections of defense, and object to the proposed assessment against the property or to the amount thereof.

The said governing authorities shall hear and determine all objections and protests to the proposed assessment, but no assessment shall be increased without notice to the owner of the property.

The said governing authorities shall, by resolution, approve and confirm all assessments as finally fixed and adjusted at the said hearing, and said assessments shall, from the date of such confirmation, constitute a lien upon the respective lots or parcels of lands and other real estate upon which they are levied, superior to all other liens except those for state and county taxes.

All persons who fail to object to the proposed assessments, in the manner herein provided, shall be deemed to have consented to and approved the same.

CITY OF CLINTON, MISSISSIPPI

BY:



W. WAYNE DERRICK, CITY CLERK

(S E A L)

Publish: _____

BE IT FURTHER RESOLVED that the Mayor and Board of Aldermen of the City of Clinton, Mississippi, do hereby find, determine and adjudicate that the assessments appearing in the said Assessment roll have been made and apportioned in the manner fixed by the resolution of the governing authorities determining to proceed with the improvements.

BE IT FURTHER RESOLVED that the owner of any property assessed for an improvement, or any party having an interest therein, may appear at the time and place fixed for the hearing and determining of any objections or defense, and object to the proposed assessment against the property or to the amount thereof.

BE IT FURTHER RESOLVED that the governing authorities of the City of Clinton, Mississippi, shall hear and determine all objections and protests to the proposed assessment, under such reasonable rules and regulations as they may adopt, which such rules and regulation shall be: (1) that the protest be reduced to writing and filed with the City Clerk not later than the time and date of the meeting and hearing on objections; (2) that the specific basis for the

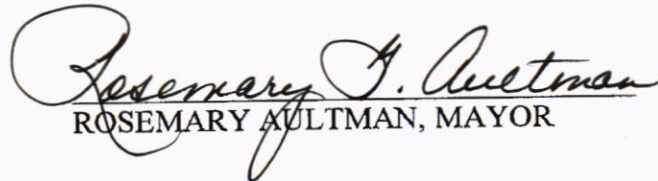
objection be set forth in writing; and (3) that the objection contain in writing the sum and calculation which the objector asserts to be correct as appropriate, if any.

BE IT FURTHER RESOLVED that at such meeting, or at any adjournment thereof, the governing authorities may alter, change or correct any assessment, but no assessment shall be increased without notice to the owner of the property.

BE IT FURTHER RESOLVED that the governing authorities shall, by resolution, approve and confirm all assessments as finally fixed and adjusted at said hearing, and said assessments shall, from the date of such confirmation, constitute a lien upon the respective lots or parcels of land and other real property upon which they are levied, superior to all other liens except those for state and county taxes.

SO RESOLVED BY THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF CLINTON, MISSISSIPPI, in the Regular Meeting of the Mayor and Board of Aldermen held on this 5th day of March, 2002.

APPROVED:


ROSEMARY AULTMAN, MAYOR

ATTEST:


W. WAYNE DERRICK, CITY CLERK

EXHIBIT "A"

HOBBY FARMS ROAD PROJECT

<u>Name and Address</u>	<u>Parcel Number</u>
Bill W. & Deborah A. Depriest P. O. Box 204 Clinton, MS 39060	(1110)2860-208
C. S. Whittington ET UX 573 Hobby Farms Road Clinton, MS 39056	(1110)2860-207
Hopson & Cheryl Barnett 521 Hobby Farms Road Clinton, MS 39056	(1110)2860-202
M. L. Nail ET UX 503 Hobby Farms Road Clinton, MS 39056	(9110)2860-205
M. L. Nail ET UX 503 Hobby Farms Road Clinton, MS 39056	(1110)2860-203
James W. Guy 493 Hobby Farms Road Clinton, MS 39056	(1110)2860-204
T. D. Short ET UX 479 Hobby Farms Road Clinton, MS 39056	(1110)2860-201
Lee A. Ivy ET UX 437 Hobby Farms Road Clinton, MS 39056	(1110)2860-200
L. A. Ivy ET UX 437 Hobby Farms Road Clinton, MS 39056	(9110)2860-199
Mary E. Phillips 2910 Meadow Forest Drive Jackson, MS 39212	(9110)2860-198

John R. & Linda J. Dykes 423 Hobby Farms Road Clinton, MS 39056	(1110)2860-197
Gary D. & Judy L. Stewart 413 Hobby Farms Road Clinton, MS 39056	(1110)2860-196
L. W. Stewart ET UX Rt. 2 Box 191D 399 Hobby Farms Road Clinton, MS 39056	(1110)2860-195
Elise G. Stewart 371 Hobby Farms Road Clinton, MS 39056	(1410)2860-194
Anne B. Giles 369 Hobby Farms Road Clinton, MS 39056	(9110)2860-193
Anne B. Giles 369 Hobby Farms Road Clinton, MS 39056	(1110)2860-192
Henry D. & Carolyn Bishop Jasmine Elkins 1660 Askew Road Edwards, MS 39066	(1110)2860-191
Henry D. & Jeanette Bishop 1660 Askew Road Edwards, MS 39066	(1110)2860-190
Donald L. Smith ET UX 301 Hobby Farms Road Clinton, MS 39056	(1110)2860-188
D. L. Smith ET UX 301 Hobby Farms Road Clinton, MS 39056	(9110)2860-187
Donald L. Smith 301 Hobby Farms Road Clinton, MS 39056	(1110)2860-186

Donald L. Smith 301 Hobby Farms Road Clinton, MS 39056	(9110)2860-185
Harveylene L. Peterson 211 Hobby Farms Road Clinton, MS 39056	(1110)2860-184
Tommy J. & Maybelle G. Cagle 193 Hobby Farms Road Clinton, MS 39056	(1110)2860-183
Harveylene L. Peterson 211 Hobby Farms Road Clinton, MS 39056	(9110)2860-116
J. M. Wilson & Audrey W. Life Est. c/o Marianne Tackett 157 Peggy Drive Florence, MS 39073	(1110)2860-118
Morgan Wilson & Audrey Life Est. Wilson Jerry E. c/o Jerry Wilson 4253 Willow Wood Blvd. Jackson, MS 39212	(1110)2860-117
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Robert H. & Patricia A. Lucroy 177 Magnolia Road Clinton, MS 39056	(9110)2860-156
Willie J. & Vivian M. Mraz 239 Magnolia Road Clinton, MS 39056	(1410)2860-157
Willie J. & Vivian M. Mraz 239 Magnolia Road Clinton, MS 39056	(9110)2860-158
Bob Lucroy Renovations, Inc. 277 Magnolia Road Clinton, MS 39056	(1110)2860-159
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Billy P. Haimes ET UX P. O. Box 2474 Robertsdale, AL 36567-2474	(1110)2860-161
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Robert H. & Patricia A. Lucroy 177 Magnolia Road Clinton, MS 39056	(1110)2860-163
W. R. Day ET UX 367 Magnolia Road Clinton, MS 39056	(1110)2860-164
Ernest R. & Michelle F. Chappell 367 Magnolia Road Clinton, MS 39056	(1110)2860-165
Joyce M. Landry 389 Magnolia Road Clinton, MS 39056	(1110)2860-166
Ruth W. Dickinson 411 Magnolia Road Clinton, MS 39056	(1110)2860-167
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