

CITY OF CLINTON
REGULAR MEETING OF THE MAYOR AND BOARD OF ALDERMEN
TUESDAY, July 20, 1999 - 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 DePriest followed by the Pledge of Allegiance to the Flag led by Alderman Brantley.

ROLL CALL - City Clerk Nelson Byrd

Present: Jehu Brabham - Alderman-At-Large
Tony Hisaw - Alderman Ward 1
Rodney DePriest - Alderman Ward 2
Clint Brantley - Alderman Ward 3
Phil Fisher - Alderman Ward 4
Herb Touchton - Alderman Ward 5
Sharbert Lott - Alderman Ward 6
Ken Dreher - City Attorney
Nelson Byrd - City Clerk

APPROVAL OF CONSENT AGENDA ITEMS A-T

MOTION made by Alderman Fisher and **SECONDED** by Alderman Brantley to approve Consent Agenda Items A-T listed on page 131 of this Minute Book AA. Items D,F,G, & H will serve to advertise favorably the opportunities, possibilities, and resources of the City of Clinton. Item T is approved as a fair price. **MOTION CARRIED UNANIMOUSLY**

RECOGNITIONS

Alderman Brantley explained and discussed the Character Trait of the Month - Self-Control.

PUBLIC HEARING -BURNED HOUSE AT 823 CHERRY STONE CIRCLE

A Public Hearing was held with no comments from the public. Upon recommendation of Public Works Director Tim Rogers, **MOTION** made by Alderman Brabham and **SECONDED** by Alderman Brantley to adopt that Resolution found on pages 132-135 of this Minute Book AA to remove the burned house at 823 Cherry Stone Circle. **MOTION CARRIED UNANIMOUSLY**

DRAINAGE PROJECT LIST TO INCLUDE 2101 OLD VICKSBURG ROAD

MOTION made by Alderman Brantley and **SECONDED** by Alderman Lott that after conducting a visual inspection and subsequent investigation of the drainage problem associated with the existing drainage system project at 2101 Old Vicksburg Road, the Mayor and Board of Aldermen, upon consultation and professional advice from the City Engineer and Department of Public Works, have determined that there appears to be either an open joint, broken pipe section, or other drainage deterioration in a storm drain system that is located on private property on which cannot be found a recorded drainage easement. The drainage system is connected to the drainage system for Cherry Park Subdivision, and in the professional opinion of the City Engineer, and supportive opinion of the Board of Aldermen, that unless this storm drainage situation is corrected, the situation will continue to worsen and can adversely affect our street drainage system, and generally produce a public health,

safety, and general welfare hazard. It is, therefore, the recommendation of the Board of Aldermen that the City of Clinton proceed to authorize the inclusion of this project on our approved drainage project list. Further, it is recommended that the City of Clinton proceed to acquire the necessary entry permission, and release of damages from the property owners, so that said work can be initiated according to the priority work schedule. **MOTION CARRIED UNANIMOUSLY**

DRAINAGE PROJECT LIST TO INCLUDE 400-402 MCDONALD DRIVE

MOTION made by Alderman Brabham and **SECONDED** by Alderman Lott that after conducting a visual inspection and subsequent investigation of the drainage problem associated with the existing drainage system project at 400-402 McDonald Drive, the Mayor and Board of Aldermen, upon consultation and professional advice from the City Engineer and Department of Public Works, have determined that there appears to be either an open joint, broken pipe section, or other drainage deterioration in a storm drain system that is located on private property on which cannot be found a recorded drainage easement. The drainage system is connected to the drainage system for Easthaven Part I, and in the professional opinion of the City Engineer, and supportive opinion of the Board of Aldermen, that unless this storm drainage situation is corrected, the situation will continue to worsen and can adversely affect our street drainage system, and generally produce a public health, safety, and general welfare hazard. It is, therefore, the recommendation of the Board of Aldermen that the City of Clinton proceed to authorize the inclusion of this project on our approved drainage project list. Further, it is recommended that the City of Clinton proceed to acquire the necessary entry permission, and release of damages from the property owners, so that said work can be initiated according to the priority work schedule. The property owners affected will remove and replace any fences, equipment sheds, and other things that need to be removed so that the work can proceed. **MOTION CARRIED UNANIMOUSLY**

APPROVAL OF RESOLUTION FOR CONDEMNATION OF SEWER EASEMENT

MOTION made by Alderman Brabham and **SECONDED** by Alderman DePriest to adopt that Resolution authorizing the condemnation of a sewer easement for the Clinton Super Wal-Mart Sewer Project found on pages 136-139 of this Minute Book AA. **MOTION CARRIED UNANIMOUSLY**. Mr. Gavin Freeman asked that the letter and map found on pages 140-142 of this Minute Book AA be entered on the minutes.

RESOLUTION ADOPTED SETTING PUBLIC HEARING FOR HOBBY FARMS SEWER

MOTION made by Alderman Brantley and **SECONDED** by Alderman Fisher to adopt that Resolution declaring the necessity of a sanitary sewer system in the Hobby Farms Road area and setting a public hearing on August 12, 1999, found on pages 143-157 of this Minute Book AA. **MOTION CARRIED UNANIMOUSLY**

RESOLUTION ADOPTED SETTING PUBLIC HEARING FOR BANKS ROAD SEWER

MOTION made by Alderman Hisaw and **SECONDED** by Alderman Fisher to adopt that Resolution declaring the necessity of a sanitary sewer system in the Clinton-Raymond Road/Banks Road area and setting a public hearing on August 16, 1999, found on pages 158-166 of this Minute Book AA. **MOTION CARRIED UNANIMOUSLY**

ADJOURN 7:46 p.m.

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

Copy of Agenda can be found on page 131 of this Minute Book AA.

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

Date July 22, 1999

ATTEST: Nelson Byrd
Nelson Byrd, City Clerk

Date July 22, 1999

SEAL:

7

RESOLUTION

There came on for public hearing before the Mayor and Board of Aldermen of the City of Clinton, Mississippi, the matter of unclean property located at 823
Cherry Stone Circle, Clinton, Mississippi, and after full consideration of the matter, Alderman BRABHAM offered the following Resolution:

RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF CLINTON, MISSISSIPPI, DETERMINING THE NECESSITY FOR THE CLEANING OF PRIVATE PROPERTY AND REMOVAL LOCATED AT 823 Cherry Stone Cir., CLINTON, MISSISSIPPI, UNDER THE AUTHORITY GRANTED TO MUNICIPALITIES BY §21-19-11, MISSISSIPPI CODE OF 1972, AS AMENDED, AND OTHER APPLICABLE STATUTES AND ORDINANCES.

WHEREAS, it has come to the attention of the Mayor and Board of Aldermen that the property located at 823 Cherry Stone Cir., Clinton, Mississippi, may constitute a menace to the public health and safety of the community because of its present condition and state of uncleanness; and

WHEREAS, notice was given to the owner of said property as required by §21-19-11 of the Miss. Code of 1972, as amended, of a public hearing on this matter; and

WHEREAS, a public hearing was held at 7:00 p.m., JULY 20, 1999, at the Municipal Room of the Public Safety Complex, 305 Monroe Street, Clinton, Mississippi; and

WHEREAS, based upon the information and evidence provided at said public hearing, the Mayor and Board of Aldermen of the City of Clinton, Mississippi, has determined that this property, in its present condition and state of uncleanness, constitutes a menace to the public health and safety of the community and does adjudicate said property in its present condition to be a menace to the public health and safety of the community. The Director of the Public Works Department is directed to take such action as appropriate under §21-19-11 of the Miss. Code of 1972, as amended, and other applicable statutes and ordinances, to use municipal employees or, by contract, clean the property by cutting weeds, removing rubbish and dilapidated buildings and other debris.

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

1. It is hereby adjudicated that the property located at 823 CHERRYSTONE CIRCLE, Clinton, Mississippi, in its present condition, constitutes a menace to the public health and safety of the community.
2. The Director of Public Works is hereby directed to take such action as appropriate under §21-19-11, Miss. Code of 1972, as amended, and other applicable statutes and ordinances, to clean the property by cutting weeds, removing rubbish and dilapidated buildings and debris.

3. The Director of Public Works is hereby directed that upon completion of this cleaning that he advise the Mayor and Board of Aldermen of the City of Clinton, Mississippi, of the actual costs incurred in cleaning the property so that the Mayor and Board of Aldermen for the city of Clinton, Mississippi may adjudicate the costs of such action and impose such penalty as it adjudicates, all as provided by under §21-19-11, Miss. Code of 1972, as amended, and other applicable statutes and ordinances.

A Motion for adoption was seconded by Alderman BRANTLEY and the foregoing having been first reduced to writing, and no request by the Mayor or any member of the Board of Aldermen that it be read by the City Clerk, before the vote was taken, it was submitted to the Board of Alderman for the passage or rejection on roll call vote upon the vote being as follows, to-wit:

Alderman Brabham voted:	<u>AYE</u>
Alderman Hisaw voted:	<u>AYE</u>
Alderman DePriest voted:	<u>AYE</u>
Alderman Brantley voted:	<u>AYE</u>
Alderman Fisher voted:	<u>AYE</u>
Alderman Touchton voted:	<u>AYE</u>
Alderman Lott voted:	<u>AYE</u>

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

The foregoing Resolution was approved this the 20TH day of JULY, 199..

CITY OF CLINTON

BY: Rosemary J. Aultman
ROSEMARY AULTMAN, Mayor

ATTEST:

Nelson Byrd
NELSON BYRD, City Clerk

(SEAL)

CLEAN.RES
3/3/98-MMH

9

**RESOLUTION AUTHORIZING THE CONDEMNATION
OF A SEWER EASEMENT FOR THE
CLINTON SUPER WAL-MART SEWER PROJECT**

WHEREAS, it has been reported to the Mayor and Board of Aldermen of the City of Clinton, State of Mississippi, that the attempt to obtain the easement required for construction, installation, maintenance, repair, operation and use of water and sewer lines of the Clinton Super Wal-Mart Sewer Project (the "Project"), has been unsuccessful, and condemnation proceedings will have to be instituted in order to acquire the easement across certain land because of the failure of efforts to enter into a voluntary agreement with Gavin Freeman, et. al. for an easement running from the East to the West through their property located in the Northeast Quarter of Section 33, Township 6 North, Range 1 West, Clinton, First Judicial District of Hinds County, Mississippi; and

WHEREAS, it is necessary to obtain this easement for construction, installation, maintenance, repair, operation and use of water and sewer lines of the Project to improve the public health and safety of Clinton and the long range plans of the City of Clinton, Mississippi; and

WHEREAS, the Mayor and Board of Aldermen of the City of Clinton, Mississippi, have previously found and determined that the Project will be necessary to promote the health, safety, and welfare of the citizens of the City of Clinton, Mississippi.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Board of Aldermen of the City of Clinton, Mississippi, hereby direct its legal counsel to prepare the necessary documents to present a Complaint in Condemnation to the Special Court of Eminent Domain of the First Judicial District of Hinds County, Mississippi, against Gavin Freeman, et. al. for the condemnation of a sewer easement on the land mentioned above,

such easement being more particularly described as found in the document attached hereto as Exhibit "A"; and be it further,

RESOLVED, that if necessary, the Mayor of the City of Clinton, Mississippi, is hereby authorized to sign and verify such complaint; and be it further,

RESOLVED, that legal counsel be and it is hereby authorized and directed to commence any and all proceedings necessary for the condemnation of such easement, to include the employment of appropriate expert witnesses to give testimony concerning the location and value of the property to be obtained; and be it further,

RESOLVED, that the City of Clinton, Mississippi, and its citizens will suffer irreparable harm and delay by exercising the right to condemn the property through eminent domain proceedings pursuant to Mississippi Code Annotated, Sections 11-27-1 through 11-27-49, as opposed to claiming the right of immediate possession of said property pursuant to Sections 11-27-81 through 11-27-89; and be it further,

RESOLVED, that legal counsel is hereby authorized to pursue condemnation pursuant to the rights of immediate possession provided by Mississippi Code Annotated Section 11-27-81, et seq., necessitous circumstances having been hereby found.

SIGNED, this the 20th day of JULY, 1999.

CITY OF CLINTON, MISSISSIPPI

BY: Rosemary J. Aultman
ROSEMARY AULTMAN, Mayor

ATTEST:

Nelson Byrd
NELSON BYRD, City Clerk

FREEMAN.RES
7/20/99-MMH

Legal Description for
20 Foot Permanent Easement
Across the Freeman Property
Clinton, Hinds County, Mississippi
May 12, 1999

Commencing at the southwest corner of the Lakeside Park Subdivision as recorded in Plat Book 8, Page 49 of the office of the Chancery Clerk of Hinds County, Mississippi thence run North 86 degrees 10 minutes 32 seconds East for 427.20 feet to a concrete monument found at the south line of said subdivision, said point also being the southeast corner of Lot 4 of said subdivision; thence run North 87 degrees 24 minutes 32 seconds East for a distance of 310.00 feet to a point; thence run South 15 degrees 51 minutes 34 seconds East for a distance of 130.64 feet to a point; thence run southeasterly along a curve to the right said curve having a radius of 221.00 feet for a distance of 375.56 feet to a point said curve having a chord bearing South 43 degrees 54 minutes 28 seconds, 331.97 feet; thence run South 00 degrees 24 minutes 33 seconds West for a distance of 124.54 feet to the True Point of Beginning of the 20 foot easement herein described:

From the True Point of Beginning of said 20 foot easement, easement shall extend from grantors' West property line and lie 10 feet left and right of the following two (2) courses and distances: thence run North 44 degrees 37 minutes 12 seconds East for a distance of 198.95 feet to a point; thence run South 89 degrees 04 minutes 20 seconds East for a distance of 288.20 feet, more or less, to a fence and east line of grantors tract and the Point of Terminus of said easement, containing 9,767 square feet, more or less, and situated in the Northeast Quarter (NE $\frac{1}{4}$) of Section 33, Township 6 North, Range 1 West, City of Clinton, Hinds County in the Great State of Mississippi.

Also, along with the above described 20 foot permanent easement grantors' convey two 10 feet wide temporary construction easements, said easements lying North and South and adjacent and parallel to the above described easement, containing ~~8,138~~^{8,158} square feet, more or less.

TED

Prepared By:

Richard T. Tolbert
Richard T. Tolbert, P.L.S.
Williford, Gearhart & Knight, Inc.
Engineers & Surveyors
May 13, 1999

97-128
Sheet 3 of 4

July 20, 1999

To:
Mayor Rosemary Aultman
and
Aldermen
Clinton, Mississippi

Re: Proposed sewer easement across the Freeman Property.

This letter and the accompanying revised engineering drawing explain the magnitude of negative impact, and the resulting extreme devaluation of the property. Also included is an explanation of a viable alternate routing of the sewer line.

I have owned this property since February 6, 1967. In 1972 serious consideration was given to either building my personal home there or divide it and sell residential lots. The family decided to buy and build at 215 Williams Dr. and did move from Sunset Dr. To Williams Dr. in 1973. The property would be divided and sold.

Since the street through the property would be an extension of Sunrise Dr., we named the subdivision "SUNRISE ACRES". The street would dead-end with a cul-de-sac at the south end and create a quiet and peaceful area with no through traffic.

The growth of Clinton and the general economic climate at that time was not encouraging, so the development was put on hold and the property turned into a tree farm. It is now covered with marketable size trees nearing one hundred (100) feet tall. The value of the trees alone that would be destroyed by the new easement is greater than the compensation offered.

In 1980, the value of the property, unimproved, was established at \$37,350.00 by Hunnicutt and Associates of Jackson, Mississippi. Today it has greatly increased.

The drawing you were given shows "SUNRISE ACRES" divided into (14) lots, each having about a one hundred (100) foot frontage. The sewer easement as proposed would destroy the residential value of two lots, numbers 4 and 11, and greatly reduce the use and value of four other lots, numbers 8, 9, 10, and 12.

The drawing shows an existing AT&T easement across the property and two converging sewer easements. A third sewer easement makes the area appear to be "EASEMENT JUNCTION", and severely restricts the use of a large percent of "SUNRISE ACRES".

page 2

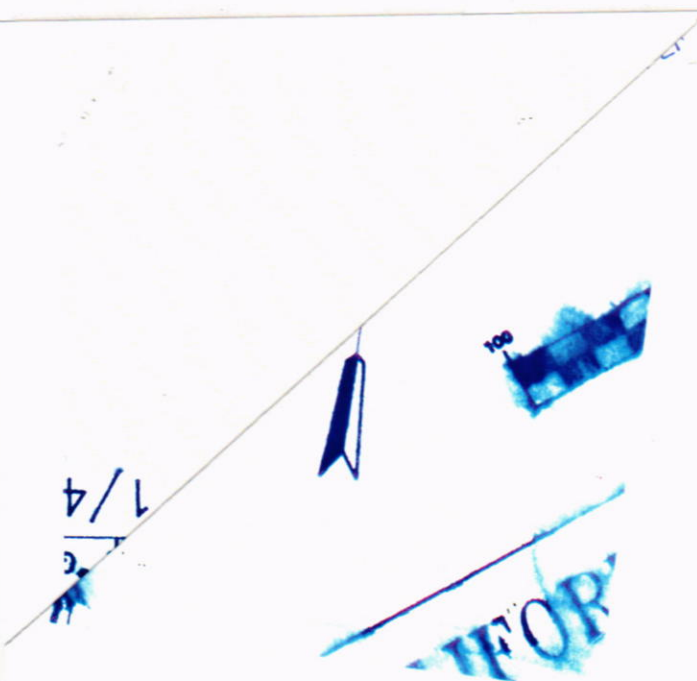
ALTERNATE ROUTING OF SEWER EASEMENT.

Refer to the drawing and you see the alternate routing continues south about 400 feet parallel to the MP&L easement, then turn west and join the engineers proposed easement on the Wayne Gray property. This accomplishes the same purpose with only a slight increase in overall footage, and has little if any negative impact on anyone.

As a resident of Clinton, Mississippi since 1953, I have had and will continue to have an interest in the continued growth of our city. With due respect to all concerned, I ask that you study these proposals, and please do not impose this great devaluation upon my property.



Gavin Freeman



MAP OF GAVIN FREEMAN PROPERTY

RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN
OF THE CITY OF CLINTON, MISSISSIPPI DECLARING
THE NECESSITY OF PROPOSED IMPROVEMENTS, BEING A
SANITARY SEWAGE SYSTEM, THE COST OF WHICH IS TO
BE ASSESSED AGAINST THE PROPERTY BENEFITTED,
DESCRIBING THE NATURE AND EXTENT OF THE WORK,
THE GENERAL CHARACTER OF THE MATERIALS TO BE USED,
THE LOCATION AND TERMINAL POINTS OF SAID SEWER
SYSTEM, AND DEFINING THE AREAS IN WHICH SUCH
IMPROVEMENTS ARE TO BE MADE, PROVIDING FOR THE
PUBLICATION OF THIS RESOLUTION AND FIXING A DATE
FOR THE HEARING OF OBJECTIONS OR REMONSTRANCES,
AND FOR RELATED PURPOSES OF THE
HOBBY FARMS ROAD PROJECT

WHEREAS, Mississippi Code Annotated, Section 21-41-1, et seq., authorizes the Mayor and Board of Aldermen, being the governing authority of the City of Clinton, Mississippi, to cause local improvements in the form of sanitary sewers to be constructed either wholly or partly at the cost of the property owners benefitted by such improvements by levying and collecting special assessments on such improvements in the manner provided by the aforesaid law; and,

WHEREAS, the governing authority of the City of Clinton, Mississippi does, hereby determine to make the following improvements:

A gravity sanitary sewer system described as follows:

The construction of approximately 5400 linear feet of 8" P.V.C. Sanitary Sewer main, two (2) sewer pump stations, and the necessary manholes and appurtenances to serve the Benefitted Area.

The Benefitted Area affected by the above improvements and against which property the cost of such improvements will be assessed is described as follows:

See Exhibit "A" attached hereto.

WHEREAS, the governing authority of the City of Clinton does hereby find, determine and adjudicate that such improvements are necessary and in the public interest and the total cost of such improvements should be assessed against the property benefitted, which benefitted property is hereby found and determined to be the property as hereinabove described and designated as the Benefitted Area; and,

WHEREAS, the total cost of the project including allowance for contingencies, engineering, testing, interest, rights of way and legal fees for such project is estimated to be \$446,357.00; and,

WHEREAS, plans and specifications of the aforesaid project have been completed by Alford Engineering and are on file in the office of the City Clerk and on file in the office of Alford Engineering at 5135 Galaxie Drive, Suite 401-D, Jackson, Mississippi; and,

WHEREAS, having found, determined, and declared necessary the proposed improvements and desiring to fix a date when the governing authority of the City of Clinton shall meet, which date shall be not less than 15 days after the date of the first publication of a notice providing for such meeting, to hear objections and remonstrances that may be made to said improvements and how the cost thereof shall be paid; and,

WHEREAS, the City Clerk is hereby directed to cause publication of said notice to be made in the form, manner and for the time required by law and such City Clerk is directed to send a copy of the notice, by certified mail, postage prepaid, within 5 days after the first publication of the notice herein provided for, to the last known address of

owners of property affected by this Resolution as determine by the land rolls last approved by the County and to be benefitted by the improvements to be made, which property owners and their last known addresses as shown by the land rolls last approved by the County are hereby found and determined to be as follows:

See Exhibit "B" attached hereto.

NOW, THEREFORE:

BE IT RESOLVED by the Mayor and Board of Aldermen of the City of Clinton, Mississippi that the governing authority of the City of Clinton does hereby determine to make special improvements within the City by the laying out and construction of a gravity sanitary sewer system generally described, as hereinbefore set forth, which improvements shall be made in accordance with plans and specifications for such system prepared by Alford Engineering and on file at the address hereinbefore stated and in the office of the City Clerk of the City of Clinton, which plans and specifications are hereby approved.

BE IT FURTHER RESOLVED, that the governing authority of the City of Clinton does hereby find, determine and adjudicate that the hereinbefore described improvements are necessary and in the public interest and that the total costs of such improvements should be assessed against the property benefitted which benefitted property is hereby found and determined to be the property hereinbefore described and designated as the Benefitted Area.

BE IT FURTHER RESOLVED, that the total cost of such special improvements including the sums required for contingencies, engineering, testing, interest, legal expenses and rights of way for the project is hereby established to be the sum of \$446,357.00.

BE IT FURTHER RESOLVED, that the total cost of the special improvement project in the estimated amount of \$446,357.00 shall be assessed against the property benefitted, which property benefitted is more particularly described above. Said amount may be reduced by any applicable grant funds.

BE IT FURTHER RESOLVED, that the owners of the property to be benefitted, against which assessment for costs of such improvement project will be made, and effected by this Resolution and the last known addresses of such owners are as set forth above.

BE IT FURTHER RESOLVED, that the Mayor and Board of Aldermen of the City of Clinton, Mississippi shall hold a public hearing on the 12th day of August, 1999, at 7:00 p.m. at the Municipal Courtroom, 305 Monroe Street, Clinton, Mississippi, said meeting will be more than 15 days after the date of the first publication of this Resolution and the notice declaring the necessity of construction of said special improvements, for the purpose of hearing any and all objections or remonstrances to the construction of said special improvements or any part thereof.

BE IT FURTHER RESOLVED, that the City Clerk of the City of Clinton, Mississippi is hereby directed to cause a notice to be published together with this

Resolution once each week for three consecutive publications in a public newspaper, The Clarion Ledger, having a general circulation in the municipality and is further directed to send a copy of such notice, by certified mail, postage prepaid, within five days after the first publication of the notice herein provided for, to the owners of the property affected by this Resolution as above named at the last known address as herein stated, such notice to be in the following form:

NOTICE

Notice is hereby given that the Mayor and Board of Aldermen of the City of Clinton, Mississippi shall hold a public hearing on August 12, 1999, at 7:00 p.m. in the Municipal Courtroom at 305 Monroe Street in the City of Clinton, Mississippi to hear any objections or remonstrances that may be made to the following improvements, or any part thereof, which the Mayor and Board of Aldermen have found, determined and adjudicated to be necessary and in the public interest:

The laying out and construction of a sanitary sewage system generally described as follows:.

The construction of approximately 5400 linear feet of 8" P.V.C. Sanitary Sewer main, two (2) sewer pump stations, and the necessary manholes and appurtenances to serve the Benefitted Area.

The Benefitted Area affected by the above improvements and against which property the cost of such improvements will be assessed is described as follows:

See Exhibit "A" attached hereto.

The names and addresses of the owners of the property affected by the improvements aforesaid are as follows:

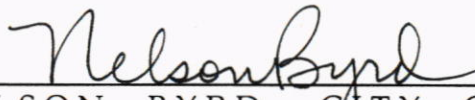
See Exhibit "B" attached hereto.

At said meeting, or at a time and place, to which same may be adjourned, any person aggrieved may appear in person, by attorney, or by petition and may object to, or protest against said improvements or any part thereof; the Mayor and Board of Aldermen will consider the objections and protests, if any, and may confirm, amend, modify or rescind the Resolution of Necessity and shall determine whether said improvements shall be made and how the costs thereof shall be paid, which determination shall be final and conclusive.

However, if a majority of the property owners owning more than 50% of the property involved and actually occupying property owned by them and included within that area determined to be benefitted shall file a protest, then the improvements shall not be made.

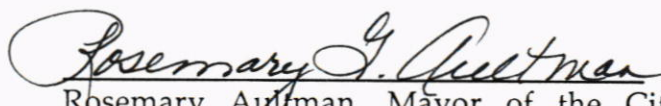
The plans and specifications of the work constituting the improvements to be made are on file in the office of the City Clerk of the City of Clinton at the City Hall located in Clinton, Mississippi, and the office of Alford Engineering, 5135 Galaxie Drive, Suite 401-D, Jackson, Mississippi.

BY ORDER OF THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF
CLINTON, MISSISSIPPI, in a regular meeting assembled on this the 20th day of July,
1999.

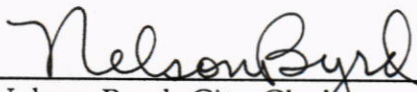

NELSON BYRD, CITY CLERK
CITY OF CLINTON, MISSISSIPPI

Publish: July 26, Aug. 2, Aug. 9, 1999

SO RESOLVED by the Mayor and Board of Aldermen of the City of Clinton,
Mississippi, in regular meeting assembled on this the 20th day of July, 1999.


Rosemary Aultman, Mayor of the City of
Clinton, Mississippi

ATTEST:


Nelson Byrd, City Clerk

(S E A L)



HobbyF.RES
07/15/99-MMH
Rev. 7/20/99



Legal Description of the Hobby Farms Special Assessment Sewer District located in the City of Clinton, Hinds County, Mississippi.

Lot 1 through 63 inclusive of the Hobby Farms Subdivision, a platted subdivision as recorded in Plat Book 7 at page 1 in the office of the Chancery Clerk of Hinds County in Jackson, Mississippi.

Also a tract of land adjacent to the Southwest Corner of Hobby Farms Subdivision designated as tax parcels 2860116000, 2860117000 and 2860118000 in the office of the Hinds County Tax Assessor's Office in Jackson, Mississippi and further described as follows:

Beginning at the Southwest Corner of Lot 43 of said Hobby Farms Subdivision and run thence easterly along the south line of said Lot 43 a distance of 189.8 feet, more or less, to the Northwest Corner of Lot 42 of said Hobby Farms Subdivision; run thence Southerly along the West lines of Lots 42, 41, 40 and 38 of said Hobby Farms Subdivision a distance of 730 feet, more or less to North right-of-way of the Old Vicksburg Road; run thence westerly along the said North right-of-way of the Old Vicksburg Road a distance of 182 feet, more or less to the West line of the Southeast 1/4 of Section 22, Township 6 North, Range 1 West, Hinds County, Mississippi, run thence Northerly along the said West line of the Southeast 1/4 of Section 22, Township 6 North, Range 1 West, Hinds County, Mississippi a distance of 730 feet, more or less to the point of beginning of said tract.

desc.hob

EXHIBIT "B"

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
O. J. Horne ET UX 2211 Old Vicksburg Road Clinton, MS 39056	(1110)2860-180
Bobbie J. Hughes 179 Hobby Farms Road Clinton, MS 39056	(1110)2860-182-2
Margaret G. Bullock 121 Hobby Farms Road Clinton, MS 39056	(1110)2860-182-1
Juanita P. Wilson 100 Hobby Farms Road Clinton, MS 39056	(9110)2860-146

Juanita P. Wilson 100 Hobby Farms Road Clinton, MS 39056	(1110)2860-145
Juanita P. Wilson 100 Hobby Farms Road Clinton, MS 39056	(9110)2860-147
Rodney E. Crosby ET UX 2219 Old Vicksburg Road Clinton, MS 39056	(9110)2860-149-1
Phyllis J. & Timothy H. Kelly c/o Allison Juanita 100 Hobby Farms Road Clinton, MS 39056	(9110)2860-147-1
Rodney E. Crosby ET UX 2219 Old Vicksburg Road Clinton, MS 39056	(1110)2860-149
Felix O. & Delores Ivy 2221 Old Vicksburg Road Clinton, MS 39056	(1110)2860-150
Felix O. & Delores Ivy 2221 Old Vicksburg Road Clinton, MS 39056	(9110)2860-151
Felix O. & Delores Ivy 2221 Old Vicksburg Road Clinton, MS 39056	(9110)2860-152
Hortense Gaddis 157 Magnolia Road Clinton, MS 39056	(9110)2860-153
Charley A. Cheney, Jr. and Catherine M. Chaney 102 Longwood Drive Clinton, MS 39056	(5480)2860-153-1
Hammersmith Contractors, Inc. P. O. Box 16661 Jackson, MS 39236	(3990)2860-154

Charley A. Cheney, Jr. and
Catherine M. Chaney
102 Longwood Drive
Clinton, MS 39056

(5000)2860-154-4

B. L. & Hautense Gaddis
157 Magnolia Road
Clinton, MS 39056

(1110)2860-154-1

D. L. & Barbara K. Gaddis
147 Magnolia Road
Clinton, MS 39056

(1110)2860-154-2

Robert H. & Patricia A. Lucroy
177 Magnolia Road
Clinton, MS 39056

(1110)2860-155

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

Joe W. & Magdline Odom
834 Flag Chapel Road
Jackson, MS 39209

(1110)2860-160

Billy P. Haimes ET UX
P. O. Box 2474
Robertsdale, AL 36567-2474

(1110)2860-161

T. G. & Alice V. Holland
333 Magnolia Road
Clinton, MS 39056

(1110)2860-162

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

Margaret E. Wilson
546 Hobby Farms Road
Clinton, MS 39056

(1110)2860-167-1

Janice H. McLaurin
498 Hobby Farms Road
Clinton, MS 39056

(1110)2860-179

Martin Nail
503 Hobby Farms Road
Clinton, MS 39056

(9110)2860-179-1

Edith M. Bishop
3402 Marguerite Road
Pearl, MS 39208

(1110)2860-178

Richard A. Short
446 Hobby Farms Road
Clinton, MS 39056

(1110)2860-176

David & Fay B. Morris
300 Hobby Farms Road
Clinton, MS 39056

(9110)2860-175

David E. & Fay B. Morris
300 Hobby Farms Road
Clinton, MS 39056

(1410)2860-175-1

Joe W. & Magdline Odom
834 Flag Chapel Road
Jackson, MS 39209

(9110)2860-174

Magdline Odom
Billy R. Smith
834 Flag Chapel Road
Jackson, MS 39209

(1110)2860-173

Barbara L. Shields
244 Hobby Farms Road
Clinton, MS 39056

(1110)2860-172

Dan R. Pettit
220 Hobby Farms Road
Clinton, MS 39056

(1110)2860-171

Ennis M. & Mary S. Pettit
200 Hobby Farms Road
Clinton, MS 39056

(1110)2860-170

Rex F. & Sandra F. Bullock
c/o Rex Bullock
229 Canton Club Cir.
Jackson, MS 39211

(1110)2860-169

RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN
OF THE CITY OF CLINTON, MISSISSIPPI DECLARING
THE NECESSITY OF PROPOSED IMPROVEMENTS, BEING A
SANITARY SEWAGE SYSTEM, THE COST OF WHICH IS TO
BE ASSESSED AGAINST THE PROPERTY BENEFITTED,
DESCRIBING THE NATURE AND EXTENT OF THE WORK,
THE GENERAL CHARACTER OF THE MATERIALS TO BE USED,
THE LOCATION AND TERMINAL POINTS OF SAID SEWER
SYSTEM, AND DEFINING THE AREAS IN WHICH SUCH
IMPROVEMENTS ARE TO BE MADE, PROVIDING FOR THE
PUBLICATION OF THIS RESOLUTION AND FIXING A DATE
FOR THE HEARING OF OBJECTIONS OR REMONSTRANCES,
AND FOR RELATED PURPOSES OF THE
CLINTON-RAYMOND ROAD/BANKS ROAD PROJECT

WHEREAS, Mississippi Code Annotated, Section 21-41-1, et seq., authorizes the Mayor and Board of Aldermen, being the governing authority of the City of Clinton, Mississippi, to cause local improvements in the form of sanitary sewers to be constructed either wholly or partly at the cost of the property owners benefitted by such improvements by levying and collecting special assessments on such improvements in the manner provided by the aforesaid law; and,

WHEREAS, the governing authority of the City of Clinton, Mississippi does, hereby determine to make the following improvements:

A gravity sanitary sewer system described as follows:

The construction of approximately 1600 linear feet of 8" P.V.C. Sanitary Sewer main and the necessary manholes and appurtenances to serve the Benefitted Area.

The Benefitted Area affected by the above improvements and against which property the cost of such improvements will be assessed is described as follows:

See Exhibit "A" attached hereto.

WHEREAS, the governing authority of the City of Clinton does hereby find, determine and adjudicate that such improvements are necessary and in the public interest and the total cost of such improvements should be assessed against the property benefitted, which benefitted property is hereby found and determined to be the property as hereinabove described and designated as the Benefitted Area; and,

WHEREAS, the total cost of the project including allowance for contingencies, engineering, testing, interest, rights of way and legal fees for such project is estimated to be \$53,381.00; and,

WHEREAS, plans and specifications of the aforesaid project have been completed by Alford Engineering and are on file in the office of the City Clerk and on file in the office of Alford Engineering at 5135 Galaxie Drive, Suite 401-D, Jackson, Mississippi; and,

WHEREAS, having found, determined, and declared necessary the proposed improvements and desiring to fix a date when the governing authority of the City of Clinton shall meet, which date shall be not less than 15 days after the date of the first publication of a notice providing for such meeting, to hear objections and remonstrances that may be made to said improvements and how the cost thereof shall be paid; and,

WHEREAS, the City Clerk is hereby directed to cause publication of said notice to be made in the form, manner and for the time required by law and such City Clerk is directed to send a copy of the notice, by certified mail, postage prepaid, within 5 days after the first publication of the notice herein provided for, to the last known address of

owners of property affected by this Resolution as determine by the land rolls last approved by the County and to be benefitted by the improvements to be made, which property owners and their last known addresses as shown by the land rolls last approved by the County are hereby found and determined to be as follows:

See Exhibit "B" attached hereto.

NOW, THEREFORE:

BE IT RESOLVED by the Mayor and Board of Aldermen of the City of Clinton, Mississippi that the governing authority of the City of Clinton does hereby determine to make special improvements within the City by the laying out and construction of a gravity sanitary sewer system generally described, as hereinbefore set forth, which improvements shall be made in accordance with plans and specifications for such system prepared by Alford Engineering and on file at the address hereinbefore stated and in the office of the City Clerk of the City of Clinton, which plans and specifications are hereby approved.

BE IT FURTHER RESOLVED, that the governing authority of the City of Clinton does hereby find, determine and adjudicate that the hereinbefore described improvements are necessary and in the public interest and that the total costs of such improvements should be assessed against the property benefitted which benefitted property is hereby found and determined to be the property hereinbefore described and designated as the Benefitted Area.

BE IT FURTHER RESOLVED, that the total cost of such special improvements including the sums required for contingencies, engineering, testing, interest, legal expenses and rights of way for the project is hereby established to be the sum of \$53,381.00.

BE IT FURTHER RESOLVED, that the total cost of the special improvement project in the estimated amount of \$53,381.00 shall be assessed against the property benefitted, which property benefitted is more particularly described above. Said amount may be reduced by any applicable grant funds.

BE IT FURTHER RESOLVED, that the owners of the property to be benefitted, against which assessment for costs of such improvement project will be made, and effected by this Resolution and the last known addresses of such owners are as set forth above.

BE IT FURTHER RESOLVED, that the Mayor and Board of Aldermen of the City of Clinton, Mississippi shall hold a public hearing on the 16th day of August, 1999, at 7:00 p.m. at the Municipal Courtroom, 305 Monroe Street, Clinton, Mississippi, said meeting will be more than 15 days after the date of the first publication of this Resolution and the notice declaring the necessity of construction of said special improvements, for the purpose of hearing any and all objections or remonstrances to the construction of said special improvements or any part thereof.

BE IT FURTHER RESOLVED, that the City Clerk of the City of Clinton, Mississippi is hereby directed to cause a notice to be published together with this

Resolution once each week for three consecutive publications in a public newspaper, The Clarion Ledger, having a general circulation in the municipality and is further directed to send a copy of such notice, by certified mail, postage prepaid, within five days after the first publication of the notice herein provided for, to the owners of the property affected by this Resolution as above named at the last known address as herein stated, such notice to be in the following form:

NOTICE

Notice is hereby given that the Mayor and Board of Aldermen of the City of Clinton, Mississippi shall hold a public hearing on August 16, 1999, at 7:00 p.m. in the Municipal Courtroom at 305 Monroe Street, in the City of Clinton, Mississippi to hear any objections or remonstrances that may be made to the following improvements, or any part thereof, which the Mayor and Board of Aldermen have found, determined and adjudicated to be necessary and in the public interest:

The laying out and construction of a sanitary sewage system generally described as follows:

The construction of approximately 1600 linear feet of 8" P.V.C. Sanitary Sewer main and the necessary manholes and appurtenances to serve the Benefitted Area.

The Benefitted Area affected by the above improvements and against which property the cost of such improvements will be assessed is described as follows:

See Exhibit "A" attached hereto.

The names and addresses of the owners of the property affected by the improvements aforesaid are as follows:

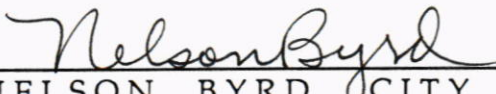
See Exhibit "B" attached hereto.

At said meeting, or at a time and place, to which same may be adjourned, any person aggrieved may appear in person, by attorney, or by petition and may object to, or protest against said improvements or any part thereof; the Mayor and Board of Aldermen will consider the objections and protests, if any, and may confirm, amend, modify or rescind the Resolution of Necessity and shall determine whether said improvements shall be made and how the costs thereof shall be paid, which determination shall be final and conclusive.

However, if a majority of the property owners owning more than 50% of the property involved and actually occupying property owned by them and included within that area determined to be benefitted shall file a protest, then the improvements shall not be made.

The plans and specifications of the work constituting the improvements to be made are on file in the office of the City Clerk of the City of Clinton at the City Hall located in Clinton, Mississippi, and the office of Alford Engineering, 5135 Galaxie Drive, Suite 401-D, Jackson, Mississippi.

BY ORDER OF THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF
CLINTON, MISSISSIPPI, in a regular meeting assembled on this the 20th day of July,
1999.

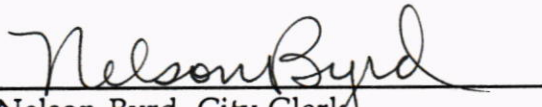

NELSON BYRD, CITY CLERK
CITY OF CLINTON, MISSISSIPPI

Publish: July 26, Aug. 2, Aug. 9, 1999

SO RESOLVED by the Mayor and Board of Aldermen of the City of Clinton,
Mississippi, in regular meeting assembled on this the 20th day of July, 1999.


Rosemary Aultman, Mayor of the City of
Clinton, Mississippi

ATTEST:


Nelson Byrd, City Clerk

(S E A L)

BANKSRD.RES
07/15/99-MMH
Rev. 7/20/99

Legal Description of the Clinton-Raymond Road / Banks Road Special Assessment Sewer District located in the City of Clinton, Hinds County, Mississippi.

Beginning at the intersection of the western right-of-way line of Clinton-Raymond Road with the north line of the Northwest 1/4 of Section 31, Township 6 North, Range 1 West, Hinds County, Mississippi, run thence westerly along the said north line of the Northwest 1/4 of Section 31, Township 6 North, Range 1 West, Hinds County, MS a distance of 1124 feet, more or less, to the northwest corner of tax parcel number 2862120000 as shown in the records of the Hinds County Tax Assessor's office in Jackson, Hinds County, MS; run thence southerly along the west line of said tax parcel number a distance of 605 feet, more or less, to the northwest corner of tax parcel number 2862120001; run thence easterly along the north line of said parcel number 2862120001 a distance of 100 feet, more or less, to the northeast corner of tax parcel number 2862120001; run thence southerly along the east line of tax parcels 2862120001, 2862120002, and 2860120003 a distance of 210 feet, more or less, to the southeast corner of tax parcel number 2862120003; run thence westerly along the south line of tax parcel number 2862120003 a distance of 100 feet, more or less, to the southwest corner of tax parcel number 2862120003; run thence northerly along the west line of tax parcel 2862120003, parcel 2862120002, and parcel 2862120001 a distance of 185 feet, more or less, to a point; run thence westerly along the north line of tax parcel 2862119005 for a distance of 194 feet, more or less, to the northwest corner of said tax parcel 2862119005; run thence southerly along the west line of tax parcel 2862119005, tax parcel 2862119004, and tax parcel 2862119001, and tax parcel 2862119000 and tax parcel 2862119006 for a distance of 520 feet, more or less, to the west right-of-way line of Clinton-Raymond Road and the Southwest corner of tax parcel 2862119006; run thence northeasterly along the west right-of-way line of Clinton-Raymond Road for a distance of 1784 feet, more or less, to the point of beginning.

EXHIBIT "B"

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