

**RECESSED MEETING OF THE MAYOR AND BOARD OF ALDERMEN
TUESDAY, NOVEMBER 19, 1996, 7 P.M.
MUNICIPAL COURTROOM - 305 MONROE STREET**

The Mayor and Board of Aldermen of the City of Clinton, Mississippi met in Recessed Meeting on Tuesday, November 19, 1996, 7 P.M., at the Municipal Courtroom, 305 Monroe Street, pursuant to order adopted November 5, 1996 on page 192 of this Minute Book Y.

WELCOME AND CALL TO ORDER - Mayor Rosemary Aultman

INVOCATION AND PLEDGE OF ALLEGIANCE

The invocation was led by Alderman DePriest followed by the Pledge of Allegiance to the Flag led by Alderman Todd.

ROLL CALL

Present - Jehu Brabham - Alderman-At-Large
O.C. George Ferrell - Alderman Ward 1
Rodney DePriest - Alderman Ward 2
Ben Todd - Alderman Ward 3
Phil Fisher - Alderman Ward 4
Herb Touchton - Alderman Ward 5
Sharbert Lott - Alderman Ward 6 -(arrived
7:43 p.m.)

City Attorney - Ken Dreher
City Clerk - Nelson Byrd

ANNOUNCEMENT

Charlotte McCart, representing the Clinton Community Development Foundation, announced that on November 18, 1996 a contract was signed by the Foundation for the purchase of 6.5 acres for the site of the conference and cultural art center to be located on the North/South Parkway. The Mayor and Board of Aldermen were invited to the New Years Eve Charity Ball at the Eagle Ridge Conference Center to support this foundation.

Mayor Aultman announced that City offices will be closed Thanksgiving Day and the day after Thanksgiving. December 3rd will be the Annual Christmas Tree Lighting and Olde Towne Celebration. The Christmas Parade will be on December 7.

AGENDA CHANGES

Mayor Aultman announced that "Abandonment request from Mississippi College for 2 streets" will be added under Item 12.

APPROVAL OF CONSENT AGENDA ITEMS A-K

MOTION made by Alderman Ferrell and **SECONDED** by Alderman Todd to approve Consent Agenda Items A-K as listed on page 224 of this Minute Book Y, noting that Quotes listed in Item D can be found on file in the office of the City Clerk. **MOTION CARRIED UNANIMOUSLY**

APPROVAL TO AWARD BASE BID AND ADD ALTERNATES 1,2,3, & 4 FOR REPAINTING THE MANSVILLE TANK

Upon recommendation of City Engineer Richard Broome, **MOTION** made by Alderman Ferrell and **SECONDED** by Alderman Todd to approve awarding of base bid and add Alternates 1,2,3 & 4 totaling \$96,300.00 to Capitol Enterprises, Inc. for repainting the Mansville Tank. Said Bid can be found on pages 1279-1283 of Minute Book X. **MOTION CARRIED UNANIMOUSLY**

APPROVAL OF FIRE DEPARTMENT BID ON "VHF" TWO WAY RADIO SYSTEM

MOTION made by Alderman Fisher and **SECONDED** by Alderman DePriest to approve Fire Department Bid on "VHF" two way radio system found on pages 226-232 of this Minute book Y. **MOTION CARRIED UNANIMOUSLY**
Proof of Publication can be found on pages 233 of this Minute Book Y.

APPROVAL OF STORM DRAINAGE REPAIR AT 105/106 COBBLESTONE COURT

Based on the fact finding of City Engineer Richard Broome, **MOTION** made by Alderman DePriest and **SECONDED** by Alderman Brabham to approve Public Works to proceed with repairing storm drain at 105/106 Cobblestone Court. **MOTION CARRIED UNANIMOUSLY**

AUTHORIZATION FOR MAYOR TO SIGN AGREED ORDER WITH DEPARTMENT OF ENVIRONMENTAL QUALITY

Upon recommendation of City Engineer Richard Broome, **MOTION** made by Alderman Touchton and **SECONDED** by Alderman Fisher to authorize Mayor to sign Agreed Order with Department of Environmental Quality as found on pages 234-237 of this Minute Book Y. **MOTION CARRIED UNANIMOUSLY**

AUTHORIZATION FOR MAYOR TO SIGN AGREEMENT TO ENTER INTO CONTRACT WITH CLINTON CHAMBER OF COMMERCE

MOTION made by Alderman Todd and **SECONDED** by Alderman Brabham to authorize Mayor to sign agreement to enter in contract with Clinton Chamber of Commerce found of pages 238-239 of this Minute Book Y. **MOTION CARRIED UNANIMOUSLY**

ABANDONMENT PETITION FROM MISSISSIPPI COLLEGE FOR 2 STREETS

MOTION made by Alderman Brabham and **SECONDED** by Alderman Todd to approve ordinance for closing, vacating and abandoning a portion of Comfort Street and Runnels Street for purposes related thereto. Copy of petition, ordinance and proof of publication can be found on pages 240-247 of this Minute Book Y and on pages 668-671 of Ordinance Book II. **MOTION CARRIED UNANIMOUSLY**

EXECUTIVE SESSION - AMENDMENT TO PERSONNEL CLASSIFICATION SYSTEM

MOTION made by Alderman Todd and **SECONDED** by Alderman Fisher at 7:27 p.m. to consider entering executive session for the purpose of discussing personnel and litigation matters. **MOTION CARRIED UNANIMOUSLY**

MOTION made by Alderman Brabham and **SECONDED** by Alderman Todd at 7:27 p.m. to enter executive session for the stated purpose. **MOTION CARRIED UNANIMOUSLY**

Present for executive session were Mayor Aultman, Aldermen Brabham, Ferrell, DePriest, Todd, Fisher, Touchton, and Lott; Department Heads Don Byington and David Freeman; City Attorney Ken Dreher, City Clerk Nelson Byrd, and Comptroller Wayne Derrick.

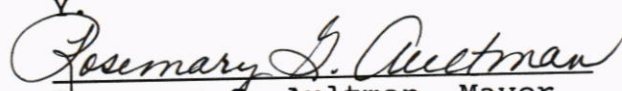
MOTION made by Alderman Brabham and **SECONDED** by Alderman Ferrell to exit executive session at 8:49 p.m. **MOTION CARRIED UNANIMOUSLY**

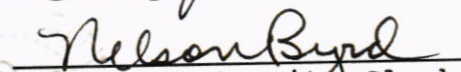
MOTION made that City's personnel classification system be amended to include Secretary/Program Coordinator in Parks and Recreation Department at GS08 Step 6 by Alderman Brabham and **SECONDED** by Alderman Todd. **MOTION CARRIED UNANIMOUSLY**

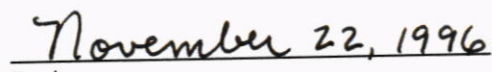
ADJOURNMENT - 8:51 P.M.

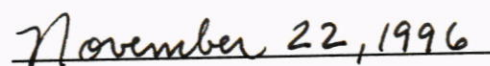
There being no further business to discuss, **MOTION** made by Alderman Fisher and **SECONDED** by Alderman Todd to adjourn. **MOTION CARRIED UNANIMOUSLY**

Copy of Agenda may be found on pages 224-225 of this Minute Book Y.


Rosemary G. Aultman, Mayor


Nelson Byrd, City Clerk


Date


Date

SHANK COMMUNICATION INC.

Minor Norman
Account Specialist

105 East Porter Street
Jackson, MS 39201

Telephone (601) 355-5023
Fax (601) 355-5050

ONLY BID REC'D

**BID PROPOSAL FOR CITY OF CLINTON
PUBLIC SAFETY RADIO EQUIPMENT**

November 12, 1996

Shank Communication Inc. has been serving the Central Mississippi Area in two-way communications since 1953. We are one of the oldest Motorola Service Center in the nation which is owned by its original owner. We are also a Woman owned business. Presently, we staff sixteen (16) full-time employees and carry almost every major brand of communication equipment in the two-way radio market. We are currently listed with the City of Clinton as a vendor.

We at Shank Communication wish to thank the City of Clinton for giving us the opportunity to bid on your new radio system.

Thanks in Advance,



Minor Norman
mn

SHANK COMMUNICATION INC.

Minor Norman
Account Specialist

105 East Porter Street
Jackson, MS 39201

Telephone (601) 355-5023
Fax (601) 355-5050

RERERENCE LIST

Tom Larivere
Chief, Madison Fire Dept.
7466 Old Canton Rd.
Madison, Ms. 39110
(601) 856-8894

Maurice Joy
Chief, Richland Fire Dept.
566 Old Hwy 49 South
Richland, Ms. 39218
(601) 932-6056

Ken Gill
Ridgeland Police Dept.
115 West School St.
Ridgeland, Ms. 39157
(601) 853-2021

Sam Vinson
Director, Ridgeland Public Works
304 Hwy 51
Ridgeland, Ms. 39157
(601) 856-3877

COMPLAINEE OF SPECIFICATIONS

PORTABLE RADIO SECTION

20

MOTOROLA HT1000 MODEL # H01KDC9AA3_N

VHF 16 CHANNEL PORTABLE RADIO INCLUDING: ANTENNA, ULTRA HIGH CAPACITY BATTERY, BELT CLIP, STANDARD RATE CHARGER AND PROGRAMMING.

SPECIFICATIONS

- | | |
|------------|--|
| 1. Passes | 1. 140 - 170 MHz |
| 2. Passes | 2. CTCSS DIGITAL AND TONE |
| 3. Passes | 3. VARIABLE CHANNEL SPACING |
| 4. Passes | 4. PRIORITY SCAN |
| 5. Passes | 5. LOW BATTERY ALERT |
| 6. Passes | 6. GE STAR UNIT ID & EMERGENCY |
| 7. Passes | 7. QUICK-CALL II DECODE |
| 8. Passes | 8. MDC-1200 PTT UNIT ID |
| 9. Passes | 9. TOP MOUNTED EMERGENCY BUTTON |
| 10. Passes | 10. ROTARY CHANNEL SELECTOR KNOB |
| 11. Passes | 11. NOISE CANCELING MICROPHONE |
| 12. Passes | 12. WEATHER-SEALED UNIVERSAL CONNECTOR |
| 13. Passes | 13. FIVE (5) TO ONE (1) WATT RF OUTPUT |
| 14. Passes | 14. TIME-OUT-TIMER |

8

MOTOROLA MT2000 'A4' MODEL # H01KDD9AA4_N

VHF 48 CHANNEL PORTABLE RADIO INCLUDING: ANTENNA, ULTRA HIGH CAPACITY BATTERY, BELT CLIP, STANDARD RATE CHARGER AND PROGRAMMING.

SPECIFICATIONS

- | | |
|------------|---|
| 1. Passes | 1. TOP MOUNT ALPHANUMERIC 6 CHARACTER DISPLAY |
| 2. Passes | 2. 140 - 170 MHz |
| 3. Passes | 3. CTCSS DIGITAL AND TONE |
| 4. Passes | 4. VARIABLE CHANNEL SPACING |
| 5. Passes | 5. PRIORITY SCAN |
| 6. Passes | 6. LOW BATTERY ALERT |
| 7. Passes | 7. MDC-1200 PTT UNIT ID |
| 8. Passes | 8. ALPHA MODE NAMING |
| 9. Passes | 9. TOP MOUNTED EMERGENCY BUTTON |
| 10. Passes | 10. ROTARY CHANNEL SELECTOR KNOB |
| 11. Passes | 11. NOISE CANCELING MICROPHONE |
| 12. Passes | 12. WEATHER-SEALED UNIVERSAL CONNECTOR |
| 13. Passes | 13. FIVE (5) TO ONE (1) WATT RF OUTPUT |
| 14. Passes | 14. TIME-OUT-TIMER |

MOBILE RADIO SECTION

9

MOTOROLA GM300 MODEL # *M43GMC29C2*

VHF 16 CHANNEL MOBILE RADIO INCLUDING: MICROPHONE, MOUNTING BRACKET, POWER CABLE AND PROGRAMMING.

SPECIFICATIONS

- | | |
|------------|-------------------------------------|
| 1. Passes | 1. 140 - 170 MHz |
| 2. Passes | 2. CTCSS DIGITAL AND TONE |
| 3. Passes | 3. PRIORITY CHANNEL SCAN |
| 4. Passes | 4. SCAN NUISANCE CHANNEL DELETE |
| 5. Passes | 5. DUAL SCAN |
| 6. Passes | 6. MDC-1200 ENCODE AND DECODE |
| 7. Passes | 7. QUICK-CALL II ENCODE AND DECODE |
| 8. Passes | 8. GE STAR UNIT ID |
| 9. Passes | 9. FORTY-FIVE (45) WATT RF OUTPUT |
| 10. Passes | 10. TIME OUT TIMER |

CONTROL STATION SECTION

3

MOTOROLA GM300 MODEL # *M43GMC29C2*

VHF 16 CHANNEL CONTROL STATION INCLUDING: DESK MICROPHONE, A/C POWER SUPPLY, POWER CABLE AND PROGRAMMING.

SPECIFICATIONS

- | | |
|-----------|---|
| 1. Passes | MUST MEET ALL REQUIREMENTS LISTED IN MOBILE RADIO SECTION |
|-----------|---|

BASE STATION / REPEATER ANTENNA SECTION

	<u>DESCRIPTION</u>
Decible # DB201-A	VHF 6 db GAIN BASE STATION ANTENNA
Decible # DB-365-0S	SET OF ANTENNA MOUNTING CLAMPS
Andrew # L45N/L45N	7/8" CONNECTORS
Andrew # 204989-2	7/8" GROUNDING STRAPS
Polyphaser # IS-B50HN	RF LIGHTING ARRESTOR
Andrew #LDF5-50A	230 FEET OF 7/8" HELIAX
Rohn # 25	10 FT TOWER SECTION
Rohn # 25	5 FT TOWER TOP SECTION
Rohn # 25	TOWER BASE PLATE

REPEATER SECTION

1

ERICSSON MASTR III MODEL # SXHM01

DESCRIPTION

VHF 110 WATT 4 CHANNEL BASE STATION / REPEATER

SPECIFICATIONS

- | | |
|------------|------------------------------------|
| 1. Passes | 1. 150 - 170 MHz |
| 2. Passes | 2. CTCSS DIGITAL AND TONE |
| 3. Passes | 3. CTCSS DISABLE |
| 4. Passes | 4. REPEATER DISABLE |
| 5. Passes | 5. INTERCOM FUNCTION |
| 6. Passes | 6. DTMF DECODE |
| 7. Passes | 7. MORSE CODE ID |
| 8. Passes | 8. SQUELCH TAIL ELIMINATION |
| 9. Passes | 9. CARRIER CONTROL TIMER |
| 10. Passes | 10. BASE STATION CONTROL |
| 11. Passes | 11. DC CONTROL |
| 12. Passes | 12. TONE CONTROL |
| 13. Passes | 13. REPEATER |
| 14. Passes | 14. DC/ REPEAT |
| 15. Passes | 15. TONE/REPEAT |
| 16. Passes | 16. 2 OR 4 WIRE AUDIO |
| 17. Passes | 17. SCAN |
| 18. Passes | 18. PRIORITY SCAN |
| 19. Passes | 19. SERVICE MICROPHONE |
| 20. Passes | 20. DUPLEXER |
| 21. Passes | 21. BATTERY STANDBY |
| 22. Passes | 22. BATTERY CHARGER |
| 23. Passes | 23. BATTERY ALERT TONE |
| 24. Passes | 24. GEL CELL BATTERY |
| 25. Passes | 25. SWITCHABLE CHANNEL SPACING |
| 26. Passes | 26. DIGITAL CAPABLE BY PROGRAMMING |
| 27. Passes | 27. INDOOR CABINET |

JOB ESTIMATE

SHANK COMMUNICATION

Minor Norman
105 East Porter Street
Jackson, Ms 29201
(601) 355-5023
(601) 355-5023 Fax

Date: 11-12-96
Job Number: 020563-1
City of Clinton
Fire Department
Attn: Brian Presson
Clinton, Ms.
Hinds County
(601) 925-0795

We are pleased to submit the following cost estimate:

Job Description: PUBLIC SAFETY RADIO EQUIPMENT

MATERIALS

[illegible]**LABOR**

LABOR		CHARGES	TOTAL
HOURS	DESCRIPTION		
9	Install Mobile Units at Clinton Location	75.00	675.00
3	Install Control Station Units at Clinton Location	75.00	225.00
1	Install Base Station / Repeater at Water Tower Location	200.00	200.00
1	Install Antenna Tower System at Water Tower Location	1,200.00	1,200.00
1	Program Base Station / Repeater	50.00	50.00
28	Program Portable Radios	included	
9	Program Mobile Radios	included	
3	Program Control Station Radios	included	
		Labor total	2,350.00
		Total estimate	43,959.00

Min Norman

11/12/96

PROOF OF PUBLICATION
THE STATE OF MISSISSIPPI
HINDS COUNTY

PASTE PROOF HERE

BIDS WANTED
Notice is hereby given that sealed bids will be received in the office of the City Clerk, 300 Jefferson Street, Clinton, MS 39056, until 3 p.m. Wednesday, November 13, 1996 and opened immediately for the purchase of:
VHF TWO WAY RADIO SYSTEM
Specifications are on file in the Office of the Fire Chief or City Clerk, 300 Jefferson Street, Clinton, MS 39056. All Bids must be sealed and plainly marked on the outside of the envelope: "PUBLIC SAFETY RADIOS". The Mayor and Board of Aldermen reserve the right to reject any or all bids, and to waive any and all irregularities.
Rosemary Aultman, Mayor
/s/ Nelson Byrd
Nelson Byrd
City Clerk
Oct. 25, Nov. 1, 1996

PERSONALLY appeared before me, the undersigned notary public in and for Hinds County, Mississippi,

Amy Ham

an authorized clerk of THE CLARION-LEDGER, a daily newspaper as defined and prescribed in Sections 13-3-31 and 13-3-32, of the Mississippi Code of 1972, as amended, who, being duly sworn, states that the notice, a true copy of which is hereto attached, appeared in the issues of said newspaper as follows:

Date October 25, 1996
Date November 1, 1996
Date _____, 19____
Date _____, 19____
Date _____, 19____
Date _____, 19____
Number of Lines/Words 30/119
Published 2 Times
Total \$ 17.47
Signed Amy Ham
Authorized Clerk
of The Clarion-Ledger

SWORN to and subscribed before me the 1 day of November, 1996.

My Commission Expires:

Marie Mills
Notary Public

NOTARY PUBLIC STATE OF MISSISSIPPI AT LARGE
MY COMMISSION EXPIRES: Nov. 8, 1996.
BONDED THRU NOTARY PUBLIC UNDERWRITERS.

(SEAL)

BEFORE THE MISSISSIPPI COMMISSION
ON ENVIRONMENTAL QUALITY

MISSISSIPPI COMMISSION ON
ENVIRONMENTAL QUALITY

COMPLAINANT

VS.

ORDER NO. _____

THE CITY OF CLINTON
HINDS COUNTY, MISSISSIPPI

RESPONDENT

AGREED ORDER

COME NOW THE Mississippi Commission on Environmental Quality (Commission), Complainant, and the City of Clinton, Respondent, in the above captioned cause and agree as follows:

1.

On October 2, 1996, Respondent submitted a Sewer Master Plan in accordance with Agreed Order No. 3237 previously issued on March 28, 1996, which included plans to achieve compliance of the South Central (MS0021199) and Southeast (MS0021172) Wastewater Treatment Facilities for fecal coliform limitations and to correct sewer overflow and bypass problems in the Byrd Heights area.

2.

In accordance with the Sewer Master Plan, Respondent and Complainant agree to settle these matters as follows:

- A. On or before September 30, 1996, Respondent agrees to initiate a program of sewer collection line evaluation and repair in the Byrd Heights area.

- B. Beginning January 1, 1997 and every three months thereafter, Respondent agrees to submit a Status Report describing the most recent progress of the sewer collection line evaluation and repair work described in paragraph 2.A. above. These Status Reports are to be submitted until such time as proper certification is submitted that all necessary evaluation and repair work is completed.
- C. On or before June 1, 1997, Respondent agrees to submit a Facilities Engineering Plan describing tentative plans for any new and/or upgraded sewer collection lines and the South Central and Southeast Wastewater Treatment Facilities. ,
- D. On or before April 1, 1998, Respondent agrees to submit a final set of plans and specifications for review to comply with fecal coliform limitations at the South Central and Southeast Wastewater Treatment Facilities and to correct sewer overflow and bypass problems in the Byrd Heights area.
- E. On or before March 1, 1999, Respondent agrees to begin construction of all necessary work to comply with fecal coliform limitations at the South Central and Southeast Wastewater Treatment Facilities and to correct sewer overflow and bypass problems in the Byrd Heights area.
- F. On or before August 1, 2002, Respondent agrees to complete all construction to comply with fecal coliform limitations at the South Central and Southeast Wastewater Treatment Facilities and to correct sewer overflow and bypass problems in the Byrd Heights area.

- 10
- G. Respondent further agrees to pay a separate penalty in the amount of \$21,850 each for failure to comply with paragraph 2.C. through 2.F. of this Order, said penalties to be due immediately upon non-compliance.

3.

In the event Respondent fails to comply with any of the terms of this Agreed Order, the Agreed Order shall become fully enforceable through the appropriate chancery court. The Mississippi Department of Environmental Quality, acting on behalf of the Commission, may proceed in chancery court and may submit an affidavit to the chancery court, along with an appropriate complaint to enforce this Agreed Order of the Commission, and such affidavit shall be prima facie evidence upon which to obtain a final judgement against Respondent in favor of the Mississippi Commission on Environmental Quality.

4.

Nothing in this Agreed Order shall limit the rights of the Mississippi Department of Environmental Quality or the Mississippi Commission on Environmental Quality in the event Respondent fails to comply with this Agreed Order. The Agreed Order shall be strictly construed to apply to those matters expressly resolved herein.

5.

Nothing contained in this Agreed Order shall limit the rights of Complainant to take enforcement or other actions against Respondent for violations not addressed herein and for future violations of environmental laws, rules, and regulations.

10
6.

Respondent understands and acknowledges that it is entitled to an evidentiary hearing before the Commission pursuant to Section 49-17-31 of the Mississippi Code Annotated (Supp. 1996), and that it has made an informed waiver of that right.

ORDERED, this the _____ day of _____, 1996.

MISSISSIPPI COMMISSION ON
ENVIRONMENTAL QUALITY

BY: _____
J. I. PALMER, JR.
EXECUTIVE DIRECTOR
MISSISSIPPI DEPARTMENT
OF ENVIRONMENTAL QUALITY

AGREED, this the 20th day of November, 1996.

BY: Rosemary J. Quilman

A G R E E M E N T

This agreement is made as of the 19th day of November, 1996, between the City of Clinton, Mississippi (the "City") and the Clinton Chamber of Commerce (the "Chamber").

The Mayor and Board of Aldermen of the City have determined that the City should contribute \$10350 annually to the Chamber between October 1, 1996 and September 30, 1997, for the purpose of advertising and bringing into favorable notice the opportunities, possibilities and resources of the City.

By approving and entering into this Agreement, the Mayor and Board of Aldermen of the City of Clinton find factually that the Chamber will use the contribution to advertise and bring favorable notice of the opportunities, possibilities and resources of the City of Clinton.

By entering into this Agreement, the Chamber certifies that it is a bona fide, not-for-profit eleemosynary corporation organized and existing under the laws of the State of Mississippi and that the Chamber has been granted a tax exempt status by the Internal Revenue Service. The Chamber agrees to use the contribution to advertise and bring favorable notice of the opportunities, possibilities and resources of the City of Clinton.

The City and the Chamber agree that the City shall have the right of audit and oversight concerning the expenditures of funds under this Agreement.

Beginning January 1, 1997, and continuing through September 30, 1997, the City will contribute an additional amount of up to \$5500 (\$611.11 per month) and the Chamber will provide secretarial support of up to 20 hours per week to the City's Economic Development Consultant to assist in bringing favorable notice of the opportunities, possibilities and resources of the City.

CITY OF CLINTON

By: Rosemary G. Aultman
Rosemary Aultman, Mayor

ATTEST:

Nelson Byrd
Nelson Byrd, City Clerk



CLINTON CHAMBER OF COMMERCE

By: Dianne B. Neuman
Title: Executive Director

ATTEST:

BEFORE THE MAYOR AND BOARD OF ALDERMEN OF THE
CITY OF CLINTON, MISSISSIPPI

PETITION TO MAYOR AND BOARD OF ALDERMEN OF THE
CITY OF CLINTON, MISSISSIPPI REQUESTING CLOSING OF STREETS

COMES NOW, Mississippi College and petitions the City of Clinton, Mississippi, to close the following platted streets, according to the plat of the Town of Clinton styled "Correct Plan of the Town of Clinton" dated February 12, 1829 and recorded in the land records of the First District, Hinds County, Mississippi at Jackson.

I. Streets:

The following streets according to the said plat:

- a. Comfort Street from Prospect Street to McLemore Street;
- b. Runnells Street from College Street to U.S. Highway 80;

and in support hereof show the following:

1. That the property is platted streets located in the City of Clinton, Mississippi, and being more particularly described in Exhibit "A" attached hereto.

2. That attached hereto as Exhibit "B" is a copy of the above referenced Plat of Comfort Street and Runnells Street, identifying said streets to be closed.

3. Mississippi College owns all property abutting the above described streets.

4. That Mississippi College does hereby waive the right to compensation for the vacation and closure of the subject

streets as designated herein.

5. That the closing of such streets would be in the best interest and welfare of the public.

WHEREFORE, Petitioner, does petition the Mayor and Board of Aldermen of the City of Clinton, Mississippi, to enact an Ordinance to close and vacate streets described herein.

Respectfully submitted,

MISSISSIPPI COLLEGE

BY:

Jerald L. Meadows

ITS:

VICE PRESIDENT FOR
BUSINESS AFFAIRS

Received by Ken Dreher
11-19-96

EXHIBIT "A"DESCRIPTION OF RIGHT-OF-WAY
COMFORT STREET AND RUNNELS STREET
TOWN OF CLINTON, MISSISSIPPI

Comfort Street runs East and West between Lots 124, 125, 128, 129 and 130, and Runnels Street runs North and South between Lots 124, 125, 128 and 129, as depicted on the "correct plan of the Town of Clinton, and adjacent land lying within the West half of the Northwest Quarter of Section 29, Township 6 North, Range 1 West in the Choctaw Land District," said Plat of record dated February 12, 1829; said streets being more particularly described as follows:

COMFORT STREET - Commencing at the intersection of the East Line of McLemore Street and the South Line of College Street, being also, the Northwest corner of said Lot 124, run thence South along the West Line of said Lot 124 and the East Line of McLemore Street for 300 feet to the Southwest corner of said Lot 124 and the POINT OF BEGINNING of said Comfort Street; from said POINT OF BEGINNING run thence East along the South Line of Lots 124 and 125, and crossing Runnels Street, for 655 feet to the Southeast corner of said Lot 125; run thence South for 60 feet to the Northeast corner of said Lot 128; run thence West along the North Line of said Lots 128, 129 and 130, and crossing Runnels Street, for 655 feet to a point on the East Line of McLemore Street; run thence North and along said East Line of McLemore Street for 60 feet to the POINT OF BEGINNING.

RUNNELS STREET - Commencing at the intersection of the East Line of McLemore Street and the South Line of College Street, being also, the Northwest corner of said Lot 124, run thence East along the North Line of said Lot 124 and the South Line of College Street for 300 feet to the Northeast corner of said Lot 124 and the POINT OF BEGINNING of said Runnels Street; from said POINT OF BEGINNING run thence South along the East Line of said Lots 124 and 129, and crossing Comfort Street, for 826 feet to the Southeast corner of said Lot 129; run thence East for 60 feet to the Southwest corner of said Lot 128; run thence North along the West Line of said Lots 128 and 125, and crossing Comfort Street, for 826 feet to a point on the South Line of College Street and the Northwest corner of said Lot 125; run thence West along said South Line of College Street for 60 feet to the POINT OF BEGINNING.

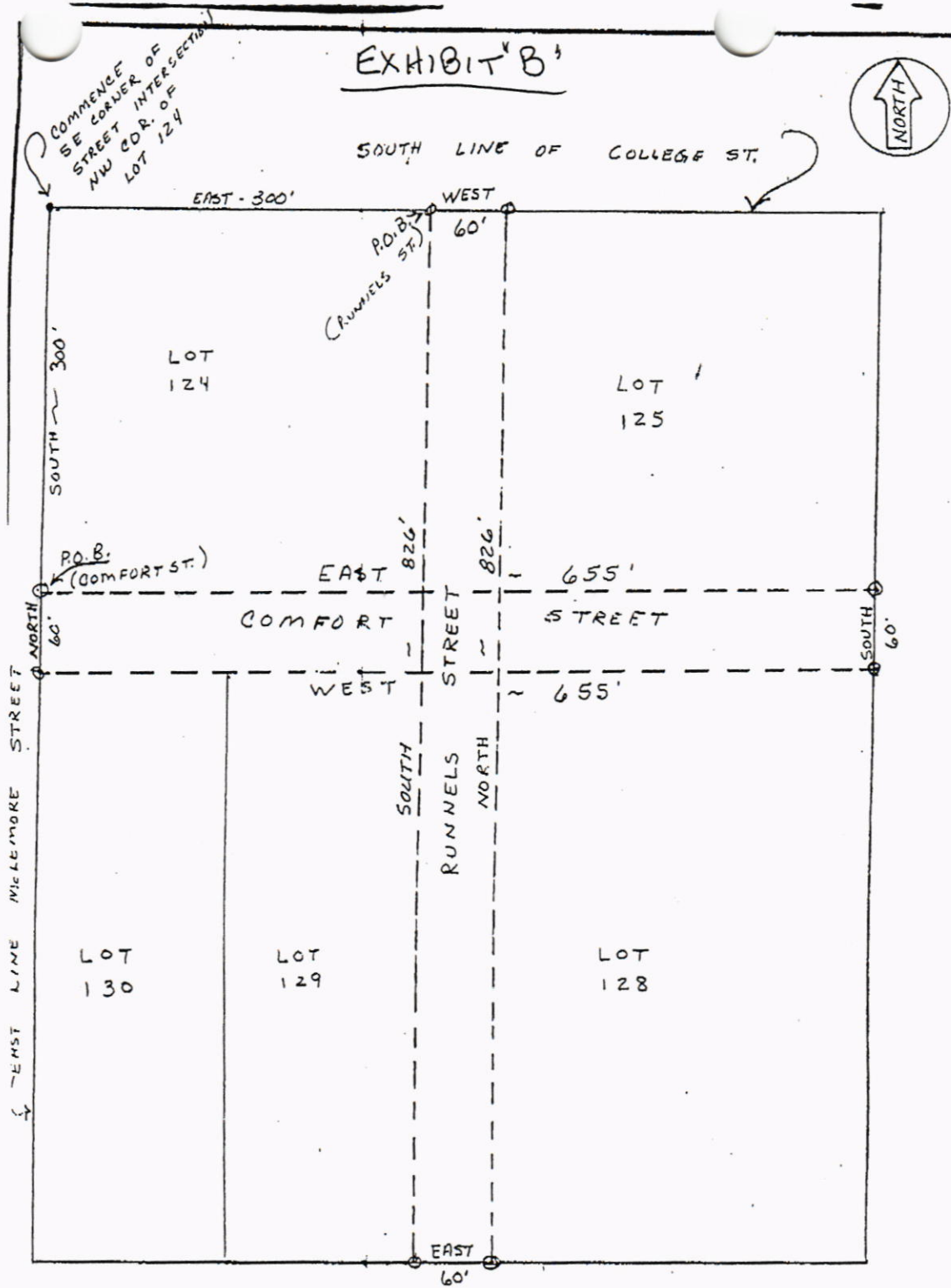
Both streets containing a combined total of 1.96 acres, more or less.

PREPARED BY:

Charles E. Clevenger
CHARLES E. CLEVINGER, PE/PLS
November 15, 1996



EXHIBIT B



Charles E. Clevenger

Charles E. Clevenger

Professional Engineer & Registered Land Surveyor
4646 Twilight Cove
Pearl, MS 39208
(601) 896-1222

PLAT OF COMFORT STREET AND
RUNNELS STREET

AS DEPICTED ON "CORRECT PLAN OF
THE TOWN OF CLINTON" DATED
FEBRUARY 12, 1829.

Scale:

Date:

Job No.

ORDINANCE OF THE MAYOR AND BOARD OF ALDERMEN OF
THE CITY OF CLINTON, MISSISSIPPI, CLOSING,
VACATING AND ABANDONING A PORTION OF COMFORT STREET
AND RUNNELS STREET, AND FOR PURPOSES RELATED THERETO

WHEREAS, on November 19, 1996, there came on for hearing before the Board of Aldermen of the City of Clinton, Mississippi, an Agenda matter, being a request by Mississippi College dated November 19, 1996, to close a certain unimproved streets located in Clinton, Hinds County, Mississippi described as:

See Exhibit "A" attached hereto and made a part hereof.

WHEREAS, there was no objection to the closing of said streets as requested by the Petitioner, and

WHEREAS, said Petitioner has waived any and all right to Compensation or damage as provided by Mississippi Code Annotated §21-37-7 (1972) and accepts the abandoned roadway from its center line to the Petitioner's present property line as adequate compensation, and

WHEREAS, to evidence of record that said street or roadway as above described is no longer needed and in accordance with the request, should be declared closed, abandoned and vacated;

NOW, THEREFORE;

BE IT ORDAINED BY THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF CLINTON, MISSISSIPPI, as follows:

Section 1. The street, thoroughfare, alley or public easement located in Clinton, Hinds County, Mississippi described as:

See Exhibit "A" attached hereto and made a part hereof.

should be, and the same is hereby closed, vacated and abandoned as of this date, being November 19, 1996.

Section 2. Title of abandoned property is vested to the owner of the abutting land: Mississippi College.

Section 3. This Ordinance shall take effect and be in force from and after thirty (30) days; provided, however, the effective date of the closing, vacating and abandoning of said street, thoroughfare or public easement shall be as of the date of November 19, 1996.

SO ORDAINED BY THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF CLINTON, MISSISSIPPI, on this the 19th day of November, 1996.

*AYE VOTE BY ALDERMEN BRABHAM, FERRELL, DEPRIEST, TODD, FISHER, TOUCHTON
MOTION CARRIES UNANIMOUSLY*

APPROVED:

Rosemary G. Aultman
ROSEMARY AULTMAN, Mayor

ATTEST:

Nelson Byrd
NELSON BYRD, City Clerk

(S E A L)

Prepared By:
Kenneth R. Dreher
Pyle, Dreher, Mills & Dye, P.A.
775 Woodlands Parkway, Ste. 100
Ridgeland, MS 39157
(601)957-2600

CLINTON\STCLOSIN.ORD
11/18/96-MMH

EXHIBIT "A"

DESCRIPTION OF RIGHT-OF-WAY COMFORT STREET AND RUNNELS STREET TOWN OF CLINTON, MISSISSIPPI

Comfort Street runs East and West between Lots 124, 125, 128, 129 and 130, and Runnels Street runs North and South between Lots 124, 125, 128 and 129, as depicted on the "correct plan of the Town of Clinton, and adjacent land lying within the West half of the Northwest Quarter of Section 29, Township 6 North, Range 1 West in the Choctaw Land District," said Plat of record dated February 12, 1829; said streets being more particularly described as follows:

COMFORT STREET - Commencing at the intersection of the East Line of McLemore Street and the South Line of College Street, being also, the Northwest corner of said Lot 124, run thence South along the West Line of said Lot 124 and the East Line of McLemore Street for 300 feet to the Southwest corner of said Lot 124 and the POINT OF BEGINNING of said Comfort Street; from said POINT OF BEGINNING run thence East along the South Line of Lots 124 and 125, and crossing Runnels Street, for 655 feet to the Southeast corner of said Lot 125; run thence South for 60 feet to the Northeast corner of said Lot 128; run thence West along the North Line of said Lots 128, 129 and 130, and crossing Runnels Street, for 655 feet to a point on the East Line of McLemore Street; run thence North and along said East Line of McLemore Street for 60 feet to the POINT OF BEGINNING.

RUNNELS STREET - Commencing at the intersection of the East Line of McLemore Street and the South Line of College Street, being also, the Northwest corner of said Lot 124, run thence East along the North Line of said Lot 124 and the South Line of College Street for 300 feet to the Northeast corner of said Lot 124 and the POINT OF BEGINNING of said Runnels Street; from said POINT OF BEGINNING run thence South along the East Line of said Lots 124 and 129, and crossing Comfort Street, for 826 feet to the Southeast corner of said Lot 129; run thence East for 60 feet to the Southwest corner of said Lot 128; run thence North along the West Line of said Lots 128 and 125, and crossing Comfort Street, for 826 feet to a point on the South Line of College Street and the Northwest corner of said Lot 125; run thence West along said South Line of College Street for 60 feet to the POINT OF BEGINNING.

Both streets containing a combined total of 1.96 acres, more or less.

PREPARED BY:

Charles E. Clevenger

CHARLES E. CLEVINGER, PE/PLS
November 15, 1996



PASTE AD HERE

ORDINANCE OF THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF CLINTON, MISSISSIPPI, CLOSING, VACATING AND ABANDONING A PORTION OF COMFORT STREET AND RUNNELS STREET, AND FOR PURPOSES RELATED THERETO

WHEREAS, on November 19, 1996, there came on for hearing before the Board of Aldermen of the City of Clinton, Mississippi, an Agenda matter, being a request by Mississippi College dated November 19, 1996, to close a certain unimproved streets located in Clinton, Hinds County, Mississippi described as:

See Exhibit "A" attached hereto and made a part hereof.

WHEREAS, there was no objection to the closing of said streets as requested by the Petitioner; and

WHEREAS, said Petitioner has waived any and all right to Compensation or damage as provided by Mississippi Code Annotated §21-37-7 (1972) and accepts the abandoned roadway from its center line of the Petitioner's present property line as adequate compensation; and

WHEREAS, to evidence of record that said street or roadway as above described is no longer needed and in accordance with the request, should be declared closed, abandoned and vacated;

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF CLINTON, MISSISSIPPI, as follows:

Section 1. The street, thoroughfare, alley or public easement located in Clinton, Hinds County, Mississippi described as:

See Exhibit "A" attached hereto and made a part hereof.

should be, and the same is hereby closed, vacated and abandoned as of this date, being November 19, 1996.

Section 2. Title of abandoned property is vested to the owner of the abutting land: Mississippi College.

Section 3. This Ordinance shall take effect and be in force from and after thirty (30) days; provided, however, the effective date of the closing, vacating and abandoning of said street, thoroughfare or public easement shall be as of the date of November 19, 1996.

SO ORDAINED BY THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF CLINTON, MISSISSIPPI, on this the 19th day of November, 1996.

AYE VOTE BY ALDERMEN BRABHAM, FERRELL, DEPRIEST, TODD, FISHER, TOUCHTON. MOTION CARRIES UNANIMOUSLY.

APPROVED: ROSEMARY AULTMAN, MAYOR

ATTEST: /s/ Nelson Byrd NELSON BYRD, CITY CLERK (SEAL)

EXHIBIT "A" DESCRIPTION OF RIGHT-OF-WAY COMFORT STREET AND RUNNELS STREET TOWN OF CLINTON, MISSISSIPPI

Comfort Street runs East and West between Lots 124, 125, 128, 129 and 130, and Runnels Street runs North and South between Lots 124, 125, 128 and 129, as depicted on the "correct plan of the Town of Clinton, and adjacent land lying within the West half of the Northwest Quarter of Section 29, Township 6 North, Range 1 West the Choctaw Land District," said Plat of record dated February 12, 1829; said streets being more particularly described as follows:

COMFORT STREET - Commencing at the intersection of the East Line of McLemore Street and the South Line of College Street, being also, the Northwest corner of said Lot 124, run thence South along the West Line of said Lot 124 and the East Line of McLemore Street for 300 feet to the Southwest corner of said Lot 124 and the POINT OF BEGINNING of said Comfort Street; from said POINT OF BEGINNING run thence East along the South Line of Lots 124 and 125, and crossing Runnels Street, for 655 feet to the Southeast corner of said Lot 125; run thence South for 60 feet to the Northeast corner of said Lot 128; run thence West along the North Line of said Lots 128, 129 and 130, and crossing Runnels Street, for 655 feet to a point on the East Line of McLemore Street; run thence North and along said East Line of McLemore Street for 60 feet to the POINT OF BEGINNING.

GINNING RUNNELS STREET - Commencing at the intersection of the East Line of McLemore Street and the South Line of College Street, being also, the Northwest corner of said Lot 124, run thence East along the North Line of said Lot 124 and the South Line of College Street for 300 feet to the Northeast corner of said Lot 124 and the POINT OF BEGINNING of said Runnels Street; from said POINT OF BEGINNING run thence South along the East Line of said Lots 124 and 129, and crossing Comfort Street, for 826 feet to the Southeast corner of said Lot 129; run thence East for 60 feet to the Southwest corner of said Lot 128; run thence North along the West Line of said Line of said Lots 128 and 125, and crossing Comfort Street, for 826 feet to a point on the South Line of College Street and the Northwest corner of said Lot 125; run thence West along said South Line of College Street for 60 feet to the POINT OF BEGINNING. Both streets containing a combined total of 1.96 acres, more or less. (SEAL) November 29, 1996

**PROOF OF PUBLICATION
THE STATE OF MISSISSIPPI
HINDS COUNTY**

PERSONALLY appeared before me, the undersigned notary public in and for Hinds County, Mississippi,

Shirley Waits,

an authorized clerk of THE CLARION-LEDGER, a daily newspaper as defined and prescribed in Sections 13-3-31 and 13-3-32, of Mississippi Code of 1972, as amended, who, being duly sworn, states that the notice, a true copy of which is hereto attached, appeared in the issues of said newspaper as follows:

Date November 29, 19 96

Date _____, 19 _____

Date _____, 19 _____

Date _____, 19 _____

Date _____, 19 _____

Number of Lines/Words 192/805

Published 1 Times

Total \$ 66.40

Signed Shirley Waits
Authorized Clerk
of The Clarion-Ledger

Sworn to and subscribed before me the 29 day of
November 19 96.

Marie Mills
Notary Public

Commission Expires:

NOTARY PUBLIC STATE OF MISSISSIPPI AT LARGE.
MY COMMISSION EXPIRES: Nov. 8, 2000.
BONDED THRU NOTARY PUBLIC UNDERWRITERS.

(SEAL)

RECEIVED
DEC 06 1996
CITY OF CLINTON