

**FIRST REGULAR SEPTEMBER 2010 MEETING OF THE  
MAYOR AND BOARD OF ALDERMEN OF THE  
CITY OF RIDGELAND, MISSISSIPPI  
SEPTEMBER 7, 2010  
6:00 P.M.**

**FIRST REGULAR SEPTEMBER 2010 MEETING OF THE  
MAYOR AND BOARD OF ALDERMEN OF THE  
CITY OF RIDGELAND, MISSISSIPPI  
SEPTEMBER 7, 2010  
6:00 P.M.**

1. Public Hearing-Rezone Real Property-517 S. Wheatley Street
2. T1 Consider Petition to Rezone Real Property-517 S. Wheatley Street (K. Michael Crook and Patricia M. Crook)
3. T2 Code Enforcement/Hold Hearing-750 Green Forest Road (Lashara Reed)
4. T3 Adjudicate the Cost of Cleaning Property/Assess \$250.00 Penalty-Lot 33 Carlton Parke (Jarrett Aiken)
5. T4 Adjudicate the Cost of Cleaning Property/Assess \$250.00 Penalty-300 Sagewood Drive (Joe Hodges)
6. T5 Parking Adjustment Request-709 Hawthorn Green Drive (Paul Crawford)
7. Consent Agenda
  - (a) General Obligation Refunding Bonds, Series 2010
    - i. Engagement Resolution
    - ii. Sales Parameter Resolution
    - iii. Preliminary Official Statement
    - iv. Bond Purchase Agreement
  - T6 (b) Approve FY2011 Budget/Adopt Order
  - T7 (c) Approve FY2011 Tax Levy/Adopt Order
  - T8 (d) Establish Just Compensation-Old Agency Road Water Project
  - T9 (e) Site Plan-Delta Technical College-Marketridge Drive
  - T10 (f) Petition to Close and Vacate Unused Streets and Rights-of-Way-Highland Colony Subdivision Plat (Ayefour Development Group, LLC)
  - T11 (g) Request Approval of Requisition No. 7 for White Oak Creek Sewer Project-Waggoner Engineering
  - T12 (h) Request Approval of Requisition No. 18 for Western Water System Improvements-Blurton, Banks & Associates
  - T13 (i) Request Approval of Budget Transfer/Purchase Tactical Vests for SWAT Team-Police Department
  - T14 (j) Request Approval of Budget Transfer/Purchase three Patrol Vehicles-Police Department
  - T15 (k) Applications for Special Event Permits
    - i. St. Columb's Episcopal Church-Annual Parish Fellowship and Draw Down Fundraiser
    - ii. The Leukemia & Lymphoma Society-5th Annual Surviving the Sizzle Night Run
  - (l) Resolution for City to observe National Night Out on first Tuesday of October each year
8. Payment of Claims

BEFORE THE MAYOR AND BOARD OF ALDERMAN  
OF THE CITY OF RIDGELAND, MADISON COUNTY, MISSISSIPPI

City of Ridgeland, Mississippi  
[Name of Petitioner(s)]

PETITIONER

PETITION TO REZONE REAL PROPERTY  
OFFICIAL FORM - MARCH 2001

COMES NOW, City of Ridgeland, Mississippi,  
(Name of Petitioner(s))

Petitioner and respectfully petitions the Mayor and Board of Aldermen of the City of Ridgeland, Mississippi, to rezone and reclassify certain real property hereinafter described and in support thereof would show as follows, to-wit:

1. The name of Petitioner (s) is: City of Ridgeland, Mississippi

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2. The Petitioner(s) mailing address is: P. O. Box 217, Ridgeland, MS 39158
3. The Petitioner (s) phone number is: 601-853-7113
4. The owner(s) of the subject property is: K. Michael Crook and Patricia M. Crook
5. The address of the owner of the subject property is: 507 Harvest Dr., Ridgeland, MS 39157
6. A copy of Petitioner's Authority to Act for the Owner is attached to this Petition as Exhibit "A".
7. The street address of the property is: 517 S. Wheatley, Ridgeland, MS 39157

8. A copy of the property owner's deed containing a complete legal description of the subject property is attached to this Petition as Exhibit "B".

9. A surveyor plat of the subject property (described in Exhibit "B") drawn to a scale of not less than 1" = 100', and certified by a licensed surveyor or civil engineer is attached to this Petition as Exhibit "C".

10. A vicinity map or plat depicting an area of at least 300' surrounding the subject property in all directions is attached to this Petition as Exhibit "D". The vicinity map includes the current zoning classification of all lands within 160' of the subject property.

11. The subject land is presently zoned and classified by the City of Ridgeland, Mississippi, as follows: R-1 Residential

12. The Petitioner requests the subject land be rezoned and reclassified to the following use district classification: R-2 Residential

13. The proposed immediate use of the subject property if rezoned and reclassified as herein requested is: Residential

14. The present use of the subject property is: Residential

15. Rezoning and reclassification of the property is requested for the following reason: The City of Ridgeland for the Lake Harbour Drive Reconstruction Project is purchasing between approximately seven to eight feet along the front of the

subject property. After purchase the front set back will be 29', which is less than the required 35' and becomes a violation of the requirements of Zoning Ordinance and thus non-conforming.

(Petitioner must include a brief statement outlining Petitioner's reason(s) for requesting rezoning of the subject property.)

16. The required filing fee has been "waived".

17. A list of property owners who own property within 160' (excluding streets and rights-of-way) of the subject property is attached to this Petition as Exhibit "E".

18. Petitioner files herewith ten (10) legible copies of this Petition and all exhibits attached hereto.

19. Petitioner acknowledges the Petitioner must give at least fifteen (15) days notice to all property owners owning property within 160' of the subject property by certified mail, return receipt requested, of the request set forth in this petition and of the date, time and place of the public hearing to be held on Petitioner's request for rezoning.

20. Petitioner will file with the City of Ridgeland at the time of public hearing hereon all certified mail return receipts requested by Paragraph 18 together with Petitioner's verified list of property owners required to be notified of this Petition as set forth in Paragraph 19.

21. Petitioner acknowledges that Petitioner has received a copy of the Procedural Rules of the City of Ridgeland, has read the same and fully understands the requirements, rights and duties set forth therein.

22. Petitioner acknowledges that, as a condition to obtaining favorable consideration of its Petition, Petitioner will be required to provide answers to the

following questions, and to provide that the following situations exist in regard to the property described herein:

A. There was a mistake (in the nature of clerical error) in transcribing the ordinance or drawing the boundaries of the zoning map, which mistake justifies the rezoning of the property. State why you feel a mistake, in the nature of a clerical error was made in the drawing of the zoning map:

N/A  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**OR**

A. The character of the neighborhood, in which the property described herein is located, has changed so that the reclassification of the property to another use district would be appropriate; explain why you feel the character of the surrounding neighborhood has changed and list all facts in support of your statement:

and,

B. a public need for the rezoning exists. State why additional property is needed within the requested zoning classification within the City of Ridgeland.

The change is the widening, reconstruction and relocation of this portion of Wheatley Street in the Lake Harbour Project which necessitated the reduction in front yard of the subject property to accommodate the Public Works project which benefits the City as a whole, but making it non-conforming. The use will not change only the required front yard setback will be reduced from 35' to 25' allowing the property to be fully compliant with the City Zoning Ordinance. \_\_\_\_\_

The Petitioner acknowledges that at the public hearing to be held on this petition it will have the burden of proof to provide testimony and documents to prove the facts necessary to demonstrate a mistake was made, or a change in the character and nature of the neighborhood has occurred: and that there is a public need for the rezoning of the property.

THIS, the 12<sup>th</sup> day of August, 2007

Respectfully submitted,

City of Ridgeland, Mississippi

By: [Signature]  
PETITIONER

[Signature]  
Attorney

July 26, 2010

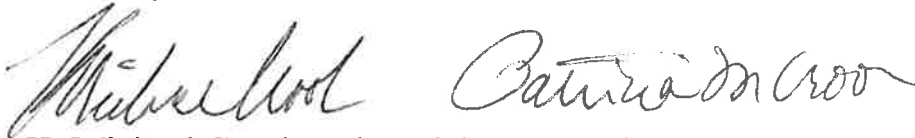
City of Ridgeland, Mississippi

Dear Sirs:

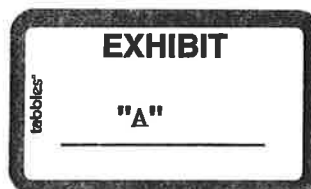
The taking of right-of-way on our property located at 517 S. Wheatley Street will result in the property not having the right setbacks for the present zoning classification of R-1. This would result in the property being "non-conforming" and would prevent us from rebuilding the home in the event that there was a total loss at the property. Therefore, we have asked the City of Ridgeland to re-zone the property to R-2 to keep the property in a "conforming" status.

We authorize James Gabriel, City Attorney, to act on our behalf to file the necessary zoning petitions and hereby acknowledge our agreement to rezone the property to R-2 Residential as a part of our agreement to sell the necessary right-of-way to the City of Ridgeland.

Sincerely,



K. Michael Crook and Patricia M. Crook



STATE OF MISSISSIPPI  
COUNTY OF MADISON

407344

WARRANTY DEED

FOR AND IN CONSIDERATION of Ten Dollars (\$10.00) cash in hand paid and other good and valuable considerations, the receipt and sufficiency of which is hereby acknowledged, We, Rick J. Halford and Cathy C. Halford do hereby convey and warrant unto K. Michael Crook and Patricia M. Crook, as joint tenants with full rights of survivorship and not as tenants in common, the following described real property situated in Madison County, Mississippi, to wit:

Tract 1:

3320/1P

A lot or parcel of land fronting 140 feet on Wheatley Street and extending west within parallel lines a distance of 106 feet; being more particularly described as beginning at the northeast corner of the S 1/2 of Lot 1 of Block 28 of Highland Colony Subdivision, go thence south along the east line of said Lot 1 of Block 28 a distance of 140 feet; thence go west on a line parallel to the north boundary line of said Lot 1 of Block 28 a distance of 106 feet, thence go north on a line parallel to the east line of said Lot 1 of Block 28 a distance of 140 feet to the north boundary line of the S 1/2 of said Lot 1 of Block 28; thence go east along the north boundary line of the S 1/2 of said Lot 1 of Block 28 a distance of 106 feet to the point of beginning.

Tract 2:

Lot one (1) of Ridgeway Estates Subdivision in the Town of Ridgeland, Madison County, Mississippi, as shown by plat thereof on file and of record in Plat Book 4 at Page 54 of the records of the Chancery Clerk of Madison County, Mississippi.

THE WARRANTY OF THIS CONVEYANCE IS SUBJECT ONLY TO THE FOLLOWING:

1. Subject to the payment of ad valorem taxes for the year 2003 to the City of Ridgeland and Madison County, Mississippi, which are neither due nor payable until January, 2004.
2. Subject to all applicable zoning ordinances and subdivision regulations for the City of Ridgeland, and Madison County, Mississippi.
3. Prior reservation or conveyance of oil, gas, or other minerals which may lie in, on,



or under the captioned property.

WITNESS MY SIGNATURE this \_\_\_\_\_ day of July, 2003.

*Rick J. Halford*

Rick J. Halford

*Cathy C. Halford*

Cathy C. Halford

STATE OF MISSISSIPPI  
COUNTY OF MADISON

PERSONALLY APPEARED before me, the undersigned authority in and for the above county and state, Rick J. Halford who acknowledged that he did sign, execute and deliver the above and foregoing Warranty Deed as and for his free act and deed on the day and date therein mentioned.

ISSUED UNDER MY HAND AND OFFICIAL SEAL this the 1 day  
of July, 2003.

*Bentley E. Conner*

Notary Public

My Commission Expires:

5-25-2006

STATE OF MISSISSIPPI  
COUNTY OF MADISON



PERSONALLY APPEARED before me, the undersigned authority in and for the above county and state, Cathy C. Halford who acknowledged that she did sign, execute and deliver the above and foregoing Warranty Deed as and for her free act and deed on the day and date therein mentioned.

ISSUED UNDER MY HAND AND OFFICIAL SEAL this the 1 day  
of July, 2003.

*Bentley E. Conner*

Notary Public

My Commission Expires:

5-25-2006



GRANTOR: Rick J. Halford and Cathy C. Halford  
517 South Wheatley St.  
Ridgeland, MS 39157  
Ph: 853-2132

GRANTEE: K. Michael Crook and Patricia M. Crook  
P.O. Box 833  
Madison, MS 39130  
Ph: 853-2273

indexing instructions: Lot 1 Ridgeway Estates, Plat Book 4 Page 54, and  
Part of Lot 28, Lot 1 of Block 28, Highland Colony Subdivision

*800*

document prepared by:  
Bentley E. Conner  
P.O. Box 563  
Canton, MS 39046  
Ms Bar No. 6465  
859-6306

MADISON COUNTY MS This instrument was  
filed for record 2003, July 2, at 9:00 A.M.

Book 536 Page 81  
MIKE CROOK, CHANCERY CLERK

BY: [Signature] D.C