

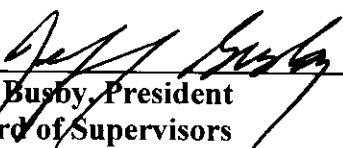
**ORDER: APPROVE EASEMENT AND CONSTRUCTION AGREEMENT  
WITH MDOT ON HWY. 7 SOUTH AND AUTHORIZE CHANCERY  
CLERK TO FILE IN THE LAND RECORDS**

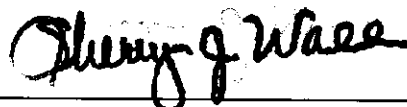
Motion was made by Chad McLarty, duly seconded by Mike Roberts, to approve easement and construction agreement with MDOT on Hwy. 7 South and authorize Chancery Clerk to file in the land records.

The vote on the motion was as follows:

Supervisor Mike Pickens, voted yes  
Supervisor Jeff Busby, voted yes  
Supervisor Robert Blackmon, voted yes  
Supervisor Chad McLarty, voted yes  
Supervisor Mike Roberts, voted yes

After the vote, President Busby, declared the motion carried, this the 21st day of July, 2014.

  
Jeff Busby, President  
Board of Supervisors

  
Sherry Wall, Chancery Clerk

### EASEMENT AND CONSTRUCTION AGREEMENT

This Easement and Construction Agreement made and entered into by and between the Mississippi Transportation Commission, (COMMISSION), by and through the duly authorized Executive Director of the Mississippi Department of Transportation, and The Board of Supervisors of Lafayette County, Mississippi, (COUNTY), effective as of the latest date of execution below:

#### WITNESSETH:

WHEREAS, the COMMISSION proposes to construct a section of SR 7 between south of SR 9 to the existing four-lane section at SR 6, currently known as Federal Aid Project No. SP-STP-0019-02(033), 102168 301000; and

WHEREAS, the COMMISSION has prepared plans and specifications for the said proposed construction, relevant excerpts of which are attached hereto, and the entirety to which are on file in the office of the COMMISSION in Jackson, Mississippi, reference of which is made for all purposes as if copied herein in words and figures; and

WHEREAS, the COUNTY is the current owner of the property or the easements underlying all county roads shown on said plans and specifications; and

WHEREAS, the COMMISSION has requested permission from the COUNTY to make certain adjustments, and/or grade changes to all known county roads which now cross connect or are adjacent to this state route; and

WHEREAS, the COUNTY has agreed to this request and both parties desire to evidence this agreement by written instrument;

NOW, THEREFORE, in consideration of the promises and agreements of the parties hereto, as shown below, it is hereby agreed as follows:

#### **The COMMISSION will:**

- (1) construct by contract said section of SR 7 in accordance with the plans and specifications for Federal Aid Project No. SP-STP-0019-02(033), 102168 301000.
- (2) be responsible for maintaining all roadway, rights of way, and traffic control devices in accordance with the MDOF policies, rules and regulations for the duration of the project.
- (3) acquire all right of way left and right of centerline as required by said plan;
- (4) be responsible for overseeing all utility adjustments.

- (5) return to the county the following segments of former county roads at the conclusion of the project for county control and maintenance.

CR 369 located at station number 1108+86.637 (SR 9), county road to be reconstructed from stations 10+50 to 17+13.351 and the segment to be turned back to COUNTY is from 10+50 to 14+75.

Wastewater Treatment Plant Drive located at station number 1161+17.667, county road to be reconstructed from stations 50+44 to 56+25 and the segment to be turned back to COUNTY is from 52+16 to 56+25.

CR 401 South located at station number 1223+25, county road to be reconstructed from stations 10+00 to 17+05 and the segment to be turned back to COUNTY is from 12+63 to 17+05.

CR 440 South located at station number 1213+90, county road to be reconstructed from stations 10+00 to 11+90 and the segment to be turned back to COUNTY is from 10+00 to 11+90.

CR 440 North located at station number 13+00 (CR 401 South), county road to be reconstructed from stations 10+00 to 14+27.88 and the segment to be turned back to COUNTY is from 10+00 to 14+27.88.

Villages Boulevard located at station number 1288+21.49, county road to be reconstructed from stations 13+04.49 to 19+00 and the segment to be turned back to COUNTY is from 13+04.49 to 16+75.

CR 401 North located at station number 1312+25, county road to be reconstructed from stations 13+00 to 29+00 and the segment to be turned back to COUNTY is from 13+00 to 27+40.

CR 301 located at station number 1312+25, county road to be reconstructed from stations 29+00 to 36+50 and the segment to be turned back to COUNTY is from 31+90 to 36+50.

CR 322 located at station number 1336+24.21, county road to be reconstructed from stations 3+60 to 10+00 and the segment to be turned back to COUNTY is from 3+60 to 7+80.

CR 410 located at station number 1336+24.21, county road to be reconstructed from stations 10+00 to 12+00 and the segment to be turned back to COUNTY is from 11+30 to 12+00.

CR 4058 located at station number 1343+40.61, county road to be reconstructed from stations 10+00 to 12+25 and the segment to be turned back to COUNTY is from 11+26 to 12+25.

- (6) deed the following segments of right-of-way, which were acquired for the purposes of constructing this project to the county.

New Access Road located at station number 289+40.08, Access Road to be constructed from stations 289+40.08 to 307+50 and the segment to be deeded to COUNTY is from 290+79 to 307+50.

CR 369 located at station number 1108+86.637 (SR 9), county road to be reconstructed from stations 10+50 to 17+13.351 and the segment to be deeded back to COUNTY is from 10+50 to 14+75.

Wastewater Treatment Plant Drive located at station number 1161+17.667, county road to be reconstructed from stations 50+44 to 56+25 and the segment to be deeded back to COUNTY is from 52+16 to 56+25.

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CR 4058 located at station number 1343+40.61, county road to be reconstructed from stations 10+00 to 12+25 and the segment to be deeded back to COUNTY is from 11+26 to 12+25.

**The County will:**

(1) release the COMMISSION from any and all damages arising as a result of the COMMISSION altering, relocating or changing the grade of intersecting said project or the altering or changing the grade of any other road including existing roads, unplatted roads or unopened roads in any location adjacent to said project.

(2) and does hereby grant, bargain, sell, convey and warrant unto the COMMISSION an unlimited easement on, over and across all County road rights of way within the construction limits as shown on the plans for Federal Aid Project No. SP-STP-0019-02(053), 102168/301000 for the purpose of constructing and maintaining the aforesaid project, until said project is concluded.

(3) upon completion of construction of the designated improvements on all County roads to assume responsibility for all maintenance of said adjusted county roads and traffic control devices as shown above upon notice from the COMMISSION.

(4) accept and record the deeds to all right-of-way conveyed by the Commission.

(5) execute warranty deeds to the Commission covering all parts of its right-of-way, which are incorporated into the final project when requested to do so by the Commission.

Both parties hereto represent that they have authority to enter into this CONTRACT and certified copies of the applicable Board or Commission Orders are attached hereto.

WITNESS this my signature in execution hereof, this the 21<sup>st</sup> day of July, 2014.

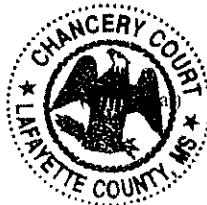
BOARD OF SUPERVISORS  
LAFAYETTE COUNTY, MISSISSIPPI

BY: \_\_\_\_\_

Jeff Busby, President

ATTEST:

*Sherry Wall*



WITNESS this my signature in execution hereof, this the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

THE MISSISSIPPI TRANSPORTATION COMMISSION  
BY AND THROUGH THE EXECUTIVE DIRECTOR OF  
THE MISSISSIPPI DEPARTMENT OF TRANSPORTATION

\_\_\_\_\_  
Melinda L. McGrath