

**ORDER: AUTHORIZE FILING OF EMINENT DOMAIN ACTION ON THE
GEORGE LEWIS PROPERTY FOR THE WEST OXFORD LOOP
EXTENSION**

Motion was made by Kevin Frye, duly seconded by Chad McLarty, to authorize the filing of eminent domain action on the George Lewis property for the West Oxford Loop extension.

The vote on the motion was as follows:

Supervisor Kevin Frye. voted yes
Supervisor Jeff Busby. voted yes
Supervisor David Rikard. voted yes
Supervisor Chad McLarty. voted yes
Supervisor Mike Roberts. voted yes

After the vote, President Busby, declared the motion carried, this the 20th day of March, 2017.



Jeff Busby, President
Board of Supervisors



Sherry Wall, Chancery Clerk

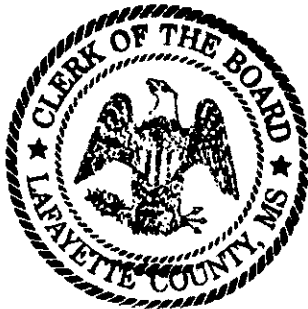
STATE OF MISSISSIPPI

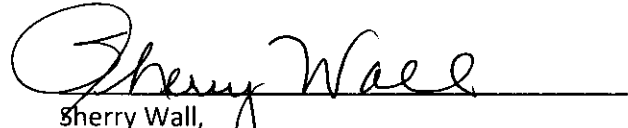
COUNTY OF LAFAYETTE

CERTIFICATE

I, Sherry Wall, Chancery Clerk and Clerk of the Board of Supervisors of Lafayette County, Mississippi, hereby certify that the following is a true and correct copy of the resolution passed by the Board of Supervisors of Lafayette County, Mississippi at the meeting on March 20, 2017.

IN WITNESS THEREOF, I signed and sealed this instrument as the Chancery Clerk of Lafayette County, Mississippi, on the 20th day of March, 2017.




Sherry Wall,
Chancery Clerk and
Clerk of the Board of Supervisors
of Lafayette County, Mississippi

**RESOLUTION FINDING AND DECLARING THAT THE PUBLIC CONVENIENCE AND NECESSITY
REQUIRES THE ACQUISITION BY EMINENT DOMAIN OF THAT CERTAIN PROPERTY
LOCATED WITHIN AND ALONG THE PROPOSED WEST OXFORD LOOP RIGHT OF WAY PROJECT (SEMP
36(1))**

Whereas, the Lafayette County Board of Supervisors and the City of Oxford have heretofore agreed between them to jointly develop an extension of the West Oxford Loop and Sisk Avenue roadways based on a finding that the public convenience and necessity would be served thereby; and

Whereas, Lafayette County and the City of Oxford jointly retained the engineering services of Elliott & Britt, P.A., to undertake preliminary and final road design and construction plans for the extension and expansion of West Oxford Loop and Sisk Avenue extended; and

Whereas, based on the completed road right of way design for said project (SEMP 36 (1)), Elliott & Britt have advised of the necessity of acquiring a road right of way upon the subject property as reflected on the attached survey and the Lafayette County Board of Supervisors accordingly finds and determines that the public convenience and necessity requires the acquisition of a road right of way upon the subject property reflected on said survey; and

Whereas, the Lafayette County Board of Supervisors attempted to negotiate the purchase of the subject proposed right of way properties based upon a fair market value, without success; and

Whereas, having unsuccessfully attempted the negotiated acquisition of the required road right-of-way on the property owned by the heirs of George Lewis as reflected on the attached survey (the "subject" properties), the Lafayette County Board of Supervisors approves the institution of an eminent domain proceeding and, further, to proceed under the quick take procedure based upon a finding, and hereby finds, that irreparable harm will occur and the public interest and convenience will suffer as a result of any further undue delay in the completion of said road project.

Now, Therefore, Be It Resolved:

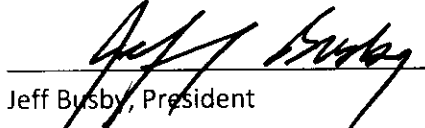
1. That the public convenience and necessity requires the institution of a quick take eminent domain proceeding for the purpose of acquiring a right of way upon the subject property in Lafayette County, and Oxford, Mississippi, given the need to alleviate significant traffic safety issues and that David D. O'Donnell, Esq. and Pope Mallette, Esq. be and are hereby retained and authorized to file eminent domain proceedings for and on behalf of Lafayette County and the City of Oxford.

The above and foregoing Resolution having been presented to the Lafayette County Board of Supervisors at its March 20, 2017 board meeting, Supervisor Frye moved that the foregoing Resolution be adopted and said motion was seconded by Supervisor McLarty, and upon the question being put to a vote, the vote was as follows:

Supervisor Busby	<u>Yea</u>
Supervisor Roberts	<u>Yea</u>
Supervisor FRYE	<u>Yea</u>
Supervisor Rikard	<u>Yea</u>
Supervisor McLarty	<u>Yea</u>

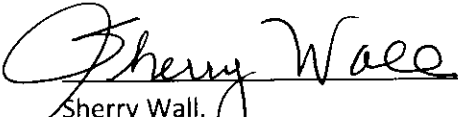
WHEREUPON, the foregoing Resolution was declared passed and adopted at a regular meeting of the Board of Supervisors of Lafayette County, Mississippi;

ON THIS, the 20th day of March, 2017.



Jeff Busby, President
Lafayette County Board of Supervisors

ATTEST:



Sherry Wall,
Chancery Clerk and
Clerk of the Board of Supervisors
of Lafayette County, Mississippi



Scale 1" = 100'

STATE PLANE COORDINATE SYSTEM

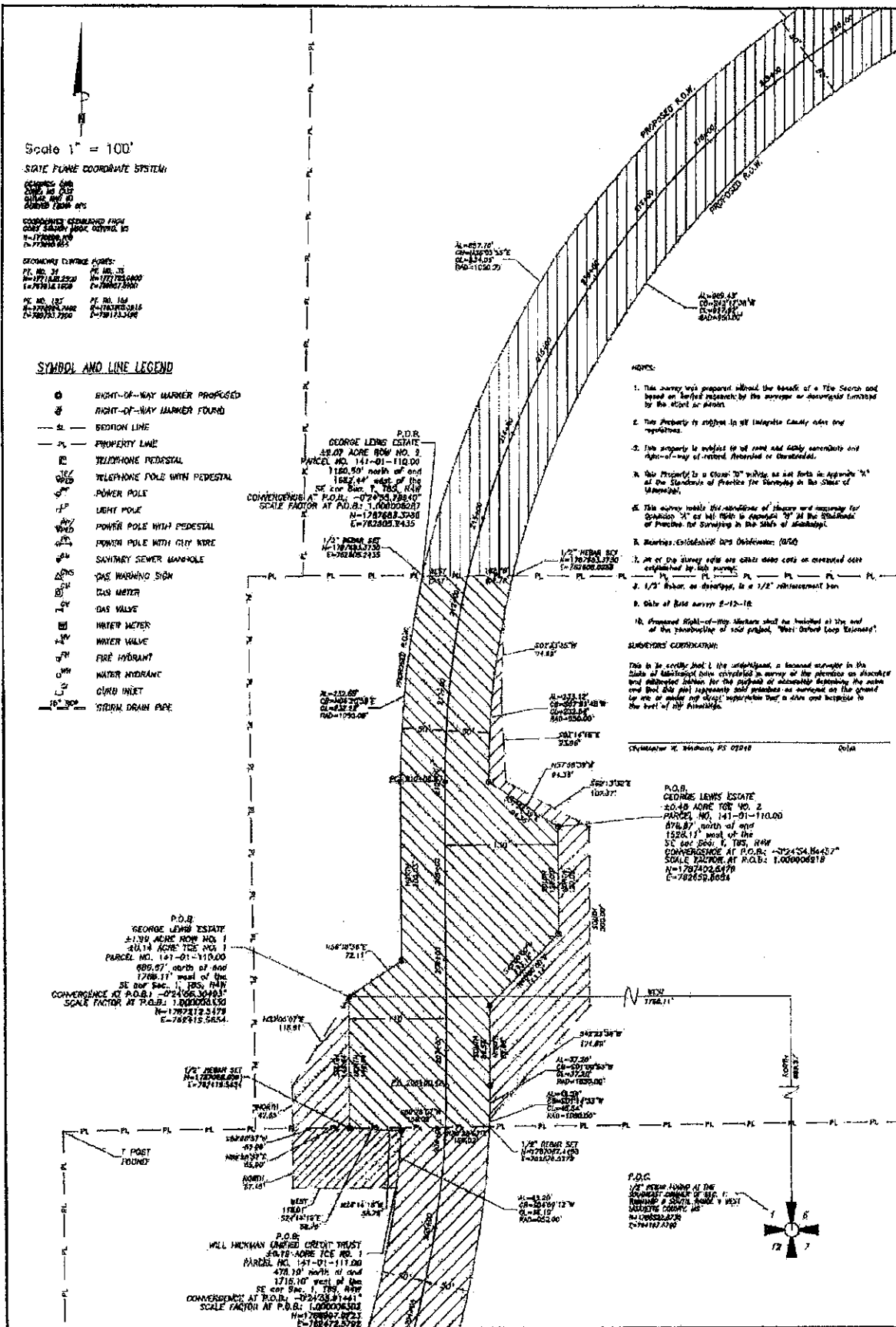
GEORGIA 800
NAD 83
GDA 80
ADJUSTED 1980 475

COORDINATE RESOLUTION HIGH
GDA 80
ADJUSTED 1980 475

COORDINATE SYSTEMS:
PL NO. 31
N=17118.222
E=7778.16108
PL NO. 127
N=17118.222
E=7778.16108
PL NO. 128
N=17118.222
E=7778.16108
PL NO. 129
N=17118.222
E=7778.16108

SYMBOL AND LINE LEGEND

- RIGHT-OF-WAY MARKER PROPOSED
- ⊕ RIGHT-OF-WAY MARKER FOUND
- SECTION LINE
- PROPERTY LINE
- TELEPHONE PEDSTAL
- TELEPHONE POLE WITH PEDSTAL
- POWER POLE
- LIGHT POLE
- POWER POLE WITH PEDSTAL
- POWER POLE WITH GUY WIRE
- SANITARY SEWER MANHOLE
- GAS WARNING SIGN
- GAS VALVE
- WATER METER
- WATER VALVE
- FIRE HYDRANT
- WATER HYDRANT
- CURB INLET
- STORM DRAIN PIPE



1. This survey was prepared without the benefit of a Title Search and based on limited research by the surveyor or otherwise furnished by the client or others.
2. This property is subject to all existing and future easements and rights-of-way of record, recorded or otherwise.
3. This property is subject to all other rights as set forth in Paragraph 4.
4. This survey is subject to the conditions of the survey and recording for Section 4 as set forth in Paragraph 5 of the Standards of Practice for Surveying in the State of Mississippi.
5. Surveying: Enclosed is a copy of the Surveyor's Certificate (SCS).
6. All of the survey data are subject to the conditions of the survey as set forth in Paragraph 5.
7. 1/2" Right-of-Way: Is a 1/2" right-of-way.
8. Date of this survey: 8-12-18.
9. Proposed Right-of-Way: Should be included in the end of the subdivision of land project, West Oxford Loop Extension.

SURVEYOR'S CERTIFICATION:
This is to certify that I, the undersigned, a licensed surveyor in the State of Mississippi, have conducted a survey of the premises as described and delineated herein for the purpose of determining the nature and extent of the proposed easement as shown on the ground by one or more of the above-mentioned lines and easements to the best of my knowledge.

Surveyor: R. Williams, P.S. 07818 Date:

1 OF 2

BELLIOTT & BRITT
ENGINEERING, P.A.

10000 N. WATKINS - NEW AGENCY - FORT MYERS
888.888.1948
WWW.BELLIOTTBRITT.COM

PROPOSED RIGHT-OF-WAY/TEMPORARY CONSTRUCTION EASEMENT

GEORGE LEWIS ESTATE

STATE EARMARK PROJECT NO. SEMP-36(1)

(IN) (4) SECTION 34, TOWNSHIP 8 SOUTH, RANGE 4 WEST
CITY OF OXFORD, LAFAYETTE COUNTY, MS

DATE: 8/12/18

BY: R. WILLIAMS

FOR: B. LEWIS

PROJECT: STATE EARMARK PROJECT NO. SEMP-36(1)

SYMBOL AND LINE LEGEND

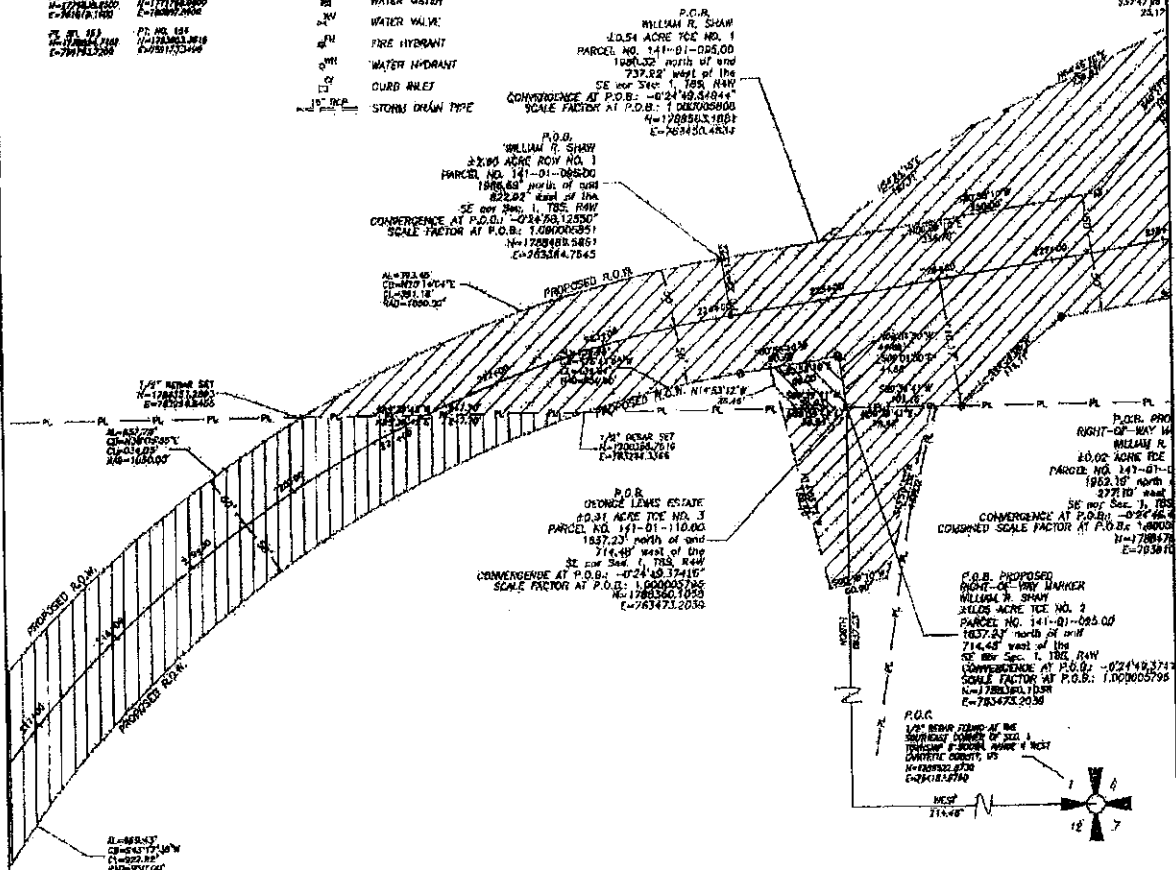
- RIGHT-OF-WAY MARKER PROPOSED
- RIGHT-OF-WAY MARKER FOUND
- SECTION LINE
- PROPERTY LINE
- TELEPHONE PEDestal
- TELEPHONE POLE WITH PEDestal
- POWER POLE
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- POWER POLE WITH PEDestal
- POWER POLE WITH GUY WIRE
- SANITARY DRENCH MARKER
- GAS WARNING SIGN
- GAS METER
- GAS VALVE
- WATER METER
- WATER VALVE
- FIRE HYDRANT
- WATER METER
- CURB RILEY
- STORM DRAIN TYPE

Scale 1" = 100'

STATE PLANE COORDINATE SYSTEM:

BONAPARTE CORN
TOWNSHIP 24S
RANGE 10E
SECTION 36
N=1770000.00
E=720000.00
COORDINATES ESTABLISHED FROM
ONE STATION ABOVE, DATUM: NAD
N=1770000.00
E=720000.00

SECTION CORNER POINTS
PL. NO. 24
N=1770000.00
E=720000.00
PL. NO. 25
N=1770000.00
E=720000.00
PL. NO. 26
N=1770000.00
E=720000.00
PL. NO. 27
N=1770000.00
E=720000.00



NOTES:

1. This survey was prepared pursuant to the terms of a contract made and signed by the undersigned, the surveyor or successors authorized by the state or owner.
2. The property is subject to all applicable county rules and regulations.
3. The property is subject to all state and federal laws, rules and regulations.
4. This property is a Class "B" property as set forth in Appendix "B" of the Standards of Practice for Surveying in the State of Mississippi.
5. This survey fulfills the conditions of the Standard and customary for Class "B" as set forth in Appendix "B" of the Standards of Practice for Surveying in the State of Mississippi.
6. Bearings furnished are true (Magnetic) (True).
7. All of the survey data are either from a reliable source or were obtained by the surveyor.
8. 1/2" Robert is located in the 1/2" right-of-way line.
9. Date of final survey: 7-12-10.
10. Proposed Right-of-Way Markers shall be installed at the end of the construction of said project. (See Standard Locus Edition).

SURVEYOR'S CERTIFICATION:

This is to certify that I, the undersigned, a licensed surveyor in the State of Mississippi, have completed a survey of the premises as described and delineated hereon for the purpose of determining the same and that this plat represents said premises as surveyed on the ground by me or under the direct supervision and in true and correct accordance to the best of my knowledge.

Christopher W. Winburn, PS 02948

Date:

2 OF 2

REGISTERED
SURVEYOR
TERRY C. BRITT
EASTMAN

BELLIOTT & BRITT
ENGINEERING, P.A.
— OFFICE — BIRMINGHAM — NEW ALBANY — ITALY SPRING —
(602) 804-1782
WWW.BELLIOTTBRITT.COM

PROPOSED RIGHT-OF-WAY TEMPORARY CONSTRUCTION EASEMENT
GEORGE LEWIS ESTATE
STATE EARMARK PROJECT NO. SEM-36(1)
1/2 SECTION 24, TOWNSHIP 24 SOUTH, RANGE 10E
CITY OF OXFORD, LAMAR COUNTY, MS

PROPOSED RIGHT-OF-WAY TEMPORARY CONSTRUCTION EASEMENT
GEORGE LEWIS ESTATE
STATE EARMARK PROJECT NO. SEM-36(1)
1/2 SECTION 24, TOWNSHIP 24 SOUTH, RANGE 10E
CITY OF OXFORD, LAMAR COUNTY, MS

PROPOSED RIGHT-OF-WAY TEMPORARY CONSTRUCTION EASEMENT
GEORGE LEWIS ESTATE
STATE EARMARK PROJECT NO. SEM-36(1)
1/2 SECTION 24, TOWNSHIP 24 SOUTH, RANGE 10E
CITY OF OXFORD, LAMAR COUNTY, MS

**OFFICE OF
STATE AID ROAD CONSTRUCTION**

MISSISSIPPI DEPARTMENT OF TRANSPORTATION
P.O. BOX 1850
JACKSON, MISSISSIPPI 39215-1850

H. Carey Webb, P.E.
State Aid Engineer
Telephone (601)359-7150
www.msstateaidroads.us

412 Woodrow Wilson Avenue
Jackson, Mississippi 39216
Fax (601)359-7141
mail@osarc.state.ms.us

March 1, 2017

Larry L. Britt, P.E.
Lafayette County Engineer
Post Office Box 308
Oxford, MS 38655

Dear Sir:

RE: **STATE AID PROJECT**
PROJECT NO. SAP-36(28)M
LAFAYETTE COUNTY

In accordance with your request, a final inspection has been made on the captioned project. We have on file the necessary certificates, reports and other related documents to formally accept this project as having been completed in accordance with the terms of the contract. The acceptance date is **March 2, 2017**.

We have prepared and enclosed for your convenience the formal acceptance documents which include [two (2) copies of each, a Board Order and a joint letter of Acceptance to the contractor. We are requesting that you present these documents to the Board of Supervisors for official Board action. Upon execution of same, please return to Evelyn Hollins, Administrative Assistant, Office of State Aid Road Construction, P. O. Box 1850, Jackson, MS 39215-1850, one (1) copy of each, the Board Order and the joint letter of Acceptance, for the signature of the State Aid Engineer and/or the Executive Director of the Mississippi Department of Transportation.

Sincerely,

H. Carey Webb
State Aid Engineer



By: Evelyn Hollins
Administrative Assistant

Enclosure

pc: Lafayette County Board of Supervisors
Lehman-Roberts Co.
Travelers Casualty & Surety Co. of America
Project File