

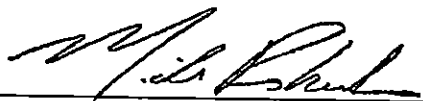
**ORDER: TABLE AMENDING ROAD REGISTRY FOR COUNTY ROADS 232 AND  
234 IN DEER RUN SUBDIVISION**

Motion was made by Larry Gillespie, duly seconded by Brent Larson, to table amending road registry for County Roads 232 and 234 in Deer Run Subdivision.

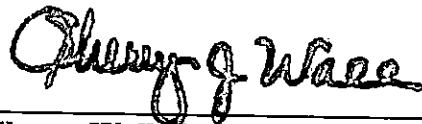
The vote on the motion was as follows:

Supervisor Brent Larson, voted yes  
Supervisor Larry Gillespie, voted yes  
Supervisor David Rikard, voted yes  
Supervisor Chad McLarty, voted yes  
Supervisor Mike Roberts, voted yes

After the vote, President Roberts, declared the motion carried, this the 22<sup>nd</sup> day of February, 2021.



**Mike Roberts, President  
Board of Supervisors**



**Sherry Wall, Chancery Clerk**

# MOTION #7

**Motion By:** Larry Gillespie  
**Before:** Lafayette County, MS Board of Supervisors Regular Board Meeting  
**Date:** February 15, 2021  
**Subject:** Opening of County Roads 232 and 234

---

I move that Lafayette County Roads 232 and 234 be declared as open Lafayette County roadways from the Section Line common to Sections 23 and 24 eastward to the west line of County Road 217 (also known as "Campground County Road"), as set forth in the Warranty Deed from R. H. Dunlap, J. E. Dunlap, and Brent Nickle to Lafayette County dated October 3, 1974.

I further move that the aforementioned deed, attached here, be included in the minutes with this Motion and that the Lafayette County Road Register and all other County documents be amended and/or corrected to reflect the actions and effects of this Motion.

*Did he buy Tatum house on  
N. Lamar  
Dumb Ass who is skinny guy*

STATE OF MISSISSIPPI)  
COUNTY OF LAFAYETTE )

WARRANTY DEED

FOR AND IN CONSIDERATION of Ten Dollars (\$10.00)  
cash in hand paid and for other good valuable consideration,  
the receipt and sufficiency all of which are hereby acknowledged,  
WE, R. H. DUNLAP, J. E. DUNLAP and BRENT NICKLE hereby sell,  
convey and warrant unto LAFAYETTE COUNTY that certain property  
located in Section 24, Township 8 South, Range 3 West, Lafayette  
County, Mississippi being more particularly described as follows,  
to-wit:

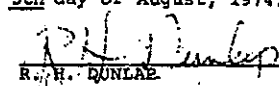
A part of the South half of Section 24, Township 8  
South, Range 3 West, Lafayette County, Mississippi  
being more particularly described as follows, to-wit:  
A strip of land 25 feet on either side of a center line  
described as beginning at a point on the West line of  
said Section 24 that is 658.0 feet North of the South-  
west corner of said Section 24; running thence East for  
a distance of 702.7 feet; thence in a Northeasterly direc-  
tion around a curve to the left with a radius of 114.59  
feet for a distance of 67.8 feet; thence North 56°05' East  
for a distance of 119.0 feet; thence in an Easterly direc-  
tion around a curve to the right with a radius of 142.64 feet  
for a distance of 127.05 feet; thence South 70°30' East for  
a distance of 153.0 feet; thence in a Southeasterly direc-  
tion around a curve to the left with a radius of 291.33  
feet for a distance of 99.2 feet; thence East for a dis-  
tance of 1175.9 feet; thence North 70° East for a distance  
of 450.0 feet to the West line of the Campground County  
Road.

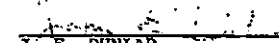
AND ALSO: A strip of land 25 feet on either side of a  
center line described as beginning at a point that is  
680.0 feet North and 655.0 east of the Southwest corner  
of said Section 24; running thence North for a distance  
of 1260.0 feet.

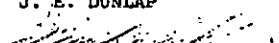
AND ALSO: A strip of land 25 feet wide on either side of  
a center line described as beginning at a point that is  
1965.0 feet North of the Southwest corner of said Section  
24; running thence East for a distance of 1870.8 feet  
to the West line of Campground County Road.

Subject property is not part of Grantor's homestead.

WITNESS OUR SIGNATURES this the 5th day of August, 1974.

  
R. H. DUNLAP

  
J. E. DUNLAP

  
BRENT NICKLE

40  
STATE OF MISSISSIPPI  
COUNTY OF LAFAYETTE

This day personally appeared before me, the undersigned authority in and for said jurisdiction, the within named J. E. DUNLAP, R. H. DUNLAP and BRENT NICKLE, known to me to be the persons whose names are subscribed to the foregoing instrument, and acknowledged that they signed and delivered the above and foregoing Warranty Deed on the day and year as therein mentioned and for the purposes as therein expressed.

Given under my hand and seal on this the 5th day of August, 1974.

( S E A L )

My Commission Expires: 11-16-75

*Charles Rongier*  
NOTARY PUBLIC

STATE OF MISSISSIPPI  
COUNTY OF LAFAYETTE

This document is filed for record on the 1<sup>st</sup> of October  
1974 at 4:00 P.M. in Book 302  
Page 74 on the 3<sup>rd</sup> of October

*Handed to*

January 19, 2021

Ideal Property Investments, LLC  
P.O. Box 210  
New Albany, MS 38652

Lafayette County, Mississippi  
Attention: Board of Supervisors  
300 North Lamar Blvd.  
Oxford, MS 38655

Re: Commitments and accommodations related to property adjacent to and east of Deer Run subdivision

Dear Board of Supervisors:

On behalf of the current Owners of the property directly to the east of and adjacent to Deer Run subdivision (the easternmost portion of Parcel 136 -23-007.00), please accept this letter as our (the "Owners") commitments regarding future development on the property.

1. Any roads the Owners construct on the property shall be constructed to meet or exceed current Lafayette County specifications, and said roads shall be constructed all the way to the city limits boundary at the western edge of the Deer Run subdivision or all the way to the existing County Roads 232 and 234, whichever the County chooses. In either case, said construction shall be at Owners' sole expense.
2. The Owners shall pay for the installation of speed bumps along County Roads 232 and 234 if the County desires said speed bumps.
3. The Owners shall make a concerted effort to dampen traffic along any new roads which connect to County Roads 232 and 234, particularly as related to traffic which may enter into the Deer Run subdivision.

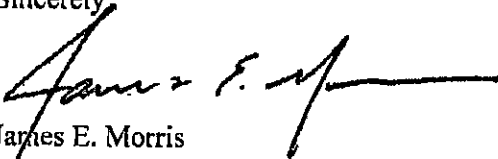
By this letter, the Owners intend to be bound to the above three commitments, and we acknowledge them as a requirement and/or prerequisite for connection of new roads to County Roads 232 and 234.

In addition to the above commitments, the Owners would also like to make the following accommodations for the County, even though the items below may not technically be under the jurisdiction of the County or its ordinances.

4. The Owners will seek to make any future development on the property directly adjacent to Deer Run subdivision to be reasonable and complementary to Deer Run subdivision, or to exceed the standards of Deer Run subdivision.
5. In the case of development, the Owners will, in conjunction with the County and interested residents, consider creating a park and/or walking space and/or green space near Deer Run to further create a complementary transition.

6. In the case of development, the Owners will pay for the installation of security cameras in the vicinity of the roads at the western edge of Deer Run subdivision along County Roads 232 and 234.

Sincerely



James E. Morris

January 19, 2021

Stewart Rutledge  
1739 University Avenue, Suite 116  
Oxford, Mississippi 38655

Lafayette County, Mississippi  
Attention: Larry Gillespie – District 2 Supervisor  
300 North Lamar Boulevard  
Oxford, Mississippi 38655

Regarding: Request for roadway access to County Roads 232 and 234

Dear Supervisor Gillespie:

**1. Lafayette County Establishment of Deer Run Subdivision and Related Roads**

On May 8, 1972, the official plat of Deer Run Subdivision was filed and approved by the Lafayette County Board of Supervisors. Then, on August 5, 1974, upon completion of construction, the developers of Deer Run Subdivision conveyed the roadways identified in the Plat to the County, and the roadways opened for public use. Both the Plat and deed conveying the roadways are on file in the land records of Lafayette County and have been since their creation.

This Plat and the matching deed with its thorough legal descriptions established what are now known as County Roads 232 and 234, and both documents contain numerous annotations that unequivocally extend the platted roadways all the way to Section Line between Lafayette County Sections 23 and 24. This Section line is the western boundary of the Deer Run Subdivision, and it is the eastern boundary of property currently owned by Ideal Property Investments, LLC.

County Roads 232 and 234 remained open and operational Lafayette County roadways since their creation, and numerous persons who lived or live in Deer Run Subdivision, as well as adjacent owners, traveled through Deer Run Subdivision, westward, on into the adjacent parcel to the west of Deer Run Subdivision. The extents of the paving of County Roads 232 and 234 has varied through the years, but paving is not necessary to define an open roadway.

**2. Attempted Encroachment**

In the early 2010s, after over forty years of remaining open and unobstructed, one or more adjacent landowners encroached upon the County's property in County Road 234. These same owners also filed alleged Quitclaim Deeds attempting to convey the County's property to themselves. These obstructions and these alleged deeds are ineffective as property of a sovereign, such as Lafayette County, cannot be adversely possessed against, much less deeded by private citizens to themselves.

### **3. Recent Activities**

Although the Plat of Deer Run Subdivision and the extent of its roadways is undisputed, at the request of the Lafayette County taxpayers and owners of the property directly adjacent to and west of Deer Run Subdivision, I attempted to resolve the encroachment of this County property privately with the adjacent landowners. After at least six separate meetings, a public hearing, and private meetings with County representatives, we were unfortunately unable to find a solution that would satisfy the adjacent landowners. Further, in the end, it became apparent that the current residents of Deer Run Subdivision do not, themselves, agree on the proper resolution for the encroachment described above.

By way of example, the most recent proposal by some of the current Deer Run residents demanded that adjacent landowners restrict not just their property in the vicinity of Deer Run but instead demanded that the adjacent owners restrict their entire property – over 170 acres – to only allow residential lots of 2.5 acres or greater. This demand would be more restrictive than any zoning ordinance in Lafayette County or the City of Oxford, and it would apply to property that is not even close to Deer Run.

There is simply no arguable way such a demand could be argued to be related to the interests of “preserving” Deer Run Subdivision. Instead, this demand epitomized the erroneous belief of some residents that they could not only dictate to the County what it should do with its property but could also dictate to nearby landowners how they should use their property.

Even further, when I asked if the Deer Run residents would support the owners' development work were they to commit to this absurd restriction, the residents said they still could not “guarantee” that some people would not speak out against any development whatsoever.

Finally, from the first meeting forward, Deer Run residents have been told that if they want to control how the adjacent property is used, the owners would gladly and seriously entertain any commercially reasonable offer to purchase our property. No offer has been made.

### **4. Conclusion and Request**

The numerous reasons why Lafayette County should never permit private citizens to take over County property or to close public roads without permission are self-evident. However, in spite of this very thing occurring, the owners have spent a great deal of time and money to attempt to find an amicable solution, but, despite their and my best efforts we have not succeeded. Therefore, we now must respectfully request that the County use its authority to re-assert its authority over the property in question, to remove any encroachments, and to permit public access to the entirety of County Roads 232 and 234.

Since 2000, the County has maintained a road registry, although the descriptions contained in it are not as precise as deed records, we believe that the appropriate action to resolve this matter is for the Board to vote to amend and/or to clarify the Lafayette County Road Registry listings for County Road 232 and 234 to declare that County Roads 232 and 234 are open and extend to the west to the full extent as defined in the Plat of Deer Run Subdivision and the corresponding deed.



Therefore, for the reasons stated here and for good public policy County-wide, on behalf of the owners, I respectfully request that the Board amend and/or clarify the road registry as described.

Thank you for your consideration, and please let me know if you have any questions.

Sincerely,



Stewart Rytledge

LAW OFFICES  
**MITCHELL, MCNUTT & SAMS**

A PROFESSIONAL ASSOCIATION

215 FIFTH STREET NORTH  
POST OFFICE BOX 1366  
COLUMBUS, MISSISSIPPI 39703-1366  
(662) 328-2316  
FACSIMILE (662) 328-8035

1216 VAN BUREN  
POST OFFICE BOX 947  
OXFORD, MISSISSIPPI 38655  
(662) 234-4845  
FACSIMILE (662) 234-9071

MICHAEL D. FERRIS  
DIRECT (662) 620-6265  
EMAIL: mferris@mitchellmcnutts.com

105 SOUTH FRONT STREET  
POST OFFICE BOX 7120  
TUPELO, MISSISSIPPI 38802-7120  
(662) 842-3871  
FACSIMILE (662) 842-8450

22 NORTH FRONT STREET,  
SUITE 1030  
MEMPHIS, TENNESSEE 38103  
(901) 527-2585  
FACSIMILE (901) 527-2361

200 SOUTH MONTGOMERY STREET  
SUITE 203  
STARKVILLE, MS 39759  
(662) 270-6283  
FACSIMILE (662) 842-8450

January 13, 2021

VIA U. S. MAIL and email: dodonnell@claytonodonnell.com

David D. O'Donnell, Esq.  
Clayton O'Donnell, PLLC  
P. O. Drawer 676  
Oxford, MS 38655

RE: Extension of County Road 234

Dear David:

Our firm represents Ideal Property Investments, LLC. You previously received a letter dated June 30, 2020 from me on this matter. This letter updates that letter while including that original content. As such, this letter and its attachments are an explanation and summary of the relationship of Lafayette County Roads 232 and 234 and the eastern boundary of the property owned by Sherry Chrestman, Joe Blount, Sally Ann Blount (Life Estate) and Ideal Property Investments, LLC (the "Property"). I have reviewed deeds in the chain of title to this Property, and I have also worked with the surveyor, who prepared the plat referenced in this letter.

**1. Facts**

The Property's eastern boundary adjoins and is contiguous with the western terminus of County Roads 232 and 234. The eastern boundary of the Property is the Section Line separating Lafayette County Sections 23 and 24 in Township 8 South, Range 3 West, as established and maintained by the United States Bureau of Land Management (hereinafter Section 23 and Section 24, respectively), and it is also the City Limit for the City of Oxford as set forth in the Decree Approving, Ratifying and Confirming the Proposed Enlargement of the Boundaries of the City of Oxford, Mississippi, and Describing the Boundaries of the Municipality as Altered rendered May 13, 2014, and the Decree Approving, Ratifying and Confirming the Proposed Enlargement of the Boundaries of the City of Oxford, Mississippi, and Describing the Boundaries of the Municipality as Altered rendered September 10, 2018 as particularly referenced by the highlighted portions of the legal description of the annexed area in each portion of the Decrees attached as Exhibit A.

**2. Supporting Title History**

**a. Ideal Property Investments, LLC et al. Property**

The plat included with this letter which is entitled "Plat of Survey for Jed Morris" with a Revision Date of February 25, 2020 provides a graphical representation of the Property conveyed to Sherry Chrestman, Joe Blount, Sally Ann Blount (Life Estate) and Ideal Property Investments, LLC by deeds filed as Instrument

James E. Morris  
January 13, 2021  
Page 2

Nos. 200503480 and 2012-6948. The portion of the Property which adjoins County Roads 232 and 234 is labeled as Tract 1 on the plat.

**b. Lafayette County Road 234 Property**

As noted above, directly abutting the Property to the east is the western terminus/right-of-way for Lafayette County Roads 232 and 234, which was conveyed to Lafayette County on August 5, 1974 by R.H Dunlap, J.E. Dunlap and L. Brent Nickles by Warranty Deed recorded in Book 302 Page 874 in Office of the Chancery Clerk of Lafayette County. This shared boundary is shown on the aforementioned plat as a pink dotted line with a text label of "WEST BOUNDARY OF CR 232 AND 234." And, to reiterate, the "WEST BOUNDARY OF CR 232 AND 234" is one and the same as the eastern boundary of Section 23 and the eastern boundary of the Property.

The legal description of the August 5, 1974 deed by which the right-of-way for County Road 234 was conveyed to Lafayette County describes a beginning point on the West line of Section 24 that is 658 feet north of the Southwest corner of Section 24. Please see the following excerpt of the August 5, 1974 deed.

located in Section 24, Township 8 South, Range 3 West, Lafayette  
County, Mississippi being more particularly described as follows,  
to-wit:

A part of the South half of Section 24, Township 8  
South, Range 3 West, Lafayette County, Mississippi  
being more particularly described as follows, to-wit:  
A strip of land 25 feet on either side of a center line  
described as beginning at a point on the West line of  
said Section 24 that is 658.0 feet North of the South-  
west corner of said Section 24; running thence East for  
a distance of 702.7 feet; thence in a Northeasterly direc-  
tion around a curve to the left with a radius of 114.59  
feet for a distance of 67.8 feet; thence North 56°05' East  
for a distance of 119.0 feet; thence in an Easterly direc-

Then, in a parallel manner and along the same Section Line, the legal description of the August 5, 1974 deed by which the right-of-way for County Road 232 was conveyed to Lafayette County describes a beginning point on the West line of Section 24 that is 1965.0 feet north of the Southwest corner of Section 24. Please see the following excerpt of the August 5, 1974 deed.

680.0 feet North and 655.0 east of the Southwest corner of said Section 24; running thence North for a distance of 1260.0 feet.

AND ALSO: A strip of land 25 feet wide on either side of a center line described as beginning at a point that is 1965.0 feet North of the Southwest corner of said Section 24; running thence East for a distance of 1870.8 feet to the West line of Campground County Road.

Subject property is not part of Grantor's homestead.

WITNESS OUR SIGNATURES this the 5th day of August, 1974.



**c. Deer Run Subdivision Property**

The property descriptions and the shared boundary of the Property and the western terminus of County Roads 232 and 234 are further corroborated by the recorded documents related to Deer Run Subdivision. But, of course, this is expected since County Roads 232 and 234 were built in connection with that subdivision. However, the harmony between the three sets of documents provides further confirmation of respective ownership.

*i. The Property and Deer Run Subdivision share a corner.*

The attached "Plat of Deer Run Subdivision" establishes the Southwest corner of the subdivision as being the Southwest corner of the Southwest Quarter of Section 24. That corner is one and the same as the Southeast corner of the Southeast Quarter of Section 23, which corner is the Southeast corner of the Property.

Put differently, the Southwest corner of Deer Run Subdivision is one and the same as the Southeast corner of Tract 1 on the attached plat.

*ii. The Section Line is the shared boundary between the Property and Lafayette County Roads 232 and 234.*

Then, as is obvious, the East line of Section 23 is the same as the West line of Section 24. That is the Section Line.

The East line of the Property is the Section Line, and the western boundary of Deer Run Subdivision as defined by "Plat of Deer Run Subdivision" is also that same Section Line.

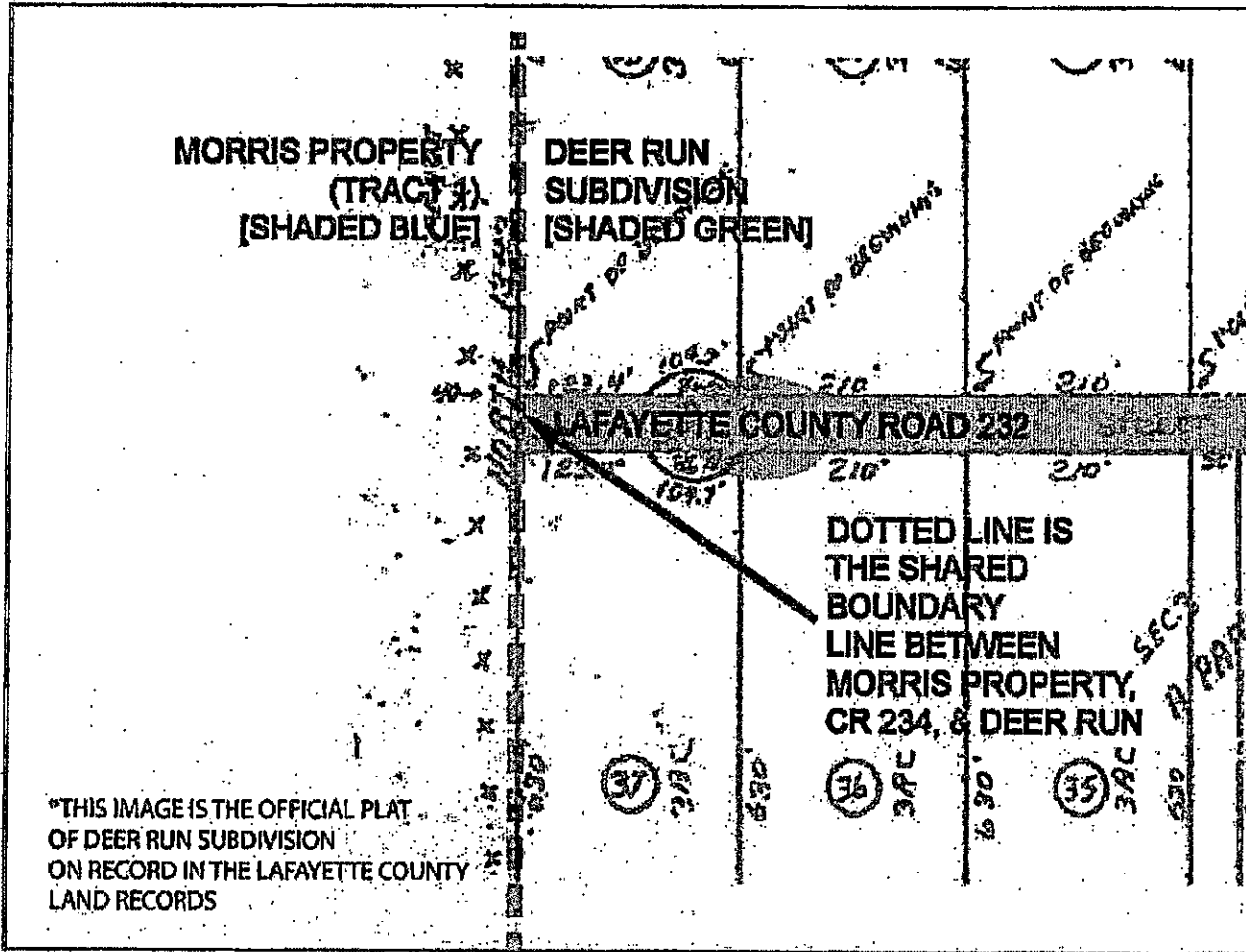
Additionally, the point of commencement of the real property conveyed to Lafayette County for right way for Lafayette County Roads 232 and 234 is situated on this same Section line.

In other words, the Property shares a boundary with Deer Run Subdivision but, more importantly, the eastern boundary adjoins and is contiguous with the western terminus of the right of way for Lafayette

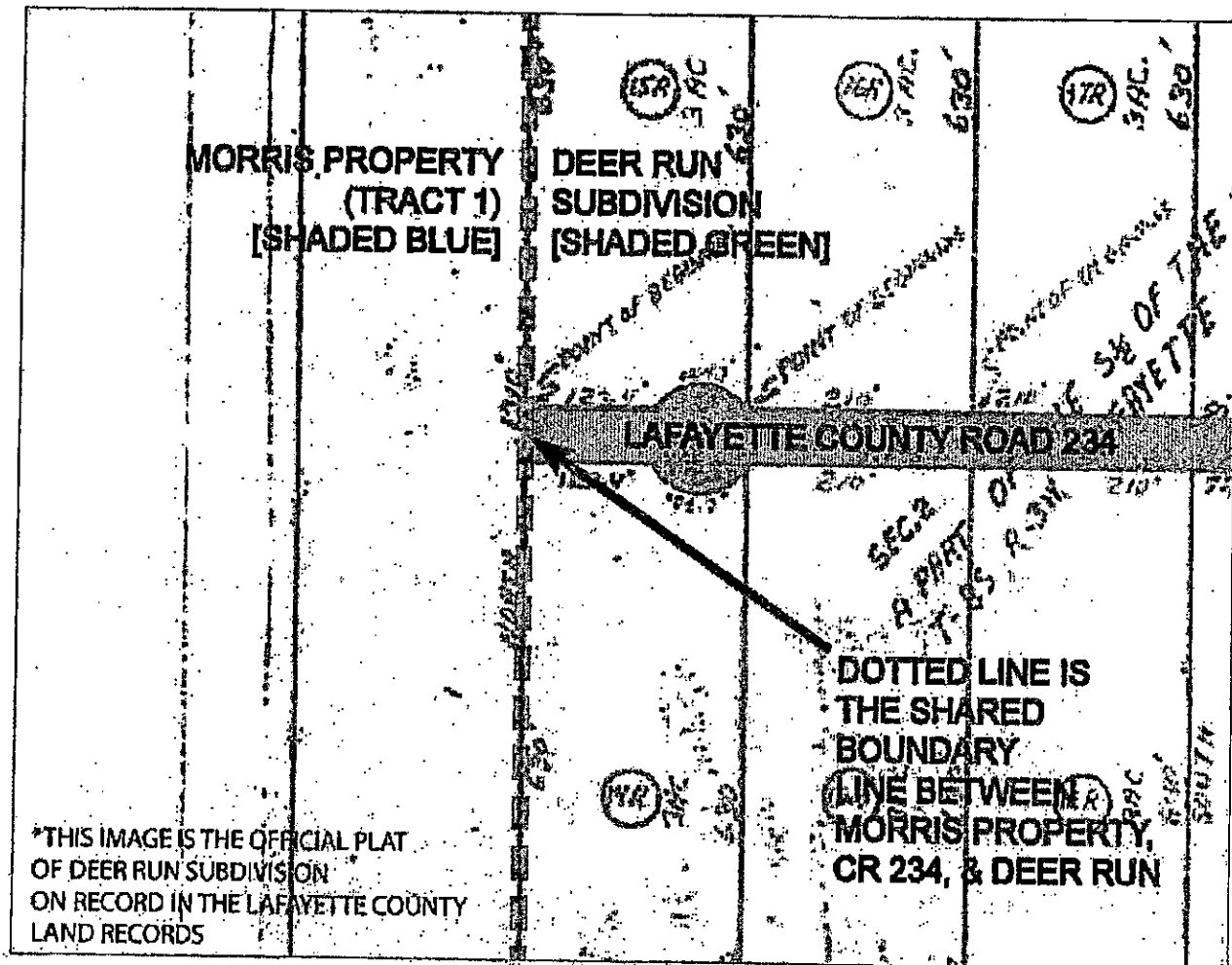
Page 4

**County Roads 232 and 234. Please see the two annotated excerpts of the Plat of Deer Run Subdivision below.**

**Excerpt of Plat Showing County Road 232:**



Excerpt of Plat Showing County Road 234:



Please also note that County Roads 232 and 234 are labeled "STREET" on the Plat.

- iii. *The shared boundary line is also the City Limit of Oxford, Mississippi, and it is further defined by the legal descriptions for Deer Run Subdivision Lots 14R and 15R.*

Although the above descriptions provide multiple corroboration of the eastern boundary line of the Property, other documents match these descriptions.

The Section line between Section 23 and Section 24 is the East line of the Property, the West line of Deer Run Subdivision and the eastern line of the City limits of the City of Oxford, Mississippi as established in the previously referenced Decrees rendered by the Chancery Court of Lafayette County, Mississippi.

James E. Morris  
January 13, 2021  
Page 6

Further, the description of the deeds from the developers of Deer Run Subdivision for lots 14R and 15R, reflected on the enclosed Plat, begin on the West line of Section 24, and the legal description in the Protective Covenants for Deer Run Subdivision runs to the West line of Section 24.

**3. Other Legal Considerations**

Field surveying has revealed that a portion of the real property conveyed to Lafayette County between the end of the pavement of County Roads 232 and 234 and the Section line is being encroached upon by adjoining landowners. However, this encroachment is irrelevant, regardless of its duration, because property cannot be adversely possessed against a sovereign such as Lafayette County, since Mississippi Constitution Article 4 Section 104 provides that statutes of limitation do not run against the State and political subdivisions.

Our research revealed that alleged Quitclaim Deeds have been filed which purport to convey property between the West line of the subdivision and the Section line; however, as previously mentioned, the West line of the subdivision and the Section line are one and the same. Therefore, those Quitclaim Deeds are ineffective and convey nothing.


Lafayette County Roads 232 and 234 became Lafayette County property, and both were opened as roadways in 1974, when the subdivision was created and when the deed conveyed it to the County. The roadways remained open for approximately forty years, until they were obstructed. There are people who will attest to the roadways being open prior to the obstruction. County Roads 232 and 234 are obstructed Lafayette County Roadways. The obstructions should be removed, so that the Property can be developed by the owners.

After you have reviewed and considered this letter, I would appreciate the opportunity to discuss this matter further with you.

With best regards, I am

Sincerely yours,

MITCHELL, McNUTT & SAMS, P.A.

  
MICHAEL D. FERRIS  
Enclosures  
MDF/el

**City of Oxford Annexation Decree**



FILED  
STATE OF MISSISSIPPI  
IN THE CHANCERY COURT OF LAFAYETTE COUNTY, MISSISSIPPI

2014 MAY 16 PM 3:09

IN THE MATTER OF THE CONFIRMATION OF  
THE ALTERATION AND ENLARGEMENT OF  
THE BOUNDARIES OF THE CITY OF OXFORD,  
MISSISSIPPI

CHANCERY CLERK  
KC  
BY EC CAUSE NO. 2013-706 (A)

**DECREE APPROVING, RATIFYING AND CONFIRMING  
THE PROPOSED ENLARGEMENT OF THE BOUNDARIES OF THE  
CITY OF OXFORD, MISSISSIPPI, AND DESCRIBING  
THE BOUNDARIES OF THE MUNICIPALITY AS ALTERED**

Before the Court is the request of the City of Oxford, Mississippi ("the City" or "the City of Oxford"), for the alteration and enlargement of the City's boundaries ("the proposed annexation area" or "PAA"), pursuant to Miss. Code Ann. § 21-1-27 *et seq.* Based on the pleadings filed in this matter and testimony and evidence presented at the hearing held on May 13, 2014, the Court finds that the proposed enlargement is reasonable and is required by the public convenience and necessity and that reasonable public and municipal services will be rendered in the annexed territory within a reasonable time, and therefore enters this decree approving, ratifying and confirming the proposed enlargement, and describing the boundaries of the municipality as altered. Such description is attached to this Decree as Exhibit "A," which is a certified copy of Oxford Ordinance No. 2013-15, which includes a description of the boundaries of the municipality as altered area. In further support thereof the Court makes the following specific findings of fact and conclusions of law:

**I. The City Has Proven Compliance with Statutory Requirements Necessary to Affect Annexation**

**A. Passing of the Annexation Ordinance**

In compliance with Miss. Code Ann. Section 21-1-27, the City's Board of Aldermen adopted an ordinance describing with certainty the area proposed to be annexed and defining the

Collective  
Exhibit A

significant factor suggesting that annexation of the PAA is warranted. The Court finds that the relocation of BMH-NM immediately to the north of the PAA is an extraordinary, current factor that is already causing tremendous and rapid growth and activity on that site, and inevitably will cause parallel and corresponding growth in the PAA. Already there is a lack of planning and zoning and provision of sewer, water, and other necessary municipal services in the PAA. The development of the hospital project, valued at greater than \$250,000,000, along with out-buildings and related or unrelated commercial and medical office buildings, will create a sharp and immediate *increased* need for municipal planning, enforcement, and other services in the PAA.

Similarly, Mr. Slaughter, who was admitted as an expert in the Baptist inclusion trial less than two years ago, testified that, though the grant of that inclusion is on appeal to the Supreme Court, the Chancellor in that trial found that every factor related to the reasonableness of the inclusion of the property to the north of the PAA was proven, for many of the same reasons presented to this Court in this annexation action. It is the Court's understanding that in the appeal of the inclusion matter, findings as to the reasonableness factors in that case have not been challenged.

This Court finds that, though the need for annexation of the PAA was proven without the need for additional proof related to these factors, these factors nevertheless support the reasonableness of the annexation.

THE COURT, THEREFORE, DETERMINES from the evidence of record, the testimony of the witnesses at the hearing on May 13, 2014, the credibility of the witnesses as such testimony was presented, and the annexation ordinance as presented, that the proposed enlargement is reasonable and is required by the public convenience and necessity and that the public and municipal services will be rendered in the annexed territory within a reasonable time.

THE COURT, THEREFORE, ENTERS this decree approving, ratifying and confirming the proposed enlargement of the boundaries of the municipality as described in the attached certified copy of the ordinance passed by the City of Oxford, which includes the legal description of the annexed area.

SO ORDERED, THIS the 13<sup>th</sup> day of May, 2014.

  
CHANCELLOR GLENN ALDERSON

said point also being the Northwest corner of Tax Parcel Number 147-X-26-0055.00; run thence Due East a distance 334.60 feet along the North line of Tax Parcel Number 147-X-26-0055.00 to the Northeast corner of Tax Parcel Number 147-X-26-0055.00, said point also being on the West line of Tax Parcel Number 147-X-26-0054.00; run thence Northerly a distance of 450.0 feet, more or less, along the West line of Tax Parcel Number 147-X-26-0054.00 to the Northwest corner of Tax Parcel Number 147-X-26-0054.00; run thence Easterly a distance of 1,320 feet, more or less, along the North line of Tax Parcel Number 147-X-26-0054.00 and the North line of Tax Parcel Number 147-X-26-0051.00 to the Northeast corner of Tax Parcel Number 147-X-26-0051.00; said corner also being the Southeast corner of Tax Parcel Number 147-X-26-0090.00 and on the West line of Tax Parcel Number 147-X-26-018.00; run thence Northerly a distance of 750.0 feet, more or less, along the West line of Tax Parcel Number 147-X-26-018.00 to the Northwest corner of Tax Parcel Number 147-X-26-018.00, said corner also being on the North line of said Section 26; run thence Easterly a distance of 2,640 feet, more or less, along the north line of said Section 26 and the North line of Tax Parcel Number 147-X-26-018.00, Tax Parcel Number 147-X-26-019.00, Tax Parcel Number 147-X-26-020.00, Tax Parcel Number 147-X-26-021.00, Tax Parcel Number 147-X-26-023.00, Tax Parcel Number 147-X-26-024.00 and Tax Parcel Number 147-X-26-025.00 to the section corner common to Sections 23, 24, 25 and 26; run thence Northerly a distance of 3,300.0 feet, more or less, along the West line of said Section 24 and along the West line of Woodlawn Subdivision and along the West line of Tax Parcel Number 146-Z-24-0060.00 to the Northwest corner of Woodlawn Subdivision Phase V, said corner also being the Northwest corner of Tax Parcel Number 146-Z-24-0125.00; run thence Easterly a distance of 1,420.00 feet, more or less, along the North line of Woodlawn Subdivision Phase V and Phase II to the Northeast corner of Woodlawn Subdivision, Phase II; said corner also being the Northwest corner of Tax Parcel Number 146-Z-24-0009.00; run thence Easterly a distance of 2,000.0 feet, more or less, along a line located 1,980.0 feet South of and parallel to the North line of said Section 24, said line also being the North line of Tax Parcel Number 146-Z-24-0009.00, to a point, said point being located 50.0 feet, more or less, south of the Southwest corner of Tax Parcel Number 146-Z-24-0005.00; run thence north a distance of 50.0 feet, more or less, to the Southwest corner of Tax Parcel Number 146-Z-24-0005.00; run thence northerly a distance of 750.0 feet, more or less, to a corner of Tax Parcel Number 146-Z-24-0005.00; run thence Northeasterly a distance of 550.0 feet, more or less along the line of Tax Parcel Number 146-Z-24-0005.00 to a point on the West right-of-way of Anchorage Road; run thence Easterly a distance of 50.0 feet, more or less, to a point on the East right-of-way of Anchorage Road; run thence Northwesterly a distance of 800.0 feet, more or less, along the East right-of-way of Anchorage Road to a point, said point being the West line of Tax Parcel Number 146-Z-24-0005.00s; run thence Northerly a distance of 400.0 feet, more or less, along the West line of Tax Parcel Number 146-Z-24-0005.00 to a point on the North line of said Section 24; run thence East a distance of 1,720.0 feet, more or less, along the North line of said Section 24 to the Northeast corner of said Section 24, said corner also being the Northwest corner of Section 19, Township 8 South, Range 3 West and also the Northwest corner of Tax Parcel Number 134-M-19-0011.00; run thence Easterly a distance of 3,115.0 feet, more or less, along the North line of said Section 19 to a point, said point being the point of intersection of the North line of said Section 19 and the West line of Turnberry Court Subdivision, said point also being the Southwest corner of Tax Parcel Number 134-X-18-0218.00; run thence Northerly and Northeasterly a distance of 850.0

IN THE CHANCERY COURT OF LAFAYETTE COUNTY, MISSISSIPPI

FILED  
STATE OF MISSISSIPPI  
LAFAYETTE COUNTY

2018 SEP 10 PM 2:07

CHANCERY CLERK

IN THE MATTER OF THE CONFIRMATION OF  
THE ALTERATION AND ENLARGEMENT OF  
THE BOUNDARIES OF THE CITY OF OXFORD,  
MISSISSIPPI

CAUSE NO. CV2018-223(A)

BY CLERK 27

**DECREE APPROVING, RATIFYING AND CONFIRMING  
THE PROPOSED ENLARGEMENT OF THE BOUNDARIES OF THE  
CITY OF OXFORD, MISSISSIPPI, AND DESCRIBING  
THE BOUNDARIES OF THE MUNICIPALITY AS ALTERED**

Before the Court is the request of the City of Oxford, Mississippi ("the City" or "the City of Oxford"), for the alteration and enlargement of the City's boundaries to include several new geographical areas adjacent to the current City boundaries ("the proposed annexation area" or "PAA"), pursuant to Miss. Code Ann. § 21-1-27, *et seq.* Based on the pleadings filed in this matter and testimony, documents, and evidence presented at the hearing held on August 27, 2018, the Court finds that the proposed enlargement is reasonable and is required by the public convenience and necessity and that reasonable public and municipal services will be rendered in the annexed territory within a reasonable time, and therefore enters this decree approving, ratifying and confirming the proposed enlargement in accordance with the boundaries of the municipality as altered, a description of which is attached to this opinion as Exhibit "A," in the form of a certified copy of the ordinance passed by the City of Oxford, which includes the legal description of the annexed area. A map of the PAA is attached as Exhibit "B."

In support, the Court makes the following findings of fact and conclusions of law:

**I. Compliance with Statutory Requirements**

**A. *Passing of the Annexation Ordinance***

In compliance with Miss. Code Ann. Section 21-1-27, the City's Board of Aldermen

**Collective  
Exhibit A**

scale commercial establishments in the PAA, and most grocery stores, department stores and other commercial establishments used by inhabitants of the PAA are within the City. If the Oxford Fire Department were notified of a fire in most of the areas within the PAA, it would respond as if the fire were within the current City limits, yet inhabitants of the PAA pay no City taxes. The Court finds that current property owners and other inhabitants of the area sought to be annexed have in the past, and for the foreseeable future unless annexed will, because of their reasonable proximity to the corporate limits of the City of Oxford, enjoy the economic and social benefits of that proximity without paying their fair share of the taxes.

*L. Any Other Factors That May Suggest Reasonableness vel non*

The Court heard testimony and accepted evidence showing that the current PAA is within the area planned for annexation in the City's Comprehensive Plan. The City has assisted areas within the PAA significantly, in planning for future land use there, assisting in development, and providing for transportation in various areas under consideration for annexation. The City heard testimony from Mr. Slaughter, Mr. Robinson, and Ms. Daniel that the City's planning and public works departments already work routinely with residential and commercial developers in the PAA, to assist in orderly growth of these areas, and provide reasonable public services. The Court finds that the City proved every factor discussed above, and the proposed annexation is reasonable based upon those factors alone. The Court further finds that the ongoing provision of City services and planning within the PAA bolster the request that the PAA be annexed.

THE COURT, THEREFORE, DETERMINES from the evidence and proof of record, the testimony of the witnesses at the hearing on August 27, 2018, the credibility of the witnesses as such testimony was presented, the lack of any contradictory proof, and the annexation ordinance as presented, that the proposed enlargement is reasonable and is required by the public

convenience and necessity and that the public and municipal services will be rendered in the annexed territory within a reasonable time.

THE COURT, THEREFORE, ENTERS this decree approving, ratifying and confirming the proposed enlargement of the boundaries of the municipality as described in the attached certified copy of the ordinance passed by the City of Oxford, which includes the legal description of the annexed area.

SO ORDERED, THIS the 10 day of September, 2018.

  
CHANCELLOR GLENN ALDERSON

Thence run North 89 Degrees 14 Minutes 28 Seconds West, along the Northern boundary of the Southwest ¼ of Section 23, Township 8 South, Range 4 West, a distance of 1320 feet more or less to the Northeast corner of the Southwest ¼ of said Section 23;

Thence run Northerly a distance of 977 feet more or less to the Northwest corner of a parcel described in Deed Book 2014, Page 58, in the Office of the Chancery Clerk of Lafayette County, Mississippi (Tax Parcel 146y-23-3.00);

Thence run Easterly along the North line of said parcel a distance of 1520 feet, more or less, to the Northeast corner of said parcel;

Thence run Southerly along the East line of said parcel a distance of 977 feet more or less, to the South line of the Northeast ¼ of Section 23;

Thence run Easterly along the South line of the Northeast ¼ of Section 23 a distance of 1120 feet more or less, to the Southeast corner of the Northeast ¼ of Section 23, said point being on said existing corporate limits of the City of Oxford, Mississippi;

Thence run Southerly and continue along said corporate limits of the City of Oxford, Mississippi, to the Southeast corner of Lot 300 in Wellsgate, Phase VIII, subdivision recorded in Plat Cabinet B, Slide 109, in the Office of the Chancery Clerk of Lafayette County, Mississippi, said point also being the POINT OF BEGINNING.

SECTION III. Upon the addition of the lands and territory described in Section II hereof, the corporate limits and boundaries of the City of Oxford, Mississippi, shall be and are described as provided in this Section III. Further, Section 1-10 of the City's Code of Ordinances shall be amended to read as follows:

#### Section 1-10. Corporate Limits

The boundaries and limits of the City of Oxford, Mississippi, shall be and are as follows:

Commencing at the Northeast corner of the Southeast quarter of Section 23, Township 8 South, Range 3 West, said point also being the POINT OF BEGINNING of this description;

Thence run Southerly along the east line of Section 23 a distance of 2640 feet more or less to the Southeast corner of said Section 23;

Thence continue in a Southerly direction along the East line of Section 26 a distance of 1015 feet more or less to the intersection of said East line of Section 26 with the South line of a parcel described in Deed Book 374, Page 4 in the Office of the Chancery Clerk of Lafayette County, Mississippi (Tax Parcel 137X-26-146.00);

Thence run in a Northwesterly direction along the Southern boundary of the above described



an arc length of 282.51 feet, a chord bearing of South 56 Degrees 13 Minutes 35 Seconds West and a chord length of 281.56 feet; 8) South 64 Degrees 29 Minutes 20 Seconds West a distance of 598.68 feet; 9) with a curve turning to the left with a radius of 276.71 feet, an arc length of 195.69 feet, a chord bearing of South 47 Degrees 53 Minutes 32 Seconds West and a chord length of 191.64 feet; 10) South 23 Degrees 59 Minutes 27 Seconds West a distance of 217.09 feet; 11) South 36 Degrees 26 Minutes 35 Seconds West a distance of 84.27 feet; 12) South 34 Degrees 02 Minutes 42 Seconds West a distance of 71.72 feet; 13) South 26 Degrees 24 Minutes 55 Seconds West a distance of 58.56 feet; 14) South 16 Degrees 17 Minutes 04 Seconds West a distance of 118.87 feet; 15) South 11 Degrees 59 Minutes 40 Seconds West a distance of 90.91 feet; 16) South 11 Degrees 18 Minutes 05 Seconds West a distance of 101.56 feet; 17) South 11 Degrees 03 Minutes 20 Seconds West a distance of 54.63 feet; 18) South 09 Degrees 47 Minutes 35 Seconds West a distance of 82.55 feet; 19) South 12 Degrees 40 Minutes 32 Seconds West a distance of 70.61 feet; 20) South 15 Degrees 08 Minutes 12 Seconds West a distance of 60.11 feet; 21) South 18 Degrees 50 Minutes 24 Seconds West a distance of 85.76 feet; 22) South 19 Degrees 17 Minutes 33 Seconds West a distance of 136.26 feet; 23) South 18 Degrees 24 Minutes 28 Seconds West a distance of 70.51 feet; 24) South 18 Degrees 13 Minutes 52 Seconds West a distance of 68.42 feet; 25) South 19 Degrees 11 Minutes 41 Seconds West a distance of 15.01 feet more or less to the Northern right-of-way line of Mississippi Highway 30;

Thence run South 19 Degrees 11 Minutes 41 Seconds West a distance of 176.41 feet more or less to the Southern right-of-way line of Mississippi Highway No. 30;

Thence run Northwesterly along the South right-of-way line of Mississippi Highway 30 1265 feet more or less to the West line of Section 14, Township 8 South, Range 3 West;

Thence run South 00 Degrees 59 Minutes 57 Seconds East along the West line of said Section 14 a distance of 495.88 feet to the Southeast corner of a parcel described in Deed Book 2016, Page 4867, in the office of the Chancery Clerk of Lafayette County, Mississippi (Tax Parcel 135h-15-16.01);

Thence run South 00 Degrees 56 Minutes 34 Seconds East along the West line of Section 14, Township 8 South, Range 3 West, 1237.51 feet, more or less, to the Southeast corner of Section 14, Township 8 South, Range 3 West;

Thence run South 88 Degrees 28 Minutes 43 Seconds East along the South line of said Section 14 a distance of 5270.19 feet to a fence post at the Southeast corner of said Section 14;

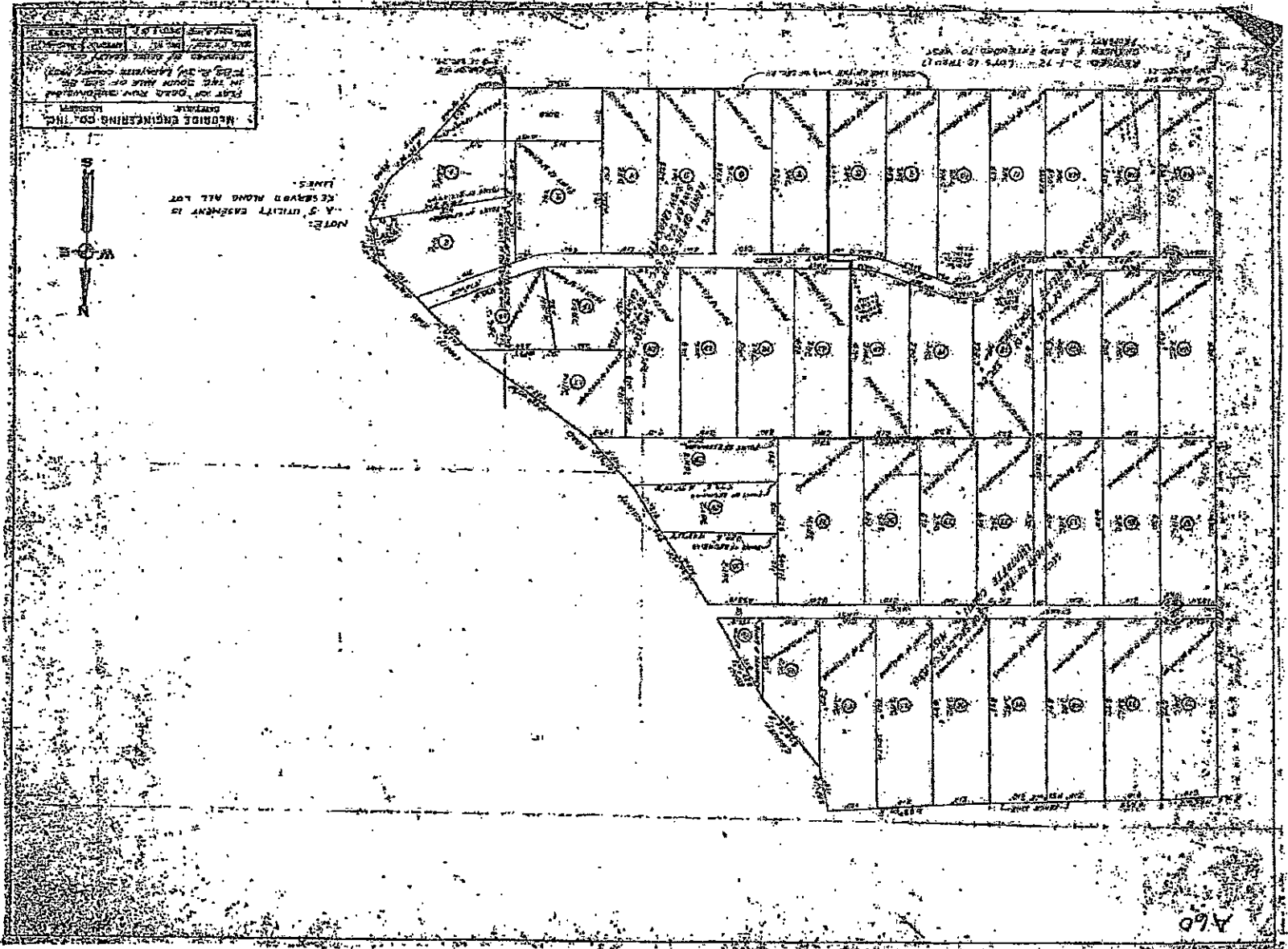
Thence run thence South 01 Degrees 09 Minutes 06 Seconds West along the east line of Section 23, Township 8 South, Range 3 West, a distance of 2639.46 feet to the Northeast corner of the Southeast quarter of Section 23, Township 8 South, Range 3 West, said point also being the POINT OF BEGINNING of this description.

The land area described within this description contains 27.40 square miles, more or less,

**Plat of Survey for Jed Morris**



**Plat of Deer Run Subdivision**



A60

**Deed Conveying Right of Way to Lafayette County**

STATE OF MISSISSIPPI)  
COUNTY OF LAFAYETTE )

WARRANTY DEED

FOR AND IN CONSIDERATION of Ten Dollars (\$10.00)

cash in hand paid and for other good valuable consideration,  
the receipt and sufficiency all of which are hereby acknowledged,  
WE, R. H. DUNLAP, J. E. DUNLAP and BRENT NICKLE hereby sell,  
convey and warrant unto LAFAYETTE COUNTY that certain property  
located in Section 24, Township 8 South, Range 3 West, Lafayette  
County, Mississippi being more particularly described as follows,  
to-wit:

A part of the South half of Section 24, Township 8 South, Range 3 West, Lafayette County, Mississippi being more particularly described as follows, to-wit: A strip of land 25 feet on either side of a center line described as beginning at a point on the West line of said Section 24 that is 658.0 feet North of the Southwest corner of said Section 24; running thence East for a distance of 702.7 feet; thence in a Northeasterly direction around a curve to the left with a radius of 114.59 feet for a distance of 67.8 feet; thence North 56°05' East for a distance of 113.0 feet; thence in an Easterly direction around a curve to the right with a radius of 142.64 feet for a distance of 127.05 feet; thence South 70°30' East for a distance of 153.0 feet; thence in a Southeasterly direction around a curve to the left with a radius of 291.33 feet for a distance of 99.2 feet; thence East for a distance of 1175.9 feet; thence North 70° East for a distance of 450.0 feet to the West line of the Campground County Road.

AND ALSO: A strip of land 25 feet on either side of a center line described as beginning at a point that is 680.0 feet North and 655.0 east of the Southwest corner of said Section 24; running thence North for a distance of 1260.0 feet.

AND ALSO: A strip of land 25 feet wide on either side of a center line described as beginning at a point that is 1965.0 feet North of the Southwest corner of said Section 24; running thence East for a distance of 1870.8 feet to the West line of Campground County Road.

Subject property is not part of Grantor's homestead.

WITNESS OUR SIGNATURES this the 5th day of August, 1974.

R. H. Dunlap  
R. H. DUNLAP

J. E. Dunlap  
J. E. DUNLAP

Brent Nickle  
BRENT NICKLE

302/74  
302/50

STATE OF MISSISSIPPI  
COUNTY OF LAFAYETTE

This day personally appeared before me, the undersigned authority in and for said jurisdiction, the within named J. E. DUNLAP, R. H. DUNLAP and BRENT NICKLE, known to me to be the persons whose names are subscribed to the foregoing instrument, and acknowledged that they signed and delivered the above and foregoing Warranty Deed on the day and year as therein mentioned and for the purposes as therein expressed.

Given under my hand and seal on this the 5th day of August, 1974.

*[Signature]*  
NOTARY PUBLIC

( S E A L )

My Commission Expires: 11-16-75

STATE OF MISSISSIPPI  
COUNTY OF LAFAYETTE

This instrument was filed for record on the 1 day of October  
1974 at 7:00 P.M. and recorded in Book 302  
Page 74. Book 302, Page 74. October

*Hand RW 70*