

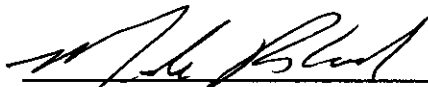
ORDER: OPEN PUBLIC HEARING TO DETERMINE WHETHER OR NOT TO APPROVE A CONDITIONAL USE PERMIT TO DEVELOP A SINGLE FAMILY RESIDENTIAL SUBDIVISION (LOTT'S BRANCH) IN AN AGRICULTURAL (A-2) DISTRICT ON LAFAYETTE COUNTY PARCEL 078-27-003.04

Motion was made by David Rikard, duly seconded by Larry Gillespie, to open Public Hearing to determine whether or not to approve a conditional use permit to develop a single family residential subdivision (Lott's Branch) in an Agricultural (A-2) District on Lafayette County Parcel 078-27-003.04.

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 15th day of November, 2021.



**Mike Roberts, President
Board of Supervisors**



Sherry Wall, Chancery Clerk

Nov.12, 2021

To: Frances McGonagill

Re: Lafayette County Planning Commission meeting Oct. 25, 2021

At the request of the planning commission, I make the following final proposal:

The easement, as noted on Attachment #1 and #2, that you and Glenn Eagle hold (on the entrance and driveway at 609 CR 102) will be released and extinguished, also to include transferring the section of driveway to me, shown on Attachment #3 where the fence line would cross the driveway to establish a straight property line.

In return, I agree to pave your driveway, starting from CR 102 up your limestone driveway to your existing driveway. The asphalt will be 12' wide with 2" of 12.5mm surface asphalt and will begin when paving begins on Lott's Branch. The proposed paving of your driveway will be done when the paving is started on Lott's Branch and not before. Until then, the easement will stay in effect.

Prior to my paving your driveway, you will deliver the documents extinguishing the easements and transferring the noted section of driveway, shown on Attachment 1 and 2, to Paige Smith, Attorney at Law, Paigesmithlaw@gmail.com, for my review and to hold until the day your drive is paved. On the day paving is finished, she will turn the documents over to have them recorded at the Lafayette County Chancery Office. I will then run the new fence across existing driveway where easement was removed to establish a new property line.

If I do not receive your written acceptance within 5 business days, this proposal becomes null and void. At that time I will be moving forward with the subdivision, as approved by the planning commission.

Signature: _____



Mark McGonagill

Date: Nov. 12, 2021

Glenn Eagle, Inc.

Signature: _____

By: _____

Title: _____

Date: _____

Frances McGonagill

Signature: _____

Date: _____

ATTACHMENT #1 Glenn Eagle, Inc. Easement

[http://www.deltacomputersystems.com/TEMP/PDFWEB/MS36II/MS36II/P0471/P0471272.](http://www.deltacomputersystems.com/TEMP/PDFWEB/MS36II/MS36II/P0471/P0471272)

PDF

FILED
STATE OF MISSISSIPPI
LAFAYETTE COUNTY



Primo J. Hill Chancery Clerk
Instrument 2016 - 1022
Filed/Recorded 2/4/2016 08:10 A
3 Pages Recorded
Lafayette County, Mississippi

2016 FEB -4 AM 8: 01

CHANCERY CLERK

BY DC _____

INSTRUMENT PREPARED BY AND RETURN TO:

Bradley T. Golmon (MSB # 10261)
Holcomb Dunbar Watts Best & Masters, P.A.
P.O. Box 707
Oxford, Mississippi 38655
662-234-8775

ADDRESS AND TELEPHONE
NUMBER OF GRANTOR

Glenn Eagle, Inc.
P.O. Box 1828
Oxford, MS 38655
662-832-5900

ADDRESS AND TELEPHONE
NUMBER OF GRANTEE

Frances McGonagill
P.O. Box 1828
Oxford, MS 38655
662-832-5900

INDEXING INSTRUCTION: Part of the East Half of Section 27, Township 7 South, Range 4 West, Lafayette County, Mississippi

ACCESS EASEMENT

FOR AND IN CONSIDERATION of the sum of \$1.00 cash in hand paid and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, GLENN EAGLE, INC. ("Grantor"), hereby conveys and warrants unto FRANCES MCGONAGILL ("Grantee"), her heirs, successors and assigns, a perpetual easement, running with the land, for ingress and egress over and along a driveway described as follows:

A strip of land in the East Half of Section 27, Township 7 South, Range 4 West, Lafayette County, Mississippi and being 12.00 feet wide, lying 6.00 feet left and right of centerline


(intended to follow each edge of paved driveway), said centerline being described in more detail as follows:

Beginning at an PK nail at the intersection of the centerline of an asphalt drive with the West right of way line of County Road No. 102, said iron rod being located South a distance of 642.32 feet and West a distance of 1456.68 feet from an existing 1/2" iron rod accepted as the Northeast corner of said Section 27, run thence South 55 degrees 46 minutes 48 seconds West leaving said right of way line and along said centerline a distance of 24.93 feet to a PK nail at the PC of a 52.52 foot radius curve to the left; thence Southwesterly along said curve and centerline a distance of 57.46 feet to a PK nail, said curve having a chord bearing of South 15 degrees 54 minutes 25 seconds West with a chord distance of 54.64 feet; thence South 11 degrees 40 minutes 10 seconds East along said centerline a distance of 82.15 feet to a PK nail at the PC of a 845.72 foot radius curve to the right; thence Southeasterly along said curve and centerline a distance of 274.79 feet to a PK nail, said curve having a chord bearing of South 1 degree 36 minutes 28 seconds East with a chord distance of 273.58 feet; thence South 4 degrees 29 minutes 10 seconds West along said centerline a distance of 542.68 feet to a PK nail; thence South 84 degrees 05 minutes 53 seconds West along said centerline a distance of 7.90 feet to a PK nail marking the end of the centerline description.

All bearings are True Bearings as determined by Solar Observation. All iron rods set are one half inch (1/2") steel rebars.

The purpose of this instrument is to convey to the Grantee ingress and egress access to certain real property. This easement shall be a perpetual easement, running with the land, for the use and benefit of the Grantee and the Grantee's heirs, successors, assigns, guests, invitees and licensees. This is a non-exclusive easement and the Grantor reserves the right to use the same driveway.

WITNESS my signature on this the 30 day of November, 2015.


GLENN EAGLE, INC.
By: Frances McGonagill
Its: President

STATE OF MISSISSIPPI

COUNTY OF LAFAYETTE

THIS DAY personally appeared before me, the undersigned authority in and for the aforesaid County and State, the within named Frances McGonagill, who after being duly sworn, acknowledged that he is the President of Glenn Eagle, Inc., and that for and on behalf of said entity, and as its act and deed, she signed, executed and delivered the above and foregoing Warranty Deed on the day and date therein written, after first having been duly authorized so to do.

GIVEN under my hand and official seal, on this the 30 day of ~~NOVEMBER~~ 2015.

Michelle Lawrence
Notary Public

My Commission Expires:

7-7-19



Attachment #2 Warranty Deed

<http://www.deltacomputersystems.com/TEMP/PDFWEB/MS36II/MS36II/P0470/P0470026>.

PDF

FILED
STATE OF MISSISSIPPI
LAFAYETTE COUNTY

2016 JAN 27 PM 4: 03

CHANCERY CLERK

BY DC _____



Shirley J. Wall Chancery Clerk
Instrument 2016 - 788
Filed/Recorded 1/27/2016 04:27 P
5 Pages Recorded
Lafayette County, Mississippi

INSTRUMENT PREPARED BY AND RETURN TO:

Bradley T. Golmon (MSB #10261)
Holcomb Dunbar Watts Best & Masters, P.A.
P.O. Box 707
Oxford, Mississippi 38655
662-234-8775

WARRANTY DEED

ADDRESS AND TELEPHONE
NUMBER OF GRANTOR

Glenn Eagle, Inc.
P.O. Box 1828
Oxford, MS 38655
662-832-5900

ADDRESS AND TELEPHONE
NUMBER OF GRANTEES

Mark McGonagill
609 CR 102
Oxford, MS 38655
PHONE: 662-236-5364

Jennifer McGonagill
609 CR 102
Oxford, MS 38655
PHONE: 662-236-5364

Cayse McGonagill
609 CR 102
Oxford, MS 38655
PHONE: 662-236-5364

Michael McGonagill
609 CR 102
Oxford, MS 38655
PHONE: 662-236-5364

INDEXING INSTRUCTION: East Half of Section 27, Township 7 South, Range 4 West,
Lafayette County, Mississippi

THIS WARRANTY DEED is made and entered into this day by and between GLENN EAGLE, INC., (hereinafter "Grantor"), and MARK MCGONAGILL, JENNIFER MCGONAGILL, CAYSE MCGONAGILL, and MICHAEL MCGONAGILL (hereinafter "Grantees").

WITNESSETH:

THAT FOR AND IN CONSIDERATION of the sum of One and 00/100 Dollars (\$1.00) cash in hand paid and other good and valuable consideration including resolution of that certain matter pending the Circuit Court of Lafayette County, bearing Cause Number L14-079, the receipt and sufficiency of all of which consideration is hereby acknowledged, the Grantor does hereby sell, convey and warrant unto the Grantees in fee simple, the following described property situated in Lafayette County, Mississippi, to-wit:

Tract IB

Beginning at an iron rod on the West right of way line of County Road No. 102, said iron rod being located South a distance of 533.69 feet and West a distance of 1528.81 feet from an existing ½" iron rod accepted as the Northeast corner of said Section 27, run thence South 33 degrees 34 minutes 54 seconds East along said right of way line a distance of 475.83 feet to a point at the PC of a 994.93 foot radius curve to the left; thence Southeasterly along said curve and right of way line a distance of 263.16 feet to a point, said curve having a chord bearing of South 41 degrees 19 minutes 28 seconds East with a chord distance of 262.40 feet; thence South 41 degrees 05 minutes 53 seconds West along said right of way line a distance of 35.00 feet to a point at the PC of a 1029.93 foot radius curve to the left; thence Southeasterly along said curve and right of way line a distance of 96.11 feet to a point, said curve having a chord bearing of South 51 degrees 34 minutes 30 seconds East with a chord distance of 96.08 feet; thence South 53 degrees 52 minutes 49 seconds East along said right of way line a distance of 35.66 feet to a point; thence North 36 degrees 07 minutes 11 seconds East along said right of way line a distance of 35.00 feet to a point; thence South 53 degrees 52 minutes 49 seconds East along said right of way line a distance of 390.69 feet to a point at the PC of a 2824.79 foot radius curve to the right; thence Southeasterly said curve and right of way line a distance of 307.99 feet to a point, said curve having a chord bearing of South 50 degrees 45 minutes 25 seconds East with a chord distance of 307.84 feet; thence South 47 degrees 38 minutes 00 seconds East along said right of way line a distance of 578.07 feet to an existing 1" iron pipe on the East line of said

Section 27; thence South 0 degrees 21 minutes 00 seconds West leaving said right of way line and along said East line a distance of 1960.24 feet to an existing 1 1/2" iron pipe; thence North 89 degrees 28 minutes 10 seconds West leaving said East line a distance of 2666.14 feet to an existing 5/8" iron rod on a fence line; thence North 0 degrees 48 minutes 03 seconds East along said fence line a distance of 182.07 feet to a fence corner; thence North 0 degrees 21 minutes 56 seconds West along said fence line a distance of 293.82 feet to a fence corner; thence North 0 degrees 25 minutes 17 seconds West along said fence line a distance of 399.78 feet to a fence corner; thence North 0 degrees 03 minutes 40 seconds West along said fence line a distance of 290.85 feet to a fence corner; thence North 0 degrees 13 minutes 00 seconds East along said fence line a distance of 113.89 feet to an iron rod; thence North 89 degrees 41 minutes 40 seconds East leaving said fence line a distance of 460.67 feet to an iron rod; thence North 30 degrees 14 minutes 36 seconds East a distance of 1191.72 feet to an iron rod; thence North 77 degrees 52 minutes 42 seconds East a distance of 69.55 feet to an iron rod; thence North 86 degrees 25 minutes 15 seconds East a distance of 30.81 feet to a PK nail; thence South 27 degrees 39 minutes 09 seconds East a distance of 18.54 feet to a PK nail; thence North 4 degrees 37 minutes 00 seconds East a distance of 68.24 feet to a PK nail; thence South 39 degrees 13 minutes 39 seconds West a distance of 20.84 feet to a PK nail; thence North 84 degrees 53 minutes 41 seconds West a distance of 31.84 feet to an iron rod; thence North 0 degrees 04 minutes 02 seconds West a distance of 1031.60 feet to an iron rod; thence North 54 degrees 33 minutes 52 seconds East a distance of 40.79 feet to the iron rod marking the point of beginning of this tract description. Tract IB contains 135.62 acres, more or less.

LESS AND EXCEPT the following non-exclusive Access Easement right, previously conveyed to Frances McGonagill:

Ingress and Egress Easement

A strip of land in the East Half of Section 27, Township 7 South, Range 4 West, Lafayette County, Mississippi and being 12.00 feet wide, lying 6.00 foot left and right of centerline (intended to follow each edge of paved driveway), said centerline being described in more detail as follows:

Beginning at a PK nail at the intersection of the centerline of an asphalt drive with the West right of way line of County Road No. 102, said iron rod being located South a distance of 642.32 feet and West a distance of 1456.68 feet from an existing 1/2" iron rod accepted as the Northeast corner of said Section 27, run thence South 55 degrees 46 minutes 48 seconds West leaving said right of way line and along said centerline a distance of 24.93 feet to a PK nail at the PC of a 52.52 foot radius curve to the left; thence Southwesterly along said curve and centerline a distance of 57.46 feet to a PK nail, said curve having a chord bearing of South 15 degrees 54 minutes 25 seconds West with a chord distance of 54.64 feet; thence South 11 degrees 40 minutes 10 seconds East along said centerline a distance of 82.15 feet to a PK nail at the PC of a 845.72 foot radius curve to the right; thence Southeasterly along said curve and centerline a distance of 274.79 feet to a PK nail, said curve having a chord bearing of South 1 degree 36 minutes 28 seconds East with a chord distance of 273.58 feet; thence South 4 degrees 29 minutes 10 seconds West along said centerline a distance of 542.68 feet to a PK nail; thence South 84

degrees 05 minutes 53 seconds West along said centerline a distance of 7.90 feet to a PK nail marking the end of the centerline description.

All bearings are True Bearings as determined by Solar Observation. All iron rods set are one half inch (1/2") steel rebars.

AND LESS AND EXCEPT the Grantor's retaining of rights in the following Access Easement:

Ingress and Egress Easement

A strip of land in the East Half of Section 27, Township 7 South, Range 4 West, Lafayette County, Mississippi and being 12.00 feet wide, lying 6.00 foot left and right of centerline (intended to follow each edge of paved driveway), said centerline being described in more detail as follows:

Beginning at a PK nail at the intersection of the centerline of an asphalt drive with the West right of way line of County Road No. 102, said iron rod being located South a distance of 642.32 feet and West a distance of 1456.68 feet from an existing 1/2" iron rod accepted as the Northeast corner of said Section 27, run thence South 55 degrees 46 minutes 48 seconds West leaving said right of way line and along said centerline a distance of 24.93 feet to a PK nail at the PC of a 52.52 foot radius curve to the left; thence Southwesterly along said curve and centerline a distance of 57.46 feet to a PK nail, said curve having a chord bearing of South 15 degrees 54 minutes 25 seconds West with a chord distance of 54.64 feet; thence South 11 degrees 40 minutes 10 seconds East along said centerline a distance of 82.15 feet to a PK nail at the PC of a 845.72 foot radius curve to the right; thence Southeasterly along said curve and centerline a distance of 274.79 feet to a PK nail, said curve having a chord bearing of South 1 degree 36 minutes 28 seconds East with a chord distance of 273.58 feet; thence South 4 degrees 29 minutes 10 seconds West along said centerline a distance of 542.68 feet to a PK nail; thence South 84 degrees 05 minutes 53 seconds West along said centerline a distance of 7.90 feet to a PK nail marking the end of the centerline description.

All bearings are True Bearings as determined by Solar Observation. All iron rods set are one half inch (1/2") steel rebars.

The Access Easement described above in both LESS & EXCEPT sections is a perpetual easement, running with the land, for the use and benefit of Frances McGonagill and Glenn Eagle, Inc. and the heirs, successors, assigns, guests, invitees and licensees of Frances McGonagill and Glenn Eagle, Inc. Glenn Eagle, Inc. has previously conveyed this non-exclusive Access

degrees 05 minutes 53 seconds West along said centerline a distance of 7.90 feet to a PK nail marking the end of the centerline description.

All bearings are True Bearings as determined by Solar Observation. All iron rods set are one half inch (1/2") steel rebars.

AND LESS AND EXCEPT the Grantor's retaining of rights in the following Access Easement:

Ingress and Egress Easement

A strip of land in the East Half of Section 27, Township 7 South, Range 4 West, Lafayette County, Mississippi and being 12.00 feet wide, lying 6.00 foot left and right of centerline (intended to follow each edge of paved driveway), said centerline being described in more detail as follows:

Beginning at a PK nail at the intersection of the centerline of an asphalt drive with the West right of way line of County Road No. 102, said iron rod being located South a distance of 642.32 feet and West a distance of 1456.68 feet from an existing 1/2" iron rod accepted as the Northeast corner of said Section 27, run thence South 55 degrees 46 minutes 48 seconds West leaving said right of way line and along said centerline a distance of 24.93 feet to a PK nail at the PC of a 52.52 foot radius curve to the left; thence Southwesterly along said curve and centerline a distance of 57.46 feet to a PK nail, said curve having a chord bearing of South 15 degrees 54 minutes 25 seconds West with a chord distance of 54.64 feet; thence South 11 degrees 40 minutes 10 seconds East along said centerline a distance of 82.15 feet to a PK nail at the PC of a 845.72 foot radius curve to the right; thence Southeasterly along said curve and centerline a distance of 274.79 feet to a PK nail, said curve having a chord bearing of South 1 degree 36 minutes 28 seconds East with a chord distance of 273.58 feet; thence South 4 degrees 29 minutes 10 seconds West along said centerline a distance of 542.68 feet to a PK nail; thence South 84 degrees 05 minutes 53 seconds West along said centerline a distance of 7.90 feet to a PK nail marking the end of the centerline description.

All bearings are True Bearings as determined by Solar Observation. All iron rods set are one half inch (1/2") steel rebars.

The Access Easement described above in both LESS & EXCEPT sections is a perpetual easement, running with the land, for the use and benefit of Frances McGonagill and Glenn Eagle, Inc. and the heirs, successors, assigns, guests, invitees and licensees of Frances McGonagill and Glenn Eagle, Inc. Glenn Eagle, Inc. has previously conveyed this non-exclusive Access

Easement to Frances McGonagill. Glenn Eagle, Inc. hereby reserves and retains for itself all rights to this easement.


TO HAVE AND TO HOLD unto the Grantees in fee simple absolute forever, the warranty hereof being subject only to the following:

- (1) Any mineral rights leased, granted or retained by prior owners.
- (2) Zoning ordinances of the City of Oxford and of Lafayette County,

Mississippi, and any other state, federal, or local land use regulations affecting the use, condition, or occupancy of the subject property.

WITNESS the execution hereof by the named Grantor on this, the 23 day of

December, 2015.



GLENN EAGLE, INC.
By: Frances L. McGonagill
Its: President

STATE OF MISSISSIPPI
COUNTY OF LAFAYETTE

THIS DAY personally appeared before me, the undersigned authority in and for the aforesaid County and State, the within named Frances McGonagill, who after being duly sworn, acknowledged that she is the President of Glenn Eagle, Inc., and that for and on behalf of said entity, and as its act and deed, she signed, executed and delivered the above and foregoing Warranty Deed on the day and date therein written, after first having been duly authorized so to do.

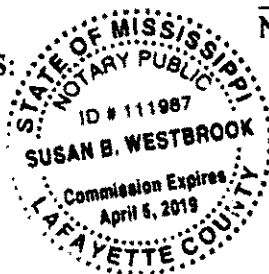
GIVEN under my hand and official seal on this, the 23 day of December, 2015.



NOTARY PUBLIC

MY COMMISSION EXPIRES:

7/5/2019



Attachment #3 Plat

