

141

**MINUTES OF OCTOBER 22, 2020
REGULAR MEETING
LONG BEACH PLANNING and DEVELOPMENT COMMISSION**

**AGENDA
OCTOBER 22, 2020
REGULAR MEETING OF THE PLANNING and DEVELOPMENT COMMISSION
CITY OF LONG BEACH, MISSISSIPPI
5:30 O'CLOCK P.M.
LONG BEACH CITY HALL
MEETING ROOM
201 JEFF DAVIS AVENUE**

I. CALL TO ORDER

II. ROLL CALL AND ESTABLISH QUORUM

III. PUBLIC HEARINGS

1. Variance- 205 Saint Charles Avenue, Tax Parcel 0612C-04-015.001, Submitted by Paul and Cynthia Darden.
2. Short-Term Rental- 215 East First Street, Tax Parcel 0612B-02-006.000, Submitted by Clifton and Michelle Cumberland.

IV. ANNOUNCEMENTS

V. APPROVE MINUTES

1. October 8, 2020

VI. UNFINISHED BUSINESS

1. Revitalization of Nonconforming Properties
2. Tree Ordinances 364, 490 and 491

VII. NEW BUSINESS

1. Tree Removal (1 Southern Magnolia)- 109 Marcie Drive, Tax Parcel 0512H-03-018.000, Submitted by Mack B Miller and Carole Miller.
2. Tree Removal (1 Southern Magnolia)- 122 Kuyrkendall Place, Tax Parcel 0611L-02-094.000, Submitted by Lois Garnett.
3. Certificate of Resubdivision- 115 and 117 East 4th Street, Tax Parcels 0612B-03-047.000 and 0612B-03-048.000, Submitted by James O. Wood, III.
4. Sketch Approval- 20012 Pineville Road, Tax Parcel 0511I-01-041.000, Submitted by Reginald Johnson ETAL (owner) and Heinrich and Associates (agent).

VIII. DEVELOPMENT & RESEARCH

IX. ADJOURN

*****NOTES*****

**All decisions made at this meeting are subject to a ten (10) day appeal for a Public Hearing and/or the Mayor and Board of Aldermen approval on November 3, 2020.

**The agenda for the Planning Commission meeting closes at 12:00 O'Clock (noon), and/or in accordance with applicable ordinances, the Thursday prior to the meeting day.

Commissioner Husband read the Opening Statement for the Planning and Development Commission.

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Be it remembered that two (2) Public Hearings were heard before the Long Beach Planning and Development Commission, Long Beach, Mississippi, and begun at 5:30 o'clock p.m., Thursday, the 8TH day of October 2020, in said City, and the same being the time, date and place fixed for holding said Public Hearings.

There were present and in attendance on said Commission and at the Public Hearings the following named persons: Vice Chairman Jeff Hansen, Commissioners Shawn Barlow, Larry Ward, Kevin McKenzie, Junior Husband, Marcia Kruse, Building Official Mike Gundlach and Minutes Clerk Tina M. Dahl.

Absent the Public Hearing were Chairman Frank Olaivar, Commissioners Mark McMillan, Eddie Seal, and City Consultant Bill Hessell.

There being a quorum present and sufficient to transact the business of the Public Hearings, the following proceedings were had and done.

Due to a delay in publication deadlines, the public hearings are rescheduled for November 12, 2020.

Be it remembered that a Regular Meeting before the Long Beach Planning and Development Commission, Long Beach, Mississippi, was begun at 5:30 o'clock p.m., Thursday, the 8th day of October 2020, in the Long Beach City Hall Meeting Room, 201 Jeff Davis Avenue, in said City, and the same being the time, date and place fixed for holding said Regular Meeting.

There were present and in attendance on said Commission and at the meeting the following named persons: Vice Chairman Jeff Hansen, Commissioners Shawn Barlow, Larry Ward, Kevin McKenzie, Junior Husband, Marcia Kruse, Building Official Mike Gundlach and Minutes Clerk Tina M. Dahl.

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Absent the Regular Meeting were Chairman Frank Olaivar, Commissioners Mark McMillan, Eddie Seal, and City Consultant Bill Hessel.

There being a quorum present and sufficient to transact the business of this regular meeting, the following proceedings were had and done.

It came for discussion the resignation letter from Commissioner William Eddie Seal, as follows:

October 22, 2020

William E. Seal
PO Box 756
Long Beach, MS 39560

Mayor Bass, Board of Aldermen, and Planning Commissioners,

I hereby resign from the Long Beach Planning and Development Commission as of today. I have enjoyed my time serving and will continue to promote development in the City of Long Beach.

Sincerely,



William E. Seal
Commissioner, Ward 3

After discussion, Commissioner Ward made motion, seconded by Commissioner Husband and unanimously carried to accept the resignation letter as submitted.

Commissioner Husband made motion, seconded by Commissioner McKenzie and unanimously carried to approve the Regular Meeting minutes of October 8, 2020, as submitted.

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It came on for discussion under Unfinished Business, the Revitalization of Nonconforming Properties, as follows:

Due to the absence of City Consultant Bill Hessell, no action was taken.

It came for discussion under Unfinished Business, Tree Ordinances 364, 490 and 491, as follows:

The following are proposed changes in Ordinance 364 City of Long Beach Tree Ordinance.

Page 1 Section 3. Definitions

"Magnolia Tree" shall mean a Southern Magnolia (Magnolia Grandiflora)

"Planning Commission" shall mean the Planning and Development Commission of the City.

"Tree Board" shall mean board established by Governing Body to evaluate Tree Removal Applications and submit their recommendations to the Planning and Development Commission, Applications should be reviewed by at least two Tree Board Members and their evaluation should be based on Section 6 (a) through (m) of this Ordinance.

Page 5 Section 7 ADD (3)

NEW Developments bringing significant benefits to the City may request a waiver of the Fee per tree to be removed

Page 5 Section REMOVE "SHALL" and insert

shall may suspend or

Attached document highlights.

Green: New proposed changes

Yellow: name update for Planning Commission

Purple: Consolidation updates for amendments

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ORDINANCE 364: CONSOLIDATED with Ordinance No. 490 and 491

ORDINANCE 364

Typo
AN ORDINANCE BY THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF LONG BEACH, MISSISSIPPI, REGULATING THE PLANING AND REMOVAL OF STREET TREES AND TREES ON PRIVATE PROPERTY WITHN SAID CITY, REQUIRING A PERMIT FOR THE REMOVAL OF CERTAIN TREES FROM PRIVAGE PROPERTY, PROVIDING FOR THE PROTECTION OF TREES FROM ABUSE AND MUTILATION, PROVIDING FOR PENALITIES FOR ANY VIOLATION OF ANY PROVISION OF THIS ORDINANCE, AND FOR RELATED PURPOSES. *Typo*

BE IT ORDAINED BY THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF LONG BEACH, MISSSSIPPI, AS FOLLOWS:

SECTION 1. Short Title

This Ordinance shall be known, and may be cited, as "The Tree Preservation and Protection Ordinance of the City of Long Beach, Mississippi.

Section 2. Intent and purpose

The intent and purpose of this Ordinance is, through the preservation and planting of trees and removal thereof, to: aid in the stabilization of soil by the prevention of erosion and sedimentation; reduce storm water runoff and the costs associated therewith and replenish ground water supplies; aid in the removal of carbon dioxide and generation of oxygen in the atmosphere; provide a buffer and screen against noise pollution; provide protection against sever weather; aid in the control of drainage and restoration of denuded soil subsequent to-construction or grading; provide a haven for birds which in turn assist in the control of insects; protect and increase property values; conserve and enhance the City's physical and aesthetic environment; and generally protect and enhance the quality of life and the general welfare of the City.

Section 3. Definitions

- (a) In addition to any words and terms or phrases elsewhere defined herein, the following words, terms and phrases shall have the following meanings, unless some other meaning is plainly intended

"Caliper" shall mean the diameter of any tree trunk six (6) inches above ground level.

"City" shall mean the City of Long Beach, Mississippi.

"Governing Body" shall mean the Mayor and Board of Aldermen of the city of Long Beach Mississippi.

"Mayor" shall mean the Mayor of the City,

"Building Official" shall mean the building Official of the City

"Magnolia Tree" shall mean a Southern Magnolia (Magnolia Grandiflora)

"Person" shall mean an individual, partnership, corporation, society, trust or any unincorporated organization, association, or other combination of individuals whether legal or natural , and any agency, department or subdivision of the City.

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"Planning Commission" shall mean the Planning and Development Commission of the City.

"Public Works Department" shall mean the Public Works Department of the City'

"Removal " shall mean the ultimate destruction or removal of any shrub, or tree through cutting, land fill, drainage, poison, fire, explosion, damaging , or any other direct or indirect action resulting in the death of such, shrubs, tree or trees.

"Street tree" or "street shrub" shall mean any tree or shrub in a public place.

"Tree Board" shall mean board established by Governing Body to evaluate Tree Removal Applications and submit their recommendations to the Planning and Development Commission, Applications should be reviewed by at least two Tree Board Members and their evaluation should be based on Section 6 (a) through (m) of this Ordinance.

"Tree Worthy of Preservation" Shall mean any tree which can reasonable be determined by the Planning and Development Commission of the City to have a remaining life span equal to or greater than that of a proposed structure included in a site plan or subdivision plat, or any tree which is unique by reason of age, size, rarity or status as a landmark or species specimen, or other outstanding quality.

SECTION 4. STREET TREES/STREET SHRUBS—JURISDICTION.

- (a) "The Planning and Development Commission" subject to the approval of the Governing Body of the City, shall have exclusive jurisdiction and supervision over all trees, shrubs and grassy areas planted or growing in public places. The Public Works Department of the City, with the direction of the Planning and Development Commission, shall have the duty to plant, trim, spray, treat, preserve, remove trees, shrubs and grassy areas in public places to insure safety or preserve the symmetry and beauty of such public places
- (b) It shall be unlawful for any person to hinder, prevent, delay or interfere with the Planning and Development Commission , the Public Works Department, of any agent or employee thereof,, in the exercise of the powers and duties in the carrying out of the provisions hereof. This section shall not be construed to prohibit the pursuit of any legal or equitable remedy in a court of competent jurisdiction for the protection of personal or property rights by any property owner in the City of Long Beach, Mississippi.
- (c)
- (d) There is excluded from the provisions of this section, public places in the median of U,S, Highway 90 within jurisdiction of the Harrison County Park Commission
- (e) All action of the Planning and Development Commission and/or the Public Works Department in carrying out the provision of this Section are subject to the prior approval of the Governing Body of the City which may provide for such actions, in the discretion, to be carried out by contract with private persons.

Remove

SECTION 5. PERMIT REQUIRED FOR REMOVAL OF TREE FROM PRIVATE POROPERTY.

- (a) It shall be unlawful for any person to remove or cause or assist in the removal of any live Oak or Magnolia tree within the City of Long Beach, Mississippi, without first having obtained a valid tree removal permit. For the purpose of this Section, a tree is any self-supporting Live Oak or Magnolia tree with its root system, growing upon the earth usually with one trunk or at least eighteen (18) inches in

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circumference or larger, measured four and one-half (4 ½) feet above the surface of the ground, or a multi-stemmed trunk system with a definitely formed crown.

(b) Any person desiring a permit for removal of any Live Oak or Magnolia tree as required by this Ordinance, shall submit a written application together with a filing fee of \$25.00 (Amended Ordinance No, 490 October 21, 2003) per parcel of land to which such application pertains. The application, together with the filing fee, shall be submitted to the Zoning Enforcement Officer of the City, and shall include the following information:

- (1) Name and address of the applicant and status of legal entity
- (2) Status of applicant with respect to the land upon which such tree or tree is or are located
- (3) Written consent of the owner and mortgagee of the land if the applicant is not the owner
- (4) Map or diagram of the parcel of land, specifically designating the area or areas of proposed tree removal and the proposed use of such area
- (5) Name address of the person preparing any map, drawing or diagram submitted with the application
- (6) Location of the property, including a street number and address and lot number as shown on the official assessor's map of the City
- (7) A true copy of the deed or other muniment of title evidencing ownership of the subject property
- (8) Location of all Protected and large shade trees on the property, their size and species (updated by Planning and Development Commission during _____ meeting)
- (9) Designation of all disease and/or damaged trees
- (10) Designation of any trees endangering any roadway, pavement, or utility line
- (11) Any proposed grade changes that might adversely affect or endanger any trees on the site and specifications of how to maintain them
- (12) Designation of trees to be removed and trees to be maintained
- (13) Purpose of tree removal (construction, street or roadway, recreational area, patio, parking lot, diseased tree not worthy of preservation, etc.)
- (14) Location of existing and/or proposed structures
- (15) A statement of the applicant that no person, not a party to the application, has any interest in the title in or to the property

(c) The Zoning Enforcement officer, in addition may require the applicant to furnish, and the applicant shall thereupon supply any of the following documentation

- (1) A site plan specifying the methods to be used to preserve all remaining trees and their root system and the means of providing water and nutrient in their root systems
- (2) A topographical survey of the land if development, construction, or subdivision will result in change in elevation, or if the land is more than one acre in area
- (3) Plat or survey of the land drawn to scale by registered land surveyor or professional engineer
- (4) Location of all existing and proposed utilities
- (5) Grading and drainage requirements
- (6) The extent, description and time frame which will be used by the applicant and/or owner to replenish the flora of occasioned by the removal of any Live Oak and/or Magnolia trees
- (7) Location and description of all existing or proposed structures, improvements and site uses, properly dimensioned and referenced to property lines, drawn to scale"

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ION 6. PLANNING AND DEVELOPMENT COMMISSION REVIEW OF PERMIT APPLICATION.

The Zoning Enforcement Officer shall refer the application for tree removal permit and supporting documents to the Planning and Development Commission of the City for review and determination whether the permit should be granted and appropriate recommendation to the Governing Body of the City for final action. In determining whether a Tree Removal Permit should be granted and making its recommendation to the Governing Body of the City, the Planning and Development Commission shall consider the following:

- (a) The condition of the tree or trees proposed to be removed with respect to disease, insect attack, danger of falling, proximity to existing or proposed structures and interference with utility services.
- (b) The necessity of removing the tree or trees in order to construct the proposed improvements or structures to all reasonable economic use of the property.
- (c) The effect of removal on erosion, soil moisture retention, flow of surface waters and coordination with the drainage system plan of the City of Long Beach, Mississippi.
- (d) The number and density of trees in the area and the effect of tree removal on property values of the neighborhood and other existing vegetation.
- (e) Whether any tree proposed to be removed is worthy of preservation.
- (f) Impact upon the urban and natural environment, including:
 - (1) Whether tree removal would substantially alter the water table or affect the stability of ground and surface water.
 - (2) Whether tree removal would affect water quality and aquifer recharge by reducing the natural assimilation of nutrients, chemical pollutants, heavy metals and other substances from ground and surface waters during the movement of water towards an aquifer or natural stream.
 - (3) Whether tree removal would have an adverse impact upon existing biological and ecological systems.
 - (4) Whether tree removal would affect noise pollution by increasing sound noise levels to such a degree that a public nuisance or violation of noise control would occur.
 - (5) Whether tree removal will affect air movement by significantly reducing the ability of existing vegetation to reduce wind velocities.
 - (6) Whether tree removal will affect air quality by significantly affecting the natural cleansing of the atmosphere by vegetation.
 - (7) Whether tree removal will affect wildlife habitat by significantly reducing the habitat available for wildlife existence and reproduction or causing the emigration of wildlife from adjacent or associated ecosystems.
- (g) The ease with which the applicant can alter or revise the proposed development of improvement to accommodate existing trees.
- (h) The economic hardship that would be imposed upon the applicant were the permit denied.
- (i) The heightened desirability of preserving tree cover in densely developed or densely populated areas.
- (j) The need for visual screening in transitional zones or relief from glare, blight, commercial or industrial ugliness or any other visual affront.
- (k) Whether the continued presence of the tree or trees is likely to cause danger to a person or property.
- (l) Whether the topography of the area in which the tree or trees is located is of such a nature to be damaging or injurious to trees.
- (m) Whether the removal of the trees is for the purpose of thinning a heavily wooded area where some trees will remain.
- (n) These provisions shall not apply to:
 - (a) The removal of trees from commercial or horticultural properties such as farms, nurseries, or commercial forests. This exception shall not be interpreted to include lumber harvesting incidental to imminent development or public rights-of-ways.
 - (b) The removal of trees on public rights-of-ways conducted by or on behalf of a Federal, State, County, Municipal, or other governmental agency in pursuance of its lawful activities or functions in the construction

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or improvement of public right-of-ways.

(c) The removal of a tree which has become or that threatens to become a danger to human life or property.

(o) In submitting its recommendations to the Governing Body of the City, the Planning and Development Commission shall state its reasons for either a recommendation for granting or denying the application for the Tree Removal Permit.

SECTION 2 Section 7 of said Ordinance No 364 of the City of Long Beach, Mississippi, be and is hereby amended to read as follows:

SECTION 7. FINAL APPROVAL OF GOVERNING BODY REQUIRED FOR TREE REMOVAL PERMIT

- TYPE
- (a) And its next regular meeting following the receipt of the recommendations of the Planning and Development Commission concerning an application for Tree Removal permit, or at such meeting to which the same may be recessed or adjourned, the Mayor and the Governing Body of the City shall take final action in granting or denying the application for Tree Removal Permit. The underlying facts and circumstances for granting or denying the application shall be spread upon the minutes of the Mayor and Governing Body. Any person feeling aggrieved at the finding and decisions of the Mayor and Governing Body of the City shall have the right to appeal by bill of exceptions to the Circuit Court in and for the First Judicial District of Harrison County, Mississippi, in the manner provided by the Laws of the State of Mississippi.
- (b) And a condition of granting the Tree Removal Permit, the City, acting by and through its Mayor and Board of Aldermen, may require the applicant to relocate or replace trees, but may not require the replacement of trees in a number greater than the number of live oak or Magnolia trees removed; trees to be of Four (4) inches caliper deciduous trees or five (5) feet in height of evergreen or Live Oak or Magnolia trees
- (c) Upon issuance of a Tree Removal Permit, the permit fees will be as follows: (As amended Ordinance No, 491 March 18 2004)
- (1) For Removal of a tree or trees where such removal of such tree or trees is necessitated by material damage cause by such tree or trees to permanent improvements or improvements on the parcel where such tree or trees are situated a fee of \$1.00 per tree permitted to be removed.
 - (2) For Removal of all other trees, a fee of \$45.00 per tree permitted to be removed"
 - (3) NEW Developments bringing significant benefits to the City may request a waiver of the Fee per tree to be removed.

SECTION 8. REMOVAL OF TREE, PENALTIES.

- (a) Any person removing any Live oak or Magnolia tree within the City of Long Beach, Mississippi, without a valid Tree Removal Permit, shall be guilty of a misdemeanor; and upon conviction thereof shall be sentence to pay a fine of not less than \$500.00 nor more than \$ 1,000.00. The removal of each tree without having first secured a valid Tree Removal Permit shall constitute a separate offense and shall be punishable as such.
- (b) If any person shall remove any Live Oak or Magnolia tree from any property within the City of Long Beach, Mississippi, without first having obtained a valid Tree Removal Permit, and have any permit granted for the construction, remodeling or demolition of any building, improvement or structure on such property or for the subdivision of such property, such person shall be in violation of the provisions of this Ordinance; and upon such finding of such violation of this Ordinance, the Governing Body of the City shall may suspend or revoke such permit for construction, remodeling or demolition of any building, improvement or structure on such property or for the subdivision of such property, such person so violating the provisions of this

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ordinance shall not be granted any new permit for the, remodeling or demolition of any building, improvement or structure on such property or for the subdivision of such property or for the subdivision of such property for a period of not less than six (6) months nor more than nine (9) months from the date of such revocation of such permit. This penalty is in addition to the penalties set forth in subsection (a) of this section above.

SECTION 9. Headings catch phrases.

The headings and catch phrases of each section of this Ordinance or for easy reference and research and shall not be construed to affect the meaning of any of such sections.

SECTION 10. EMERGENCIES.

In the event of emergencies involving, but not limited to, hurricanes, windstorms, floods, freezes or other civil disasters, the requirements of this Ordinance may be temporarily waived or suspended by proclamation of the Mayor of the City of Long Beach, Mississippi, filed with the City Clerk or said City.

SECTION 11. SEPARABILITY.

If any section, subsection, sentence, clause or phrase of this Ordinance, or the application thereof to any person or circumstance, shall be held invalid, or unconstitutional, by any court of competent jurisdiction, such holding of invalidity or unconstitutionality shall not affect the remaining provisions or the applications of this ordinance which can be given effect without the invalid or unconstitutional provision or application; and to that end, the provisions of this ordinance, and each section, subsection, sentence, clause or phrase are here by declared to be severable.

SECTION 12. EFFECTIVE DATES AS FOLLOWS:

Ordinance No. 364 The Tree Preservation and Protection Ordinance of the City of Long Beach, Mississippi.
Adopted October 21, 1986

Ordinance No. 490 Amending: Ordinance 364 on October 21 2003

Section 5. (b) updated application fee to \$25.00

Section 7. (c) Added (c) Tree Removal Permit fee of \$45.00 per tree to be removed

Ordinance No. 491 Amending: Ordinance No. 364 February 17, 2004

Section 7. (c) Adding Tree Removal (1) Permit fee of \$1.00 for trees damaging or threatening property and (2) \$45.00 per tree for all other trees to be removed

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The following are proposed changes in Ordinance 364 City of Long Beach Tree Ordinance.

Page 1 Section 3. Definitions

"Magnolia Tree" shall mean a Southern Magnolia (Magnolia Grandiflora)

"Planning Commission" shall mean the Planning and Development Commission of the City.

"Tree Board" shall mean board established by Governing Body to evaluate Tree Removal Applications and submit their recommendations to the Planning and Development Commission, Applications should be reviewed by at least two Tree Board Members and their evaluation should be based on Section 6 (a) through (m) of this Ordinance.

Page 2 Section 4 (d) subject to prior approval remove Prior

Page 5 Section 7 ADD (3)

NEW Developments bringing significant benefits to the City may request a waiver of the Fee per tree to be removed.

Page 5 Section REMOVE "SHALL" and insert

shall may suspend or

typos corrected:

Page 1

PROPERTY to **PROPERTY** **PLANING** to **PLANTING**

Page 5 SECTION 7 (a) appeal by bill ~~o6f~~ to of

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ORDINANCE 364: CONSOLIDATED with Ordinance No. 490 and 491

ORDINANCE 364

AN ORDINANCE BY THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF LONG BEACH, MISSISSIPPI, REGULATING THE PLANING AND REMOVAL OF STREET TREES AND TREES ON PRIVATE PROPERTY WITHN SAID CITY, REQUIRING A PERMIT FOR THE REMOVAL OF CERTAIN TREES FROM PRIVAGE PROPERTY, PROVIDING FOR THE PROTECTION OF TREES FROM ABUSE AND MUTILATION, PROVIDING FOR PENALTIES FOR ANY VIOLATION OF ANY PROVISION OF THIS ORDINANCE, AND FOR RELATED PURPOSES.

BE IT ORDAINED BY THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF LONG BEACH, MISSSSIPPI, AS FOLLOWS:

SECTION 1. Short Title

This Ordinance shall be known, and may be cited, as "The Tree Preservation and Protection Ordinance of the City of Long Beach, Mississippi.

Section 2. Intent and purpose

The intent and purpose of this Ordinance is, through the preservation and planting of trees and removal thereof, to: aid in the stabilization of soil by the prevention of erosion and sedimentation; reduce storm water runoff and the costs associated therewith and replenish ground water supplies; aid in the removal of carbon dioxide and generation of oxygen in the atmosphere; provide a buffer and screen against noise pollution; provide protection against sever weather; aid in the control of drainage and restoration of denuded soil subsequent to-construction or grading; provide a haven for birds which in turn assist in the control of insects; protect and increase property values; conserve and enhance the City's physical and aesthetic environment; and generally protect and enhance the quality of life and the general welfare of the City.

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"Governing Body" shall mean the Mayor and Board of Aldermen of the city of Long Beach Mississippi.

"Mayor" shall mean the Mayor of the City,

"Building Official" shall mean the building Official of the City

"Magnolia Tree" shall mean a Southern Magnolia (Magnolia Grandiflora)

"Person" shall mean an individual, partnership, corporation, society, trust or any unincorporated organization, association, or other combination of individuals whether legal or natural , and any agency, department or subdivision of the City.

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"Removal " shall mean the ultimate destruction or removal of any shrub, or tree through cutting, land fill, drainage, poison, fire, explosion, damaging , or any other direct or indirect action resulting in the death of such, shrubs, tree or trees.

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SECTION 4. STREET TREES/STREET SHRUBS—JURISDICTION.

- (a) "The Planning and Development Commission" subject to the approval of the Governing Body of the City, shall have exclusive jurisdiction and supervision over all trees, shrubs and grassy areas planted or growing in public places. The Public Works Department of the City, with the direction of the Planning and Development Commission, shall have the duty to plant, trim, spray, treat, preserve, remove trees, shrubs and grassy areas in public places to insure safety or preserve the symmetry and beauty of such public places
- (b) It shall be unlawful for any person to hinder, prevent, delay or interfere with the Planning and Development Commission , the Public Works Department, of any agent or employee thereof,, in the exercise of the powers and duties in the carrying out of the provisions hereof. This section shall not be construed to prohibit the pursuit of any legal or equitable remedy in a court of competent jurisdiction for the protection of personal or property rights by any property owner in the City of Long Beach, Mississippi.
- (c) There is excluded from the provisions of this section, public places in the median of U,S, Highway 90 within jurisdiction of the Harrison County Park Commission
- (d) All action of the Planning and Development Commission and/or the Public Works Department in carrying out the provision of this Section are subject to the prior approval of the Governing Body of the City which may provide for such actions, in the discretion, to be carried out by contract with private persons.

SECTION 5. PERMIT REQUIRED FOR REMOVAL OF TREE FROM PRIVATE POROPERTY.

- (a) It shall be unlawful for any person to remove or cause or assist in the removal of any live Oak or Magnolia tree within the City of Long Beach, Mississippi, without first having obtained a valid tree removal permit. For the purpose of this Section, a tree is any self-supporting Live Oak or Magnolia tree with its root system, growing upon the earth usually with one trunk or at least eighteen (18) inches in

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circumference or larger, measured four and one-half (4 ½) feet above the surface of the ground, or a multi-stemmed trunk system with a definitely formed crown.

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 - (5) Name address of the person preparing any map, drawing or diagram submitted with the application
 - (6) Location of the property, including a street number and address and lot number as shown on the official assessor's map of the City
 - (7) A true copy of the deed or other muniment of title evidencing ownership of the subject property
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 - (10) Designation of any trees endangering any roadway, pavement, or utility line
 - (11) Any proposed grade changes that might adversely affect or endanger any trees on the site and specifications of how to maintain them
 - (12) Designation of trees to be removed and trees to be maintained
 - (13) Purpose of tree removal (construction, street or roadway, recreational area, patio, parking lot, diseased tree not worthy of preservation, etc.)
 - (14) Location of existing and/or proposed structures
 - (15) A statement of the applicant that no person, not a party to the application, has any interest in the title in or to the property
- (c) The Zoning Enforcement officer, in addition may require the applicant to furnish, and the applicant shall thereupon supply any of the following documentation
- (1) A site plan specifying the methods to be used to preserve all remaining trees and their root system and the means of providing water and nutrient in their root systems
 - (2) A topographical survey of the land if development, construction, or subdivision will result in change in elevation, or if the land is more than one acre in area
 - (3) Plat or survey of the land drawn to scale by registered land surveyor or professional engineer
 - (4) Location of all existing and proposed utilities
 - (5) Grading and drainage requirements
 - (6) The extent, description and time frame which will be used by the applicant and/or owner to replenish the flora of occasioned by the removal of any Live Oak and/or Magnolia trees
 - (7) Location and description of all existing or proposed structures, improvements and site uses, properly dimensioned and referenced to property lines, drawn to scale"

**MINUTES OF OCTOBER 22, 2020
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LONG BEACH PLANNING and DEVELOPMENT COMMISSION

SECTION 6. PLANNING AND DEVELOPMENT COMMISSION REVIEW OF PERMIT APPLICATION.

The Zoning Enforcement Officer shall refer the application for tree removal permit and supporting documents to the Planning and Development Commission of the City for review and determination whether the permit should be granted or denied and appropriate recommendation to the Governing Body of the City for final action. In determining whether or not a Tree Removal Permit should be granted and making its recommendation to the Governing Body of the City, the Planning and Development Commission shall consider the following:

- (a) The condition of the tree or trees proposed to be removed with respect to disease, insect attack, danger of falling, proximity to existing or proposed structures and interference with utility services.
- (b) The necessity of removing the tree or trees in order to construct the proposed improvements or structures to all reasonable economic use of the property.
- (c) The effect of removal on erosion, soil moisture retention, flow of surface waters and coordination with the drainage system plan of the City of Long Beach, Mississippi.
- (d) The number and density of trees in the area and the effect of tree removal on property values of the neighborhood and other existing vegetation.
- (e) Whether any tree proposed to be removed is worthy of preservation.
- (f) Impact upon the urban and natural environment, including:
 - (1) Whether tree removal would substantially alter the water table or affect the stability of ground and surface water.
 - (2) Whether tree removal would affect water quality and aquifer recharge by reducing the natural assimilation of nutrients, chemical pollutants, heavy metals and other substances from ground and surface waters during the movement of water towards an aquifer or natural stream.
 - (3) Whether tree removal would have an adverse impact upon existing biological and ecological systems.
 - (4) Whether tree removal would affect noise pollution by increasing sounds noise levels to such a degree that a public nuisance or violation of noise control would occur.
 - (5) Whether tree removal will affect air movement by significantly reducing the ability of existing vegetation to reduce wind velocities.
 - (6) Whether tree removal will affect air quality by significantly affecting the natural cleansing of the atmosphere by vegetation.
 - (7) Whether tree removal will affect wildlife habitat by significantly reducing the habitat available for wildlife existence and reproduction or causing the emigration of wildlife from adjacent or associated eco-systems.
- (g) The ease with which the applicant can alter or revise the proposed development of improvement to accommodate existing trees.
- (h) The economic hardship that would be imposed upon the applicant were the permit denied.
- (i) The heightened desirability of preserving tree cover in densely developed or densely populated areas.
- (j) The need for visual screening in transitional zones or relief from glare, blight, commercial or industrial ugliness or any other visual affront.
- (k) Whether the continued presence off the tree or trees is likely to cause danger to a person or property.
- (l) Whether the topography of the area in which the tree or trees is located is of such a nature to be damaging or injurious to trees.
- (m) Whether the removal of the trees is for the purpose of thinning a heavily wooded area where some trees will remain.
- (n) These provisions shall not apply to:
 - (a) The removal of trees from commercial or horticultural properties such as farms, nurseries, or commercial forests. This exception shall not be interpreted to include lumber harvesting incidental to imminent development or public rights-of-ways.
 - (b) The removal of trees on public rights-of-ways conducted by or on behalf of a Federal, State, County, Municipal, or other governmental agency in pursuance of its lawful activities or functions in the construction

**MINUTES OF OCTOBER 22, 2020
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LONG BEACH PLANNING and DEVELOPMENT COMMISSION**

or improvement of public right-of-ways.

(c) The removal of a tree which has become or that threatens to become a danger to human life or property.

- (o) In submitting its recommendations to the Governing Body of the City, the Planning and Development Commission shall state its reasons for either a recommendation for granting or denying the application for the Tree Removal Permit.

SECTION 2 Section 7 of said Ordinance No 364 of the City of Long Beach, Mississippi, be and is hereby amended to read as follows:

SECTION 7. FINAL APPROVAL OF GOVERNING BODY REQUIRED FOR TREE REMOVAL PERMIT

- (a) And its next regular meeting following the receipt of the recommendations of the Planning and Development Commission concerning an application for Tree Removal permit, or at such meeting to which the same may be recessed or adjourned, the Mayor and the Governing Body of the City shall take final action in granting or denying the application for Tree Removal Permit. The underlying facts and circumstances for granting or denying the application shall be spread upon the minutes of the Mayor and Governing Body. Any person feeling aggrieved at the finding and decisions of the Mayor and Governing Body of the City shall have the right to appeal by bill of exceptions to the Circuit Court in and for the First Judicial District of Harrison County, Mississippi, in the manner provided by the Laws of the State of Mississippi.
- (b) And a condition of granting the Tree Removal Permit, the City, acting by and through its Mayor and Board of Aldermen, may require the applicant to relocate or replace trees, but may not require the replacement of trees in a number greater than the number of live oak or Magnolia trees removed; trees to be of Four (4) inches caliper deciduous trees or five (5) feet in height of evergreen or Live Oak or Magnolia trees
- (c) Upon issuance of a Tree Removal Permit, the permit fees will be as follows:
- (1) For Removal of a tree or trees where such removal of such tree or trees is necessitated by material damage cause by such tree or trees to permanent improvements or improvements on the parcel where such tree or trees are situated a fee of \$1.00 per tree permitted to be removed.
 - (2) For Removal of all other trees, a fee of \$45,00 per tree permitted to be removed"
 - (3) NEW Developments bringing significant benefits to the City may request a waiver of the Fee per tree to be removed.

SECTION 8. REMOVAL OF TREE, PENALTIES.

- (a) Any person removing any Live oak or Magnolia tree within the City of Long Beach, Mississippi, without a valid Tree Removal Permit, shall be guilty of a misdemeanor; and upon conviction thereof shall be sentence to pay a fine of not less than \$500.00 nor more than \$ 1,000.00. The removal of each tree without having first secured a valid Tree Removal Permit shall constitute a separate offense and shall be punishable as such.
- (b) If any person shall remove any Live Oak or Magnolia tree from any property within the City of Long Beach, Mississippi, without first having obtained a valid Tree Removal Permit, and have any permit granted for the construction, remodeling or demolition of any building, improvement or structure on such property or for the subdivision of such property, such person shall be in violation of the provisions of this Ordinance; and upon such finding of such violation of this Ordinance, the Governing Body of the City may suspend or revoke such permit for construction, remodeling or demolition of any building, improvement or structure on such property or for the subdivision of such property, such person so violating the provisions of this ordinance shall not be granted any new permit for the, remodeling or demolition of any building, improvement or structure on such property or for the subdivision of such property or for the subdivision of

LONG BEACH PLANNING and DEVELOPMENT COMMISSION

such property for a period of not less than six (6) months nor more than nine (9) months from the date of such revocation of such permit. This penalty is in addition to the penalties set forth in subsection (a) of this section above.

SECTION 9. Headings catch phrases.

The headings and catch phrases of each section of this Ordinance or for easy reference and research and shall not be construed to affect the meaning of any of such sections.

SECTION 10. EMERGENCIES.

In the event of emergencies involving, but not limited to, hurricanes, windstorms, floods, freezes or other civil disasters, the requirements of this Ordinance may be temporarily waived or suspended by proclamation of the Mayor of the City of Long Beach, Mississippi, filed with the City Clerk or said City.

SECTION 11. SEPARABILITY.

If any section, subsection, sentence, clause or phrase of this Ordinance, or the application thereof to any person or circumstance, shall be held invalid, or unconstitutional, by any court of competent jurisdiction, such holding of invalidity or unconstitutionality shall not affect the remaining provisions or the applications of this ordinance which can be given effect without the invalid or unconstitutional provision or application; and to that end, the provisions of this ordinance, and each section, subsection, sentence, clause or phrase are here by declared to be severable.

SECTION 12. EFFECTIVE DATES AS FOLLOWS:

Ordinance No. 364 The Tree Preservation and Protection Ordinance of the City of Long Beach, Mississippi.
Adopted October 21, 1986

Ordinance No. 490 Amending: Ordinance 364 on October 21 2003

Section 5. (b) updated application fee to \$25.00

Section 7. (c) Added (c) Tree Removal Permit fee of \$45.00 per tree to be removed

Ordinance No. 491 Amending: Ordinance No. 364 February 17, 2004

Section 7. (c) Adding Tree Removal (1) Permit fee of \$1.00 for trees damaging or threatening property and (2) \$45.00 per tree for all other trees to be removed

After considerable discussion, Commissioner Kruse made motion, seconded by Commissioner McKenzie and unanimously carried to approve the changes as submitted.

MINUTES OF OCTOBER 22, 2020
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It came for discussion under New Business, a Tree Removal for one (1) Southern Magnolia located at property 109 Marcie Drive, Tax Parcel 0512H-03-018.000, Submitted by Mack B. Miller and Carole Miller, as follows:



CITY OF LONG BEACH, MISSISSIPPI
201 Jeff Davis Avenue
P.O. Box 929
Long Beach, MS 39560
(228) 863-1554
(228) 863-1558 fax
APPLICATION FOR TREE PERMIT

OFFICE USE ONLY
Date Received 10-8-20
Zoning R-1
Agenda Date _____
Check Number Cash

(Initial on the line that you've read each)

MBM Routine trimming does not require a permit. The reason for pruning may include, but are not limited to, reducing risk, maintaining or improving tree health and structure, improving aesthetics, or satisfying a specific need. The City of Long Beach does recommend you obtain a licensed Arborist for your and the tree protection.

MBM Any single-family Residential, Multi-Family Residential, Commercial or Industrial Zoned areas need a permit to remove a Live Oak or Magnolia tree with its root system, growing upon the earth usually with one trunk or at least eighteen (18) inches in circumference or larger, measured four and one-half (4 1/2) feet above the surface of the ground, or a multi-stemmed trunk system with a definitely formed crown.

MBM Any person desiring a permit for removal of any Live Oak or Magnolia tree, shall submit this application and a filing fee of \$25.00 per parcel of land to which such application pertains.

TODAY'S DATE: OCT-8-20

PROPERTY INFORMATION

TAX PARCEL # 0512H-03-018-000
109 MARCIE DR
Address of Property Involved: LONG BEACH MS 39560-5714
Property owner name: MACCK B MILLER + CAROLE MILLER
Are you the legal owner of the above property? Yes No If No, written consent from the owner is needed. Please provide a statement that no person, not listed on this application, has any interest in the title in or to the property. 109 MARCIE DR
Property owner address: LONG BEACH MS 39560-5714
Phone No. (205) - 650-9614 OR 205-349-0938

CONTRACTOR OR APPLICANT INFORMATION

Company Name: OWNER WILL DO WORK
Phone No. 205-650-9614 or 205-349-0938 Fax: _____
Name MACCK B MILLER + CAROLE MILLER
Address 109 MARCIE DR
LONG BEACH MS 39560-5714

PERMIT INFORMATION

Permit for: Removal Trimming _____ Pruning _____

What is the reason the tree needs to be removed? Be specific ex. Construction, street or roadway, recreational area, patio, parking lot, diseased tree not worthy of preservation, etc.:
ROOTS ARE GROWING INTO FOUNDATION
of The House. TREE WAS PLANTED
To close To House By PREVIOUS
OWNER

Number of Trees:
_____ Live Oak Southern Magnolia

I hereby certify that I have read this application and that all information contained herein is true and correct; that I agree to comply with all applicable codes, ordinances and state laws regulation construction; that I am the owner or authorized to act as the owner's agent for the herein described work.

Mack B Miller OCT-8-20
Signature Date

ADDITIONAL INFORMATION REQUIRED FROM APPLICANT

(Initial on the line that you've read each)

MBM TREE SITE PLAN: Please provide a map or diagram of the parcel of land, specifically designating the area or areas of proposed tree removal and the proposed use of such area. Please include the following: 1) location of all protected and large shade trees on the property, their size and species 2) Designate which are disease/or damaged, 3) designate which are endangering any roadway, pavement, or utility line, 4) any proposed grade changes that might adversely affect or endanger any trees on the site and specify how to maintain them 5) designate the trees to be removed and the trees to be maintained, and 5) location of existing and/or proposed structures.

MBM PHOTOGRAPH: You must attach a photograph of the tree to be removed, the photo must show any damage the tree is causing.

MBM OWNERSHIP: Please provide a recorded warranty deed.

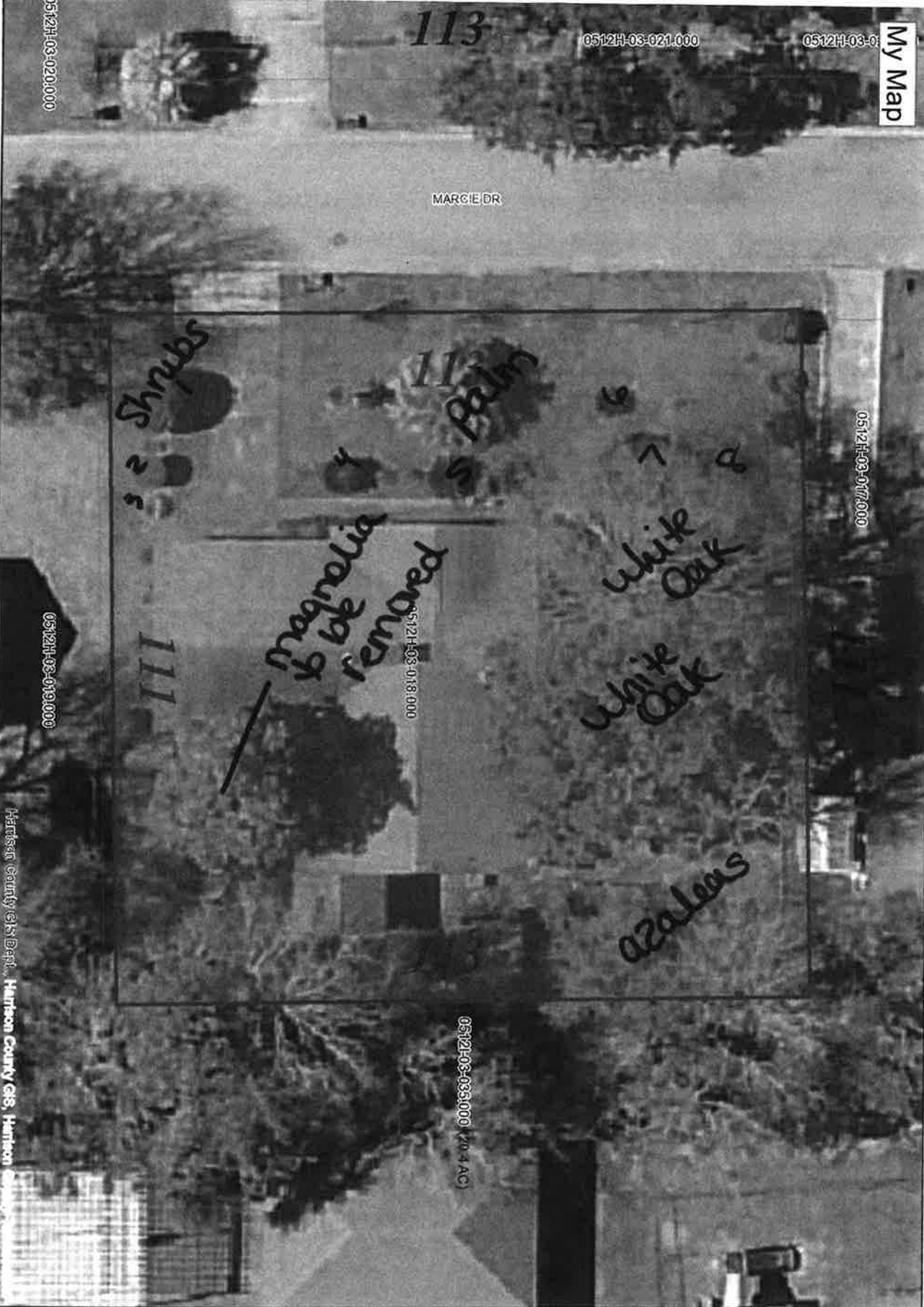
MBM PERMIT FEES: Upon issuance of a Tree Removal Permit, the permit fee will be as follows: For removal of a tree or trees where such removal of such tree or trees is necessitated by material damage caused by such tree or trees to permanent improvement or improvements on the parcel where such tree or trees are situated a fee of \$1.00 per tree permitted to be removed. For removal of all other trees, a fee of \$45.00 per tree permitted to be removed. As per City of Long Beach Tree Ordinance (#364) any person removing any Live Oak or Magnolia tree within the City of Long Beach, Mississippi, without a valid tree removal permit, shall be guilty of a misdemeanor; and upon conviction thereof shall be sentenced to pay a fine not less than \$500.00 nor more than \$1000.00. The removal of each tree without having first secured a valid tree removal permit shall constitute a separate offense and shall be punishable as such.

MBM REPLANTING: As a condition of granting the tree removal permit, the City, acting by and through its Mayor and Board of Aldermen, may require the applicant to relocate or replace trees, but may not require the replacement of trees in a number greater than the number of Live Oak or Magnolia trees removed; trees to be of Four (4) inches caliper deciduous trees or five (5) feet in height of evergreen or Live Oak or Magnolia trees.

MBM MEETING: You must attend the Planning Commission meeting, not attending may cause your permit for tree removal to be denied or withheld.

MINUTES OF OCTOBER 22, 2020
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LONG BEACH PLANNING and DEVELOPMENT COMMISSION



Date: 10/8/2020
Time: 1:23:16 PM

DISCLAIMER: THIS MAP IS FOR PROPERTY TAX ASSESSMENT PURPOSES ONLY. IT WAS CONSTRUCTED FROM PROPERTY INFORMATION RECORDED IN THE OFFICE OF THE REGISTER OF DEEDS AND IS NOT CONCLUSIVE AS TO LOCATION OF PROPERTY OR LEGAL OWNERSHIP.

1 inch = 24 feet



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**MINUTES OF OCTOBER 22, 2020
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LONG BEACH PLANNING and DEVELOPMENT COMMISSION**



This document prepared by:

ROBERT KALTENBACH
(Name)
SR/IOB MANAGER
(Title)
Assisted By: T&A REO, Inc.
2006 Walnut Street, 2nd Floor
Philadelphia, PA 19103
(215-496-9038)

When Recorded Return To:
Indocomm Global Services
2025 Country Drive
St. Paul, MN 55117

Acc and 71028784

SPECIAL WARRANTY DEED

HARRISON

MS-10-46100
315402631C 315402631

INDEX: Lot 5, Marcie Drive Sub., FJD, Long Beach, Harrison Co., MS

TITLE INSURANCE, Made on the 27 day of DECEMBER, 2010 by and between U.S. BANK, N.A. AS TRUSTEE, ON BEHALF OF THE REGISTERED HOLDERS OF THE HOME EQUITY PASS-THROUGH CERTIFICATES, SERIES 2002-1, by Attorney-in-Fact Owen Loan Servicing, L.L.C., whose address is 12001 Science Drive, Suite 110B, Orlando, FL 32826 herein called the Grantor, in consideration of FIFTY FIVE THOUSAND FIVE HUNDRED DOLLARS 00/100 (\$ 55,500.00) and other valuable consideration received from grantee, do hereby grant, bargain, sell, convey and confirm unto MACK B. MILLER and CAROLE MILLER, herein called the Grantee, whose address is 11269 MONTICELLO DR. DUNCANVILLE, AL 35456, Phone # 205-394-0219 and whose to mail future tax bills.

Phone # (407) 482-2980

WITNESSETH, that the said Grantor, and other valuable consideration the receipt of which is hereby acknowledged, does by these presents, Grant, Bargain, Sell and Convey unto the said Grantee, his/her/their heirs and assigns, all the following described real estate, situated in the County of HARRISON and State of Mississippi, to wit:

LOT 5 OF THE RESURVEY OF LOTS IN MARCIE DRIVE SUBDIVISION, CITY OF LONG BEACH, AS PER MAP OR PLAT THEREOF ON FILE AND OF RECORD IN THE OFFICE OF THE CHANCERY CLERK OF THE FIRST JUDICIAL DISTRICT OF HARRISON COUNTY, MISSISSIPPI IN PLAT BOOK 24 AT PAGE 25.

BEING the same premises by which J. Gary Massey as Trustee by deed dated 4/3/2009 and recorded 4/14/2009 in Harrison County in document number 2009-2490-D-J1 U. S. Bank, N.A. As Trustee, On Behalf of the Registered Holders of The Home Equity Pass-Through Certificates, Series 2002-1, in fee,

Parcel ID Number: 0512H-03-018.000

Commonly known as: 109 MARCIE DRIVE, LONG BEACH, MS 39560

SUBJECT TO covenants, conditions, easements, restrictions and reservations of record, if any.

TO HAVE AND TO HOLD THE SAME, Together with all and singular, the tenements, hereditaments and appurtenances, thereto belonging or in any wise appertaining, forever. And said grantor for their heirs, executors or administrators, does hereby covenant, promise and agree to and with said grantee, that at the delivery of these presents he/she/they are lawfully seized in his/her/their own right of an absolute

MINUTES OF OCTOBER 22, 2020
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and indefensible estate of inheritance, in fee simple, of and to all and singular the above granted and described premises, with the appurtenances, that the same are free, clear, discharged and unencumbered of and from all former and other grants, titles, charges, estates, judgments, taxes, assessments and encumbrances, of what nature or kind so ever: except as hereinbefore stated, and except for the lien of taxes, both general and special, not now due and payable.

AND that they will warrant and forever defend the same until the said grantee, his/her/their heirs and assigns, against said grantor, his/her/their heirs, and all and every person or persons whomsoever, lawfully claiming or to claim the same.

WORDS and phrases herein, including acknowledgement hereof, shall be construed as in the singular or plural number, and is masculine or feminine gender, according to the context.

IN WITNESS THEREOF, The said grantor has hereunto set his/her hand and seal the day and year above written.

Signed and Sealed in Our Presence U.S. BANK, N.A. AS TRUSTEE, ON BEHALF OF THE REGISTERED HOLDERS OF THE HOME EQUITY PASS-THROUGH CERTIFICATES, SERIES 2002-1 by Attorney-in-Fact Ocwen Loan Servicing, LLC



By: [Signature]
Its: Robert Kaltenbach, Senior Manager
Of Ocwen Loan Servicing, LLC, as attorney-in fact

STATE OF FLORIDA
COUNTY OF ORANGE

I certify that on this 27 day of December, 2010, before me, the subscriber, a Notary Public of the State aforesaid, personally appeared Robert Kaltenbach, Senior Manager Of Ocwen Loan Servicing, LLC as attorney in fact for U.S. BANK, N.A. AS TRUSTEE, ON BEHALF OF THE REGISTERED HOLDERS OF THE HOME EQUITY PASS-THROUGH CERTIFICATES, SERIES 2002-1, whose name is subscribed to the within instrument, and acknowledged the foregoing deed to be his/her act under the authority of the Grantor and also certify, under penalties of perjury, that he/she is duly authorized to execute same and that the consideration recited herein is true and correct.

My Commission Expires: July 5, 2014

[Signature]
Notary Public
Deborah L. Presley



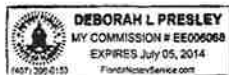
3

IN WITNESS WHEREOF, the undersigned has set forth their hand and seals the date hereinaforeforesaid.

U.S. Bank, N.A. as Trustee, on behalf of the registered holders of the Home Equity Pass-Through Certificates, Series 2002-1 by Ocwen Loan Servicing, LLC

Title: Robert Kaltenbach, Senior Manager

Sworn to and subscribed before me this 27 day of Dec. 20 10



[Signature]
Notary Public
Deborah L. Presley, Notary

Notary Seal

My commission Expires July 5, 2014



101852942
501 2/25/2011 77002784/2

Memo

To: City of Long Beach Planning Commission

From: Kimberly Lentz, member of Tree Board

Date: October 12, 2020

Re: Tree Removal Application 109 Marcie Drive

The Magnolia is situated about 5 feet from the house and the roots have been causing problems for years. Mr. Miller has tried to solve the problem by using a chainsaw to sever the roots and limit their growth, but the efforts have ultimately failed. Serious damage to the home will result if the tree is not removed.

The Tree Board believes the owners' request is reasonable and that the application should be approved.

After considerable discussion, and upon a City of Long Beach Tree Board Member's recommendation in accordance with the City of Long Beach Tree Ordinance, Commissioner McKenzie made motion, seconded by Commissioner Kruse and unanimously carried to approve the removal of the one (1) Southern Magnolia Tree, as submitted.

It came for discussion under New Business, a Tree Removal for one (1) Southern Magnolia located at property 122 Kuyrkendall Place, Tax Parcel 0611L-02-094.000, submitted by Lois Garnett, as follows:

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LONG BEACH PLANNING and DEVELOPMENT COMMISSION



CITY OF LONG BEACH, MISSISSIPPI
201 Jeff Davis Avenue
P.O. Box 929
Long Beach, MS 39560
(228) 863-1554
(228) 863-1558 fax

APPLICATION FOR TREE PERMIT

OFFICE USE ONLY
Date Received 10-14-20
Zoning R-1
Agenda Date 10-22-20
Check Number Cash

(Initial on the line that you've read each)

LSM Routine trimming does not require a permit. The reason for pruning may include, but are not limited to, reducing risk, maintaining or improving tree health and structure, improving aesthetics, or satisfying a specific need. The City of Long Beach does recommend you obtain a licensed Arborist for your and the tree protection.
LSM Any single-family Residential, Multi-Family Residential, Commercial or Industrial Zoned areas need a permit to remove a Live Oak or Magnolia tree with its root system, growing upon the earth usually with one trunk or at least eighteen (18) inches in circumference or larger, measured four and one-half (4 1/2) feet above the surface of the ground, or a multi-stemmed trunk system with a definitely formed crown.
LSM Any person desiring a permit for removal of any Live Oak or Magnolia tree, shall submit this application and a filing fee of \$25.00 per parcel of land to which such application pertains.

TODAY'S DATE: 10-8-20

PROPERTY INFORMATION

TAX PARCEL # 06116-02-094.000
Address of Property Involved: 122 Kuykendall Place
Property owner name: Lois Barnett
Are you the legal owner of the above property? Yes No If No, written consent from the owner is needed. Please provide a statement that no person, not listed on this application, has any interest in the title in or to the property.
Property owner address: 122 Kuykendall Place
Phone No. (228) 863-7906

CONTRACTOR OR APPLICANT INFORMATION

Company Name: Bob's Tree Service
Phone No. 601-528-0385 Fax: _____
Name: Robert Reeder
Address: 1446 W. McHenry Rd. McHenry MS

PERMIT INFORMATION

Permit for: Removal Trimming _____ Pruning _____
What is the reason the tree needs to be removed? Be specific ex. Construction, street or roadway, recreational area, patio, parking lot, diseased tree not worthy of preservation, etc.:
Tree HAS RAISED sidewalk and driveway BOTH driveway and sidewalk ARE CRACKED and tree is threatening THE HOUSE Foundation
(use separate sheet if needed)

Number of Trees:
____ Live Oak 1 Southern Magnolia

I hereby certify that I have read this application and that all information contained herein is true and correct; that I agree to comply with all applicable codes, ordinances and state laws regulation construction; that I am the owner or authorized to act as the owner's agent for the herein described work.

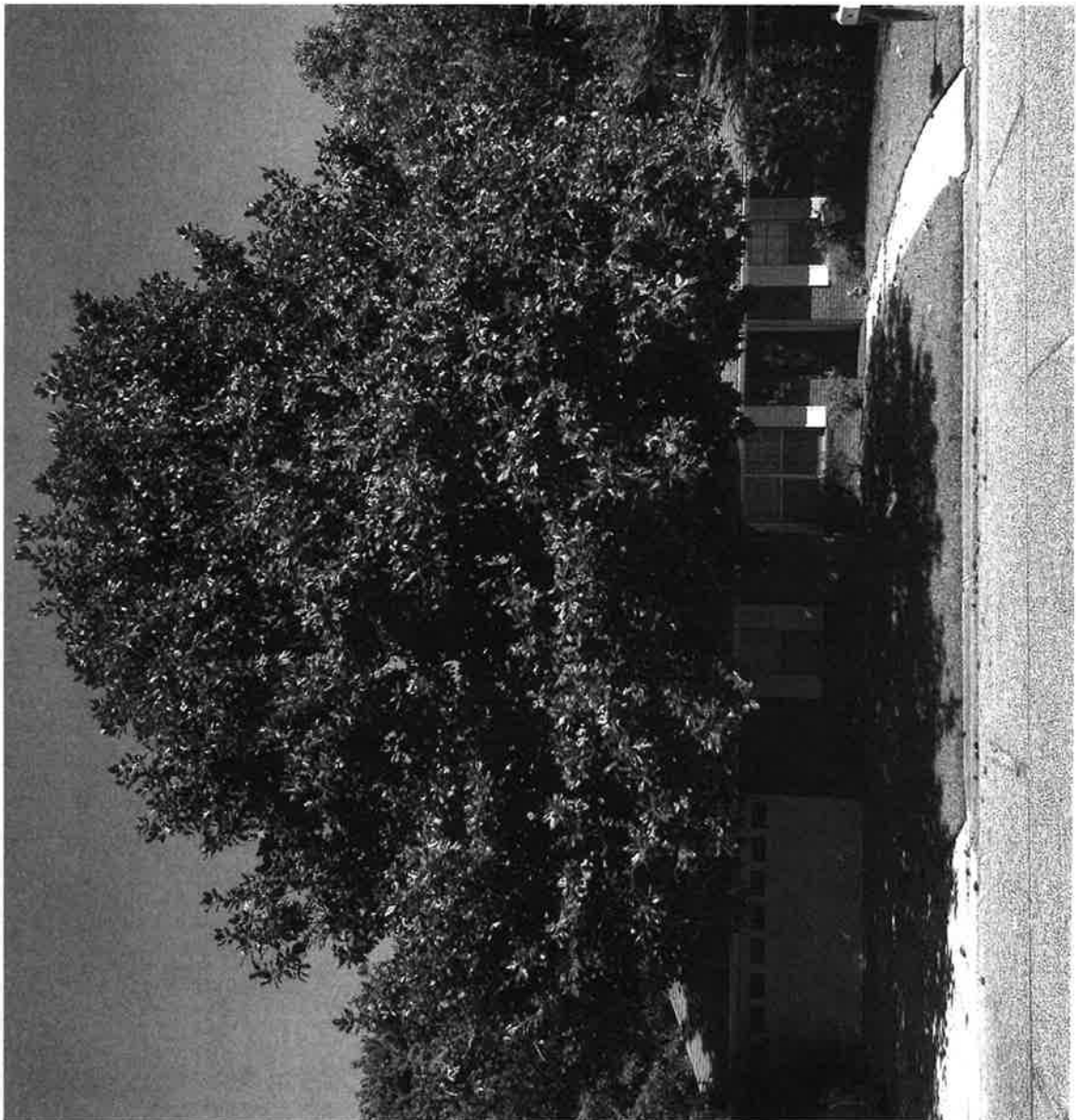
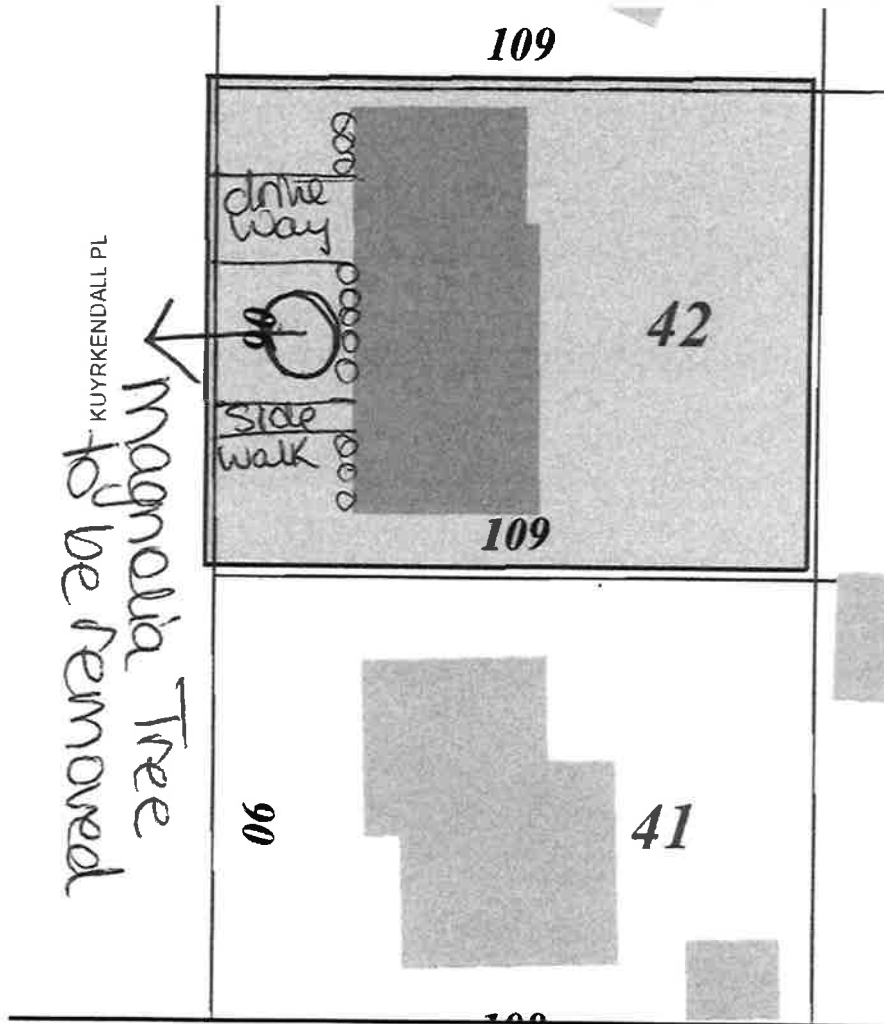
Robert Reeder Oct 2 - 2020
Signature Date

ADDITIONAL INFORMATION REQUIRED FROM APPLICANT

(Initial on the line that you've read each)

LSM TREE SITE PLAN: Please provide a map or diagram of the parcel of land, specifically designating the area or areas of proposed tree removal and the proposed use of such area. Please include the following: 1) location of all protected and large shade trees on the property, their size and species 2) Designate which are disease/or damaged, 3) designate which are endangering any roadway, pavement, or utility line, 4) any proposed grade changes that might adversely affect or endanger any trees on the site and specify how to maintain them 5) designate the trees to be removed and the trees to be maintained, and 5) location of existing and/or proposed structures.
LSM PHOTOGRAPH: You must attach a photograph of the tree to be removed, the photo must show any damage the tree is causing.
LSM OWNERSHIP: Please provide a recorded warranty deed.
LSM PERMIT FEES: Upon issuance of a Tree Removal Permit, the permit fee will be as follows: For removal of a tree or trees where such removal of such tree or trees is necessitated by material damage caused by such tree or trees to permanent improvement or improvements on the parcel where such tree or trees are situated a fee of \$1.00 per tree permitted to be removed. For removal of all other trees, a fee of \$45.00 per tree permitted to be removed. As per City of Long Beach Tree Ordinance (#364) any person removing any Live Oak or Magnolia tree within the City of Long Beach, Mississippi, without a valid tree removal permit, shall be guilty of a misdemeanor; and upon conviction thereof shall be sentenced to pay a fine not less than \$500.00 nor more than \$1000.00. The removal of each tree without having first secured a valid tree removal permit shall constitute a separate offense and shall be punishable as such.
LSM REPLANTING: As a condition of granting the tree removal permit, the City, acting by and through its Mayor and Board of Aldermen, may require the applicant to relocate or replace trees, but may not require the replacement of trees in a number greater than the number of Live Oak or Magnolia trees removed; trees to be of Four (4) inches caliper deciduous trees or five (5) feet in height of evergreen or Live Oak or Magnolia trees.
LSM MEETING: You must attend the Planning Commission meeting, not attending may cause your permit for tree removal to be denied or withheld.

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MINUTES OF OCTOBER 22, 2020 REGULAR MEETING LONG BEACH PLANNING and DEVELOPMENT COMMISSION

Grantors: 1070 Hickory Drive, Long Beach, MS 39560
Grantees: 122 Kuykendall Place, Long Beach, MS 39560

WARRANTY DEED

957 PSE 123

FOR AND IN CONSIDERATION of the sum of Ten Dollars, (\$10.00), cash in hand paid, and other good and valuable consideration, the receipt and sufficiency of all of which are hereby acknowledged, the undersigned GERALD M. LEONE and wife, MARTIN K. LEONE, do hereby sell, convey and warrant unto DONALD D. GARNETT and wife, LOIS J. GARNETT, as joint tenants with full rights of survivorship, and not as tenants in common, the following described land and property lying and being situated in the County of Harrison, First Judicial District of Harrison County, Mississippi, and being more particularly described as follows, to-wit:

Lot 42, ROYAL ESTATES SUBDIVISION, Unit No. 1, being a subdivision as per official map or plan thereof, on file and of record in the Office of the Chancery Clerk of the First Judicial District of Harrison County, Mississippi.

THIS CONVEYANCE is subject to any and all recorded easements, rights of ways, mineral reservations and restrictive covenants applicable to subject property.

AD VALOREM TAXES for the current year are to be prorated as of this date and assumed by the Grantees herein.

WITNESS THE SIGNATURES of the Grantors on this, the 3rd day of June, A.D., 1983.

Gerald M. Leone
GERALD M. LEONE
Martin K. Leone
MARTIN K. LEONE

STATE OF MISSISSIPPI
COUNTY OF HARRISON

PERSONALLY came and appeared before me, the undersigned authority in and for the jurisdiction aforesaid, the within named GERALD M. LEONE and wife, MARTIN K. LEONE, who acknowledged to and before me that they signed, executed and delivered the above and foregoing instrument of writing on the date first written as their voluntary acts and deeds.

SWORN TO and subscribed before me, a Notary Public, on this, the 3rd day of June, 1983.

James H. [Signature]
NOTARY PUBLIC

My comm. expires: 11/10/87

3157

STATEMENT OF FEES

First Page	\$2.00
Each Page in Ex. 10	
Abstracting/Action	1.00
Marginal Entry in Ex. 10	
Other	
Total Fees	3.00

STATE OF MISSISSIPPI, COUNTY OF HARRISON, FIRST JUDICIAL DISTRICT:

I hereby certify that this instrument was received and filed for record at 12 o'clock and 11 minutes P. M. on 24 day of Oct, A.D. 19 83 and recorded LINE 8 in 122 in Records of Deeds, Book 957 Pages 123

By *[Signature]*
Chancery Clerk

STATE OF Mississippi
COUNTY HARRISON
Loan No. 683-08810116

PREPARED BY & WHEN RECORDED MAIL TO:
KIMMY JO DICKSON
FIRST MORTGAGE MORTGAGE CORP
DEPT. 1020, PO BOX 9403
BALTIMORE, MD 20608-9403
(410)344-0651

BOOK 1812 PAGE 277

AUTHORIZATION TO CANCEL
INDEBTNESS:

THE undersigned, being the present legal owner and holder of the indebtedness secured by the certain deed of trust described below, in acknowledgment of payment in full of all sums described in and secured by said deed of trust, does hereby authorize and request the Chancery Clerk of said County to enter satisfaction of and cancellation of record of said deed of trust.

Borrower: DONALD D. GARNETT AND WIFE, LOIS J. GARNETT

Trustee: RAY L. CREWELL

Beneficiary: SOUTHERN FEDERAL SAVINGS AND LOAN ASSOCIATION

Date of Deed: June 5, 1983

Recording Date: June 8, 1983

Book: 988

Page: 888

Legal Description:

AS SET FORTH IN DEED OF TRUST AND INCORPORATED BY REFERENCE HEREIN in the records of HARRISON County, Mississippi

IN WITNESS WHEREOF, the undersigned has caused these presents to be executed on October 6, 1997

LOUIS MORTGAGE LSA, INC.
BY/AS THE LOUIS & HETTELSON COMPANY



[Signature]
SHEILA HOFF
WITNESS

[Signature]
THELMA CHAVES
VICE PRESIDENT

[Signature]
MELISSA ROEMER
NOTWIFE

STATE OF MARYLAND
COUNTY OF FREDERICK

[Signature]
J. PHILIP McALEEVY
ASSISTANT SECRETARY

On this October 6, 1997 before me, the undersigned, a Notary Public in said State, personally appeared THELMA CHAVES and J. PHILIP McALEEVY personally known to me and proved to me on the basis of satisfactory evidence to be the persons who executed the within instrument as VICE PRESIDENT and ASSISTANT SECRETARY respectively, on behalf of the above named corporation, and acknowledged to me, that they as such officers, being authorized so to do, executed the foregoing instrument for the purposes therein contained and that such Corporation executed the within instrument pursuant to its by-laws or a resolution of its Board of Directors.



[Signature]
J. PHILIP McALEEVY
NOTARY PUBLIC
COMMISSION EXPIRES: February 26, 2000

MS90 CLIENT: 683 LOAN: 683-08810116 /GARNETT

Instrument No. 15463

STATEMENT OF FEES

Recording Fee	6.00
Records Maintenance Fee	1.00
Abstracting/Action	
Marginal Entry in Ex. 10	1.50
Other	
TOTAL FEES COLLECTED	7.50

STATE OF MISSISSIPPI, COUNTY OF HARRISON, FIRST JUDICIAL DISTRICT:

I hereby certify that this instrument was received and filed for record at 12 o'clock and 38 minutes P. M. on 24 day of Oct, A.D. 19 97 and recorded LINE 27 in 122 in Records of Mortgages and Deeds of Trust on Land, Book 1812, Pages 277

By *[Signature]*
JOHN McADAMS, Chancery Clerk
D.C.

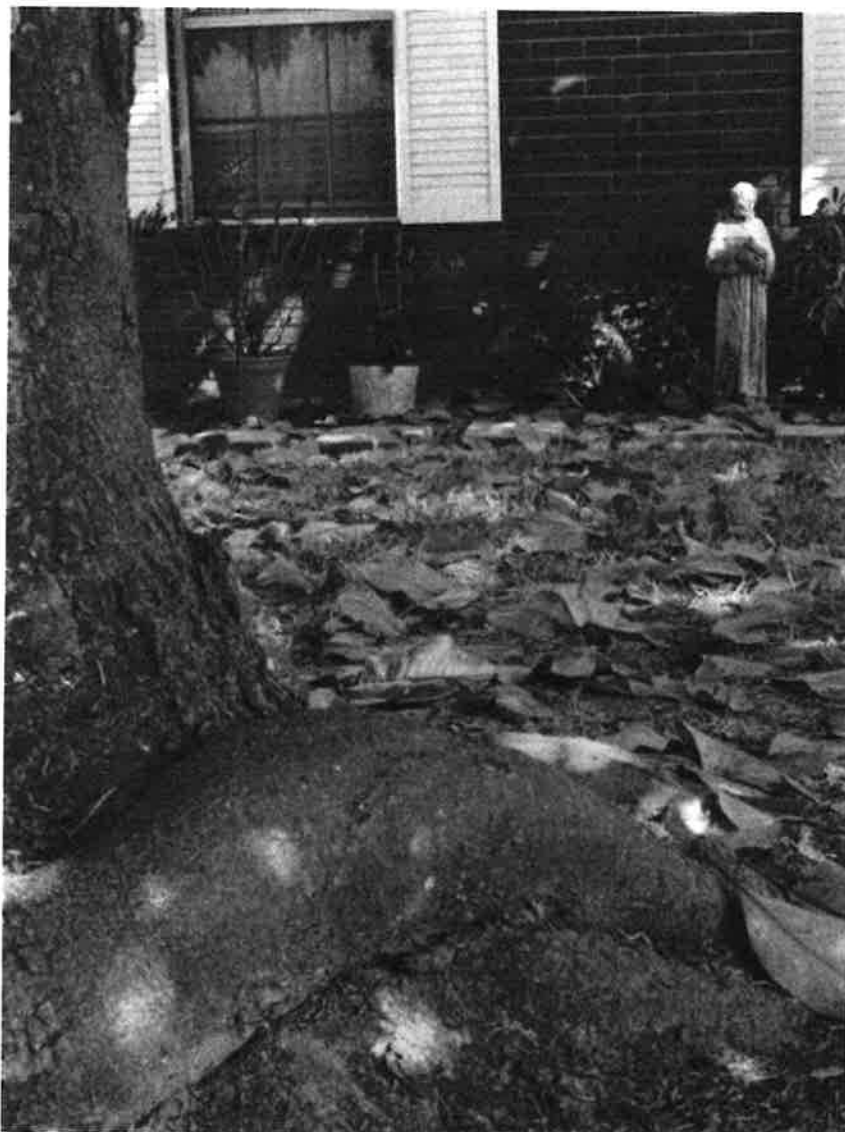
**MINUTES OF OCTOBER 22, 2020
REGULAR MEETING
LONG BEACH PLANNING and DEVELOPMENT COMMISSION**

Memo

To: City of Long Beach Planning Commission
From: Kimberly Lentz, member of Tree Board
Date: October 16, 2020
Re: Tree Removal Application In re: 122 Kuyrkendall

The owner, Ms. Garnett, planted the Magnolia tree in her front yard 30 years ago and has maintained and treasured the tree over the years. Unfortunately, it was planted too close to the house and now the roots are severely damaging the sidewalk and driveway. It is evident that the roots are growing under the house and threaten the foundation. The large root ball around the tree is raised above ground about a foot, and the roots extending outward have actually raised the whole yard creating a dome with the tree at the center. I have attached photos which may illustrate the problem.

The Tree Board believes the request to remove the tree is reasonable and should be approved.



**MINUTES OF OCTOBER 22, 2020
REGULAR MEETING
LONG BEACH PLANNING and DEVELOPMENT COMMISSION**



After considerable discussion, and upon a City of Long Beach Tree Board Member's recommendation in accordance with the City of Long Beach Tree Ordinance, Commissioner Husband made motion, seconded by Commissioner Ward and unanimously carried to approve the removal of the one (1) Southern Magnolia Tree, as submitted.

It came for discussion under New Business, a Certificate of Resubdivision for property located at 115 and 117 East 4th Street, Tax Parcels 0612B-03-047.000 and 0612B-03-048.000, submitted by James O. Wood, III, as follows:

MINUTES OF OCTOBER 22, 2020
REGULAR MEETING
LONG BEACH PLANNING and DEVELOPMENT COMMISSION



CITY OF LONG BEACH
PLANNING DEPARTMENT
201 JEFF DAVIS AVENUE
PO BOX 929
LONG BEACH, MS 39560
(228) 863-1554
(228) 863-1558 FAX

Office use only
Date Received 9-28-20
Zoning R-1
Agenda Date 10-22-20
Check Number 900

APPLICATION FOR CERTIFICATE OF RESUBDIVISION

TYPE OF CASE: CERTIFICATE OF RESUBDIVISION

AD VALOREM TAX PARCEL NUMBER(S): 0612B-03-047.000 + 0612B-03-048.000

I. GENERAL LOCATION OF PROPERTY INVOLVED: ON SOUTH SIDE OF EAST 4th STREET AND EAST SIDE OF JEFF DAVIS AVENUE, LONG BEACH, MS

V. ADDRESS OF PROPERTY INVOLVED: 117 AND 115 E. 4th STREET, LONG BEACH, MS 39560

GENERAL DESCRIPTION OF REQUEST: Resubdivision of AD VALOREM PARCELS 0612B-03-047.000 AND 0612B-03-048.000
Into ONE lot

I. REQUIRED ATTACHMENTS:

- A. Resubdivision Survey and Certificate (see attached example) on no less than 11" X 17" paper.
- B. Cash or Check payable to the City of Long Beach in the amount of \$250.00
- C. Proof of ownership (copy of recorded warranty deed), if applicable proof of authority to act as agent for owner.

*****NOTE*** APPLICATION WILL NOT BE ACCEPTED WITHOUT THE ABOVE LISTED DOCUMENTS.**

VII. OWNERSHIP AND CERTIFICATION:

READ BEFORE EXECUTING, the applicant acknowledges that, in signing this application, all conditions and requirements inherent in the process have been fully explained and understood, including the timetable for processing the application, the completed application with all necessary documents and payments must be returned to the Planning office not later than fifteen (15) days before the 2nd or 4th Thursday of each month. Receipt of fee(s) does not constitute receipt of a completed application.

Ownership: I the undersigned do hereby agree to all the rules and regulations as set forth in the Long Beach Zoning Ordinance and also agree to pay all fees and charges as stated.

JAMES O. Wood III
Name of Rightful Owner (PRINT)

97 Melody Drive
Owner's Mailing Address

Metairie, LA 70001
City State Zip

(504) 329-7291
Phone

James O. Wood III 9-25-2020
Signature of Rightful Owner Date

Name of Agent (PRINT)

Agent's Mailing Address

City State Zip

Phone

Signature of Applicant Date

**MINUTES OF OCTOBER 22, 2020
REGULAR MEETING**

173

LONG BEACH PLANNING and DEVELOPMENT COMMISSION

This page must be completed if the property or properties involved have more than one owner. All persons listed as owners to the property or properties listed on page one must complete and sign this part of the application.

I hereby certify that I have read and understand this application and that all information and attachments are true and correct. I also certify that I agree to comply with all applicable city codes, ordinances and state laws. Finally, I certify that I am the owner of the property involved in this request or authorized to act as the owner's agent for herein described request.

NAME OF OWNER (PRINT) DONNA B. Wood

ADDRESS (STREET, CITY, STATE, ZIP CODE) 97 Melody Drive, Metairie, LA 70001

PHONE # (H) _____ (C) (504) 388-5956

TAX PARCEL NUMBER(S) OWNED 0612B-03-047.000 AND 0612B-03-048.000

SIGNATURE Donna B. Wood

NAME OF OWNER (PRINT) _____

ADDRESS (STREET, CITY, STATE, ZIP CODE) _____

PHONE # (H) _____ (C) _____

TAX PARCEL NUMBER(S) OWNED _____

SIGNATURE _____

NAME OF OWNER (PRINT) _____

ADDRESS (STREET, CITY, STATE, ZIP CODE) _____

PHONE # (H) _____ (C) _____

TAX PARCEL NUMBER(S) OWNED _____

SIGNATURE _____

NAME OF OWNER (PRINT) _____

ADDRESS (STREET, CITY, STATE, ZIP CODE) _____

PHONE # (H) _____ (C) _____

TAX PARCEL NUMBER(S) OWNED _____

SIGNATURE _____

(Use additional forms as needed)

IN CASES OF MULTIPLE APPLICANTS, PLEASE IDENTIFY THE PERSON WHO WILL BE ACTING AS YOUR SPOKES PERSON/AGENT FOR YOU: _____

MINUTES OF OCTOBER 22, 2020
REGULAR MEETING
LONG BEACH PLANNING and DEVELOPMENT COMMISSION



Prepared by:
Julien K. Byrne III
Attorney at Law
311 East Second St.
Pass Christian, MS 39571
(228) 452-9408
Mississippi Bar Number: 7654

Return to:
Julien K. Byrne III
Attorney at Law
311 East Second St.
Pass Christian, MS 39571
(228) 452-9408

STATE OF MISSISSIPPI
COUNTY OF HARRISON
FIRST JUDICIAL DISTRICT

REVIEWED

WARRANTY DEED

For and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00) cash in hand paid and other good and valuable considerations, the receipt and sufficiency of all of which is hereby acknowledged, RACHAEL E. LADNER, formerly known as Rachael E. Reeves, and sister, REBECCA R. KOENENN, of 26208 W. Maple Road, Pass Christian, MS 39571, (228) 860-6558, do hereby sell, convey and warrant unto JAMES O. WOOD, III and wife, DONNA B. WOOD, of 97 Melody Drive, Metairie, LA 70001, (504) 329-7291, as joint tenants with full rights of survivorship and not as tenants in common, the following described real property situated in Harrison County, First Judicial District, State of Mississippi, described as:

Lot 2, Block 16, ORIGINAL LONG BEACH, in accordance with the official map or plat thereof on file and of record in the office of the Chancery Clerk of the First Judicial District of Harrison County, Mississippi.

The above described property is conveyed subject to restrictions, reservations and easements of record.

It is agreed and understood that the taxes for the current year have been prorated as of this date on an estimated basis, and when said taxes are actually determined, if the proration as of this date is incorrect, the parties herein agree to pay on a basis of an actual proration. All subsequent year taxes are specifically assumed by the Grantees.

File No: 19-23785 WOOD, III

Page 1

A copy of the death certificate for Mavis J. Floyd is attached hereto and made a part hereof as if fully copied herein.

The above described property forms no part of the homestead of the Grantors herein.

Witness the signatures of the Grantors this 30th day of December, 2019.

Rachael E. Ladner
RACHAEL E. LADNER, formerly
known as Rachael E. Reeves
Rebecca R. Koennenn
REBECCA R. KOENENN

STATE OF MISSISSIPPI
COUNTY OF HARRISON

Personally came and appeared before me, the undersigned authority in and for the jurisdiction aforesaid, the within named RACHAEL E. LADNER, formerly known as Rachael E. Reeves, and REBECCA R. KOENENN, who acknowledged that they executed the above and foregoing instrument on the day and in the year therein written.

Given under my hand and official seal of office this 30th day of December, 2019.

Stephanie R. Zife
NOTARY PUBLIC

My Commission Expires: 10/8/22

AFFIX SEAL



File No: 19-23785 WOOD, III

Page 2

**MINUTES OF OCTOBER 22, 2020
REGULAR MEETING
LONG BEACH PLANNING and DEVELOPMENT COMMISSION**

MISSISSIPPI STATE DEPARTMENT OF HEALTH
VITAL RECORDS

11189046

CERTIFICATE OF DEATH
STATE OF MISSISSIPPI

DATE: APR 11 2014 TIME: 12:00 PM SEX: F AGE: 81

NAME: Floyd BIRTH: 1933 DEATH: APR 11 2014

RESIDENCE: Long Beach, MS 39560

DEATH PLACE: Long Beach, MS 39560

CAUSE OF DEATH: Ischemic Heart Disease

IMMEDIATE CAUSE: Myocardial Infarction

DETAILED CAUSE: Myocardial Infarction

DATE OF ISSUE: 4/15/2014

MISSISSIPPI STATE DEPARTMENT OF HEALTH
4/15/2014

WARNING: A REPRODUCTION OF THIS DOCUMENT WITHOUT THE ORIGINAL DOCUMENT IS NOT VALID UNLESS APPROVED BY THE MISSISSIPPI STATE DEPARTMENT OF HEALTH & PRESENT IT IS ILLEGAL TO ALTER OR CONTRIBUTE THIS DOCUMENT.

VERIFY PRESENCE OF WATERMARK HOLD TO LIGHT TO VIEW

REVIEWED

1st Judicial District
Instrument 2020 8574 D - J1
Filed/Recorded 7/20/2020 10:17 A
Total Fees \$ 26.00
2 Pages Recorded

Prepared by:
Julien K. Byrne III
Attorney at Law
311 East Second St.
Pass Christian, MS 39571
(228) 452-9408
Mississippi Bar Number: 7654

Return to:
Julien K. Byrne III
Attorney at Law
311 East Second St.
Pass Christian, MS 39571
(228) 452-9408

STATE OF MISSISSIPPI
COUNTY OF HARRISON
FIRST JUDICIAL DISTRICT

WARRANTY DEED

For and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00) cash in hand paid and other good and valuable considerations, the receipt and sufficiency of all of which is hereby acknowledged, **GREGORY P. PENO and wife, SARAH J. PENO**, of 5090 Beatline Road, Long Beach, MS 39560, (228) 343-4186, do hereby sell, convey and warrant unto **JAMES O. WOOD, III and wife, DONNA B. WOOD**, of 97 Melody Drive, Metairie, LA 70001, (504) 329-7291, as joint tenants with full rights of survivorship and not as tenants in common, the following described real property situated in Harrison County, State of Mississippi, described as:

Beginning at the Northeast corner of Lot 1 of Block 16 of the Town of Long Beach, running thence South along the Eastern boundary line of Lots 1 and 11 of said Block 16, a distance of 150 feet; thence running West, parallel to Fourth Street of said town 50 feet; thence North, parallel to the Eastern boundary line of said Lots, 150 feet to a point on the Southern boundary of Fourth Street; thence East, along the Southern margin of Fourth Street, a distance of 50 feet to the Point of Beginning. Being the East 50 feet of Lot 1 and the East 50 feet of the North 50 feet of Lot 11 in Block 16 of ORIGINAL LONG BEACH, according to the Porter's Map, thereof on file in Book 11 at Page 6 of the Plat Book Records of Harrison County, Mississippi.

**INDEX AS FOLLOWS:
E 50' Lot 1 and E 50' of the N 50' of Lot 11, Blk. 16, Original Long Beach**



The above described property is conveyed subject to restrictions, reservations and easements of record.

**MINUTES OF OCTOBER 22, 2020
REGULAR MEETING
LONG BEACH PLANNING and DEVELOPMENT COMMISSION**

It is agreed and understood that the taxes for the current year have been prorated as of this date on an estimated basis, and when said taxes are actually determined, if the proration as of this date is incorrect, the parties herein agree to pay on a basis of an actual proration. All subsequent year taxes are specifically assumed by the Grantees.

The above described property forms no part of the homestead of the Grantors herein.


Witness the signatures of the Grantors this 17th day of July, 2020.


GREGORY P. PENO

SARAH J. PENO

STATE OF MISSISSIPPI
COUNTY OF HARRISON

Personally came and appeared before me, the undersigned authority in and for the jurisdiction aforesaid, the within named GREGORY P. PENO and wife, SARAH J. PENO, who acknowledged that they executed the above and foregoing instrument on the day and in the year therein written.

Given under my hand and official seal of office this 17th day of July, 2020.


NOTARY PUBLIC

My Commission Expires: 11/11/23



AFFIX SEAL

**MINUTES OF OCTOBER 22, 2020
REGULAR MEETING**

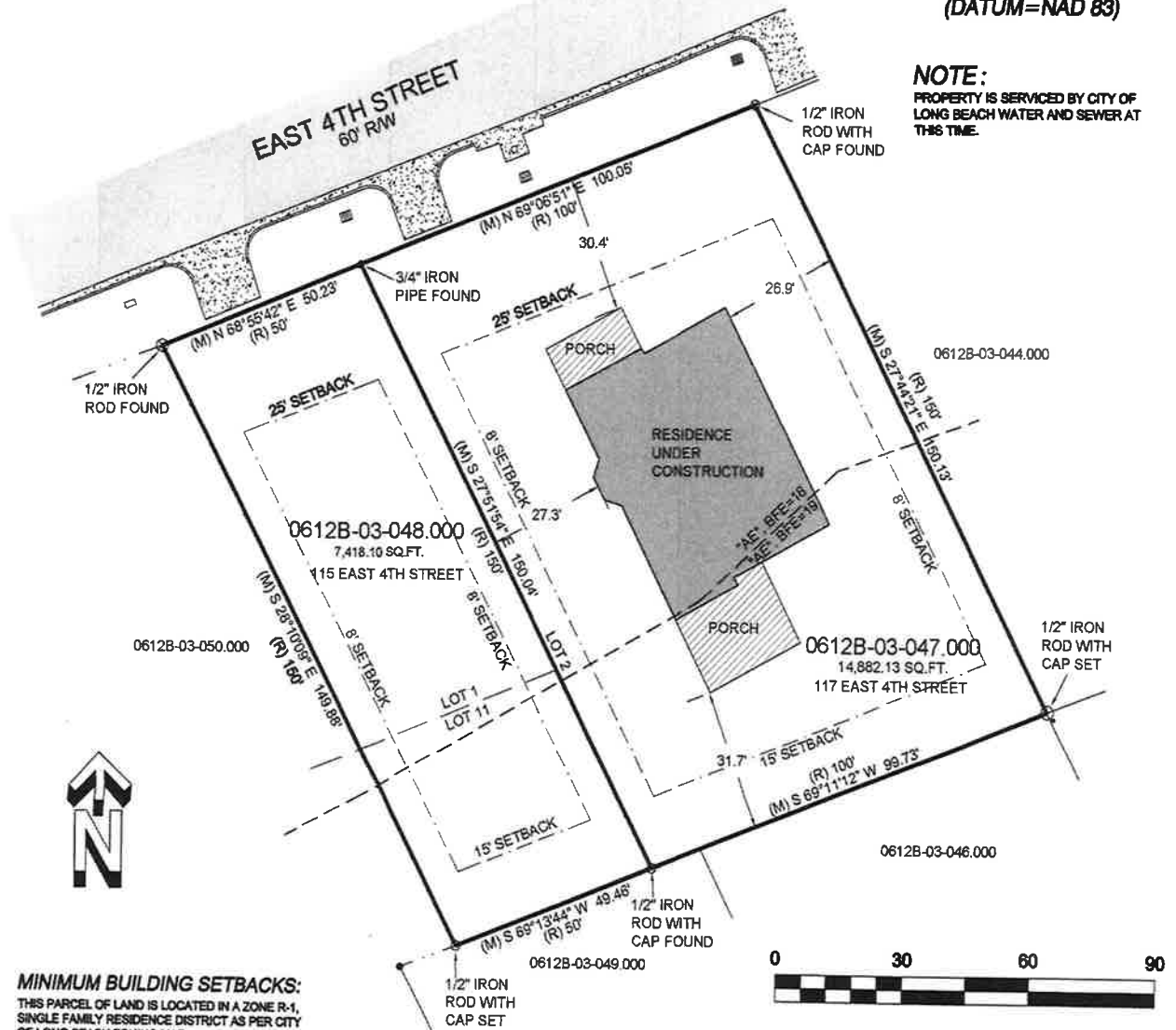
LONG BEACH PLANNING and DEVELOPMENT COMMISSION

A RESUBDIVISION OF TWO PARCELS INTO ONE AND LYING IN THE ORIGINAL LONG BEACH SUBDIVISION, CITY OF LONG BEACH, FIRST JUDICIAL DISTRICT OF HARRISON COUNTY, MISSISSIPPI. SAID PARCELS BEING REFERRED TO AS TAX PARCEL NUMBERS 0612B-03-047.000 AND 0612B-03-048.000

EXISTING

**SCALE 1" = 30'
REFERENCE: GRID NORTH
BY GPS OBSERVATION
(DATUM=NAD 83)**

**NOTE:
PROPERTY IS SERVICED BY CITY OF
LONG BEACH WATER AND SEWER AT
THIS TIME.**



MINIMUM BUILDING SETBACKS:
THIS PARCEL OF LAND IS LOCATED IN A ZONE R-1,
SINGLE FAMILY RESIDENCE DISTRICT AS PER CITY
OF LONG BEACH ZONING MAP.

FRONT YARD - 25 FEET
SIDE YARD - 8 FEET
REAR YARD - 15 FEET

- LEGEND:**
- ⊗ --- IRON ROD FOUND
 - ⊙ --- IRON PIPE FOUND
 - --- IRON ROD SET
 - ⊕ --- SPIKE FOUND
 - ⊖ --- SPIKE SET
 - ⊠ --- CONCRETE MONUMENT FOUND
 - ⊡ --- CONCRETE MONUMENT SET
 - ⊞ --- LIGHTYARD KNOT FOUND
 - ⊟ --- LIGHTYARD KNOT SET
 - APS --- AS PER SURVEY
 - APR --- AS PER RECORD
 - APP --- AS PER PLAN
 - IRF --- IRON ROD FOUND
 - IRS --- IRON ROD SET

**GPS OBSERVATION
NOTE**

DATE OF FIELD WORK: 09/9/2020
TOPCON VR RECEIVER WAS
USED FOR GPS OBSERVATION,
UTILIZING THE EARL DUDLEY, INC.
REAL-TIME NETWORK

- REFERENCE MATERIALS:**
- 1.) RECORDED PLAT OF ORIGINAL LONG BEACH SUBDIVISION
 - 2.) HARRISON COUNTY TAX MAPS, CURRENT EDITION
 - 3.) PROPERTY LINK OF HARRISON COUNTY, MS (DELTA COMPUTER SYSTEMS, INC. WEBSITE)
 - 4.) LONG BEACH ZONING MAP AND ORDINANCE
 - 5.) DEED NO. 2019-10740-D-J1
 - 6.) DEED NO. 2020-8574-D-J1

FLOOD ZONE NOTE:

BY GRAPHIC PLOTTING ONLY, THIS PROPERTY IS LOCATED IN THE FIRM ZONES "AE" BASE ELEVATION= 18 AND "AF" BASE ELEVATION= 18 ACCORDING TO MAP NUMBER 28047C0357G, DATED JUNE 16, 2009. THE ABOVE STATEMENT IS FOR INFORMATION ONLY AND DOES NOT REPRESENT THIS SURVEYOR'S OPINION OF THE PROBABILITY OF FLOODING. THIS SURVEYOR ASSUMES NO LIABILITY FOR THE CORRECTNESS OF THE CITED MAP.

NOTES:

- 1.) FIELD SURVEY PERFORMED WITH A TOPCON VR GPS RECEIVER.
- 2.) STATE PLANE COORDINATES AND BEARINGS SHOWN HEREON ARE DERIVED BY GPS OBSERVATION UTILIZING THE EARL DUDLEY, INC. RTK NETWORK, AND ARE BASED ON SPC (2301 MS E).
- 3.) UNLESS OTHERWISE NOTED THIS SURVEY IS LIMITED TO ABOVE GROUND AND VISIBLE UTILITIES. A MISSISSIPPI ONE CALL SHOULD BE MADE BEFORE ANY DIGGING @ 1-800-227-6477.
- 4.) BUILDING SETBACKS, ELEVATIONS, WETLAND DETERMINATION AND ET CETERA TO BE PRESCRIBED BY APPROPRIATE GOVERNING BODIES.
- 5.) THIS IS A CLASS "B" SURVEY.
- 6.) BEARINGS SHOWN HEREON ARE DERIVED BY: GRID NORTH BY GPS OBSERVATION, ALL LINES RELATIVE TO.

CLIENTS: JAMES O. WOOD, III AND
DONNA B. WOOD
DATE OF FIELD SURVEY: 9/9/2020
DRAWN BY: CAC
JOB NUMBER: 16232.dwg

PREPARED BY:

CLIFFORD A. CROSBY, PLS
716 LIVE OAK DRIVE
BILOXI, MS 39532 PHONE: 228-234-1649

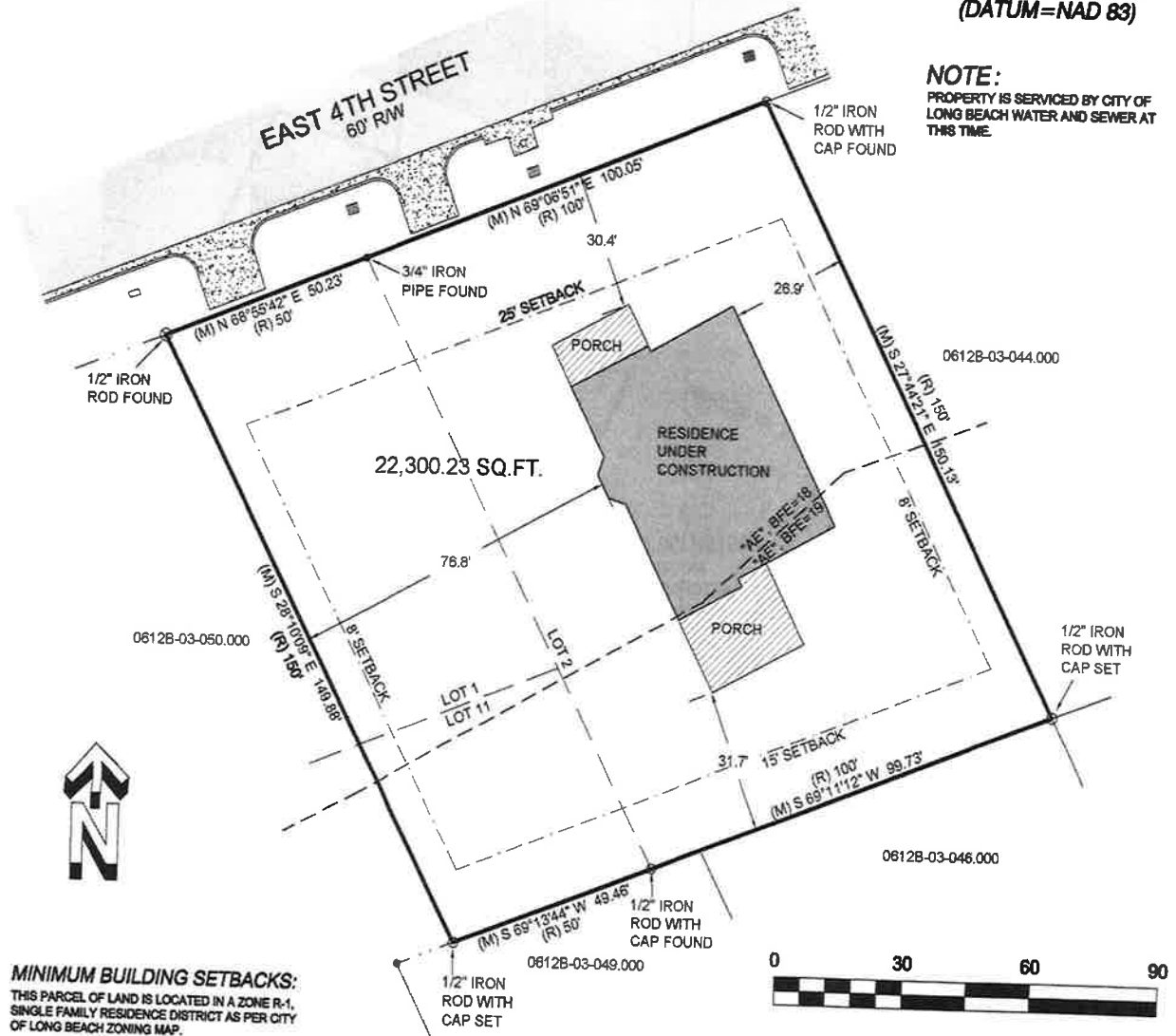
**MINUTES OF OCTOBER 22, 2020
REGULAR MEETING
LONG BEACH PLANNING and DEVELOPMENT COMMISSION**

A RESUBDIVISION OF TWO PARCELS INTO ONE AND LYING IN THE ORIGINAL LONG BEACH SUBDIVISION, CITY OF LONG BEACH, FIRST JUDICIAL DISTRICT OF HARRISON COUNTY, MISSISSIPPI. SAID PARCELS BEING REFERRED TO AS TAX PARCEL NUMBERS 0612B-03-047.000 AND 0612B-03-048.000

PROPOSED

SCALE 1" = 30'
REFERENCE: GRID NORTH BY GPS OBSERVATION (DATUM=NAD 83)

NOTE:
PROPERTY IS SERVICED BY CITY OF LONG BEACH WATER AND SEWER AT THIS TIME



MINIMUM BUILDING SETBACKS:
THIS PARCEL OF LAND IS LOCATED IN A ZONE R-1, SINGLE FAMILY RESIDENCE DISTRICT AS PER CITY OF LONG BEACH ZONING MAP.
FRONT YARD - 25 FEET
SIDE YARD - 8 FEET
REAR YARD - 15 FEET

GPS OBSERVATION NOTE
DATE OF FIELD WORK: 09/9/2020
TOPCON VR RECEIVER WAS USED FOR GPS OBSERVATION, UTILIZING THE EARL DUDLEY, INC. REAL-TIME NETWORK

FLOOD ZONE NOTE:
BY GRAPHIC PLOTTING ONLY, THIS PROPERTY IS LOCATED IN THE FIRM ZONES "AE" BASE ELEVATION= 18 AND "AE" BASE ELEVATION= 19 ACCORDING TO MAP NUMBER 28047C0357G, DATED JUNE 16, 2009. THE ABOVE STATEMENT IS FOR INFORMATION ONLY AND DOES NOT REPRESENT THIS SURVEYOR'S OPINION OF THE PROBABILITY OF FLOODING. THIS SURVEYOR ASSUMES NO LIABILITY FOR THE CORRECTNESS OF THE CITED MAP.

- LEGEND:**
- ⊗ --- IRON ROD FOUND
 - --- IRON PIPE FOUND
 - --- IRON ROD SET
 - ⊕ --- SPIKE FOUND
 - △ --- SPIKE SET
 - --- CONCRETE MONUMENT FOUND
 - --- CONCRETE MONUMENT SET
 - --- LIGHTARD NODT FOUND
 - APS --- AS PER SURVEY
 - APR --- AS PER RECORD
 - APP --- AS PER PLAT
 - IRP --- IRON ROD FOUND
 - IRS --- IRON ROD SET

- REFERENCE MATERIALS:**
- 1.) RECORDED PLAT OF ORIGINAL LONG BEACH SUBDIVISION
 - 2.) HARRISON COUNTY TAX MAPS, CURRENT EDITION
 - 3.) PROPERTY LINK OF HARRISON COUNTY, MS (DELTA COMPUTER SYSTEMS, INC. WEBSITE)
 - 4.) LONG BEACH ZONING MAP AND ORDINANCE
 - 5.) DEED NO. 2019-10740-D-11
 - 6.) DEED NO. 2020-8574-D-11

CLIENTS: JAMES O. WOOD, III AND DONNA B. WOOD
DATE OF FIELD SURVEY: 9/9/2020
DRAWN BY: CAC
JOB NUMBER: 16232.dwg

PREPARED BY:

CLIFFORD A. CROSBY, PLS
716 LIVE OAK DRIVE
BILOXI, MS 39532 PHONE: 228-234-1649

- NOTES:**
- 1.) FIELD SURVEY PERFORMED WITH A TOPCON VR GPS RECEIVER.
 - 2.) STATE PLANE COORDINATES AND BEARINGS SHOWN HEREON ARE DERIVED BY GPS OBSERVATION UTILIZING THE EARL DUDLEY, INC. RTK NETWORK, AND ARE BASED ON SPC (2301 MS E).
 - 3.) UNLESS OTHERWISE NOTED THIS SURVEY IS LIMITED TO ABOVE GROUND AND VISIBLE UTILITIES. A MISSISSIPPI ONE CALL SHOULD BE MADE BEFORE ANY DIGGING @ 1-800-227-8477.
 - 4.) BUILDING SETBACKS, ELEVATIONS, WETLAND DETERMINATION AND ET CETERA TO BE PRESCRIBED BY APPROPRIATE GOVERNING BODIES.
 - 5.) THIS IS A CLASS "B" SURVEY.
 - 6.) BEARINGS SHOWN HEREON ARE DERIVED BY: GRID NORTH BY GPS OBSERVATION, ALL LINES RELATIVE TO.

REGULAR MEETING

LONG BEACH PLANNING and DEVELOPMENT COMMISSION

A RESUBDIVISION OF TWO PARCELS INTO ONE AND LYING IN THE ORIGINAL LONG BEACH SUBDIVISION, CITY OF LONG BEACH, FIRST JUDICIAL DISTRICT OF HARRISON COUNTY, MISSISSIPPI. SAID PARCELS BEING REFERRED TO AS TAX PARCEL NUMBERS 0612B-03-047.000 AND 0612B-03-048.000

LONG BEACH PLANNING COMMISSION

CERTIFICATE OF RESUBDIVISION

In accordance with Article II, Section 3 of the Code of Ordinance (Subdivision Regulations) of the City of Long Beach as amended, it is hereby certified that the Long Beach Planning Commission Chairman and Long Beach Mayor and Board of Aldermen have reviewed and approved the attached Final Plat. The following property has been subdivided from Harrison County ad valorem tax parcels (0612B-03-047.000 and 0612B-03-048.000) into (one) lot. The subject property is generally described as being located (on south side of East 4th Street and the east side of Jeff Davis Avenue, Long Beach, MS).

The Case File Number is:

LEGAL DESCRIPTIONS

LEGAL DESCRIPTION OF LAND PRIOR TO THIS RESUBDIVISION (PER DEED):

0612B-03-047.000, DEED NO. 2019-10740-D-J1

Lot 2, Block 16, ORIGINAL LONG BEACH, in accordance with the official map or plat thereof on file and of record in the office of the Chancery Clerk of the First Judicial District of Harrison County, Mississippi.

0612B-03-048.000, DEED NO. 2020-8574-D-J1

Beginning at the Northeast corner of Lot 1 of Block 16 of the Town of Long Beach, running thence South along the Eastern boundary line of Lots 1 and 11 of said Block 16, a distance of 150 feet; thence running West, parallel to Fourth Street of said town 50 feet; thence North, parallel to the Eastern boundary line of said Lots, 150 feet to a point on the Southern boundary of Fourth Street; thence East, along the Southern margin of Fourth Street, a distance of 50 feet to the Point of Beginning. Being the East 50 feet of Lot 1 and the East 50 feet of the North 50 feet of Lot 11 in Block 16 of ORIGINAL LONG BEACH, according to the Porter's Map, thereof on file in Book 11 at Page 6 of the Plat Book Records of Harrison County, Mississippi.

LEGAL DESCRIPTION OF THE PROPOSED PARCEL:

THE EAST 50 FEET OF LOT 1, THE EAST 50 FEET OF THE NORTH 50 FEET OF LOT 11 AND ALL OF LOT 2, BLOCK 16, ORIGINAL LONG BEACH SUBDIVISION, CITY OF LONG BEACH, FIRST JUDICIAL DISTRICT OF HARRISON COUNTY, MISSISSIPPI.

CERTIFICATE OF OWNERSHIP

I hereby certify that I am the owner of the property described hereon, which property is within the subdivision regulation jurisdiction of the City of Long Beach, and that I freely adopt this plan of subdivision.

SIGNED BY: JAMES O. WOOD, III

DATE 9-25-2020

Subscribed and sworn to before me, in my presence this 25 day of September 20 20, a Notary Public in and for the County of Harrison, State of Mississippi.

NOTARY PUBLIC MICHAEL E. ESCOBAR

My Commission Expires: 2021

PREPARED BY:

CLIFFORD A. CROSBY, PLS
716 LIVE OAK DRIVE
BILOXI, MS 39532 PHONE: 228-234-1649

CLIENTS: JAMES O. WOOD, III AND DONNA B. WOOD
DATE OF FIELD SURVEY: 9/9/2020
DRAWN BY: CAC
JOB NUMBER: 16232.dwg

MINUTES OF OCTOBER 22, 2020
REGULAR MEETING
LONG BEACH PLANNING and DEVELOPMENT COMMISSION

CERTIFICATE OF OWNERSHIP

I hereby certify that I am the owner of the property described hereon, which property is within the subdivision regulation jurisdiction of the City of Long Beach, and that I freely adopt this plan of subdivision.

Donna B. Wood 9/25/2020
SIGNED BY: DONNA B. WOOD DATE

Subscribed and sworn to before me, in my presence this 25 day of SEPTEMBER 2020, a Notary Public in and for the County of Harrison, State of Mississippi

Walter #26761
NOTARY PUBLIC Michael E. Escobier

My Commission Expires: death

CERTIFICATE OF APPROVAL

I hereby certify that the minor subdivision shown on this plat does not involve the creation of new public streets, or any change in existing public streets, the extension of public water or sewer system or the installation of drainage improvements through one or more lots to serve one or more lots. That the subdivision shown is in all respects in compliance with the City ordinances of Long Beach and that therefore this plat has been approved by the administrator subject to its being recorded in the Harrison County Courthouse within (60) days of the date below.

ADMINISTRATOR _____ DATE _____

CERTIFICATE OF SURVEY AND ACCURACY

I hereby certify that this map drawn by me or drawn under my supervision from actual survey made by me or actual survey made under my supervision and deed descriptions recorded in Deed No. 2019-10740-D-J1 and in Deed No. 2020-8574-D-J1 in accordance with all applicable codes and ordinances. Witness my original signature, registration number and seal this the 29th day of SEPTEMBER, 2020.



Clifford A. Crosby
Clifford A. Crosby, P.L.S.
2539
MS P.L.S. NO.

PLANNING COMMISSION

Approved by the City of Long Beach Planning Commission at the regular meeting of said Commission held on the _____ day of _____ 20__.

Planning Commission Chairman _____ Date _____

ACCEPTANCE

Submitted to and approve by the City of Long Beach, Board of Aldermen, at the regular meeting of said Board of Aldermen held on the _____ day of _____ 20__.

ADOPT: _____ ATTEST: _____
MAYOR _____ CITY CLERK _____

PREPARED BY:

CLIFFORD A. CROSBY, PLS
716 LIVE OAK DRIVE
BILOXI, MS 39532 PHONE: 228-234-1649

CLIENTS: JAMES O. WOOD, III AND
DONNA B. WOOD
DATE OF FIELD SURVEY: 9/9/2020
DRAWN BY: CAC
JOB NUMBER: 16232.dwg

MINUTES OF OCTOBER 22, 2020
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LONG BEACH PLANNING and DEVELOPMENT COMMISSION

Tina Dahl

From: Joe Culpepper <joeculpepper@cableone.net>
Sent: Tuesday, September 29, 2020 9:24 AM
To: 'Tina Dahl'; 'David Ball'
Cc: jan@cityoflongbeachms.com
Subject: RE: 115 and 117 East 4th Street, Certificate of Resubdivision

Follow Up Flag: Follow up
Flag Status: Flagged

I see no reason to charge any special tap fee.

Joe Culpepper P.E.



404 Kohler Street Long Beach, MS 39560
P.O. Box 591 Long Beach, MS 39560
228-863-0440 – Fax 228-865-7844

From: Tina Dahl <tina@cityoflongbeachms.com>
Sent: Monday, September 28, 2020 9:53 AM
To: 'David Ball' <david@overstreeteng.com>; 'Joe Culpepper' <joeculpepper@cableone.net>
Cc: jan@cityoflongbeachms.com
Subject: 115 and 117 East 4th Street, Certificate of Resubdivision

I have attached a Certificate of Resubdivision for the agenda date of October 22, 2020. Please, let me know if this date is not convenient for you. Thanks, Tina

161 Lameuse St., Suite 203
Biloxi, MS 39530
228-967-7137



**OVERSTREET
& ASSOCIATES**
CONSULTING ENGINEERS

630 Delmas Ave., Suite B
Pascagoula, MS 39567
228-967-7137

October 2, 2020

City of Long Beach
P.O. Box 929
Long Beach, MS 39560

RE: Certificate of Subdivision - Tax Parcel Nos. 0612B-03-047.000 & 0612B-03-048.000

Ladies and Gentlemen:

We have received a Certificate of Subdivision for the referenced parcels which have existing frontage on E. 4th St., between Jeff Davis Ave. and S. Burke Ave. The proposed subdivision simply combines them into a single parcel. The Certificate itself appears to contain all appropriate certifications.

Approval of the subdivision should be subject to the payment of any required tapping fees or special connection fees as determined by the City's Public Works department.

Sincerely,

A handwritten signature in black ink, appearing to read "David Ball".

David Ball, P.E.

DB:539

**MINUTES OF OCTOBER 22, 2020
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LONG BEACH PLANNING and DEVELOPMENT COMMISSION

Commissioner Husband made motion, seconded by Commissioner Ward and unanimously carried recommending approval of the resubdivision in accordance with the Subdivision Regulation, Article II. MINOR AND MAJOR SUBDIVISION GENERAL REGULATIONS.

It came for discussion under New Business, an application for Sketch Plat Approval for property located at 20012 Pineville Road, Tax Parcel 0511I-01-041.000, submitted by Reginald Johnson ETAL (owner) and Heinrich & Associates (agent), as follows:

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LONG BEACH PLANNING and DEVELOPMENT COMMISSION



CITY OF LONG BEACH
201 Jeff Davis Avenue
PO BOX 929
LONG BEACH, MS 39560
(228) 863-1554 office
(228) 863-1558 fax

Office use only	
Date Received	10-5-20
Zoning	R-1
Agenda Date	10-22-20
Check Number	8013

- I. TYPE OF CASE: **SKETCH APPROVAL**
- II. ADVALOREM TAX PARCEL NUMBER(S): 0511I-01-041.000
- III. GENERAL LOCATION OF PROPERTY INVOLVED: 3 NORTH SIDE OF PINEVILLE RD.
ACROSS FROM COPPER CT.
- IV. ADDRESS OF PROPERTY INVOLVED: 20012 PINEVILLE RD.
- A. The purpose of the sketch is to develop a general design on which to base the preliminary and final plat, and thus having to revise such design to make in conform to the comprehensive City plan and to relate it to surrounding development. To this end, the sub-divider should consult informally with the City Engineer and the Planning Commission on preparation of the sketch plat.
- B. The sub-divider shall submit to the Planning Commission the sketch plat of the proposed subdivision, together with the attendant items, fifteen (15) days prior to the Planning Commission meeting at which the sketch plat is to be approved. The sketch plat shall be reviewed by the Planning Commission and approved by the Mayor and Board of Aldermen. The review shall take into consideration, in addition to the requirements set forth in these regulations, the components of the comprehensive City plan, the zoning ordinance and other plans, programs and regulations that might affect the area and the design and development of the subdivision.
- C. The sub-divider must submit a general layout drawing of the proposed subdivision or development. The sketch plat should indicate location of the subdivision, street alignment and lot sizes, and should provide additional information that is deemed reasonably necessary within the scope the Subdivision Ordinance by the City. (1) The sketch plat should consist of three (3) full-size drawings on 24 x 36 inch sheets and (1) 8 1/2 x 14 and/or emailed in pdf. format to the Clerk.
- D. The Planning Commission shall inform the sub-divider that the Sketch plan as submitted or as modified does or does not meet the objectives of City Regulations. When the Planning Commission or the Mayor and Board find that the sketch plat does not meet the objectives of City regulations the reasons therefore shall be given, together with any changes recommended to be made. In the even the sub-divider does not agree to changes recommended by the Planning Commission, he may request and shall receive review and formal action by the Mayor and Board of Aldermen at its next regular meeting.
- E. Although not recommended, a developer may be allowed to combine the Sketch and Preliminary plats so that they may be considered together.
- V. **REQUIRED ATTACHMENTS:**
- A. **Interest and Ownership.** The applicant's name, address and interest of every person, firm or corporation represented by the applicant in the application, the name of the owner or owners and their respective addresses of the entire land area proposed to be changed in classification or to be included within the structures then existing thereon, and sufficient evidence to establish that the applicant has the right of possession to the land area and structures, the names and address of all owners of adjacent property (exclusive of the width of intervening streets, alleys, or bodies of water).

MINUTES OF OCTOBER 22, 2020
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- B. **Recorded Warranty Deed.** A deed which includes a legal description of the specific piece of property involved in the request. If, several parcels are included in a request, individual parcel deeds AND a composite legal description of all parcels involved in the request must be provided.
- C. **Fee.** Attach a check in the amount of \$50.00. This check should be made payable to the **City of Long Beach** to cover administrative cost. You will also be responsible to actual costs, such as advertising and mailing incurred with the processing of your application.

NOTE APPLICATION WILL NOT BE ACCEPTED WITHOUT THE ABOVE LISTED DOCUMENTS.

VI. **OWNERSHIP AND CERTIFICATION:**

READ BEFORE EXECUTING, Attendance by the applicant(s) at the public hearing is mandatory; however, the applicant may designate a representative to attend the public hearing on his/her behalf, provided said representative has been properly designated to speak on the applicant's behalf either by written permission or oral designation by the applicant at the Public Hearing. If a continuance is to be granted, the applicant must request same in writing a minimum of seven (7) days in advance of the scheduled public hearing. The applicant acknowledges that, in signing this application, all conditions and requirements inherent in the process have been fully explained and understood, including the timetable for processing the application, the completed application with all necessary documents and payments must be returned to the Planning office not later than fifteen (15) days before the 2nd or 4th Thursday of each month. Receipt of fee(s) does not constitute receipt of a completed application.

Ownership: I the undersigned due hereby agree to all the rules and regulations as set forth in the Long Beach Zoning Ordinance and also agree to pay all fees and charges as stated.

REGINALD JOHNSON ET AL
Name of Rightful Owner (PRINT)

4301 PLASH RD.
Owner's Mailing Address

GULF SHORES, AL 36542
City State Zip

251-752-4070
Phone

DocuSigned by:
R Johnson 10/3/2020 | 15:53 PM CDT
Signature of Rightful Owner Date

reggiej252@gmail.com

HEINRICH & ASSOCIATES
Name of Agent (PRINT)

1806 23RD AVE., "B"
Agent's Mailing Address

GULFPORT MS 39501
City State Zip

228-896-6768
Phone

Bobby Heinrich 10-1-20
Signature of Applicant Date

bobby.h@heinrich
associates.net

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**MINUTES OF OCTOBER 22, 2020
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LONG BEACH PLANNING and DEVELOPMENT COMMISSION**

Reginald Johnson Et Al
4301 Plash Rd.
Gulf Shores, AL 36542

September 22, 2020

City of Long Beach
201 Jeff Davis Ave.
Long Beach, MS 39560

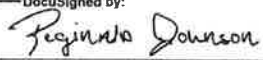
RE: **Agent Letter for
20012 Pineville Rd. – Tax Parcel #: 05111-01-041.000
Long Beach, Mississippi**

To Whom It May Concern:

Please allow this letter to serve as official notice that **Robert Heinrich of Heinrich & Associates, LLC**, is authorized to act as agent on behalf of **Reginald Johnson Et Al** in any Planning Commission or City Council matters.

If you have any questions, please do not hesitate to contact me.

Sincerely,

DocuSigned by:

38B1D43B1CF0498


Notary

My Commission Expires July 8, 2024



PREPARED BY:
JERRY J. ROBERTI
Attorney at Law
1720 22nd Avenue
Gulfport, MS 39501
(228) 863-8678

RETURN TO:
JERRY J. ROBERTI
Attorney at Law
1720 22nd Avenue
Gulfport, MS 39501
(228) 863-8678

STATE OF MISSISSIPPI
COUNTY OF HARRISON

EXECUTOR'S DEED

FOR AND IN CONSIDERATION of the sum of Ten (\$10.00) Dollars, cash in hand paid, and other good and valuable consideration, the receipt of which is hereby acknowledged, the

ESTATE OF MARY R. JOHNSON
4301 Plash Road
Gulf Shores, AL 36542
(251) 752-4070

by and through REGINALD JOHNSON, Executor of said estate do hereby sell, transfer and specially warrant unto

Reginald Johnson 4301 Plash Road Gulf Shores, AL 36542 (251) 752-4070	Parish Chynwel 1624 Customist Drive McCook, NE 69001 (306) 737-5766	Gregory Johnson 4216 Meridian Road Peyton, CO 80831 (719) 439-7897
--	--	---

as joint tenants with full rights of survivorship, not as tenants in common, the following described property, together with the improvements located thereon, being situated and located in the First Judicial District of Harrison County, Mississippi, to-wit:

LEGAL DESCRIPTION See Exhibit "A" Page 3

INDEXING INSTRUCTIONS: NE 1/4 of Section 16, T8S, R12W, and in Lot 52 of the Henderson-Shipman-Hughes Partitions of Bartholomew Peppers Claims, Sec. 22, T8S, R12W, Harrison County, Mississippi

MINUTES OF OCTOBER 22, 2020
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The above described property is conveyed subject to any restrictive covenants, mineral reservations and easements of record.

Attached hereto is a copy of an Order from the Chancery Court of the First Judicial District of Harrison County, Mississippi with regard to the Estate of MARY B. JOHNSON, #24CH:16-cv-194(1), authorizing the sale of the subject property by and through REGINALD JOHNSON, as EXECUTOR.

Grantor accepts here from and reserves unto herself, her heirs and assigns forever all oil, gas and other minerals lying beneath the land described above.

Ad valorem taxes for the current year are prorated and assumed by the Grantees herein.

WITNESS my signature on this the 23rd day of June, 2016.

ESTATE OF MARY B. JOHNSON
BY: [Signature]
REGINALD JOHNSON, EXECUTOR

STATE OF ALABAMA
COUNTY OF Baldwin

PERSONALLY appeared before me, the undersigned authority in and for the said county and state, within my jurisdiction, the within named REGINALD JOHNSON, EXECUTOR of the ESTATE OF MARY B. JOHNSON, who acknowledged that he signed and delivered the above and foregoing instrument after first having been duly authorized by said order so to do.

WITNESS my signature and official seal of office, this the 23rd day of June, 2016.

DREE DANIELLE SPEARS
Notary Public, Alabama State At Large
My Commission Expires May 27, 2018

[Signature]
NOTARY PUBLIC



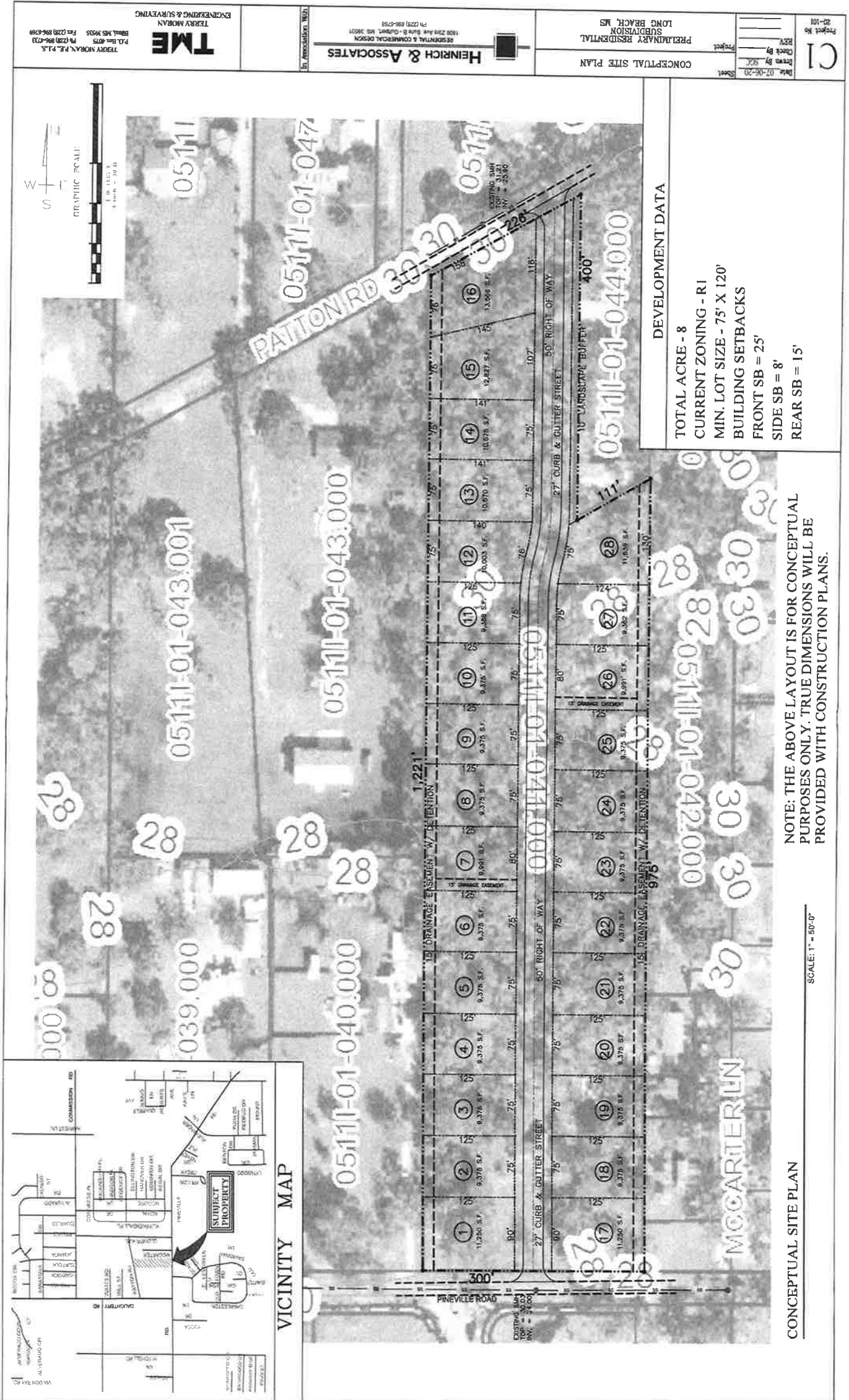
My Commission Expires:

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EXHIBIT "A"

Beginning at a point on the South margin of the Patton Road which point is 118 feet West along the South Margin of the said Patton Road of the Section line dividing Sections 10 and 11 in Township 8 South, Range 12 West, in Harrison County, Mississippi, and continuing in a Westerly direction 112.9 feet to a point which point is the point of beginning; thence continuing in a Westerly direction 225.8 feet, more or less, to a point; thence running South 400 feet to a point; thence running in an Easterly direction 225.8 feet, more or less, to a point; thence running North 400 feet to the point of beginning. Said lands being situated in the NE 1/4 of Section 10, Township 8 South, Range 12 West, and in Lot 52 of the Henderson-Shjman-Hughes Partition of the Bartholomew Pellarin Claim, of Section 22, Township 8 South, Range 12 West of Harrison County, Mississippi.

LONG BEACH PLANNING and DEVELOPMENT COMMISSION



**MINUTES OF OCTOBER 22, 2020
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After considerable discussion, Commissioner Husband made motion, seconded by Commissioner Barlow and unanimously carried to approve the Sketch Plat as submitted.

There being no further business to come before the Planning and Development Commission at this time, Commissioner Barlow made motion, seconded by Commissioner Husband and unanimously carried to adjourn the meeting until the next regular scheduled meeting in due course.

APPROVED:

Vice Chairman Jeff Hansen

DATE: _____

ATTEST:

Tina M. Dahl, Minutes Clerk