

As long as the house was occupied as a residence it was considered a legal preexisting non-conforming use, but once it was used as a commercial business it lost its legal non-conforming status.

The applicant stated that the renter had asked him about running a psychic reading business out of the house and he told him he had no problem with it. He said he was not aware that the house would lose its legal preexisting non-conforming status if a business was allowed at the house and he would not be able to rent the house out again as a residence.

Commissioner Dailey felt the house had maintained residential status even though the psychic reading business had been there. He stated that the business should have been handled as a home occupation instead of a commercial business because the house was still being used as a residence. He suggested that a process be put in place to assure that property owners were aware of, and approved of, any changes in the status or possible status of their property.

Commissioner Wooten noted that the lease stated that a business could be ran out of the house, that a privilege license was issued and that a commercial sign had been placed on the property, therefore making the use commercial. Mr. Ramsay stated that when a business license was obtained and a business sign was put up the primary use became commercial.

Commissioner Wooten asked Mr. Ramsay if the Commissioners could legally reverse the decision of Staff and allow the structure. Mr. Ramsay advised that the Commissioners could make a motion that Staff made the right decision or, that because in their opinion the property owner was misled by the renter in this process, that Staff did not make the proper decision, and the property should not have lost its status as a legal preexisting non-conforming use, and the primary use of the structure during this whole period was as a residence, so it still is a residential use in a commercial district.

Commissioner Dailey made a motion to reverse Staff decision and allow the structure to be occupied as a residence based on his opinion that the house was maintained as a residence for the entire time of occupancy, and that the

lease does not reflect the intention of the land owner for the use of that property, Commissioner Spanier seconded the motion and the following vote was recorded:

<u>AYES</u>	<u>NAYS</u>	<u>ABSENT</u>	<u>ABSTAINED</u>
Larry Dailey	David Wooten	Marilyn Minor	
Greg Spanier	James Torrey		
	Richard Johnson		

B. LARRY MORAN EXCELLENCE AWARD

1. RECEIVE NOMINATIONS AND VOTE FOR 2012 WINNER

Commissioner Johnson asked for the Commissioners nominations for the 2012 Larry Moran Excellence Award which is given in memory of former Planning Commission Chairman Larry Moran. The award is given to a business, group or individual who has exhibited planning and/or zoning excellence, has significantly contributed to increased quality of life for the citizens of Gautier, has consistent and on-going customer service that is worthy of recognition, etc.

The nominees were Handy Lock Self Storage, NFL Lumber, Kenny Smith, Flower Patch, Tiki Restaurant, Gautier Pride and Mallette Brothers. Kenny Smith, Gautier Pride and Handy Lock Self Storage were the top three nominees with Kenny Smith winning the award.

The award will be presented at the February 7, 2013, Planning Commission meeting.

DIRECTOR'S REPORT

Mr. Meyer gave a brief update on some ongoing projects within the City. He advised that the sculpture for the round-a-bout on Dolphin Road should be completed within six to eight weeks, that progress on the Bienville Medical Complex plans has been slow due to the project manager having to work on some IT issues for the company, and that MDOT has approved the expansion of Martin Bluff Road.

Mr. Meyer also informed Commissioners that the Cultural Services/Recreation Division would be moving their office to Shepard State Park on January 28, 2013 and that the Master Plan for Recreation should be completed by April 2013.

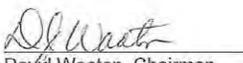
SUBMITTED BY:



Eric Meyer
Economic Development Director

DATE: 4/16/13

APPROVED:



David Wooten, Chairman
Gautier Planning Commission

DATE: 4-4-13

FEBRUARY 7, 2013

GAUTIER, MISSISSIPPI

BE IT REMEMBERED THAT a regular meeting of the Gautier Planning Commission of the City of Gautier, Mississippi, was held on February 7, 2013, at 6:00 P.M. in the Council chambers of the Gautier Municipal Building at 3330 Highway 90, Gautier, Mississippi.

Commission members present: David Wooten, Chairman, Larry Dailey, Richard Johnson, Marilyn Minor, and Greg Spanier. Absent was James Torrey. Also present were Eric Meyer, Economic Development Director; Bob Ramsay, City Attorney; Babs Logan, Planning Technician; and Michele Keenlance, Court Reporter.

David Wooten, Chairman, called the meeting to order and presented the minutes from the January 3, 2013 meeting for approval. The minutes were approved as submitted.

APPROVAL OF AGENDA

There were no changes to the agenda.

AGENDA

GAUTIER PLANNING COMMISSION

FEBRUARY 7, 2013

6:00 P.M.

- I. CALL TO ORDER
- II. PLEDGE OF ALLEGIANCE (VOLUNTEER)
- III. APPROVAL OF MINUTES – (JANUARY 3, 2013)
- IV. APPROVAL OF AGENDA
- V. PRESENTATION OF 2012 LARRY MORAN EXCELLENCE AWARD

- VI. PUBLIC COMMENTS (MATTERS OF THE PLANNING COMMISSION NOT LISTED ON THE AGENDA)
- VII. OLD BUSINESS
 - NONE
- VIII. NEW BUSINESS
 - A. QUASI-JUDICIAL
 - 1. REQUEST FOR A CONDITIONAL USE-MAJOR TO ALLOW A CHURCH IN A C-2 ZONING DISTRICT, 1443 HIGHWAY 90 (STEPHEN BRYAN CIRLOT, PASTOR OF CHURCH AT THE SQUARE) (GPC CASE #13-01-CU)
 - B. DISCUSSION
 - 1. AQUA-AGRICULTURE
- IX. DIRECTOR'S REPORT
- X. ADJOURN

PRESENTATION OF 2012 LARRY MORAN EXCELLENCE AWARD

Commissioner Johnson explained that the Larry Moran Excellence Award was established in 2009 and is given in memory of former Planning Commissioner and Chairman Larry Moran who passed away several years ago. Commissioner Moran had served on the Planning Commission for over thirteen years and had served as Chairman for many of those years. He served the citizens of Gautier by volunteering his time in many ways. Commissioner Johnson further explained that the award was given to a business or individual for achievement in job creation, community contributions, customer service, adherence to Planning and Zoning Ordinances and retail excellence.

Commissioner Wooten and Ms. Logan presented a plaque to Kenny Smith, owner of Smith Homes, Inc., as winner of the 2012 Larry Moran Excellence Award. Mr. Smith thanked the Planning Commission for the award.

Mr. Moran's family was asked to stand and a bouquet of flowers were presented to Mr. Moran's widow.

PUBLIC COMMENTS (MATTERS OF THE PLANNING COMMISSION NOT LISTED ON AGENDA)

Chairman Wooten reminded the Commissioners that Commissioner Johnson had turned in his resignation and that this would be his last meeting. Chairman Wooten thanked Commissioner Johnson for the time and dedication he had given to the Planning Commission over the past four years.

OLD BUSINESS:

There was no old business to discuss.

NEW BUSINESS:

A. QUASI-JUDICIAL

1. REQUEST FOR A CONDITIONAL USE-MAJOR TO ALLOW A CHURCH IN A C-2 ZONING DISTRICT, 1443 HIGHWAY 90 (STEPHEN BRYAN CIRLOT, PASTOR OF CHURCH AT THE SQUARE) GPC CASE #13-01-CU)

There came before the Planning Commission a request on the part of Stephen Bryan Cirlot, Pastor of Church at the Square, for a Conditional Use-Major permit that would allow a church in a C-2 Community Commercial zoning district at 1443 Highway 90, PID #82436570.000.

The applicant explained that the church began as a Bible study in his home and then moved to the Baptist Student Union at Mississippi Gulf Coast Community College as their congregation grew. They have now outgrown the Baptist Student Union with sixty to seventy members and need a bigger place to meet. The applicant stated that they currently have one worship service a week and that is at 9:30 a.m. on Sundays. They hope to add a second Sunday service in the near future.

Commissioner Johnson asked if the services included contemporary music such as drums, guitars, etc. The applicant stated that they did have drums, guitars and other instruments that were used during the music portion of the services. Commissioner Johnson advised him that the sound would have to be

contained within the building so as not to disturb neighboring residences. The applicant said that would not be a problem.

Commissioner Johnson then asked the applicant if he understood the conditions of the permit regarding handicap accessibility to the building and if he would be able to comply with those regulations. The applicant said that would not be a problem either.

Commissioner Minor made a motion to recommend approval of the request with the following conditions recommended by Staff:

1. The location shall meet all accessibility requirements for change of occupancy as stated in Section 3409 of the International Building Code.
2. The physical location of the church and all operations shall be restricted to the location at 1441-B and 1443 Highway 90. Any further expansion shall require the permit to be amended.
3. Noise levels shall meet the City's noise ordinance.

Commissioner Spanier seconded the motion and the following vote was recorded:

<u>AYES</u>	<u>NAYS</u>	<u>ABSENT</u>	<u>ABSTAINED</u>
Larry Dailey		James Torrey	
Greg Spanier			
David Wooten			
Richard Johnson			
Marilyn Minor			

B. DISCUSSION

1. AQUA-AGRICULTURE

This item was not discussed due to the interested party calling prior to the meeting stating that due to unforeseen circumstances he will not be able to pursue this project at this time.

DIRECTOR'S REPORT

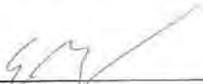
Mr. Meyer gave a brief update on some ongoing projects within the City. He advised that a site plan for the new Walmart was not available yet but that it would be approximately 150,000 square feet, the largest on the coast; that the

City had just received an Economic Development Award from the Mississippi Economic Development Council for retaining B & D Plastics and their expansion within the City; and that the City had assumed operation and maintenance of Shepard State Park on January 28th.

Mr. Meyer invited the Planning Commissioners to the Town Hall Meeting on March 11th at the Community College Cafetorium. The focus of the meeting will be recreation.

Commissioner Wooten asked about the widening of Martin Bluff Road. Mr. Meyer stated that the Federal Highway Commission had approved the environmental proponents of the project and that the next step is to hire someone to handle acquiring the forty-eight properties on the north side of Martin Bluff Road from Gautier-Vanceleave Road to Homestead Boulevard. The project will have a twelve foot path on the north side of Martin Bluff Road to Homestead Boulevard, there it will switch over to a sidewalk on the south side to Martin Bluff Elementary. The City is working with the engineer to find the additional funding to have the sidewalk extend to Frontage Road.

SUBMITTED BY:


Eric Meyer
Economic Development Director

DATE: 4/16/13

APPROVED:


David Wooten, Chairman
Gautier Planning Commission

DATE: 4-4-13

There came for consideration of the Mayor and Members of the Council of the City of Gautier, Mississippi, the following:

ORDER NUMBER 000-2013

IT IS HEREBY ORDERED by the Mayor and Members of the Council of the City of Gautier, Mississippi, that the minutes from Council Meeting held April 16, 2013 are hereby approved.

IT IS FURTHER ORDERED that the City Manager or City Clerk is authorized to execute any and all documents necessary.

Motion was made by Mayor Fortenberry, seconded by Councilwoman Martin and the following vote was recorded:

AYES: Tommy Fortenberry
Johnny Jones
Hurley Ray Guillotte
Gordon Gollott
Mary Martin
Scott Macfarland
Adam Colledge

NAYS: None

MAYOR

ATTEST:

CITY CLERK

PASSED AND ADOPTED by Mayor and Members of the Council of the City of Gautier, Mississippi, at the meeting of May 7, 2013.

There came for consideration of the Mayor and Members of the Council of the City of Gautier, Mississippi, the following:

ORDER NUMBER 116-2013

IT IS HEREBY ORDERED by the Mayor and Members of the Council of the City of Gautier, Mississippi, that the Gautier Police Department body armor policy and safety procedures are hereby approved.

IT IS FURTHER ORDERED that the City Manager or City Clerk is authorized to execute any and all documents necessary.

Motion was made by Mayor Fortenberry, seconded by Councilwoman Martin and the following vote was recorded:

AYES: Tommy Fortenberry
Johnny Jones
Hurley Ray Guillotte
Gordon Gollott
Mary Martin
Scott Macfarland
Adam Colledge

NAYS: None

MAYOR

ATTEST:

CITY CLERK

PASSED AND ADOPTED by Mayor and Members of the Council of the City of Gautier, Mississippi, at the meeting of May 7, 2013.

Gautier Police Department
Law Enforcement
Policies and Procedures

SUBJECT: Body Armor	POLICY NUMBER:
ISSUE DATE:	REVISIONS DATE:
AUTHORITY TITLE:	AUTHORITY SIGNATURE:

POLICY:

It is the policy of the Gautier Police Department to maximize officer safety through the use of body armor in combination with prescribed safety procedures. While body armor provides a significant level of protection, it is not a substitute for observance of officer safety procedures.

DEFINITIONS:

Field Activities: Duty assignments and/or tasks that place or could reasonably be expected to place officers in situations where they would be required to act in enforcement rather than administrative or support capacities.

DISCUSSION:

The Gautier Police Department shall make ballistic vests available to all sworn officers. The wearing of the vests is regulated by the officer's assignment.

PROCEDURES:

A. Issuance of Body Armor

1. All body armor issued must comply with protective and related requirements prescribed under current standards of the National Institute of Justice.
2. All officers shall be issued Gautier Police Department approved body armor.
3. Body armor that is worn or damaged shall be replaced by the City of Gautier. Body armor that must be replaced due to misuse or abuse will be paid for by the officer.

Restricted Law Enforcement Data
This data is proprietary and shall not be duplicated, disclosed, or discussed, without the written permission of this agency. Data subject to this restriction is contained throughout this publication.
Page 1 of 3

Law Enforcement Policies and Procedures, Body Armor

B. Use of Body Armor

1. Officers shall wear Gautier Police Department approved body armor while on duty.
2. Body armor shall be worn by officers during both classroom and field training.
3. Officers that are assigned to a uniformed function and non-uniformed sworn officers are required to wear body armor while engaged in field activities Both on duty and during off duty employment unless exempt as follows:
 - a. When an Gautier Police Department approved physician determines that an officer has a medical condition that would preclude wearing body armor.
 - b. When the officer is involved in undercover or plain clothes work that his/her supervisor determines could be compromised by wearing body armor; or
 - c. When the Gautier Police Department determines that circumstances make it inappropriate to mandate wearing body armor.

C. Inspections of Body Armor

1. Supervisors shall be responsible for ensuring that body armor is worn and maintained as required by this policy through routine observation and periodic documented inspections.
2. Annual inspections of body armor shall be conducted for fit, cleanliness, sign of damage, abuse and wear.

D. Care, Maintenance and Replacement of Body Armor

1. Officer shall routinely inspect personal body armor for signs of damage and for general cleanliness.

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Page 2 of 3

Law Enforcement Policies and Procedures, Body Armor

2. As dirt and perspiration may erode ballistic panels, each officer shall be responsible for cleaning personal body armor in accordance with the manufacturer's instructions.
3. Officers are responsible for the proper storage, maintenance and care of the body armor in accordance with manufacturer's instructions.
4. Officers are responsible for reporting damage or excessive wear to the ballistic panels or cover to their supervisor and the individual responsible for the uniform supply function.
5. Body armor will be replaced in accordance with guidelines and protocols established by the National Institute of Justice.

E. Training

The training officer will be responsible for:

1. Monitoring technological advances in the body armor industry that may necessitate a change in body armor.
2. Assessing weapons and ammunition currently in use and the suitability of approved body armor to protect against those threats.
3. Providing training program that demonstrate body armor's stopping power under actual firing conditions and that emphasize its safe and proper use.
4. Maintaining statistics on incidents where armor has or has not protected officers from harm, including traffic accidents.

F. Command and Administrative Personnel:

Command and Administrative personnel are those officers who work from 8:00 a.m. - 5:00 p.m., Monday through Friday and perform administrative duties as designated by the Chief of Police. All officers classified as "Command" or "Administrative Personnel" will be required to wear a ballistic vest under the Chief of Police discretion.

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Page 3 of 3

There came for consideration of the Mayor and Members of the Council of the City of Gautier, Mississippi, the following:

ORDER NUMBER 117-2013

IT IS HEREBY ORDERED by the Mayor and Members of the Council of the City of Gautier, Mississippi, that the Gautier Police Department is hereby authorized to submit a grant application for bulletproof vests to the U.S. Department of Justice, Bureau of Justice Assistance.

IT IS FURTHER ORDERED that the City Manager or City Clerk is authorized to execute any and all documents necessary.

Motion was made by Mayor Fortenberry, seconded by Councilwoman Martin and the following vote was recorded:

AYES: Tommy Fortenberry
Johnny Jones
Hurley Ray Guillotte
Gordon Gollott
Mary Martin
Scott Macfarland
Adam Colledge

NAYS: None

MAYOR

ATTEST:

CITY CLERK

PASSED AND ADOPTED by Mayor and Members of the Council of the City of Gautier, Mississippi, at the meeting of May 7, 2013.

**CITY OF GAUTIER
MEMORANDUM**

To: Samantha Abell, City Manager
Thru: Teresa Montgomery, City Comptroller
From: Dante Elbin, Chief of Police
Date: May 1, 2013
Subject: U.S. Department of Justice Bulletproof Vest Partnership (BVP) Grant Application

REQUEST:

The Gautier Police Department requests City Council approval to submit a grant application for bulletproof vests to the U.S. Department of Justice, Bureau of Justice Assistance.

BACKGROUND:

The Bulletproof Vest Partnership (BVP), created by the Bulletproof Vest Partnership Grant Act of 1998 is a unique U.S. Department of Justice initiative designed to provide a critical resource to state and local law enforcement.

DISCUSSION:

The Gautier Police Department estimates that 36 bulletproof vests need to be replaced. The department received a quote of \$672.00 per vest from Mid South Uniform. The total cost of this project is estimated at \$24,192.00. The selected vest meets the required NIJ Standard-0101.06 for Ballistic-Resistance of Body Armor. The Bulletproof Vest Partnership determines the level of funding available once all applications are received. The program is designed to pay up to 50% of the total cost of each vest in the application. The Police Department plans to use asset forfeiture funds for the 50% local match requirement, which will not affect the 2013-14 budget. The current deadline is May 20, 2013. Vests must be received and payment requested within two years of the approval date.

The grant also requires that applicants have a mandatory wear policy in effect at the time of the grant application submission. A mandatory wear policy has been developed and is also submitted for City Council approval.

RECOMMENDATION:

The Police Department recommends that City Council approve submission of an online grant application for bulletproof vests to the U.S. Department of Justice as outlined above prior to the May 20, 2013 deadline. We make this recommendation based on the critical safety needs of our officers and requirements mandated by the State insurance policy.

The City Council may:

1. Approve the above grant application submission as presented;
2. Approve the above grant application submission with changes; or
3. Disapprove submission of this grant application.

ATTACHMENT(S):

There came for consideration of the Mayor and Members of the Council of the City of Gautier, Mississippi, the following:

ORDER NUMBER 118-2013

IT IS HEREBY ORDERED by the Mayor and Members of the Council of the City of Gautier, Mississippi, that the request to add forfeited firearms to the Gautier Police Department inventory, forfeited equipment to Public Works Department and forfeited funds to the City's general fund account is hereby approved.

IT IS FURTHER ORDERED that the City Manager or City Clerk is authorized to execute any and all documents necessary.

Motion was made by Mayor Fortenberry, seconded by Councilwoman Martin and the following vote was recorded:

AYES: Tommy Fortenberry
Johnny Jones
Hurley Ray Guillotte
Gordon Gollott
Mary Martin
Scott Macfarland
Adam Colledge

NAYS: None

MAYOR

ATTEST:

CITY CLERK

PASSED AND ADOPTED by Mayor and Members of the Council of the City of Gautier, Mississippi, at the meeting of May 7, 2013.

MEMORANDUM

TO: Mayor and City Council
FROM: Dante Elbin
Chief of Police
DATE: April 24, 2013
SUBJECT: Forfeited Assets (Firearms, Cash and Equipment)

REQUEST:

The Gautier Police Department is requesting the Mayor and City Council to approve adding forfeited firearms to our department inventory, forfeited equipment to Public Works and forfeited funds to the City of Gautier's general fund account.

BACKGROUND:

The MS Code 21-39-21 provides for Municipalities to dispose of abandoned property.

DISCUSSION:

On April 23, 2013, Gautier Municipal Court Judge, Jason Thornton, signed an order to forfeit the firearms, equipment and abandoned money to the City of Gautier. The forfeited items are an accumulation of criminal cases that have been investigated by the Gautier Police Department. Upon conclusion of the investigations the items were stored in the evidence locker. The Gautier Police Department has made several attempts over the years to locate the owners of the property. The remaining items were either found/abandoned or ordered to be surrendered through the court system.

RECOMMENDATION:

The Mayor and City Council approve to place forfeited cash into the general fund, place equipment/tools on public works inventory and add firearms to the police department inventory.

ATTACHMENTS:

Gautier Municipal Court order forfeiting firearms, equipment and money to the City of Gautier.

IN THE MUNICIPAL COURT OF GAUTIER, MISSISSIPPI

IN RE: THE FORFIETURE OF
CONFISCATED FIREARMS AND EQUIPMENT

ORDER FORFIETING FIREARMS, EQUIPMENT AND MONEY TO THE CITY OF GAUTIER

Upon request of the Gautier Police Department, the firearms and equipment identified on the attached Inventory list are found to have been previously forfeited, surrendered or confiscated by the Gautier Police Department, but such firearms and equipment are in cases that have been disposed of by the Municipal Court of Gautier and have some value to the City or its law enforcement agency, and therefore it is appropriate to forfeit such firearms and equipment to the custody of the city to be added to its inventory for the city's use as provided in MS Code 21-39-21. The attached list will be provided to the governing authorities of the City of Gautier. The Gautier Police Department has conducted criminal investigation and one or more of the following conditions exist in reference to the items on the attached list.

1. The item has been abandoned or surrendered to the Gautier Police Department.
2. The item is believed to be stolen and the rightful owner cannot be located.
3. The item has been lost and the rightful owner cannot be located.
4. The item was possessed illegally by a prohibited person by state or federal law. (Such as possession of a weapon by a convicted felon or person convicted of domestic violence.)
5. The item was seized during the commission of a crime. (Such as discharging a firearm in the city limits, exhibiting a weapon, and or domestic violence.)

SO ORDERED AND ADJUDGED on this 23 day of April, 2013.



Jason Thornton
Municipal Court Judge

Criminal Investigation Division

Gautier Police Department
Power Equipment Log

Description	Serial Number	Case Number	Status
Honda Push Mower	None	2012050362	
Briggs and Stratton Pressure Washer	1005045674002	2012052246	
Toro 190cc Lawn Mower	909145045160	2012060985	
Craftsman Edger	000572257S2K153	2012060985	

Criminal Investigation Division

Gautier Police Department
Forfeited Gun Log

Description	Serial Number
Star .45	1813093
Raven .25	1444093
Jimenez .380	49510
Cobra .380	CPO17936
Phoenix .25	3177684
Smith and Wesson 44 Magnum	AHS2561
Deringer .22	10144
Lorcin .380	084901
NAA .22	E189308
Smith and Wesson .40	RAY5015
Smith and Wesson .38	49927
Smith and Wesson .38 SPC	61214
Taurus .38 SPC	686968
Rohm .22	35767
Jimenez .380	021066
Taurus .357	20118
Hi-Point (S&W) .40	737665
Rohm .22 (Short)	1102248
H&R .22	AP120784
Taurus .40	SZJ31590
Bryco-Jennings Nine	1557753
Cobra .22 Leinad	G000054
Lorcin .380	342402
Bryco-Jennings Nine	1313703
Titan .25	A74664
Remington 870	B265542M
Mossberg 500	P765025
Marlin .22	0017184
Winchester 190	B1692462
Mossberg 12 GA	J708433
Winchester .22	B1633333
Springfield BA .22	R044642
Winchester 1300 12 GA	L3508066

There came for consideration of the Mayor and Members of the Council of the City of Gautier, Mississippi, the following:

ORDER NUMBER 119-2013

IT IS HEREBY ORDERED by the Mayor and Members of the Council of the City of Gautier, Mississippi, that the 15' utility easement owned by Mildred G. and Howard J. Green on Lot #17 located at 2201 Guillotteville Road is hereby accepted.

IT IS FURTHER ORDERED that the City Manager or City Clerk is authorized to execute any and all documents necessary.

Motion was made by Mayor Fortenberry, seconded by Councilwoman Martin and the following vote was recorded:

AYES: Tommy Fortenberry
Johnny Jones
Hurley Ray Guillotte
Gordon Gollott
Mary Martin
Scott Macfarland
Adam Colledge

NAYS: None

MAYOR

ATTEST:

CITY CLERK

PASSED AND ADOPTED by Mayor and Members of the Council of the City of Gautier, Mississippi, at the meeting of May 7, 2013.

STATE OF MISSISSIPPI

COUNTY OF JACKSON

UTILITY EASEMENT

FOR AND IN CONSIDERATION of the price and sum of TWO THOUSAND THREE HUNDRED AND NO/ 100 DOLLARS (\$2,300.00), cash in hand paid and other good and valuable consideration, the receipt of all which is hereby acknowledged. WE, MILDRED G. GREEN & HOWARD J. GREEN, do hereby bargain, sell, convey and grant unto the CITY OF GAUTIER, Mississippi, a drainage easement over and across the following described property to wit;

A parcel of land required for a 15' Utility Easement situated in Fractional Section 12, Township 8 South, Range 5: 7 West, Jackson County MS, being more particularly described as:

Commencing at a Flagged 1\2" Iron Pin at the Southeast Corner of Fractional Section 2, Township 8 South, Range 7 West; Jackson County, MS, said iron pin being on the Western line of Fractional Section 12, Township 8 South, Range 7 West; thence run N06°48'16"W 399.03 feet along the Western line of said Fractional Section 12 to a found iron pin; thence run NO7 16'54"W 240.38 feet along said Western line to the Northwest Corner of Lot 17, College Park- North Subdivision, said point being the POINT OF BEGINNING; thence run N06°58'58"W 305.29 feet along said Western line to a found 1.5" pipe; thence run N05°28'10"W 37.54 feet along said Western line; thence run N8431'41"E 15.00 feet; thence run S0528'10"E 37.34 feet; thence run S06°58'58" E 310.59 feet to the North line of College Park- North Subdivision; thence run N76 51'S8"W 15.97 feet along said North line back to the POINT OF BEGINNING.

Containing 5,181 square feet or 0.119 Acres, more or less.

As part of the consideration of the grant of this easement the City of Gautier Mississippi agrees that should it perform any work over and across this easement it will return the surface of this property as near as possible to the condition that existed prior to the commencement of work.

WITNESS THE EXECUTION OF THIS INSTRUMENT, on April 9 2013.

Mildred G. Green
Mildred G. Green

Howard J. Green
Howard J. Green

STATE OF MISSISSIPPI

COUNTY OF JACKSON

PERSONALLY CAME AND APPEARED before me, the undersigned authority in and for the aforesaid parties, Mildred G. Green and Howard J. Green, who acknowledge to me that they executed the above and foregoing instrument on the date therein written as their free and voluntary act and deed and for the uses and purposes therein contained.

GIVEN UNDER MY HAND, this the 9 day of April 2013

My commission expires:

Oct. 28, 2014

OFFICIAL SEAL OF OFFICE



Breilana N. Martin
NOTARY PUBLIC