

Tuesday
July 28, 2015
Gautier, Mississippi

BE IT REMEMBERED THAT A BUDGET WORK SESSION MEETING by the Mayor and Members of the Council of the City of Gautier, Mississippi was held July 28, 2015 at 6:00 PM in the City Hall Municipal Building, 3330 Highway 90, Gautier, Mississippi.

Those present were Mayor Gordon Gollott, Council Members, Mary Martin, Johnny Jones, Hurley Ray Guillotte, Casey Vaughan, Rusty Anderson and Adam Colledge. Also present were Samantha Abell, City Manager; Cynthia Russell, City Clerk; Josh Danos, City Attorney; and other concerned citizens.

**AGENDA
BUDGET WORK SESSION
CITY OF GAUTIER, MISSISSIPPI
CITY HALL COUNCIL CHAMBERS
July 28, 2015 @ 6:00 P.M.**

- I. Call to Order
 - 1. Prayer
 - 2. Pledge of Allegiance
- II. Agenda Order Approval
- III. Business Agenda
 - 1. Order authorizing the acceptance of an amended drainage easement on Martin Bluff Road. PID 85250002.000.
 - 2. Discussion of budget priorities and proposals.
- IV. Adjourn

Councilwoman Martin made to motion to accept the agenda order approval. Motion was seconded by **Councilman Vaughan** and unanimously carried.

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

ORDER NUMBER 138-2015

WHEREAS, it is the determination of the Mayor and Members of the Council of the City of Gautier, Mississippi that certain easements are necessary for the purpose of correcting drainage and other utility needs.

WHEREAS, accepting the amended easement is in the best interest of the City of Gautier.

NOW, THEREFORE, be it ordered by the Mayor and Members of the Council of the City of Gautier that the amended Perpetual Non-Exclusive Drainage Easement on Martin Bluff Road, PID 85250002.000 donated unto the City of Gautier 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 **Councilwoman Martin** seconded by **Councilman Colledge** and the following vote was recorded:

AYES: **Gordon Gollott**
 Mary Martin
 Johnny Jones
 Hurley Ray Guillotte
 Casey Vaughan
 Rusty Anderson
 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 July 28, 2015.

**CITY OF GAUTIER
MEMORANDUM**

To: Samantha Abell, City Manager
From: Chandra Nicholson, Director of Economic Development & Planning
Date: July 23, 2015
Subject: Acceptance of Amended Drainage Easement for Hickory Hills Dollar General Store Located on Martin Bluff Road, PID 85250002.000

REQUEST:

The Economic Development and Planning Department requests City Council acceptance of an amended drainage easement for the Hickory Hills Dollar General Store located on Martin Bluff Road.

DISCUSSION:

It has been determined that the existing recorded Drainage Easement dated October 28, 2008 needs to be amended to accurately capture the location of the existing drainage system.

RECOMMENDATION:

The Economic Development and Planning Department recommends that City Council accept the amendment to the October 28, 2008 recorded Drainage Easement.

The City Council may:

1. Accept the drainage easement amendment as presented; or
2. Disapprove amending the drainage easement.

ATTACHMENT(S):

1. Amendment to Perpetual Non-Exclusive Drainage Easement (June 24, 2015)
2. Original Recorded Drainage Easement – For Reference Only (October 28, 2008)

Prepared by and return after recording:

Grantor: DG Development I, LLC
14 Rue Royale
Metairie, Louisiana 70002
Phone 504-569-2974

Grantee: CITY OF GAUTIER, Mississippi
3330 W. Highway 90
Gautier, MS 39553
Phone 497-8000

Indexing Instructions: James Ware Claim Section 3, Township 7 South, Range 7 West, Jackson County, Mississippi, being part of Lots Five (5) and Six (6), of the division of land of the James Martin Estates

STATE OF MISSISSIPPI

COUNTY OF JACKSON

AMENDMENT TO PERPETUAL NON-EXCLUSIVE DRAINAGE EASEMENT

FOR AND IN CONSIDERATION of the price and sum of Ten and No/100 Dollars (\$10.00), cash in hand paid, and other good and valuable considerations, the receipt of all of which is hereby acknowledged, DG Development I, LLC, a Louisiana limited liability company, does hereby amend the Perpetual Non-Exclusive Drainage Easement dated October 28, 2008, and recorded at Deed Book 1559, Page 388-393, granted by Annie Louise Peden unto the CITY OF GAUTIER, Mississippi, a governmental entity of the State of Mississippi, and to its successors and assign to increase the easement area, over, under and across the following described property situated in the County of Jackson, State of Mississippi, more particularly described as follows, to-wit;

The easement shall run 20 feet in width along the north margin of the Property and 24 feet in width along the eastern margin of the Property, which Property is described as follows:

That certain tract of land situated in James Ware Claim Section 3, Township 7 South, Range 7 West, Jackson County, Mississippi, being part of Lots Five (5) and Six (6), of the division of land of the James Martin Estates, per plat recorded in Surveyor's Record Book 1, Page 48, in the office of the Chancery Clerk of Jackson County, Mississippi, more particularly described as follows, to-wit: COMMENCING at a point on the East margin of Martin Bluff Road where said road is intersected by the South Line of Lot Six (6), thence run North along said East margin a distance of 152.5 feet to a point on the North margin of Bluff Point Road which road leads to Singing River Fishing Camp; thence continue North along the East margin of Martin Bluff Road a distance of 265.0 feet to the Northwest corner of property conveyed to McElroy by Deed Book 904, Page 77, Jackson County, Mississippi, and the POINT OF BEGINNING: From said point of beginning, continue North along the East margin of Martin Bluff Road a distance of 326.7 feet to the Northwest corner of the first parcel of property conveyed to Peden by Deed Book 453, Page 495; thence run North 89°05' East a distance of 300 feet; thence run South a distance of 326.7 feet more or less to the Northeast corner of property conveyed to McElroy in the aforementioned Deed Book 904, Page 77; thence run South 89°05' West along the North margin of McElroy property a distance of 300 feet back to the point of beginning.

LESS AND EXCEPT that certain property conveyed unto Jackson County, Mississippi, in Warranty Deed dated June 8, 1992 and recorded in Deed Book 1004 at Page 279, and more particularly described as follows:

That certain tract, piece or parcel of land situated in James Ware Claim Section 3, Township 7 South, Range 6 West and Claim Section 12, Township 7 South, Range 7 West, Jackson County, Mississippi, and more particularly described as follows, to-wit: Part of Lot 5 and Lot 6 of the division of lands of the James Martin Estate, per plat thereof recorded in Official Surveyor's record Book 1, Page 48, now on file in the Office of the Chancery Clerk of Jackson County, Mississippi, described as follows:

Commencing at a point on the East right-of-way of Martins Bluff Road, where said road is intersected by the South line of Lot 6 of the division of lands of James Martin Estate, thence North along said East right-of-way of Martins Bluff Road a distance of 152.5 feet to a point on the North right-of-way of a road leading into Singing River Fishing Camp known as Bluff Point Road, said point being the POINT OF BEGINNING. Thence run North 85 degrees 58 minutes East along said North right-of-way of said Bluff Point Road 25.7 feet; thence run North 00 degrees 02 minutes West 590.1 feet to the North margin of Peden property; thence run South 89 degrees 52 minutes West 24.9 feet to said existing East right-of-way line of said Martins Bluff Road; thence run South 00 degrees 02 minutes East 591.8 feet along said East right-of-way of said Martins Bluff Road back to the POINT OF BEGINNING.

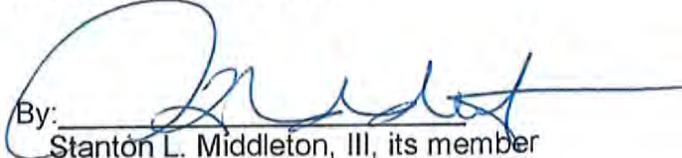
(the "Property").

It is the intent of and the Grantor herein amend the prior conveyance of easement and to convey to the Grantee, its successors and assigns the above described easement over the North 20 feet and the East 24 feet of Grantor's property described in Deed Book 1771, Page 310-412, Land Deed Records of Jackson County, Mississippi.

All remaining terms and provisions of the Perpetual Non-Exclusive Drainage Easement dated October 28, 2008, and recorded at Deed Book 1559, Page 388-393 remain in full force and effect.

WITNESS THE EXECUTION OF THIS INSTRUMENT, on this the 24~~th~~ day of June, 2015.

DG Development I, LLC

By: 
Stanton L. Middleton, III, its member

STATE OF MISSISSIPPI
COUNTY OF JACKSON

PERSONALLY CAME AND APPEARED BEFORE ME, the undersigned authority in and for said county and state the within named STANTON L. MIDDLETON, III who acknowledged to me that he signed, executed and delivered the above and foregoing instrument of writing as a Member of DG Development I, LLC on the date therein written as his free and voluntary act and deed and for the use and purposes therein contained.

GIVEN UNDER MY HAND AND OFFICIAL SEAL OF OFFICE, this the 24~~th~~ day of June, 2015.


NOTARY PUBLIC
My Commission Expires: at death

PETER S. THRIFFLEY, JR.
NOTARY PUBLIC
STATE OF LOUISIANA
My Commission is issued for Life.
LA Bar Roll No. 32731

STATE OF MISSISSIPPI
COUNTY OF JACKSON



OFFICIAL RECORDS JACKSON COUNTY
Terry Miller
CHANCERY CLERK
RECORDING FEE: \$15.00
#200826805 BK: 1559 PG: 388-393
10/31/2008 03:32 PM 6 PGS
KCOULTER, DC Rcpt#016766

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PERPETUAL NON-EXCLUSIVE DRAINAGE EASEMENT

FOR AND IN CONSIDERATION of the price and sum of Ten and No/100ths Dollars (\$10.00), cash in hand paid, and other good and valuable considerations, the receipt of all of which is hereby acknowledged, I, Annie Louise Peden, do hereby convey, grant, bargain, sell and warrant unto CITY OF GAUTIER, Mississippi, a governmental entity of the State of Mississippi, and to its successors and assigns the following described perpetual, non-exclusive easement for drainage purposes with said easement to be a covenant running with the land over, under and across the following described property situated in the County of Jackson, State of Mississippi, more particularly described as follows, to-wit:

That certain parcel of land being situated in James Ware Claim Section 3, Township 7 South, Range 6 West and Claim Section 12, Township 7 South, Range 7 West, Jackson County, Mississippi, and Part of Lot 5 and Lot 6 of the division of lands of the James Martin Estate, per plat thereof recorded in official Surveyor's Record Book 1, Page 48, now on file in the Office of the Chancery Clerk of Jackson County, Mississippi and more particularly described as follows, to-wit:

Twenty (20) foot easement: Beginning at a point on the east right-of-way of Martins Bluff Road located 24.9 feet East of the Northwest corner of the property conveyed to Annie Louise Peden, dated May 16, 2002, recorded in Deed Book 1271 at Pages 537-538, Land Deed Records of Jackson County, Mississippi; thence run N 89° 52' E along North margin of said Peden property a distance of 275 feet, more or less, to the East margin of said Peden property; thence run S 00° 02' East a distance of 280 feet, more or less, along the East margin of said property to the North margin of the parcel conveyed to Darren R. Suthoff dated June 9, 2004 recorded in Warranty Deed 1344, Pages 756-758, Land Deed Records of Jackson County, Mississippi; thence run S 87° 58' 40" W a distance of 20 feet along the North margin of the said Suthoff property and the South margin of the Peden property; thence run parallel to the East margin of the Peden property N 00° 02' West a distance of 260 feet, more or less, to a point 20 feet South of the North margin of the Peden property; thence run parallel to the North margin of the Peden property S 89° 52' W a distance of 255 feet, more or less, to the East right-of-way of Martins Bluff Road; thence run N 00° 02' W a distance of 20 feet along the East right-of-way of Martins Bluff Road to the point of beginning. See copy of survey by Batson and Brown, Inc. dated November 11, 1991 attached hereto as Exhibit "A" and copy of survey by L.J. Achee, Jr. dated May 20, 2004 attached hereto as Exhibit "B." This being part of the same property conveyed to Annie Louise Peden, dated May 16, 2002, recorded in

Deed Book 1271 at Pages 537-538, Land Deed Records of Jackson County, Mississippi.

Grantor states the subject property constitutes no part of Grantors homestead nor is it contiguous thereto.

INDEXING INSTRUCTIONS: James Ware Cl. S3-T7S-R6W and Cl. S12-T7S-R7W and Lot 5 and Lot 6 of James Martin Estate.

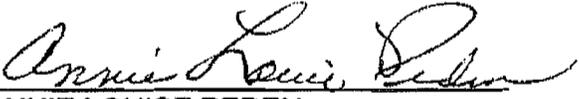
It is the intent of and the Grantor herein hereby conveys to the Grantee and its successors and assigns the above described drainage easement over the North and part of the East 20 feet of the Grantor's property described in Deed Book 1271, Pages 537-538, Land Deed Records of Jackson County, Mississippi.

It is understood and agreed that this easement shall also give and convey to the Grantee herein, and its successors and assigns the right of ingress and egress upon the lands above described for the purpose of maintaining and repairing the drainage system.

Grantee covenants that the said drainage system shall consist of a culvert running across the hereinabove described easement, which Grantee shall install and maintain. If said culvert is not installed by April 30, 2009, this Easement shall revert back to the Grantor and Grantee shall no longer have an interest in the subject Easement.

This Easement is executed pursuant to the agreed Order of the Mayor and City Council of the City of Gautier dated August 5, 2008. See Order No. 234-2008 attached hereto as Exhibit "C."

WITNESS THE EXECUTION OF THIS INSTRUMENT, on this the 28 day of October, A.D., 2008.


ANNIE LOUISE PEDEN

STATE OF MISSISSIPPI

COUNTY OF JACKSON

PERSONALLY CAME AND APPEARED BEFORE ME, the undersigned authority in and for said county and state the within named ANNIE LOUISE PEDEN who acknowledged to me that she signed, executed and delivered the above and foregoing instrument of writing on the date therein written as her free and voluntary act and deed and for the use and purposes therein contained.

GIVEN UNDER MY HAND AND OFFICIAL SEAL OF OFFICE, this the 28 day of

October, 2008.



My Commission Expires:

March 17, 2011

Christine Louise Parrish
NOTARY PUBLIC

Grantor's Address

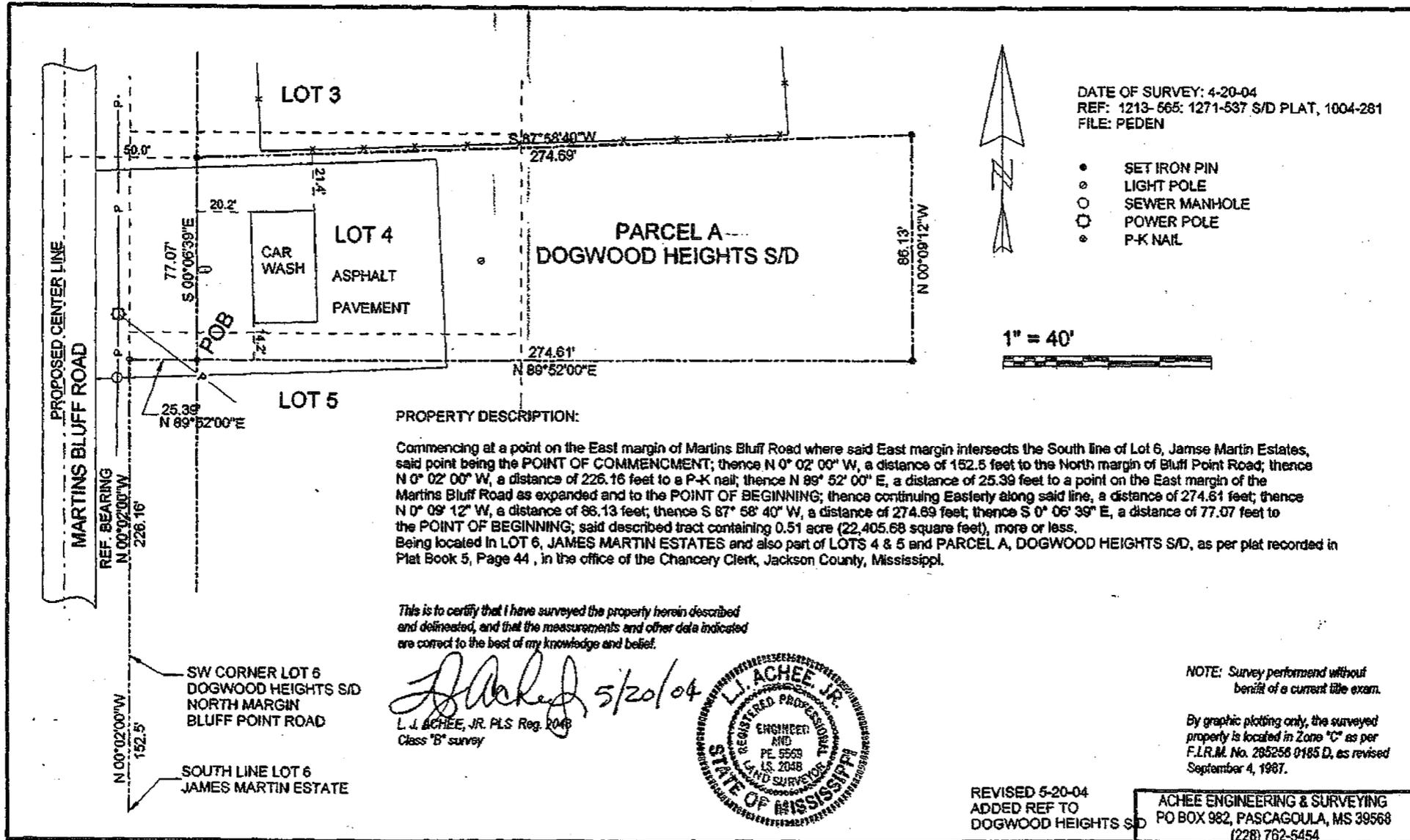
7504 Martin Bluff Road
Gautier, MS 39553
Phone: 228-497-3529

Grantee's Address

3330 W. HWY 90
Gautier, MS 39553
Phone: 497-8000

This Instrument Prepared By:
Kendall K. Stockman
DOGAN & WILKINSON, PLLC
734 Delmas Avenue
P.O. Box 1618
Pascagoula, MS 39568-1618
(228) 762-2272
MSB No. 102569

TITLE NOT EXAMINED



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EXHIBIT

B

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

ORDER NUMBER 234-2008

WHEREAS, it is the determination of the Mayor and Members of the Council of the City of Gautier that certain easements are necessary for the purpose of correcting drainage and other utility needs.

NOW THEREFORE, be it ordered by the Mayor and Members of the Council of the City of Gautier that an easement at 7504 Martin Bluff Road (see attached) being donated by Annie Louise Peden is hereby accepted.

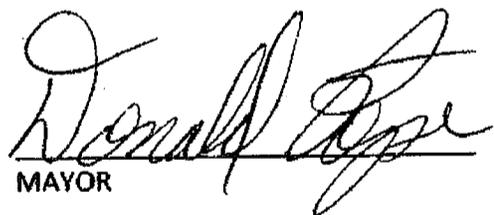
IT IS FURTHER ORDERED that order 097-2008 dated March 04, 2008 is hereby rescinded.

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

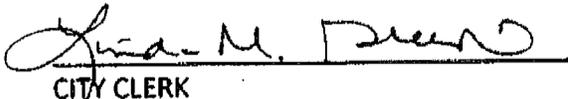
Motion was made by Hansford, seconded by Feathers and the following vote was recorded:

AYES: Donald Pope
Jeff Wilkinson
Virginia Lay
Hurley Ray Guillotte
Richard Paul
Don Hansford
Matt Feathers

NAYS: None

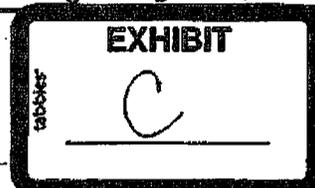

MAYOR

ATTEST:


CITY CLERK

PASSED AND ADOPTED by the Mayor and Members of the Council of the City of Gautier, Mississippi, at the meeting of August 05, 2008.

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Councilwoman Martin made the motion to suspend Roberts Rule of Order:
Councilman Anderson seconded the motion and the vote carried unanimously.

Council discussed budget priorities and proposals.

Councilwoman Martin made the motion to recess the meeting until August 4, 2015 at 6:30 P.M. **Councilman Vaughan** seconded the motion and the vote carried unanimously.

APPROVED BY:

MAYOR

ATTEST:

CITY CLERK

Submitted for approval by Mayor and Members of the Council of the City of Gautier, Mississippi, at the meeting of July 28, 2015.