

EXPLANATORY STATEMENT OF PUBLIC MEASURE OR
AMENDMENT THERETO OF THE CITY OF BRANDON, MISSISSIPPI
PURSUANT TO MISS. CODE ANN. SECTION 21-17-19
(1972 AS AMENDED)

1. Name of Public Measure or Amendment thereto:

ORDINANCE OF THE CITY OF BRANDON, MISSISSIPPI RE-ZONING DESCRIBED PROPERTY FROM RR (RURAL NEIGHBORHOOD CENTER) AND TND (TRADITIONAL NEIGHBORHOOD) TO RC (REGIONAL CENTER) AND I-1 (LIGHT INDUSTRIAL).

2. Date of Adoption: April 1, 2019.


3. Explanatory Statement summarizing the full text of the Public Measure or Amendment thereto including the chief purpose thereto:

The purpose of this Ordinance to re-zone 172.5 acres of property as described in Parcel #'s K9-1, J9-5-20, J8-59-10 and K8-18 from RR (Rural Neighborhood Center) and TND (Traditional Neighborhood) to RC (Regional Center) and I-1 (Light Industrial), and to amend the City's Official Zoning Map accordingly.


4. A copy of the full text of the Ordinance, during the entire time of publication of this Explanatory Statement, shall be posted by the City Clerk for the City of Brandon at: (1) the Brandon City Hall, (2) the Brandon Public Library, and (3) the Brandon Police Station.

5. The City Clerk will furnish any resident of the City of Brandon, a copy of the full text of this Public Measure or Amendment thereto upon request.

THIS, the 1st day of April 2019.



Angela Bean, City Clerk



**ORDINANCE OF THE CITY OF BRANDON, MISSISSIPPI RE-ZONING DESCRIBED
PROPERTY FROM RR (RURAL NEIGHBORHOOD CENTER) AND TND
(TRADITIONAL NEIGHBORHOOD) TO RC (REGIONAL CENTER)
AND I-1 (LIGHT INDUSTRIAL)**

WHEREAS, the Mayor and Board of Aldermen of the City of Brandon, Mississippi, did hold a public hearing as described in the proof of publication of the Notice of Hearing which is appended to the Minutes, in connection with the proposed establishment re-zoning of that certain property described in Exhibit “A” (“Subject Property”) from RR (Rural Neighborhood Center) and TND (Traditional Neighborhood) to RC (Regional Center) and I-1 (Light Industrial); and

WHEREAS, the Mayor and Board of Aldermen do hereby find that notice of said public re-zoning hearing was given as required by law and based upon the evidence and testimony received in connection with the proposed re-zoning of the Subject Property and upon the recommendation of the City of Brandon Planning Commission, and input from citizens and others, the City of Brandon finds that the zoning classification for the Subject Property should be amended from RR (Rural Neighborhood Center) and TND (Traditional Neighborhood) to RC (Regional Center) and I-1 (Light Industrial) as set forth herein, first finding, based on the Staff Report presented by the Community Development Department and related evidence submitted which is included in the record of these proceedings, that the applicant has shown by the requisite burden of proof that proposed re-zoning change as to the Subject Property will correct a manifest error and mistake in the original zoning of the Subject Property and further that the amendment is necessary because of changing conditions in the City and will more suitably promote the public health, safety and welfare than the existing districts which the amendment would replace.

WHEREAS, consistent with the findings herein the Subject Property should be re-zoned from RR (Rural Neighborhood Center) and TND (Traditional Neighborhood) to RC (Regional Center) and I-1 (Light Industrial) as follows: (1) that portion of the Subject Property, identified

by the Rankin County Tax Assessor as parcel number K9-1, which was zoned C-3 (Highway Commercial District) immediately before the adoption of Comprehensive Plan and Zoning Ordinance Amendments in March 2016 should be re-zoned to RC (Regional Center) and (2) that portion of the Subject Property, identified by the Rankin County Tax Assessor as parcel number K9-1, which was zoned I-1 (Light Industrial) immediately before the adoption of the Comprehensive Plan and Zoning Amendments in March 2016 should be re-zoned to I-1 (Light Industrial) and (3) that portion of the Subject Property, identified by the Rankin County Tax Assessor as parcel number K8-18, should be re-zoned to RC (Regional Center) and (4) that portion of the Subject Property, identified by the Rankin County Tax Assessor as parcel J8-59-10, should be re-zoned to RC (Regional Center) and (5) that portion of the Subject Property, identified by the Rankin County Tax Assessor as parcel J9-5-20, should be re-zoned to I-1 (Light Industrial) and the official zoning map of the City of Brandon should be amended to reflect said amendment.

NOW THEREFORE BE IT ORDAINED by the Mayor and Board of Aldermen of the City of Brandon, Mississippi:

Section 1. That the Subject Property should be and the same is hereby re-zoned and classified by the City of Brandon, Mississippi as RC (Regional Center) and I-1 (Light Industrial) as provided herein-above.

Section 2. That the official zoning map of the City of Brandon, Mississippi should be and the same is hereby altered and amended to reflect the re-zoning classifications set forth herein-above with respect to the Subject Property, and the City Clerk and/or her designee is hereby authorized to take all actions necessary to reflect said re-zoning classifications of the Subject Property as set forth herein-above on the official zoning map of the City of Brandon, Mississippi.

Section 3. Upon unanimous vote of the members of the Board of Aldermen, this Ordinance shall go into effect immediately in order to insure the efficient and orderly and timely development of the Subject Property. However, in the event the vote of the Board of Aldermen is less than unanimous, that this Ordinance shall go into effect thirty (30) days after the adoption hereof.

Section 4. Said Ordinance having been previously reduced to writing, a motion was made by Alderman MORRIS and seconded by Alderman CORLEY to adopt the Ordinance and no request having been made by the Mayor or any member of the Board of Aldermen that said Ordinance be read by the City Clerk before a vote was taken, and reading of such having been waived, said Ordinance was adopted by the vote of the Board of Aldermen, the results being as follows:

| | |
|-----------------------------------|------------|
| James Morris, Alderman at Large | <u>AYE</u> |
| Monica Corley, Alderman Ward 1 | <u>AYE</u> |
| Cris Vinson, Alderman Ward 2 | <u>AYE</u> |
| Harry Williams, Alderman Ward 3 | <u>AYE</u> |
| Lu Coker, Alderman Ward 4 | <u>AYE</u> |
| Dwight Middleton, Alderman Ward 5 | <u>AYE</u> |
| Tahya Dobbs, Alderman Ward 6 | <u>AYE</u> |

The Mayor thereby declared the motion carried and the Ordinance adopted and approved on this the 1ST day of April 2019.



BUTCH LEE, MAYOR

ATTEST:



ANGELA BEAN, CITY CLERK



**Legal Description
For
Shiloh Land, LLC Property**

A tract or parcel of land containing **172.50 acres**, more or less, lying and being situated in Section 12 and Section 13, Township 5 North, Range 3 East, City of Brandon and the Southwest $\frac{1}{4}$ and the Northwest $\frac{1}{4}$ of Section 7 and the Northwest $\frac{1}{4}$ of Section 18, Township 5 North, Range 4 East, Rankin County, Mississippi and being more particularly described by metes and bounds as follows:

Commencing at a found $\frac{1}{2}$ inch iron pin marking the intersection of the Southerly right of way of Kansas City Railway Company with the Easterly right of way of Trickhambridge Road, said intersection being 728.49 feet East of and 3,096.65 South of the Northwest corner of said Section 12, said intersection also being 1,835.45 feet South of and 4,533.72 feet West of a found 1 inch iron pipe marking the Northwest corner of said Section 7; run thence

South 84 degrees 52 minutes 34 seconds East for a distance of 3,481.05 feet to said Southerly right of way of Kansas City Southern Railway Company and a set $\frac{1}{2}$ inch iron pin marking the Northeast corner of the Grants Ferry Parkway, LLC property as recorded in Deed Book 2005, Page 11436 in the Office of the Chancery Clerk of Rankin County and the **Point of Beginning** of the herein described property; thence

Continue along the East line of said Grants Ferry Parkway, LLC property as follows:

South 35 degrees 32 minutes 34 seconds West for a distance of 61.16 feet to a set $\frac{1}{2}$ inch iron pin; thence

South 6 degrees 23 minutes 06 seconds West for a distance of 588.42 feet to a set $\frac{1}{2}$ inch iron pin; thence

South 40 degrees 08 minutes 07 seconds West for a distance of 298.50 feet to a set $\frac{1}{2}$ inch iron pin; thence

South 00 degrees 08 minutes 46 seconds West for a distance of 881.95 feet to a set $\frac{1}{2}$ inch iron pin; thence

South 24 degrees 11 minutes 13 seconds East for a distance of 2,025.44 feet to the Northerly right of way of U. S. Highway 80 and a set $\frac{1}{2}$ inch iron pin; thence

Leaving said East line of the Grants Ferry Parkway, LLC property; thence

North 74 degrees 31 minutes 22 seconds East along said Northerly right of way of U.S. Highway 80 for a distance of 1,898.72 feet to a set $\frac{1}{2}$ inch iron pin; thence

North 00 degrees 20 minutes East for a distance of 2,434.52 feet to a set $\frac{1}{2}$ inch iron pin marking the Southeast corner of the Liquid Carbonic Carbon Dioxide Corporation property as recorded in Deed Book 530, Pages 399-401 in the Office of the Chancery Clerk of Rankin County; thence

North 84 degrees 45 minutes West along the South line of said Liquid Carbonic Carbon Dioxide Corporation property for a distance of 949.82 feet to a set ½ inch iron pin marking the Southwest corner of said Liquid Carbonic Carbon Dioxide Corporation property; thence

North 00 degrees 20 minutes East along the West line of said Liquid Carbonic Carbon Dioxide Corporation property for a distance of 435.60 feet to said Southerly right of way of Kansas City Southern Railway Corporation and a set ½ inch iron pin marking the Northwest corner of said Liquid Carbonic Carbon Dioxide Corporation property; thence

North 84 degrees 52 minutes 34 seconds West along said Southerly right of way of Kansas City Southern Railway Company for a distance of 1,440.67 feet to the **Point of Beginning**.

Prepared by:
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