

ORDINANCE NO. 144

AN ORDINANCE ENLARGING, EXTENDING, AND DEFINING THE CORPORATE LIMITS AND BOUNDARIES OF THE TOWN OF LEAKESVILLE, GREENE COUNTY, MISSISSIPPI; SPECIFYING THE IMPROVEMENTS TO BE MADE IN THE ANNEXED TERRITORY AND THE MUNICIPAL OR PUBLIC SERVICES TO BE RENDERED THEREIN; AND FOR OTHER PURPOSES RELATED THERETO.

BE IT ORDAINED BY THE MAYOR AND ALDERMEN OF THE TOWN OF LEAKESVILLE, MISSISSIPPI:

SECTION 1. It is hereby found and determined that the public convenience and necessity require that the corporate boundaries of the Town of Leakesville, Mississippi, be and the same are hereby extended and enlarged so as to embrace the adjacent and unincorporated land and territory in Greene County, Mississippi hereinafter described.

SECTION 2. The Greene County, Mississippi Board of Supervisors has expressly requested the Town of Leakesville, Mississippi to annex an area including the Greene County Industrial Park for purposes of construction of a new County jail. On September 6, 2016, the Greene County Board of Supervisors, by a unanimous vote, adopted a "Resolution Requesting Annexation" wherein the Board resolved that for the sake of public convenience and necessity, it requested the Town of Leakesville to annex an area adjacent to Mississippi Highway 63 that would include all of the Greene County Industrial Park for the purpose of allowing the County to construct a new county jail. This proposed annexation by the Town of Leakesville serves to annex the territory as requested by the Greene County Board of Supervisors.

SECTION 3. The unincorporated land and territory which is added to and included in the corporate limits of the Town of Leakesville, Mississippi, is situated in Greene County, Mississippi, and is more particularly described as follows:

**TOWN OF LEAKESVILLE, MISSISSIPPI
PROPOSED ANNEXATION AREA**

AREA 1

All land situated in unincorporated Greene County, Mississippi and described to-wit:

Beginning at a point where the center thread of Martin Creek intersects the Southern boundary of Section 12, Township 2 North, Range 6 West, said point also being located on the existing corporate limits of the Town of Leakesville and Being the POINT OF BEGINNING;

Thence, leaving said corporate limits, run Westerly along the Southern boundary of said Section 12 and continue along the southern boundary of Sections 11 and 10, Township 2 North, Range 6

West, to a point where the Southern Boundary of said Section 10 intersects the Southern right-of-way line of Dean Turner Extension;

Thence run generally Westerly along the Southern right-of-way line of Dean Turner Extension, 862 feet, more or less, to its intersection with the Southern Boundary of said Section 10;

Thence run Westerly along the Southern boundary of said Section 10 to the Northeast corner of Section 16, Township 2 North, Range 6 West;

Thence run Southerly along the Eastern boundary of said Section 16 to the Southeast corner of the North half of said Section 16;

Thence run Westerly along the Southern boundary of the North half of said Section 16 to the Southwest corner of the North half of said Section 16;

Thence run Northerly along the Western boundary of said Section 16 to the Southeast corner of Section 8, Township 2 North, Range 6 West;

Thence run Westerly along the Southern boundary of said Section 8 to the Southwest corner of the Southeast quarter of said Section 8;

Thence run Northerly along the Western boundary of the Southeast quarter of said Section 8 to the Northwest corner of the Southeast quarter of said Section 8;

Thence run Easterly along the Northern boundary of the Southeast quarter of said Section 8 to the Western right-of-way line of Vo-Tech Road;

Thence run Northerly along the Western right-of-way line of Vo-Tech Road through said Section 8 and Section 5, Township 2 North, Range 6 West to the Southern boundary of the Northeast quarter of said Section 5;

Thence run Westerly along the Southern boundary of the Northeast quarter of said Section 5 to the Southwest corner of the Northeast Quarter of said Section 5;

Thence run Northerly along the Western boundary of the Northeast quarter of said Section 5 and continue Northerly along the Western boundary of the East half of Section 32, Township 3 North, Range 6 West to the Northwest corner of the South half of the Northeast quarter of said Section 32;

Thence run Easterly along the Northern boundary of the South half of the Northeast quarter of said Section 32 to the Southwest corner of the Northwest quarter of the Northwest quarter of Section 33, Township 3 North, Range 6 West;

Thence run Northerly to the Northwest corner of said Section 33;

Thence run Easterly to the Northeast corner of the Northwest quarter of the Northwest quarter of said Section 33;

Thence run Southerly along the Eastern boundary of the West half of the West half of said Section 33 to the Northwest corner of the Southeast quarter of the Northwest quarter of said Section 33;

Thence run Easterly to the Northeast corner of the Southwest quarter of the Northeast quarter of said Section 33;

Thence run Southerly to the Northwest corner of the South half of the Northwest quarter of the Southeast quarter of the Northeast quarter of said Section 33;

Thence run Easterly to the Northeast corner of the South half of the Northwest quarter of the Southeast quarter of the Northeast quarter of Said Section 33;

Thence run Southerly to the Southeast corner of the Northwest quarter of the Southeast quarter of the Northeast quarter of said Section 33;

Thence run Westerly to the Southwest corner of the Northwest quarter of the Southeast quarter of the Northeast quarter of said Section 33;

Thence run Southerly to the Southeast corner of the Southwest quarter of the Northeast quarter of said Section 33;

Thence run Westerly to the Northeast corner of the Southwest quarter of said Section 33;

Thence run Southerly to the Northeast corner of the Northwest quarter of Section 4, Township 2 North, Range 6 West;

Thence run Easterly along the Northern boundary of said Section 4 and continue Easterly along the Northern boundary of Sections 3 and 2, Township 2 North, Range 6 West to the Northeast corner of the Northwest quarter of said Section 2;

Thence run Southerly along the Eastern boundary of the Northwest quarter of said Section 2 to the Northwest corner of the Southeast quarter of said Section 2;

Thence run Easterly along the Northern boundary of the Southeast quarter of said Section 2 to the Eastern boundary of said Section 2;

Thence run Southerly along the Eastern boundary of said Section 2 to the center thread of Blakely Creek, said point also being located on the existing corporate limits of the Town of Leakesville;

Thence, following said corporate limits of the Town of Leakesville, run in a Westerly direction up said Blakely Creek to the center line in Section 2;

Running West to Section line between Sections 2 and 3 and 10 and 11 in Township 2 North, Range 6 West;

Thence South along said sections line to Martin Creek;

Thence down said Martin Creek to a point 100 feet East of the West line of the Northeast quarter of the Southeast quarter of said Section 11, which said point is also described as beginning at the Northwest corner of the Northeast quarter of the Southeast quarter of said Section 11, and running thence South a distance of 1095.0 feet to a point, thence running East a distance of 100 feet to the center of Martin Creek;

And from said point running a distance of 302 feet to the Northwest corner of Lot 15, Block 11, of the Hugh McInnis Addition to the town of Leakesville, Greene County, Mississippi, on the East side of Louisiana Avenue, as shown on the plat or survey of the Hugh McInnis Addition, said point being on the North line of Sisson Street;

Thence running East along the North line of Sisson Street, a distance of 140 feet to the Southeast corner of Lot 11, Block 11, said Hugh McInnis Addition;

Thence running South approximately 360 feet, to the center of Martin Creek;

Thence run in a Southeasterly direction down said creek to the section line between Sections 12 and 13, Township 2 North, Range 6 West, said point also being the POINT OF BEGINNING.

AREA 2

All land situated in unincorporated Greene County, Mississippi and described to-wit:

Beginning at a point where the Northern right-of-way line of Mississippi Highway 63 intersects the West bank of the Chickasawhay River, said point also being located on the existing corporate limits of the Town of Leakesville and being the POINT OF BEGINNING;

Thence run Southeasterly along the Northern right-of-way line of Mississippi Highway 63, 3308 feet, more or less, to a point where the Western right-of-way line of Old Mississippi Highway 57 intersects the Northern right-of-way line of said Mississippi Highway 63;

Thence run Northeasterly along the Eastern right-of-way line of said Old Mississippi Highway 57 to a point on the West line of Section 7, Township 2 North, Range 5 West;

Thence run Northerly along the Western boundary of said Section 7 to the Northwest corner of said Section 7;

Thence run Easterly along the Northern boundary of said Section 7 to the Northeast corner of the West half of the East half of said Section 7;

Thence run Southerly along the Eastern boundary of the West half of the East half of said Section 7, and continue Southerly along the Eastern boundary of the West half of the East half of Section 18, Township 2 North, Range 5 West to a point on the Northern boundary of the South half of said Section 18;

Thence run Easterly along the Northern boundary of the South half of said Section 18, and continue Easterly along the Northern boundary of the South half of Section 17, Township 2 North, Range 5 West to the Northeast corner of the Northwest quarter of the Southeast quarter of said Section 17;

Thence run Southerly along the Eastern boundary of the Northwest quarter of the Southeast quarter of said Section 17 to the Northwest corner of the Southeast quarter of the Southeast quarter of said Section 17;

Thence run Easterly along the Northern boundary of the Southeast quarter of the Southeast quarter of said Section 17 to the Eastern boundary of said Section 17;

Thence run Southerly along the Eastern boundary of said Section 17, and continue Southerly along the Eastern boundary of Section 20, Township 2 North, Range 5 West to the Southeast corner of the North half of said Section 20;

Thence run Westerly along the Southern boundary of the North half of said Section 20 to the Southwest corner of the North half of said Section 20;

Thence run Northerly along the Western boundary of said Section 20 to the Southeast corner of Section 18, Township 2 North, Range 5 West;

Thence run Westerly along the Southern boundary of said Section 18 to the Southwest corner of the East half of said Section 18;

Thence run Northerly along the Western boundary of the East half of said Section 18 to the Southeast corner of the North half of the Southwest quarter of said Section 18;

Thence run Westerly along the Southern boundary of the North half of the Southwest quarter of said Section 18 to the Western boundary of said Section 18;

Thence run Northerly along the Western boundary of said Section 18, and continue Northerly along the Eastern boundary of Section 12, Township 2 North, Range 6 West to a point on the Southern right-of-way line of Mississippi Highway 63;

Thence run Northwesterly along the Southern right-of-way line of Mississippi Highway 63 and continue along the Southern right-of-way line of what was known as Old Highway 57/63 to the Western bank of the Chickasawhay River, said point also being located on the existing corporate limits of the Town of Leakesville;

Thence following the existing corporate limits of the Town of Leakesville, run generally Northeasterly along the Western bank of the Chickasawhay River, 650 feet, more or less, to a point where the Northern right-of-way line of Mississippi Highway 63 intersects the West bank of the Chickasawhay River, said point also being the POINT OF BEGINNING.

SECTION 4. After the addition of the lands and territory described in Section 3 hereof, the corporate limits and boundaries of the Town of Leakesville, Mississippi, shall be and are described as follows:

**TOWN OF LEAKESVILLE, MISSISSIPPI
RESULTANT ENLARGED TOWN**

All land situated in unincorporated Greene County, Mississippi and described to-wit:

Beginning at a point where the Northern right-of-way line of Mississippi Highway 63 intersects the West bank of the Chickasawhay River, said point being the POINT OF BEGINNING;

Thence run Southeasterly along the Northern right-of-way line of Mississippi Highway 63, 3308 feet, more or less, to a point where the Western right-of-way line of Old Mississippi Highway 57 intersects the Northern right-of-way line of said Mississippi Highway 63;

Thence run Northeasterly along the Eastern right-of-way line of said Old Mississippi Highway 57 to a point on the West line of Section 7, Township 2 North, Range 5 West;

Thence run Northerly along the Western boundary of said Section 7 to the Northwest corner of said Section 7;

Thence run Easterly along the Northern boundary of said Section 7 to the Northeast corner of the West half of the East half of said Section 7;

Thence run Southerly along the Eastern boundary of the West half of the East half of said Section 7, and continue Southerly along the Eastern boundary of the West half of the East half of Section 18, Township 2 North, Range 5 West to a point on the Northern boundary of the South half of said Section 18;

Thence run Easterly along the Northern boundary of the South half of said Section 18, and continue Easterly along the Northern boundary of the South half of Section 17, Township 2 North, Range 5 West to the Northeast corner of the Northwest quarter of the Southeast quarter of said Section 17;

Thence run Southerly along the Eastern boundary of the Northwest quarter of the Southeast quarter of said Section 17 to the Northwest corner of the Southeast quarter of the Southeast quarter of said Section 17;

Thence run Easterly along the Northern boundary of the Southeast quarter of the Southeast quarter of said Section 17 to the Eastern boundary of said Section 17;

Thence run Southerly along the Eastern boundary of said Section 17, and continue Southerly along the Eastern boundary of Section 20, Township 2 North, Range 5 West to the Southeast corner of the North half of said Section 20;

Thence run Westerly along the Southern boundary of the North half of said Section 20 to the Southwest corner of the North half of said Section 20;

Thence run Northerly along the Western boundary of said Section 20 to the Southeast corner of Section 18, Township 2 North, Range 5 West;

Thence run Westerly along the Southern boundary of said Section 18 to the Southwest corner of the East half of said Section 18;

Thence run Northerly along the Western boundary of the East half of said Section 18 to the Southeast corner of the North half of the Southwest quarter of said Section 18;

Thence run Westerly along the Southern boundary of the North half of the Southwest quarter of said Section 18 to the Western boundary of said Section 18;

Thence run Northerly along the Western boundary of said Section 18, and continue Northerly along the Eastern boundary of Section 12, Township 2 North, Range 6 West to a on the Southern right-of-way line of Mississippi Highway 63;

Thence run Northwesterly along the Southern right-of-way line of Mississippi Highway 63 and continue along the Southern right-of-way line of what was known as Old Highway 57/63 to the Western bank of the Chickasawhay River;

Thence run generally Southerly along the Western bank of the Chickasawhay River, 2535 feet, more or less, to its intersection with the Southern border of said Section 12;

Thence run Westerly along the Southern boundary of said Section 12 and continue along the southern boundary of Sections 11 and 10, Township 2 North, Range 6 West, to a point where the Southern Boundary of said Section 10 intersects the Southern right-of-way line of Dean Turner Extension;

Thence run generally Westerly along the Southern right-of-way line of Dean Turner Extension, 862 feet, more or less, to its intersection with the Southern boundary of said Section 10;

Thence run Westerly along the Southern boundary of said Section 10 to the Northeast corner of Section 16, Township 2 North, Range 6 West;

Thence run Southerly along the Eastern boundary of said Section 16 to the Southeast corner of the North half of said Section 16;

Thence run Westerly along the Southern boundary of the North half of said Section 16 to the Southwest corner of the North half of said Section 16;

Thence run Northerly along the Western boundary of said Section 16 to the Southeast corner of Section 8, Township 2 North, Range 6 West;

Thence run Westerly along the Southern boundary of said Section 8 to the Southwest corner of the Southeast quarter of said Section 8;

Thence run Northerly along the Western boundary of the Southeast quarter of said Section 8 to the Northwest corner of the Southeast quarter of said Section 8;

Thence run Easterly along the Northern boundary of the Southeast quarter of said Section 8 to the Western right-of-way line of Vo-Tech Road;

Thence run Northerly along the Western right-of-way line of Vo-Tech Road through said Section 8 and Section 5, Township 2 North, Range 6 West to the Southern boundary of the Northeast quarter of said Section 5;

Thence run Westerly along the Southern boundary of the Northeast quarter of said Section 5 to the Southwest corner of the Northeast Quarter of said Section 5;

Thence run Northerly along the Western boundary of the Northeast quarter of said Section 5 and continue Northerly along the Western boundary of the East half of Section 32, Township 3 North, Range 6 West to the Northwest corner of the South half of the Northeast quarter of said Section 32;

Thence run Easterly along the Northern boundary of the South half of the Northeast quarter of said Section 32 to the Southwest corner of the Northwest quarter of the Northwest quarter of Section 33, Township 3 North, Range 6 West;

Thence run Northerly to the Northwest corner of said Section 33;

Thence run Easterly to the Northeast corner of the Northwest quarter of the Northwest quarter of said Section 33;

Thence run Southerly along the Eastern boundary of the West half of the West half of said Section 33 to the Northwest corner of the Southeast quarter of the Northwest quarter of said Section 33;

Thence run Easterly to the Northeast corner of the Southwest quarter of the Northeast quarter of said Section 33;

Thence run Southerly to the Northwest corner of the South half of the Northwest quarter of the Southeast quarter of the Northeast quarter of said Section 33;

Thence run Easterly to the Northeast corner of the South half of the Northwest quarter of the Southeast quarter of the Northeast quarter of Said Section 33;

Thence run Southerly to the Southeast corner of the Northwest quarter of the Southeast quarter of the Northeast quarter of said Section 33;

Thence run Westerly to the Southwest corner of the Northwest quarter of the Southeast quarter of the Northeast quarter of said Section 33;

Thence run Southerly to the Southeast corner of the Southwest quarter of the Northeast quarter of said Section 33;

Thence run Westerly to the Northeast corner of the Southwest quarter of said Section 33;

Thence run Southerly to the Northeast corner of the Northwest quarter of Section 4, Township 2 North, Range 6 West;

Thence run Easterly along the Northern boundary of said Section 4 and continue Easterly along the Northern boundary of Sections 3 and 2, Township 2 North, Range 6 West to the Northeast corner of the Northwest quarter of said Section 2;

Thence run Southerly along the Eastern boundary of the Northwest quarter of said Section 2 to the Northwest corner of the Southeast quarter of said Section 2;

Thence run Easterly along the Northern boundary of the Southeast quarter of said Section 2 to the Eastern boundary of said Section 2;

Thence run Southerly along the Eastern boundary of said Section 2 to the center thread of Blakely Creek, said point also being located on the existing corporate limits of the Town of Leakesville;

Thence run generally Southeasterly along the center thread of Blakely Creek through Section 1, Township 2 North, Range 6 West and Section 12, Township 2 North, Range 6 West to its intersection with the Western bank of the Chickasawhay River;

Thence run Southerly along the Western bank of the Chickasawhay River, 6572 feet, more or less, to a point where the Northern right-of-way line of Mississippi Highway 63 intersects the West bank of the Chickasawhay River, said point also being the POINT OF BEGINNING.

SECTION 5. The Town of Leakesville, Mississippi shall make the following improvements in said annexed territory to be completed within a reasonable time, not to exceed five (5) years from the effective date of the Ordinance, unless delayed by war or military preparedness:

- (a) Improve existing streets and drainage where necessary and economically feasible and legally permissible;

- (b) Install water lines, water service, sewage disposal lines, sewage treatment facilities, and street lighting, where necessary and economically feasible and legally permissible;
- (c) Said services shall be furnished in the same manner as such services are being furnished to the present citizens, businesses and property owners of the municipality where necessary and economically feasible and legally permissible.

SECTION 6. The Town of Leakesville, Mississippi shall furnish to the said annexed territory the following municipal and public services in the same manner and to the same extent as such services are being furnished to the present citizens of the municipality, such services to begin on the effective date of this Ordinance, to wit:

- (a) police protection;
- (b) municipal court services;
- (c) first response fire protection and fire prevention services;
- (d) maintenance of streets and related structures;
- (e) right of way maintenance services;
- (f) street lighting;
- (g) administration of sanitation service;
- (h) access to the Town's cultural facilities, services and programs;
- (i) access to the Town's parks and recreation facilities and programs;
- (j) water and sewer utility services at in-city rates for those who are customers of the Town utility services;
- (k) municipal planning and zoning services;
- (l) municipal code enforcement and building inspection services;
- (m) the right to fully participate in the affairs of the municipality through direct involvement and the right to exercise the ballot (vote) in municipal elections upon registering and meeting all statutory and constitutional requirements; and
- (n) the use and benefit of all other municipal services and facilities furnished to all present citizens of the Town of Leakesville, Mississippi.

SECTION 7. The Town of Leakesville, Mississippi shall undertake the following redistricting, planning and zoning activities following the effective date of the Ordinance, to wit:

- (a) Within six (6) months of the effective date of this Ordinance, the Town of Leakesville will prepare and the Aldermen will adopt a Redistricting Plan for the Board of Aldermen so as to include all territory and persons annexed into the Town. The Redistricting Plan shall conform with the Voting Rights Act of 1965, as amended. This Redistricting Plan will provide for proportional representation of all persons annexed and will in all other ways conform with applicable Federal regulations;
- (b) The Town of Leakesville shall enlarge, update, revise and amend its Comprehensive Plan to include all territory annexed into the municipality and the Board of Aldermen shall adopt such revisions fulfilling all legal requirements to do so including public notice and a public hearing on enlargement, updating, revision and amendment of the Comprehensive Plan; and
- (c) Following modification of the Comprehensive Plan to include territories annexed, the Town of Leakesville shall prepare and adopt an Official Zoning Map and such Zoning Ordinance text amendments, as are warranted to implement an adopted Comprehensive Plan. All territory annexed shall be included on the Town's Official Zoning Map and shall be classified thereon in conformance with the Town's adopted Comprehensive Plan. Adoption of Zoning Ordinance text amendments to the Town's official Zoning Map by the Board of Aldermen shall occur after proper notice and public hearing(s). To the extent legally permissible and not in conflict with state law or the Town's zoning ordinance or other land use ordinances and/or regulations, pre-existing uses of property, including, but not limited to, agricultural, hunting, and/or recreational use, will be allowed on territory annexed into the Town.

SECTION 8. This Ordinance shall become effective ten (10) days after the date of the entry of decree of the Chancery Court of Greene County, Mississippi, approving, ratifying and confirming the enlargement and extension of the municipal boundaries of the Town of Leakesville, Mississippi as established by this Ordinance and the final judgment of the said Chancery Court or, in the event an appeal is taken therefrom, within ten (10) days from the final determination of such appeal. All other prior ordinances or enactments in conflict with this Ordinance are hereby repealed.

SECTION 9. The Town of Leakesville, Mississippi, through its attorneys, shall file a petition in the Chancery Court of Greene County, Mississippi, which petition shall pray for the approval, ratification and confirmation by said Court of the enlargement and extension of the municipal boundaries and limits of the Town of Leakesville, Mississippi, as herein fixed and determined. The petition shall have attached thereto a certified copy of this Ordinance and a plat showing the boundaries of the said Town of Leakesville, Mississippi, as they will exist in the event such enlargement and extension becomes effective pursuant to this Ordinance; and that the attorneys for the Town of Leakesville, Mississippi, and the governing authorities are hereby authorized to file such other pleadings in the Chancery Court of Greene County, Mississippi, and take all other necessary steps such that the expansion of the municipal boundaries authorized hereby be ratified, approved and confirmed according to the laws of the State of Mississippi.

There came on for consideration AN ORDINANCE ENLARGING, EXTENDING, AND DEFINING THE CORPORATE LIMITS AND BOUNDARIES OF THE TOWN OF LEAKESVILLE, GREENE COUNTY, MISSISSIPPI; SPECIFYING THE IMPROVEMENTS TO BE MADE IN THE ANNEXED TERRITORY AND THE MUNICIPAL OR PUBLIC SERVICES TO BE RENDERED THEREIN; AND FOR OTHER PURPOSES RELATED THERETO; having been introduced and considered (no member of the governing authority having requested a reading of the ordinance) on November 10, 2016, at a regular meeting of the Leakesville Board of Aldermen and upon motion by Bill Burley in favor of approving said Ordinance, the Ordinance was approved by the following vote:

Alderman Bullard voted:	<u>AYE</u>
Alderman Breland voted:	<u>AYE</u>
Alderman Burley voted:	<u>AYE</u>
Alderwoman Garretson voted:	<u>AYE</u>
Alderwoman Smith voted:	<u>AYE</u>

The Mayor then declared the Ordinance adopted on this the 10 day of November, 2016.

TOWN OF LEAKESVILLE, MISSISSIPPI

BY: 
George Perkins, Mayor

ATTEST:

WITNESS my signature and official seal of this office on this, the 15 day of November, 2016.



Leakesville Town Clerk/Deputy Town Clerk