

AN ORDINANCE ENLARGING AND EXTENDING THE CORPORATE BOUNDARIES OF THE CITY OF FARMINGTON, ALCONR COUNTY, MISSISSIPPI, SPECIFYING THE MUNICIPAL OR PUBLIC SERVICES TO BE RENDERED THEREIN, THE PLANNING NAD ZONING SERVICES TO BE PROVIDED THEREFORE AND THE IMPROVEMENTS TO BE MADE IN THE ANNEXED TERRITORY; TO AMEND HTE CHARTER OF INCORPORATION OF SAID CITY AS AMENDED, TO CONFIRM TO SUCH ENLARGEMENT, AND FOR OTHER PURPOSES GERMANE THERETO.

WHEREAS, there came on to be heard the matter of enlarging and extending the corporate boundaries of the City of Farmington, Alcorn County, Mississippi, by annexing and adding thereto certain adjacent and unincorporated territory is more particularly described hereinafter, and after a full discussion and inquiry into the facts, the Mayor and Board of Aldermen found, adjudicated and determined that such proposed enlargement and extension is reasonable and is required by the public convenience and necessity.

WHEREAS, the Mayor and Board of Alderman of the City of Farmington have determined that the following ordinance is in the best interest of the City of Farmington; and

WHEREAS, a duly noticed public hearing as required by law was held by the Mayor and Board of Aldermen of the City of Farmington, at which public hearing all residents and interested persons were given an opportunity to be heard.

WHEREUPON, Alderman Lowell Gann offered the following ordinance and moved its adoption:

NOW, THEREFORE,

BE IT ORDAINED BY THE BOARD OF ALDERMEN
OF THE CITY OF FARMINGTON, MISSISSIPPI.

SECTION 1. That it is hereby found, adjudicated and determined: (a) that expansion of the corporate boundaries of the City of Farmington, Alcorn County, Mississippi (the "City?"), is required by the public convenience and necessity; (b) that the corporate boundaries of the City are hereby enlarged and extended by adding thereto the adjacent and contiguous unincorporated territory hereinafter described; (c) that territorial enlargement of the City as herein provided, is reasonable and necessary to accommodate the continued and orderly future growth and development of the City.

SECTION 2. The unincorporated territory, which is hereby added to and included in the corporate limits of the City (the "annexed territory?") is situated in Alcorn County Mississippi, and is described as follows, to-wit:

TRACT 1 (NE) 556.12 ACRES +/-

Commence at the Northeast corner of the Northeast Quarter (1/4) of Section 2, Township 2 South, Range 8 East, Alcorn County, MS. for the Point of Beginning; Thence run West, along the North boundary line of Section 2, 5280 feet to the Northwest corner of Section 2 and the Northeast corner of Section 3; Thence continue West, along the North boundary line of Section 3, 1335 feet to a point on the North right of way line of CR 107 (Pittman Road); Thence run along the North right of way line of CR 107 the following: North 72 degrees 25 minutes 20 seconds West 45.78 feet; North 80 degrees 55 minutes 12 seconds West 45.10 feet; West 3740 feet to a point on the East right of way line of CR 106, Kimberly Clark Parkway; West 110 feet to a point on the West boundary line of the Northwest Quarter (1/4) of Section 3 and the East boundary line of the Northeast Quarter (1/4) of Section 4; West 1305.50 feet to a point on the South and East right of way line of CR 100, Kendrick Road; Thence run North 81 degrees 04 minutes 17 seconds West 103.30 feet to the point of intersection of the North right of way line of CR 100 with the East right of way line of CR 151; Thence run South 15 degrees 28 minutes 43 seconds East 62.40 feet to a point on the East right of way line of CR 107, and on the existing municipal boundary of the City of Farmington, MS; Thence run along the existing municipal boundary of the City of Farmington, MS and along the South right of way line of CR 107 the following: East 1390.90 feet to a point on the East boundary line of the Northeast Quarter (1/4) of Section 4 and the West boundary line of the Northwest Quarter (1/4) of Section 3, near the West right of way line of CR 106; East 112.25 feet to the East right of way line of CR 106; East 3127.27 feet to the Northwest corner of the Sherry Wilson tract (DB 313, PGs 154-160) as recorded in the Chancery Clerk's Office of Alcorn County, MS; Thence leaving CR 107, continue along the existing municipal boundary of the City of Farmington, MS the following: South 06 degrees 16 minutes 44 seconds West, along said Wilson's West boundary line, 257.98 feet to the Southwest corner of Wilson's tract; East, along Wilson's South boundary line, 166.72 feet to the West boundary line of the Roger T. and Connie Faye Price tract (DB 286, PG 7); South 06 degrees 27 minutes 46 seconds West, along the Price's West boundary line 163.48 feet to the Southwest corner of Price; continue along Price's boundary lines and the existing municipal boundary of the City of Farmington following: East 128.15 feet; North 300.00 feet to a corner of the Roger T. and Connie Faye Price tract (DB 21, PG 181); East 100.00 feet (DB 221, PG 181); North, along the East boundary of Price, 118.62 feet to the Northeast corner of Price tract, being on the South right of way line CR 107; East along the South right of way line of CR 107, 200 feet to the Northwest corner of the Mack Christopher and Angela R. Simpson property (Instrument no. 200901482); Continue along the existing municipal boundary of the City of Farmington the following: South, along the West boundary of Simpson, 478.00 feet to the Southwest corner of the Simpson property; East 180.00 feet to a point on the West boundary line of the East Half (1/2) of the Northeast Quarter (1/4) of Section 3, Township 2 South, Range 8 East; South, along the West boundary line of the East Half (1/2) of the Northeast Quarter (1/4) of Section 3, 1126.40 feet; East 125.63 feet; South 32 degrees 36 minutes 40 seconds East 87.70 feet to a point in the center of a ditch; Run along the meanderings of the centerline of said ditch and the existing municipal

boundary of the City of Farmington the following: South 75 degrees 30 minutes 02 seconds East 225.50 feet; South 66 degrees 50 minutes 07 seconds East 166.15 feet; South 44 degrees 21 minutes 57 seconds East 186.10 feet; South 08 degrees 20 minutes 26 seconds East 221.83 feet; South 03 degrees 51 minutes 11 seconds West 121.05 feet; South 26 degrees 40 minutes 48 seconds West 230.74 feet; South 34 degrees 35 minutes 27 seconds West 161.42 feet to a point that is 814 feet West of the Southeast Corner of the Northeast Quarter (1/4) of Section 3, Township 2 South, Range 8 East; Run East, along the South boundary line of the Northeast Quarter (1/4) of Section 3, 814.00 feet to the Southwest corner of the Northwest Quarter (1/4) of Section 2; East, along the South boundary of the Northwest Quarter (1/4) of Section 2, 2640 feet to the Southeast corner of the Northwest Quarter (1/4) of Section 2; South 2640 feet to the Southwest corner of the Southeast Quarter (1/4) of Section 2; East along the South boundary of Section 2, 2640 feet to the Southeast corner of Section 2; North, along the East boundary of Section 2, 5280 feet to the Point of Beginning, containing 556.12 acres, more or less.

TRACT 2 172.05 ACRES±

Commence at the Northeast Corner of the Northeast Quarter (1/4) of Section 14, Township 2 South, Range 8 East, Alcorn County, MS.; Thence run South 2640 feet to the Northeast corner of the Southeast Quarter (1/4) of Section 14; Thence continue South 220 feet to a point in the center of Choate Creek for the Point of Beginning; Thence continue South, along the East boundary line of the Southeast Quarter (1/4) of Section 14, 1100 feet; Thence run West 5280 feet to the Southwest corner of the North Half of the Southwest Quarter (1/4) of Section 14 and the Southeast corner of the North Half of the Southeast Quarter (1/4) of Section 15; Thence continue West 265 feet to a point on the East right of way line of CR 218, Central School Public Road; Thence run along the East right of way line of CR 218 the following: South 03 degrees 55 minutes 43 seconds East, 1070.24 feet; South 01 degree 10 minutes 18 seconds East 235.70 feet to a point on the South boundary line of the Southeast Quarter (1/4) of Section 15, near the North right of way line of CR 253; Thence run West 60 feet to the West right of way line of CR 218 at a point on the municipal boundary of the City of Farmington, MS; Thence run along the West right of way line of CR 218 and the municipal boundary of the City of Farmington the following: North 01 degree 10 minutes 18 seconds West 235.70 feet; North 03 degrees 55 minutes 43 seconds West 2426 feet; East 60 feet to the East right of way line of CR 218 and to a point on the West property line of the Donald Reece Wallin property; (DB 281, PG 167); East 330 feet to the East property line of said Wallin property; South 33 feet to a point on the North boundary line of the Southeast Quarter (1/4) of Section 14, Township 2 South, Range 8 East; East along the South boundary line of said Southeast Quarter (1/4) and the municipal boundary of the City of Farmington, 5120 feet to a point in the center of Choate Creek; Run along the meanderings of the centerline of Choate Creek the following: South 38 degrees 30 minutes 02 seconds East 130.70 feet; South 50 degrees 04 minutes 43 seconds East 139.31 feet to the Point of Beginning, containing 172.05 acres, more or less.

TRACT 3 400.23 ACRES, +/-

Commence at the Northeast Corner of the Northeast Quarter of Section 16, Township 2 South, Range 8 East, said point being on the municipal boundary of the City of Farmington, MS, for the Point of Beginning; Thence run along the municipal boundary of the City of Farmington the following: South, along the East boundary line of the Northeast Quarter of Section 16, 2,640 feet to the Southeast Corner of the Northeast Quarter of Section 16; West along the South boundary line of the Northeast Quarter of said Section 16, 2100 feet to a point on the East right of way line of the Kimberly Clark Parkway, (CR 106); Southwesterly along the East and South right of way line of CR 106 the following: 2090 feet to a point on the West right of way line of the Kansas City Southern Railroad; Continue Southwesterly along the South right of way line of CR 106, 1134 feet to a point on the South right of way line of CR 220 (Barnes Stable Road); Continue along the municipal boundary of the City of Farmington and the South right of way line of CR 220 the following: North 77 degrees 56 minutes 03 seconds West along the South right of way line of CR 220, 238.60 feet; North 81 degrees 45 minutes 07 seconds West 176.88 feet to a point on the West boundary line of the Southwest Quarter of Section 16, Township 2 South, Range 8 East; Thence leaving CR 220, and the municipal boundary of the City of Farmington, run North along the municipal boundary of the City of Corinth, MS and the West boundary line of the Southwest Quarter and Northwest Quarter of Section 16, 732 feet to the Northeast corner of the Crum Inc. property, (Instrument No. 201701851); South 64 degrees 34 minutes 14 seconds West 810 feet to the West right of way of CR 220; Northwesterly along the West right of way of CR 220. 1150 feet to a point on the South boundary line of the Northeast Quarter (1/4) of Section 17, Township 2 South, Range 8 East, ACM; Continue along the municipal boundary of the City of Corinth the following; East along the South boundary of the Northeast Quarter (1/4) of Section 17, 1304.54 feet to the Southeast corner of the Northeast Quarter (1/4) of Section 17 and the Southwest corner of the Northwest Quarter (1/4) of Section 16; Continue North 2640 feet to the Northwest corner of Section 16, being in the right of way of CR 216, Knighton Road; Continue North 24 feet to a point on the North right of way line of CR 216 and the municipal boundary of the City of Farmington; Continue along the existing municipal boundary of the City of Farmington and the North right of way line of CR 216 the following: South 88 degrees 43 minutes 16 seconds East 212.97 feet; North 88 degrees 53 minutes 46 seconds East 214.43 feet; North 89 degrees 11 minutes 13 seconds East 198 feet; South 87 degrees 52 minutes 08 seconds East 425.37 feet; South 87 degrees 39 minutes 12 seconds East 157.52 feet; South 84 degrees 58 minutes 59 seconds East 90.63 feet to a point on the East right of way line of CR 216, said point being in a curve and on the North boundary line of Section 16; Continue East along the North boundary line of Section 16 and the municipal boundary of the City of Farmington, 3940 feet to the to the Northeast corner of Section 16 and to the Point of Beginning, containing 400.23 acres more or less.

TRACT 4 487.90 ACRES, +/-

Commence at the Northwest corner of the Northwest Quarter (1/4) of Section 9, Township 2 South, Range 8 East, Alcorn County, MS; Thence run South 240 feet to the Southwest corner of the Jerry Little property, recorded in Instrument no. 20170638 in the Chancery Clerk's Office of Alcorn County, MS for the Point of Beginning; Thence run along the municipal boundary of the City of Corinth, MS the following: East 125 feet to the Southeast corner of said Little tract; North 225 feet to the Northeast corner of said Little tract, at a point on the South right of way line of CR 200, Farmington Road; East along the South right of way line of CR 200, 155 feet to a point on the West right of way line of CR 213; North 60 feet to the North right of way line of CR 200 being at the Southeast corner of the Saikrupa LLC property, Instrument no. 201405925; North 580 feet to the Northeast corner of the Patsy Kumar property, DB 306, PG 331; West 225 feet to the Northwest corner of said Kumar property, on the East right of way line of CR 102, Box Chapel Road; Continue West 50 feet to the West right of way line of CR 102; North along the West right of way line of CR 102, 4650 feet to a point on the South right of way line of CR 100, Kendrick Road; North 60 feet to the North right of way line of CR 100; Thence run East along the North right of way line of CR 100, 3963 feet to a point on the East right of way line CR 151 and the North right of way line of CR 100; Thence run South 15 degrees 28 minutes 43 seconds East 62.42 feet to the East right of way line of CR 151 (CR 106A), and the South right of way line of CR 107, Pitman Road; Thence run along the municipal boundary of the City of Corinth and the East right of way line of CR 106A the following: South 14 degrees 02 minutes 55 seconds East 1200 feet to the center of Bridge Creek; Run along the meanderings of the centerline of Bridge Creek and the municipal boundary of the City of Farmington the following: South 73 degrees 53 minutes 06 seconds West 1230 feet; South 36 degrees 35 minutes 41 seconds West 206.14 feet; South 67 degrees 24 minutes 29 seconds West 379.43 feet; South 67 degrees 24 minutes 29 seconds East 379.40 feet; South 89 degrees 38 minutes 31 seconds West 88.24 feet; South 76 degrees 11 minutes 28 seconds West 452.32 feet; South 80 degrees 18 minutes 03 seconds West 863.62 feet; South 74 degrees 50 minutes 06 seconds West 272 feet; South 74 degrees 02 minutes 27 seconds West 384.50 feet to the Northwest corner of the Alfred Ray and Judy Hughes property, DB 327 PG 404; Thence leaving Bridge Creek, run along the meanderings of the centerline of a ditch and the municipal boundary of the City of Farmington following: South 73 degrees 58 minutes 36 seconds East 79.73 feet; South 38 degrees 33 minutes 33 seconds East 100.40 feet; South 65 degrees 22 minutes 14 seconds East 104.50 feet; South 39 degrees 18 minutes 45 seconds East 345.90 feet to the Southeast corner of the Terry and Susan Settlements property, DB 257, Pg 422: West 165 feet; South 61 degrees 05 minutes 09 seconds West 39.42 feet; South 21 degrees 55 minutes 57 seconds East 1344.50 feet; East 25 feet; South 1270 feet to the Southwest corner of the aforementioned Alfred Ray and Judy Hughes property, being on the North right of way line of CR 200, Farmington Road; Thence run along the North right of way line of CR 200 the following: North 89 degrees 08 minutes 59 seconds East 222.69 feet; South 83 degrees 52 minutes 33 seconds East 200 feet; South 85 degrees 28 minutes 48 seconds East 217.77 feet;

South 88 degrees 42 minutes 55 seconds East 238.94 feet; North 89 degrees 50 minutes 21 seconds East 466.20 feet to a projection of the East right of way line of CR 216; Continue South 60 feet to the South right of way line of Farmington Church Road and the East right of way of CR 216; Continue along the municipal boundary of the City of Farmington and along the East right of way line of CR 216 the following: South 01 degree 20 minutes 34 seconds East 188.42 feet; South 01 degrees 25 minutes 24 seconds East 115.16 feet; South 0 degrees 10 minutes 00 seconds East 106.10 feet to the Northwest corner of the Phillip J. and Andrew J. Hardin property, WB 28, Pg 10; Thence leaving CR 216, run East 1094 feet to a point on the East right of way line of CR 106, Kimberly Clark Parkway; Southeasterly, along the East right of way line of CR 106, 802 feet the Southwest corner of the Mike McKewen property, DB 281, Pg 276; West 2490 feet to the Northwest corner of the D. Michael and Gaytra Quinn, DB 294, PG 9; South 792 feet to the Southwest corner of the Dexter and Ruth Sample property, DB 294, P3; East 1375 feet to the East right of way line of CR 216; North along the East right of way line of CR 216, 240 feet to the Northwest corner of the Billy Wayne and Sarah Jane leatherwood property, Instrument no. 201705337; Run along the property lines of said Leatherwood property the following: East 655 feet; South 58 degrees 48 minutes 03 seconds East, 510 feet; East 135 feet to the East right of way line of CR 106; South 1 degrees 43 minutes 42 seconds East, along the East right of way line of CR 106, 615 feet to the Northwest corner of the Archie Lambert Estate property, Instrument no. 201605833; West 980 feet to a point on the East right of way line CR 216, being in a curve; Continue along the South and East right of way line of CR 216 and the municipal boundary of the City of Farmington the following: South 87 degrees 55 minutes 44 seconds West 865.35 feet; Southwesterly, along a 90 degree curve to the left, 82.50 feet; South along the East right of way line of CR 216, 733 feet to a projection of the South right of way line of CR 207; Continue along the municipal boundary of the City of Farmington the following: run along the South right of way line of CR 207 the following: North 88 degrees 39 minutes 16 seconds West 289.10 feet; South 81 degrees 57 minutes 36 seconds West 337.71 feet; North 88 degrees 11 minutes 01 seconds West 408.94 feet to the Northwest corner of the David and Jackie Lutz property, DB 241, Pg 316-318; South 460 feet; West 950 feet to the Southwest corner of the James M. and Sara W. Berry property, Instrument no. 201705337 and to a point on the municipal boundary of the City of Corinth; North along the municipal boundary of the City of Corinth, 3744 feet to the Point of Beginning, containing 487.90 acres, more or less.

SECTION 3. The entire boundary of the City after the addition and annexation of said additional territory described in Section 2 hereof, shall be and is described as follows, to-wit:

SECTION 4. The City shall furnish in the annexed territory the following municipal services, beginning as soon as practical immediately after the effective date of this Ordinance, to-wit:

- A. police protection;
- B. fire protection, which will reduce fire rating and lower insurance premiums and include a fire inspector;
- C. trash and rubbish pickup, collection and disposal;
- D. maintenance of presently dedicated, improved and in use streets and drainage;
- E. measures for the control of animals, mosquitoes and other insects;
- F. rates for all municipal utility customers within the city limits;
- G. planning, community development and code enforcement services;
- H. the use and benefit of all mother municipal services and facilities presently furnished all citizens of the City of Farmington, including but not limited to the use of its public parks, recreational facilities, its community center, and all other municipal services and facilities presently furnished by the City fo Farmington to all of the present citizens of the municipality; and
- I. The right to exercise the ballot in municipal elections upon registering and meeting all statutory and constitutional requirements.

Said services shall be furnished in the same manner and to the same extent as such services are being furnished to the present citizens of the Farmington, Alcorn County, Mississippi

SECTION 5. That the charter of incorporation for the City of Farmington, Alcorn County, Mississippi, as amended by acts of the Mississippi Legislature and by ordinances of the Mayor and Board of Aldermen of the City, is amended so as to correctly show the corporate boundaries of hte City as described above.

SECTION 6. That all laws and ordinances now in force or which may hereinafter be passed by the governing authorities of the City shall extend to and be in force in and over the territory herein described.

SECTION 7. The City, through counsel, Greg E. Beard, Attorney at Law, shall file a petition or complaint in the Chancery Court of Alcorn County, Mississippi, which shall recite the fact of the adoption of this ordinance, and shall pray for the approval, ratification and confirmation by said Court of the enlargement and extension of the municipal boundaries and limits of the City, as herein fixed and determined. Said petition shall have attached thereto a certified copy of this ordinance and a plat or map showing the boundaries of the City as they will exist in the event such enlargement and extension becomes effective pursuant tot his ordinance. The Attorney is hereby authorized to file such other pleadings in Chancery Court of Alcorn County, Mississippi, and take all other necessary steps in order that the enlargement of the municipal boundaries authorized herein be ratified, approved and confirmed according to the laws of the State of Mississippi.

SECTION 8. Upon entry of a final decree, judgment or mandate of the Chancellor or the Mississippi Supreme Court approving and ratifying this ordinance, the Attorney is hereby authorized and directed to immediately submit this ordinance and the judgment, decree or mandate approving

and ratifying same to the Attorney General of the United States or to the United States District Court for the District of Columbia for preclearance in accordance with the applicable provisions of Section 5 of the Voting Rights Act of 1965, as amended and extended (42 U. S. C. 1973c).

SECTION 9. All ordinances, resolutions, or orders for the Mayor and Board of Aldermen of the City of Farmington, Mississippi, or parts thereof, in conflict with the provisions of this ordinance are, to the extent of such conflict, hereby repealed.

SECTION 10. Because the annexed territory is in urgent need of fire and police protection, as well as other municipal services listed in sections 4, 5 and 6 hereinabove; and, in order to preserve the public peace, health and safety of the residents of the territory, this ordinance shall be in full force and effect from and after its passage, subject only to the requirements and limitations of §23-1-33 of the Mississippi Code of 1972, Annotated, as amended, regarding approval, ratification and confirmation of the proposed enlargement.

SECTION 11. That this ordinance shall take effect immediately upon becoming a law.

THEREFORE, BE IT ORDAINED AS FOLLOWS:

SO ORDERED BY MAYOR AND BOARD OF ALDERMEN of the City of Farmington, Alcorn County, Mississippi, at a meeting held on the 19th day of May, 2020.


Alderman Johnny Potts, seconded the motion and the motion unanimously carried the motion to adopt the foregoing ordinance, an the above and foregoing Ordinance having first been reduced to writing and the question being put to a roll call vote, first as to sections, then as to a whole, the result was as follows:

<u>NAME OF ALDERMAN</u>	<u>VOTE</u>
Lowell E. Gann	<u>Yea</u>
Shane Harvell	<u>absent</u>
Luther Rhodes	<u>Yea</u>
Jeff Patterson	<u>Yea</u>
Johnny Potts	<u>Yea</u>

The motion having received the affirmative vote of a majority of all members of the Mayor and Board of Alderman for the City of Farmington, Alcorn County, Mississippi, the Mayor declared said motion carried and the Ordinance adopted on the 19th day of May, 2020.


DALE FORTENBERRY, Mayor

ATTEST:


DEBORA JACKSON, Municipal Clerk
Adopted at regular meeting May 19, 2020.
Recorded at Minute Book 8, Page 164.

