

City of Hattiesburg, MS

*200 Forrest St.
P.O. Box 1898
Hattiesburg, MS 39401*



Meeting Agenda

Monday, December 22, 2014

8:00 AM

Council Chambers

City Council - Special Called Meeting

*City Council
Special Called Meeting*

1. 2014-1586

Accept donation and Acknowledge receipt of Quitclaim Deed from Mr. and Mrs. Thomas E. Ferrill, Jr., for a portion of property abutting Gordon's Creek (as described in attached survey and deed) for sole use of the Gordon Creek Linear Park development; Authorize Deputy City Clerk to record Deed with Forrest County.

Attachments: river ave survey REVISED-Ferrill
Description of Property across Gordon's Creek - Ferrill
Letter to the City of Hattiesburg
Ferrill Quitclaim Deed for Gordon Creek property

2. 2014-1588

Approve letter of engagement to retain the Hicks Law Firm to represent the City in Bryan Saliba and Dennis Pierce v. City of Hattiesburg.

Attachments: Hicks, Clark - Ltr of Engagement Request



City of Hattiesburg, MS

200 Forrest St.
P.O. Box 1898
Hattiesburg, MS 39401

Master

File Number: 2014-1586

File ID: 2014-1586

Type: Regular Agenda Item

Status: Approved

Version: 1

Reference:

In Control: City Council

File Created: 12/19/2014

Brief Title: Acknowledge receipt of Deed for property being donated to the City for the Gordon Creek Downtown Project.

Final Action:

Minute Book Number: MB2014-379

Title:

Accept donation and Acknowledge receipt of Quitclaim Deed from Mr. and Mrs. Thomas E. Ferrill, Jr., for a portion of property abutting Gordon's Creek (as described in attached survey and deed) for sole use of the Gordon Creek Linear Park development; Authorize Deputy City Clerk to record Deed with Forrest County.

Notes:

Sponsors:

Enactment Date:

Attachments: river ave survey_REVISED-Ferrill, Description of Property across Gordon's Creek - Ferrill, Letter to the City of Hattiesburg, Ferrill Quitclaim Deed for Gordon Creek property

Enactment Number:

Contact:

Meeting Date: 12/22/2014

Drafter: Debbie Bernardo

Effective Date:

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	City Council - Special Called Meeting	12/22/2014	Acknowledge and Approve				Pass
	Action Text: A MOTION was made by Dryden and seconded by Carroll to Accept donation and Acknowledge receipt of Quitclaim Deed from Mr. and Mrs. Thomas E. Ferrill, Jr., for a portion of property abutting Gordon's Creek (as described in attached survey and deed) for sole use of the Gordon Creek Linear Park development; Authorize Deputy City Clerk to record Deed with Forrest County.						
	There being no discussion, the Motion received the affirmative vote of the Council as follows:						
	Yeas: 3 - Carroll, Dryden and Naylor						
	Nays: 0						
	Absent: 2 - Bradley and Delgado						

Yea: 3 Carroll
Naylor
Dryden
TEL-No Vote: 0

Text of Legislative File 2014-1586

Title

Accept donation and Acknowledge receipt of Quitclaim Deed from Mr. and Mrs. Thomas E. Ferrill, Jr., for a portion of property abutting Gordon's Creek (as described in attached survey and deed) for sole use of the Gordon Creek Linear Park development; Authorize Deputy City Clerk to record Deed with Forrest County.

Summary

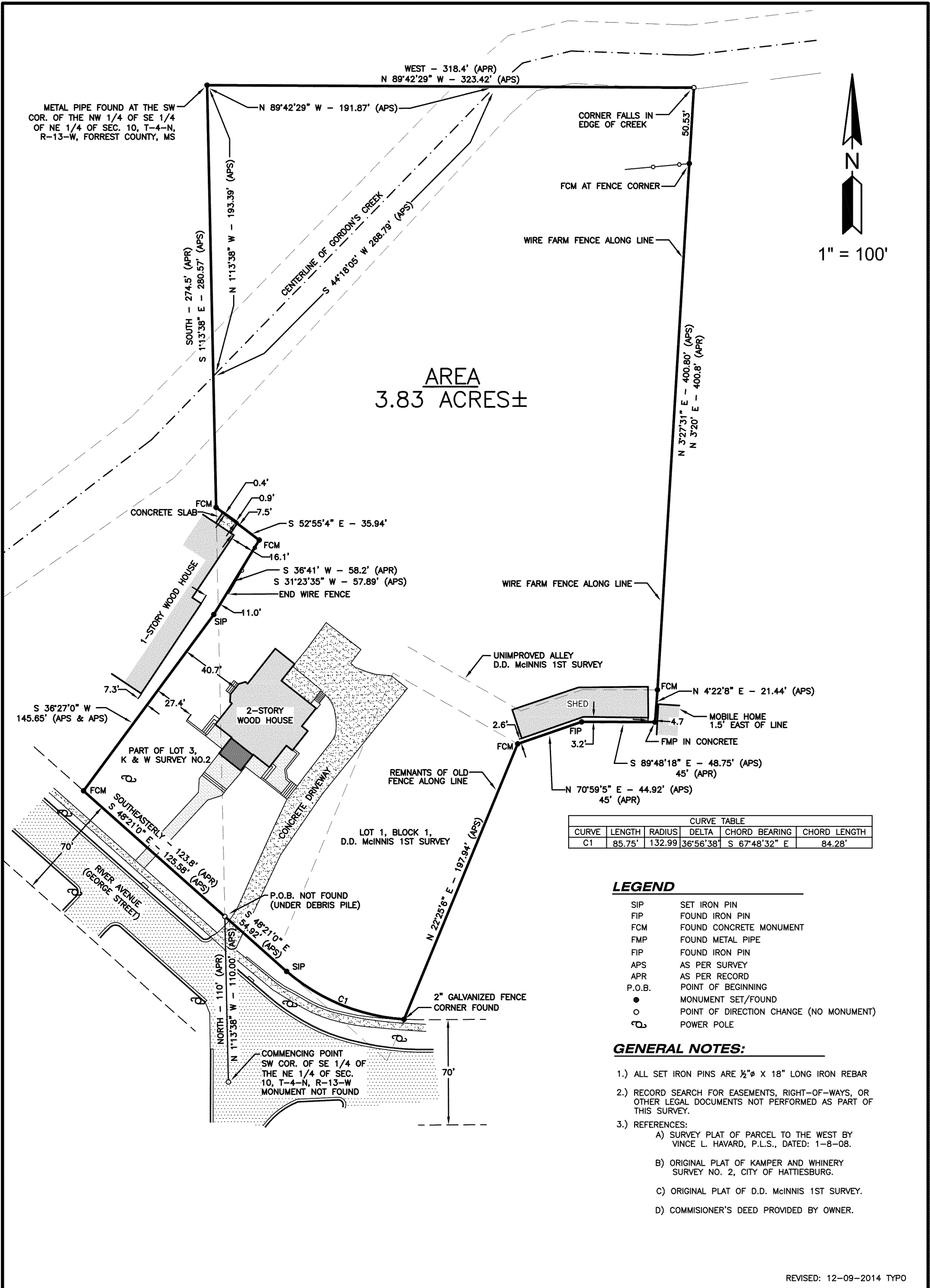
Accept donation and acknowledge receipt of deed for property being donated to the City for the Gordon Creek Linear Park development.

Budget Information

Expenditure Type

Purchasing Item

Publication Information



REVISED: 12-09-2014 TYPO

PREPARED BY

FORD
ENGINEERING SERVICES, PLLC

2010 Oak Grove Road
Building 4, Suite 1
Hattiesburg, Mississippi 39402
Phone: (601) 264-6333
Fax: (601) 264-7296

SURVEY TITLE

BOUNDARY SURVEY
PARCEL IN S 1/2 OF THE NE 1/4 OF
SECTION 10, T-4-N, R-13-W
FORREST COUNTY, MISSISSIPPI

BEARINGS ORIENTED BY: GPS OBSERVATION (GEODETIC)

SURVEYED BY: FES

DRAWING SCALE: 1" = 100'

DRAWN BY: JAS

CLASS OF SURVEY: B

I CERTIFY THAT THE INFORMATION
CONTAINED ON THIS PLAT IS TRUE
AND ACCURATE TO THE BEST OF
MY KNOWLEDGE AND BELIEF.

Jed A. Sellers
JED A. SELLERS
MS PS No. 3039

2-25-10
Date



COMMENCING FROM A METAL PIPE AT THE SW CORNER OF THE NW 1/4 OF THE SE 1/4 OF THE NE 1/4 OF SECTION 10, TOWNSHIP 4 NORTH, RANGE 13 WEST, FORREST COUNTY, MISSISSIPPI, SAID POINT ALSO BEING THE POINT OF BEGINNING OF THE PARCEL HEREIN DESCRIBED.

FROM THE DESCRIBED POINT OF BEGINNING, PROCEED S 89°42'29" E 191.87 FEET TO THE CENTERLINE OF GORDON'S CREEK; THENCE ALONG SAID CREEK CENTERLINE S 44°18'05" W 268.79 FEET TO A POINT; THENCE LEAVING SAID CENTERLINE N 01°13'38" W 193.39 FEET BACK TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS 0.426 ACRES± AND IS LOCATED IN THE SE 1/4 OF THE NE 1/4 OF SECTION 10, TOWNSHIP 4 NORTH, RANGE 13 WEST, FORREST COUNTY, MISSISSIPPI.

Mr. and Mrs. Thomas E. Ferrill, Jr.
730 River Avenue
Hattiesburg, MS 39401

December 17, 2014

The City of Hattiesburg
Mayor Johnny Dupree and
Members of the City Council
200 Forrest Street
Hattiesburg, MS 39401

Mayor Dupree and Members of the City Council:

We reside in the original Polk house at 730 River Avenue in Hattiesburg. We originally purchased approximately 3.83 acres of property downtown when we purchased our house. The majority of the property lies between the trailer park to the east and our house, and behind our house to the creek. There is a small portion of property the lies across Gordon's Creek behind a house that faces Bushman Street (please see attached deed for property description) that is also in our name.

We would like to donate the portion of our property that lies across Gordon's Creek to the City of Hattiesburg for the sole use of the Gordon Creek Linear Park development. We hope that this property will be used to enhance the development of the park as it gets underway in that area.

We are excited about the plans that are proposed for the Gordon Creek Linear Park throughout the city and look forward to the continued development in our area of town.

Respectfully,

Tom and Debbie Ferrill

Attachments

Description of Property
Survey of Property

djf

Prepared by:

Charles E. Lawrence, Jr.
Attorney and Counselor at Law
Post Office Box 1624
Hattiesburg, MS 39403-1624
(601) 582-4157

Return to:

City of Hattiesburg
P. O. Box 1898
Hattiesburg, MS 39403
(601) 545-4501

INDEXING INSTRUCTIONS:

SW Corner of the NW ¼ of the SE ¼ of the NE ¼
of Section 10, Township 4 North, Range 13 West,
Forrest County, Mississippi.

STATE OF MISSISSIPPI

COUNTY OF FORREST

QUITCLAIM DEED

FOR AND IN CONSIDERATION of the sum of Ten Dollars, (\$10.00), cash in hand paid, and other good and valuable considerations, the receipt and sufficiency of which are hereby acknowledged, we,

THOMAS E. FERRILL, JR., and wife, DEBBIE FERRILL
730 River Avenue
Hattiesburg, MS 39401
Telephone (601) 270-3323

Grantors, do hereby grant, release, donate and quitclaim unto

THE CITY OF HATTIESBURG, MISSISSIPPI
200 Forrest Street,
Post Office Box 1898
Hattiesburg, MS 39403-1898
Telephone (601) 545-4501

Grantee, the following described property lying and being situated in Hattiesburg, Forrest County, Mississippi, and more particularly described on Exhibit A attached hereto:

(SEE EXHIBIT "A")

Said property is a part of the homestead of the grantors.

The Property is conveyed subject to all easements, roadways, servitudes, restrictive covenants and oil, gas and other mineral reservations, exceptions, conveyances, leases and other matters of record.

It is further understood and agreed that this instrument constitutes the entire agreement between the Grantor and the Grantee, there being no oral agreements or representations of any kind.

WITNESS OUR SIGNATURES on this the ____ day of _____, 2014.

THOMAS E. FERRILL, JR.

DEBBIE FERRILL

STATE OF MISSISSIPPI

COUNTY OF FORREST

PERSONALLY CAME AND APPEARED BEFORE ME, the undersigned authority, in and for the jurisdiction aforesaid, the within named, **THOMAS E. FERRILL, JR.**, and **DEBBIE FERRILL**, personally known to me or proven to me by sufficient identification, who acknowledge that they signed, executed and delivered the above and foregoing Quitclaim Deed on the day and year therein mentioned for the purpose therein stated.

SWORN TO AND SUBSCRIBED BEFORE me on this the ____ day of _____, 2014.

NOTARY PUBLIC

My Commission Expires:

EXHIBIT "A"

LEGAL DESCRIPTION

COMMENCING FROM A METAL PIPE AT THE SW CORNER OF THE NW 1/4 OF THE SE 1/4 OF THE NE 1/4 OF SECTION 10, TOWNSHIP 4 NORTH, RANGE 13 WEST, FORREST COUNTY, MISSISSIPPI, SAID POINT ALSO BEING THE POINT OF BEGINNING OF THE PARCEL HEREIN DESCRIBED.

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Pierce v. COH

Final Action: 12/22/2014

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Approve letter of engagement to retain the Hicks Law Firm to represent the
City in Bryan Saliba and Dennis Pierce v. City of Hattiesburg.

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Yea: 3 Carroll Naylor Dryden							
TEL-No Vote: 0							

Text of Legislative File 2014-1588

Title

Approve letter of engagement to retain the Hicks Law Firm to represent the City in Bryan

Saliba and Dennis Pierce v. City of Hattiesburg.

Summary

Letter of engagement, Hicks Law Firm, Saliba and Pierce v. COH

Budget Information

Expenditure Type

Purchasing Item

Publication Information

HICKS LAW FIRM PLLC

ATTORNEYS AT LAW

L. Clark Hicks, Jr.
R. Lane Dossett
John F. Knox, III

211 South 29th Avenue, Suite 201 (39401)
Post Office Box 18350
Hattiesburg, MS 39404-8350

Phone: 601.544.6770
Fax: 601.544.6775
clark@hicksattorneys.com

December 8, 2014

Charles E. Lawrence, Jr., Esq.
Post Office Box 1624
Hattiesburg, MS 39403-1624
Email: celawjr@hotmail.com

RE: Bryan Saliba and Dennis Pierce vs. City of Hattiesburg
Forrest County Circuit Court
Cause No. CI13-0169

Dear Charles:

I enclose another copy of the request for representation sent to you on August 29, 2013. This matter is urgent, as there is now an agreed order setting the case for trial on July 28, 2015, with work to be done.

As I have worked on this case to the present, I do think it would be efficient and prudent for the city to retain counsel. My rate is \$200.00 an hour. Please advise if I may proceed.

Best Regards,

Clark

L. Clark Hicks, Jr.
LCHjr/bfm/4160
E-Mail: clark@hicksattorneys.com
Enclosure

HICKS & BENNETT PLLC

ATTORNEYS AT LAW

L. Clark Hicks, Jr.
L. Grant Bennett
R. Lane Dossett

211 South 29th Avenue, Suite 201 (39401)
Post Office Box 18350
Hattiesburg, MS 39404-8350

Phone: 601.544.6770
Fax: 601.544.6775
clark@hicksandbennett.com

August 29, 2013

Charles E. Lawrence, Jr., Esq.
Post Office Box 1624
Hattiesburg, MS 39403-1624
Email: celawjr@hotmail.com

RE: Bryan Saliba and Dennis Pierce vs. City of Hattiesburg
Forrest County Circuit Court
Cause No. CI13-0169

Dear Charles:

Please accept this letter as a proposed engagement of our firm to represent the City of Hattiesburg in the above styled case *Saliba and Pierce v. City of Hattiesburg*, Cause No. CI13-0169.

My hourly rate is \$200.00 together with reasonable expenses.

I would appreciate you submitting this to the City Council at their next meeting.

Best Regards,

Clark

L. Clark Hicks, Jr.
LCHjr/bfm/4160
E-Mail: clark@hicksandbennett.com