



**URBAN  
DEVELOPMENT**

---

**PLANNING DIVISION**

**HATTIESBURG PLANNING COMMISSION**

**PUBLIC HEARING STAFF REPORTS**

**August 6, 2025**



# URBAN DEVELOPMENT

---

## PLANNING DIVISION

### **MEMORANDUM**

**TO:** All Interested Parties  
**FROM:** Planning Staff  
**DATE:** July 30, 2025  
**SUBJECT:** August 6, 2025 - Hattiesburg Planning Commission and Board of Adjustment

The Hattiesburg Planning Commission will meet in regular session at 1:00 PM, Wednesday, August 6, 2025, in the dining room of the Jackie Dole Sherrill Community Center.

#### **Virtual Meeting Attendance Option for the Planning Commission**

[Join the meeting now](#)

Meeting ID: 226 594 885 168 4

Passcode: gh7oU9Gj

#### **Dial in by phone**

+1 929-346-7084

Phone conference ID: 430 913 772#

The Board of Adjustment will meet in regular session at 3:30 PM, Wednesday, August 6, 2025, in the dining room of the Jackie Dole Sherrill Community Center.

[Join the meeting now](#)

Meeting ID: 284 922 427 210 0

Passcode: Jm9QR6md

#### **Dial in by phone**

+1 929-346-7084

Phone conference ID: 669 202 894#

If you have any questions regarding the agenda or need information related to the virtual meeting option, please do not hesitate to call the Planning Division at (601)-545-4599 or email at [planning@hattiesburgms.com](mailto:planning@hattiesburgms.com).

## **Planning Commission Agenda**

August 6, 2025, 1:00 PM

Jackie Dole Sherrill Community Center (Dining Room)

220 W Front Street

### **I. Business Meeting**

1. Review and approval of August's meeting agenda
2. Review and approval of the minutes of the July meeting
3. Building Report
4. Planning Report
5. Chair's Report
6. Introductions

### **II. Public Hearing**

1. Presentation of Petitions for Public Hearing
  - A. **Conditional Use Request**- Anointed Word Ministries of Hattiesburg, Property Owner/Applicant, and Clifford Lockhart, Contractor/Representative, request approval of a conditional use request for an electronic message board for a R-3 zoned property located at 748 W 4th Street (PPIN 26614, Forrest County, Ward 4).
  - B. **Street & Alley Closure Request**- Hancock Whitney Bank, Property Owner/Applicant, and Mark Alexander, Representative, Deborah Renfro, Applicant, and Mark Bond, Representative, request to close and vacate two alleys and one street located in blocks 6 and 7 of the original North Main Street Addition Subdivision, also located south of Mildred Avenue, west of Stanley Street, east of Redus Street, and north of Hwy 42 (Forrest County, Ward 2).
  - C. **Removed by Applicant/City: Street Renaming**—The City of Hattiesburg requests the renaming of a portion of a public road known as “Pearl Street” to “Eddie Holloway Drive”, beginning at its intersection with 38<sup>th</sup> Avenue, heading east to where it intersects with “Golden Eagle Avenue” on the campus of The University of Southern Mississippi (Forrest County, Ward 1).

### **III. Other Business**

### **IV. Adjournment**

**MINUTES OF THE  
REGULAR MEETING OF THE  
HATTIESBURG PLANNING COMMISSION  
July 2<sup>nd</sup>, 2025**

**Board Members Roll Call:**

Members Present:

1. Amy Hinton, Chair
2. Lee Anne Venable
3. Rebekah Ray, Secretary
4. Charles Dawe
5. Richard Conville
6. Carlos Wilson
7. Michael Dickerson
8. Rhoda Pickett, Vice Chair

**Members Not Present:**

1. Elayne Lockett
2. Vacant Seat
3. Vacant Seat

**Staff Present:**

1. Cory Long, Planning Manager
2. Nathan Satcher, Senior Planner
3. Kevin Bates, Building Official
4. Wiley Quinn, Director of Urban Development
5. David Miller, Esq.
6. Meridian McDaniel, Planner I

Chair Hinton declared the Hattiesburg Planning Commission meeting open and in session at 1:00 p.m.

**AGENDA REVIEW**

**Motion:**

Made by Commissioner Rhoda Pickett to approve July's agenda.

**Second:**

Made by Commissioner Rebekah Ray

**Vote:**

<b>Board Member</b>	<b>Yea</b>	<b>Nay</b>	<b>Other</b>
Richard Conville			ABSENT
Charles Dawe	X		
Michael Dickerson	X		
Amy Hinton	X		
Elayne Lockett			ABSENT
Rhoda Pickett	X		
Rebekah Ray	X		
Lee Anne Venable	X		
Carlos Wilson	X		

The motion to approve July’s agenda was passed by an 7-0 vote.

**MINUTES REVIEW**

**Motion:**

Made by Commissioner Lee Anne Venable to approve the June 4<sup>th</sup>, 2025, meeting minutes.

**Second:**

Made by Commissioner Charles Dawe

**Vote:**

<b>Board Member</b>	<b>Yea</b>	<b>Nay</b>	<b>Other</b>
Richard Conville	X		
Charles Dawe	X		
Michael Dickerson	X		
Amy Hinton	X		
Elayne Lockett			ABSENT
Rhoda Pickett	X		
Rebekah Ray	X		
Lee Anne Venable	X		
Carlos Wilson	X		

The motion to approve the meeting minutes on June 2<sup>nd</sup>, 2025, passed with a 8-0 vote.

**BUILDING REPORT**

Kevin Bates, Building Official, provided the Building Permit Report for June 2025.

**PLANNING REPORT**

Planning staff provided updates on the previous month’s agenda items.

**CHAIR’S REPORT**

The Chair did not have a report for the meeting.

**INTRODUCTIONS**

Commissioners and staff introduced themselves.

**PUBLIC HEARING – Planning Commission**

**Item A:** LB Interest LLC, Applicant, and Robert F. Montgomery, Applicant, request to close and vacate an alley located north of Hardy Street and east of N 36 Avenue, located in the Pine Crest Subdivision (North of PPIN 23227 and South of PPIN 23226) and also located north of 3509 Hardy Street (Forrest County, Ward 1).

**Discussion and Vote:**

The Planning Staff introduced the case.

- Presented by:
  - o Robert Montgomery
- Proponents:
  - o Eric Lowery
- Opponents:
  - o None.
- General Comments
  - o Zach Mills

**Motion:**

Made by Commissioner Carlos Wilson to recommend approval of the request

**Second:**

Made by Commissioner Lee Anne Venable

**Vote:**

<b>Board Member</b>	<b>Yea</b>	<b>Nay</b>	<b>Other</b>
Richard Conville	X		
Charles Dawe	X		
Michael Dickerson	X		
Amy Hinton	X		

Elayne Lockett			ABSENT
Rhoda Pickett	X		
Rebekah Ray	X		
Lee Anne Venable	X		
Carlos Wilson	X		

The motion to recommend approval of the request passed with a 8-0 vote.

~~~~~

**Item B:** Lincoln Plaza Development LLC, Lincoln Road Investments LLC, Lincoln Road Investments II LLC, David Lee, Property Owners/Applicants, Ginger M. Lowrey, Representative, Forrest Dungan, Engineer, and Charles M. Dawe, Representative, request to amend the Hattiesburg Comprehensive Plan 2008-2028. More specifically, the changes concern the addition of the Lincoln Legacy Master Plan.

**Discussion and Vote:**

The Planning Staff introduced the case.

- Presented by:
  - o Ginger Lowery
  - o Forrest Dungan
  - o David Lee
- Proponents:
  - o None.
- Opponents:
  - o None.

**Motion:**

Made by Commissioner Rebekah Ray to recommend approval of the request

**Second:**

Made by Commissioner Lee Anne Venable

**Vote:**

| Board Member      | Yea | Nay | Other   |
|-------------------|-----|-----|---------|
| Richard Conville  | X   |     |         |
| Charles Dawe      |     |     | RECUSED |
| Michael Dickerson | X   |     |         |
| Amy Hinton        | X   |     |         |
| Elayne Lockett    |     |     | ABSENT  |
| Rhoda Pickett     | X   |     |         |

|                  |   |  |  |
|------------------|---|--|--|
| Rebekah Ray      | X |  |  |
| Lee Anne Venable | X |  |  |
| Carlos Wilson    | X |  |  |

The motion to recommend approval of the request passed with a 7-0 vote.

~~~~~  
**Item C:** Lincoln Plaza Development LLC, Lincoln Road Investments LLC, Lincoln Road Investments II LLC, David Lee, Property Owners/Applicants, request to amend the Hattiesburg Form Based Code, Ord. No. 3325, and make changes to Sections 1, 2, 6, and 7. More specifically, the changes concern the addition of a new district, the Lincoln Legacy Master Plan, to the Form-Based Code.

**Discussion and Vote:**

The Planning Staff introduced the case.

- Presented by:
  - o Ginger Lowery
  - o Forrest Dungan
  - o David Lee
- Proponents:
  - o None.
- Opponents:
  - o None.

**Motion:**

Made by Commissioner Michael Dickerson to recommend approval of the request

**Second:**

Made by Commissioner Lee Anne Venable

**Vote:**

Board Member	Yea	Nay	Other
Richard Conville	X		
Charles Dawe			RECUSED
Michael Dickerson	X		
Amy Hinton	X		
Elayne Lockett			ABSENT
Rhoda Pickett	X		
Rebekah Ray	X		

Lee Anne Venable	X		
Carlos Wilson	X		

The motion to recommend approval of the request passed with a 7-0 vote.

~~~~~

**Item D:** Lincoln Plaza Development LLC, Lincoln Road Investments LLC, Lincoln Road Investments II LLC, David Lee, Property Owners/Applicants, Ginger M. Lowrey, Representative, Forrest Dungan, Engineer, and Charles M. Dawe, Representative, request approval for major subdivision, to be known as Lincoln Legacy Development, for properties located along Lincoln Road Extension (PPIN 17642, 17643, 18020, 24814, 29025, 29843, Lamar County, Ward 3).

**Discussion and Vote:**

The Planning Staff introduced the case.

- Presented by:
  - o Ginger Lowery
  - o Forrest Dungan
  - o David Lee
- Proponents:
  - o None.
- Opponents:
  - o None.

**Motion:**

Made by Commissioner Richard Conville to recommend approval of the request

**Second:**

Made by Commissioner Rhoda Pickett

**Vote:**

| Board Member      | Yea | Nay | Other   |
|-------------------|-----|-----|---------|
| Richard Conville  | X   |     |         |
| Charles Dawe      |     |     | RECUSED |
| Michael Dickerson | X   |     |         |
| Amy Hinton        | X   |     |         |
| Elayne Lockett    |     |     | ABSENT  |
| Rhoda Pickett     | X   |     |         |
| Rebekah Ray       | X   |     |         |

|                  |   |  |  |
|------------------|---|--|--|
| Lee Anne Venable | X |  |  |
| Carlos Wilson    | X |  |  |

The motion to recommend approval of the request passed with a 7-0 vote.

~~~~~

**Item E:** Lincoln Plaza Development LLC, Lincoln Road Investments LLC, Lincoln Road Investments II LLC, David Lee, Property Owners/Applicants, Ginger M. Lowrey, Representative, Forrest Dungan, Engineer, and Charles M. Dawe, Representative, request approval for a zoning change from B-3 and R-1A to MX-3, RA-3, and RD-2 for properties located along Lincoln Road Extension (PPIN 17642, 17643, 18019, 18020, 24814, 29025, 29839, 29843, 31923, 39420, Lamar County, Ward 3).

**Discussion and Vote:**

The Planning Staff introduced the case.

- Presented by:
  - o Ginger Lowery
  - o Forrest Dungan
  - o David Lee
- Proponents:
  - o None.
- Opponents:
  - o None.

**Motion:**

Made by Commissioner Rebekah Ray to recommend approval of the request

**Second:**

Made by Commissioner Michael Dickerson

**Vote:**

Board Member	Yea	Nay	Other
Richard Conville	X		
Charles Dawe			RECUSED
Michael Dickerson	X		
Amy Hinton	X		
Elayne Lockett			ABSENT
Rhoda Pickett	X		

Rebekah Ray	X		
Lee Anne Venable	X		
Carlos Wilson	X		

The motion to recommend approval of the request passed with a 7-0 vote.



**OTHER BUSINESS:**

**Adjournment:**

**Motion:**

Made by Commissioner Lee Anne Venable to adjourn.

**Second:**

Made by Commissioner Rhoda Pickett

**Vote:**

The motion to adjourn passed with all present in favor.

The July 2025 Hattiesburg Planning Commission’s meeting adjourned at 2:20 pm.





**URBAN  
DEVELOPMENT  
PLANNING DIVISION**

**Planning Commission  
Case Fact Sheet**

---

**Names of Petitioner:** Anointed Word Ministries of Hattiesburg, Property Owner/Applicant, Clifford Lockhart, Contractor/Representative.

<b>Address of Property:</b> 748 W 4 <sup>th</sup> Street	<b>Tax Parcels</b> 2-029L-09-037.00	<b>PPIN:</b> 26614	<b>Ward:</b> 4
---	--	-----------------------	-------------------

---

**Request:** Residential Buffer for an Electronic Reader Board Variance

**Purpose of Request:** Anointed Word Ministries of Hattiesburg, Property Owner/Applicant, and Clifford Lockhart, Contractor and Representative, request approval of a conditional use request for an electronic message board for a R-3 zoned property located at 748 W 4th Street (PPIN 26614, Forrest County, Ward 4).

**History / Background:** The applicant applied for a sign permit for a static face replacement for the monument sign for Anointed Word Ministry Church in April of 2024. The permit noted that it was to be a "Face Replacement on a 4x8 sign, 'lighted', Replace Broken Glass and Letter Paint." The sign that was in place before was a monument sign, which had an internally illuminated sign and not an electronic reader board. The application for the sign permit did not note that the sign would include a digital reader board portion. The sign permit was approved on April 24, 2024, with a note that the permit approval was for a "Face Replacement Only." The permit was paid for and picked up on April 30<sup>th</sup>, 2024, and work commenced on the sign.

On August 13<sup>th</sup>, 2024, planning staff noticed that the sign was not installed as per the sign permit as a "face replacement," but instead was completely refaced and included an

electronic reader board. Per the Land Development Code, signs with an electronic reader board portion are required to be 40% or less of the entire sign, 200ft or more from a residential property line. They are only permitted in B-5 and B-3 by right and R-1C and R-3 with conditional use approval.

A notice of violation was issued on August 23, 2024, outlining the violations found in the unpermitted sign installation and included methods to make the sign compliant, which included a pre-application form to meet with staff. No pre-application meeting was scheduled with the applicant, as no pre-application form was submitted to the planning division. Code Enforcement issued a complaint and citation on August 27<sup>th</sup> for the violation of installing a sign without a permit, and the applicant was summoned to appear in court on November 17<sup>th</sup>, 2024.

Three court appearances were held in January, April, and June of 2025. The applicant applied for a public hearing for the August meetings for the Planning Commission and Board of Adjustment. The applicant is seeking conditional use approval for an electronic reader board on an R-3 zoned property from the Planning Commission and a variance from the residential buffer for electronic reader boards and from dimensional requirements for electronic reader boards from the Board of Adjustment.

**Applicant Summary:** See Attached

**Applicable Regulations:**

## **SECTION 10**

### **Signs**

#### **10.8 Sign Design**

10.8.2.5 No sign may contain or be illuminated with flashing or intermittent lights or lights of changing degrees of intensity except electronic message boards or historic signs under the following conditions and restrictions:

- i. The restoration or operation of historic signs within a local historic conservation district or a district listed in

- the National Register of Historic Places.
- ii. Electronic message board lighting may be provided by right in the B-3 and B-5 Districts or in the R-1A and R-3 District as a conditional use as follows:
  - iii. Flashing, blinking, animated or scrolling messages, or interactive signs are prohibited. iv. Messages shall post for a minimum time of 8 seconds and the image will change instantaneously as seen by the human eye;
  - iv. Messages shall post for a minimum time of 8 seconds and the image will change instantaneously as seen by the human eye
  - v. Messages consisting of time or alphabetic or numeric characters on a background that may not include any video or moving images; vi. The use of red lights is discouraged in electronic message board signs;
  - vi. An electronic message is considered accessory to a larger static sign. The electronic message portion of such sign shall constitute no more than 40% of sign area of a freestanding sign and shall be limited to one such sign per lot.
  - vii. Electronic message boards shall be separated from the nearest lot line of any residential use by a minimum 200 feet.
  - viii. All electronic message boards shall be equipped with light sensing devices or a scheduled dimming timer that will automatically dim the intensity of the light emitted by the sign during ambient low-light conditions and at night so that the sign does not exceed the maximum brightness levels allowed in this section.
  - ix. Maximum brightness shall not exceed 0.3-foot candles over ambient light levels measured at a distance of one hundred and fifty (150) feet
  - x. Written certification from the sign manufacturer must be provided at the time of application for a sign permit certifying that the light intensity of the electronic message center has been preset not to exceed the illumination levels established by this section.
  - xi. Any malfunction shall be repaired or disconnected within 48 hours by the owner or operator of such sign

**Present Zoning:**

R-3 Multi-Family Residential

August 2025 HPC Item: A  
Anointed Word Ministries, Property Owner/Applicant, and Clifford Lockhart, Contractor/Representative  
Request for: **Conditional Use Approval**

**Present Use:** Place of Worship

**Future Land Use:** Neighborhood Business Corridor

**Surrounding Zoning and Land Use:**

North: R-1B Single-Family Residential

South: R-3 Multi-Family Residential

East: R-3 Multi-Family Residential

West: R-3 Multi-Family Residential

**Letters or Concerns stated:**

The Planning Division Office has not received any letters or other written communications regarding this case as of the finalization of this report.

**Option:**

Recommend **Approval** or **Denial** of the Conditional Use Request for an electronic message board for a R-3 zoned property located at 748 W 4th Street (PPIN 26614, Forrest County, Ward 4).

**Basis for approval:**

**12.3.3 Conditional Use Approvals**

**12.3.3.1 Compliance Required.** Uses requiring Planning Commission approval, as noted in the Table of Uses in Section 5 of this Code, shall be approved subject to this Section. Any application for such use must comply with all applicable standards that apply to similar uses and properties in the zoning district in general, the specific conditions listed for that use in Section 5, and the following criteria. Where conflicts exist, the Planning Commission shall determine which criteria apply on a case-by-case basis.

**12.3.3.2 Additional Approval Criteria.** In addition to the standards mentioned above, the applicant for a request for the Planning Commission to approve a use shall be required to demonstrate that his/her proposal addresses the following additional requirements, except that the Planning Commission may waive any one or more criteria that it determines are not applicable based upon the expected impact of the proposal.

- i. Determination that adequate public facilities and services will be available concurrent with the impacts of the development as evidenced by letters of sufficiency from utilities and schools and a determination by the city engineer that the available capacity of existing streets can safely provide access to the site.
- ii. The proposed development will be compatible with surrounding uses and will protect adjacent properties through the following measures:
  - Protection of privacy. The proposed plan shall provide reasonable visual and auditory privacy for all dwelling units located within and adjacent to the site. Fences, walls, barriers and / or vegetation shall be arranged to protect and enhance the property and to enhance the privacy of on-site and neighboring occupants.
  - Protection of use and enjoyment. The proposed plan shall be designed and arranged to have minimal negative impact on the use and enjoyment of adjoining property.
  - Compatible design and integration. The use meets all design criteria required by this Code that apply and is designed to integrate well both on and off site.

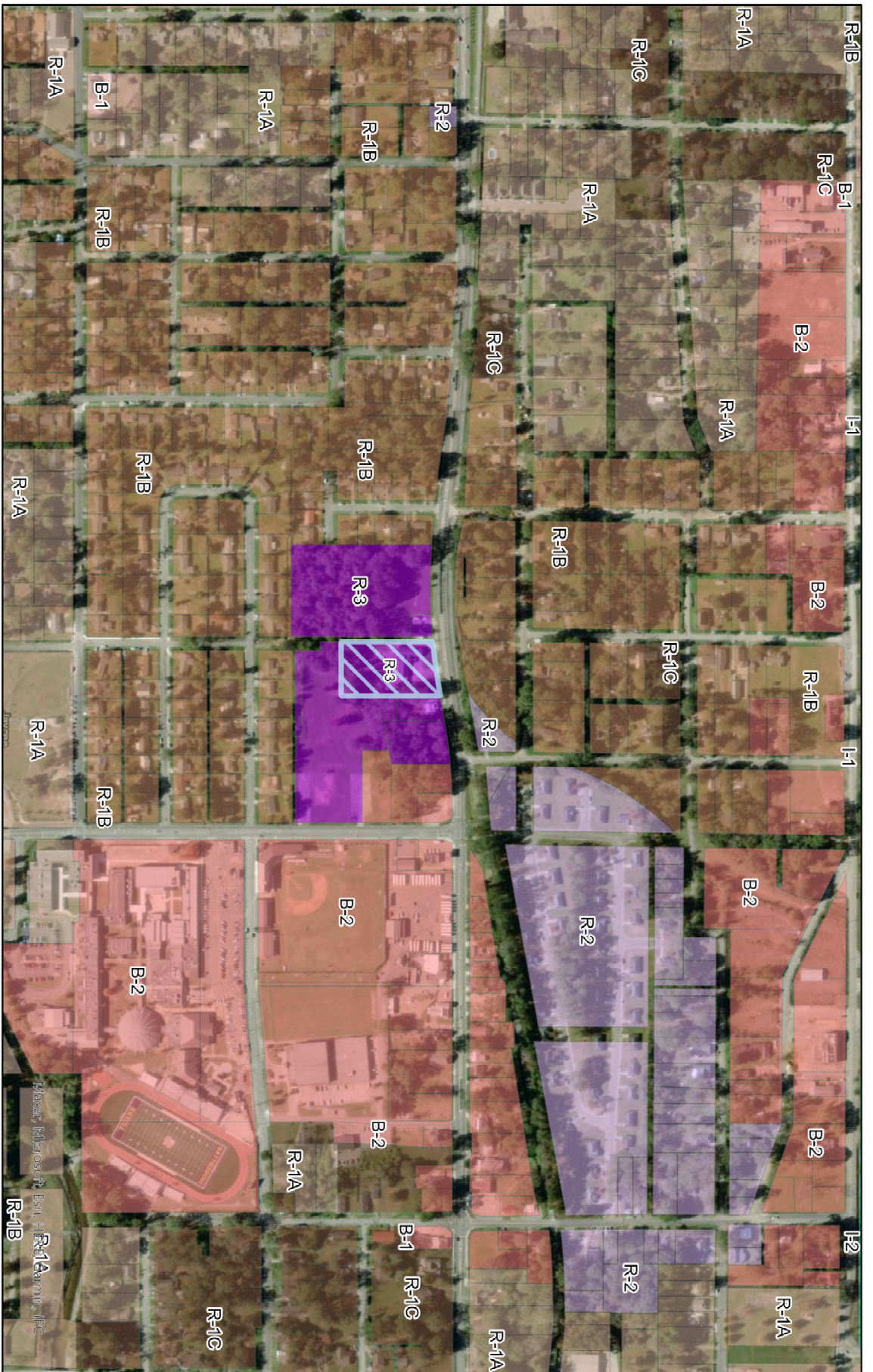
## SUBJECT PARCEL

---

### 748 W 4th Street — Conditional Use Request

Conditional Use Request- Anointed Word Ministries of Hattiesburg, Property Owner/Applicant, and Clifford Lockhart, Contractor/Representative, request approval of a conditional use request for an electronic message board for a R-3 zoned property located at 748 W 4th Street (PPIN 26614, Forrest County, Ward 4).





**Zoning Legend**

- R-1A
- R-1B
- R-1C
- R-2
- R-3
- B-1
- B-2
- I-1
- I-2
- 748 W 4th Street

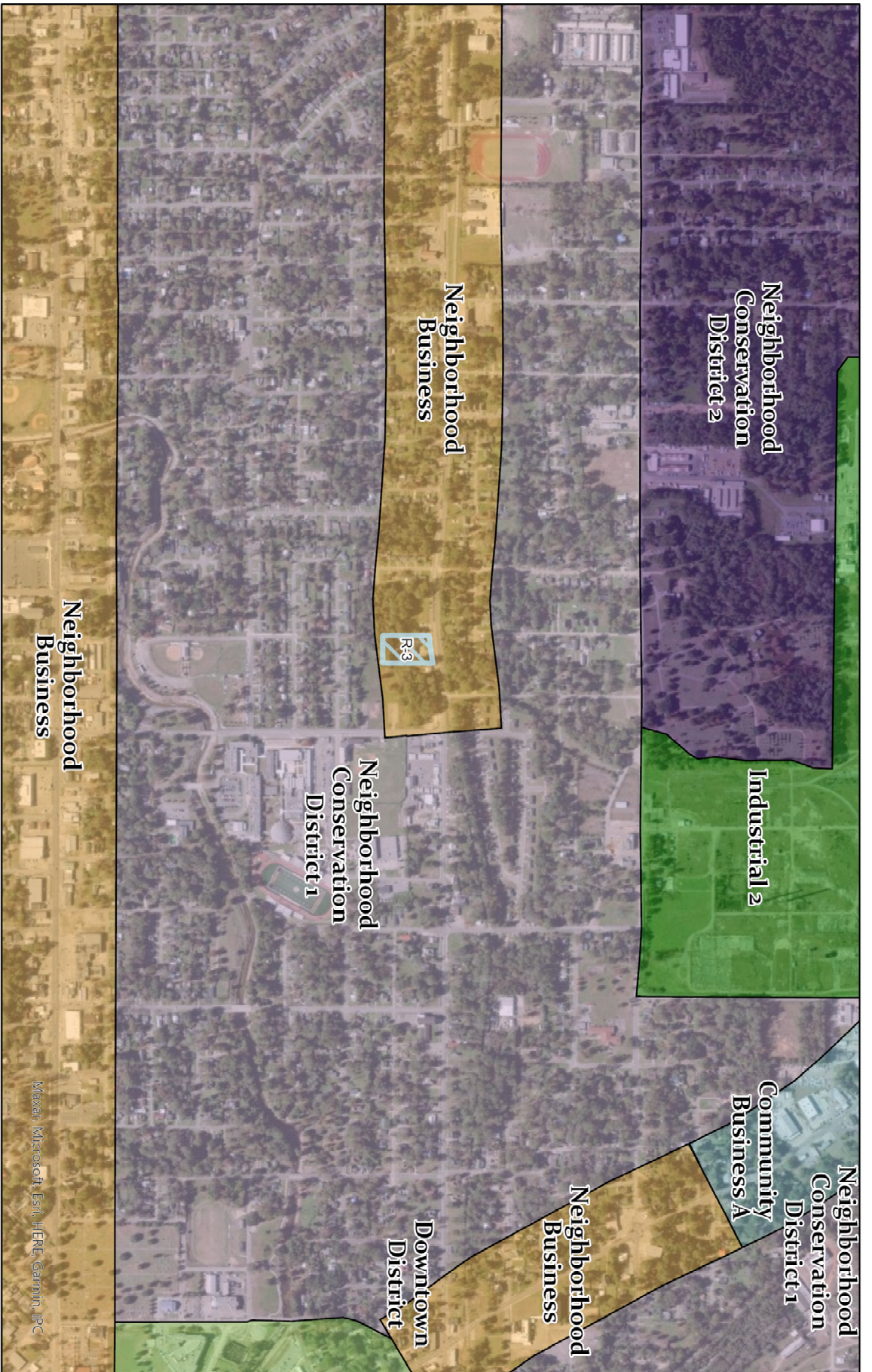
**Conditional Use Request and Variance**

748 W 4th Street  
 Zoned: R-3, PPIN: 26614  
 Flood Zone: X  
 Ward 4, Forrest County



**URBAN DEVELOPMENT**  
**PLANNING DIVISION**  
 Center: 89°18'42"W 31°19'54"N

DISCLAIMER: This map is ONLY FOR REFERENCE. There is NO WARRANTY of the accuracy of data. This information CANNOT be used as a substitute for legal, business, tax or other professional advice. Map Exported on: 7/29/2025 3:06 PM



- Future Land Use Map**
- Community Business A
  - Downtown District
  - Industrial 2
  - Neighborhood Business

- Neighborhood Conservation District 1
- Neighborhood Conservation District 2
- Subject Property

**Conditional Use Request and Variance**  
 0  
 748 W 4th Street  
 Zoned: R-3, PPIN: 26614  
 Flood Zone: X  
 Ward 4, Forrest County

Maxar Microsoft, Esri, HERE, Garmin, JPC



**URBAN DEVELOPMENT**  
**PLANNING DIVISION**  
 Center: 89°18'40"W 31°19'54"N

DISCLAIMER: This map is ONLY FOR REFERENCE. There is NO WARRANTY of the accuracy of data.  
 This information CANNOT be used as a substitute for legal, business, tax or other professional advice.  
 Map Exported on: 7/28/2025 3:07 PM

# Site Aerial



# Surrounding Area

---



## Surrounding Area

---





**Application for Public Hearing**  
 City of Hattiesburg – Planning Division  
 PO BOX 1898 – Hattiesburg, MS 39403-1898 | Phone (601)- 545-4599

**NOTE:**

- Fill this application out IN FULL with what applies to your application
- Refer to the [hattiesburgms.com/planning](http://hattiesburgms.com/planning) for Land Development Code and GIS map. Access via link or QR code



**Applicant Information**

Name Applicant: Anointed Word Ministries Project Name: Church sign

Municipal Address of Site: 748 West 4th Street, Hattiesburg PPIN #: 26614

Parcel Number(s): 2-0296-09-037.00 R3

Type of Public Hearing	Additional Information Needed:
<input checked="" type="checkbox"/> Variance	<input type="checkbox"/> Sign <input type="checkbox"/> Setback <input type="checkbox"/> Off-Site Parking <input type="checkbox"/> Lot Width <input type="checkbox"/> Lot Coverage Area <input checked="" type="checkbox"/> Buffer <input type="checkbox"/> Open Space <input type="checkbox"/> Other: _____
<input type="checkbox"/> Rezoning	Existing Zoning: _____ Proposed Zoning: _____
<input checked="" type="checkbox"/> Conditional Use	<input type="checkbox"/> Automotive Filling Station <input type="checkbox"/> Digital Billboard, New <input type="checkbox"/> Digital Billboard, Replacement <input type="checkbox"/> Telecommunications <input type="checkbox"/> Restaurant <input type="checkbox"/> Solar Farm <input type="checkbox"/> Other: _____
Other Application types: <input type="checkbox"/> Subdividing of lot, Parcel, or Tract <input type="checkbox"/> Street or Alley Renaming <input type="checkbox"/> Vacating Street or Alley	<input type="checkbox"/> Minor/Major Subdivision <input type="checkbox"/> Overlay District <input type="checkbox"/> Planned Mixed-Use District (PMU)

For Staff Only:				
Zoning: <u>R3</u>	Historic District:	Flood Zone:	Ward: <input type="checkbox"/> 1 <input type="checkbox"/> 2 <input type="checkbox"/> 3 <input type="checkbox"/> 4 <input type="checkbox"/> 5	
Project Number:		Received:		
PPIN # or Parcel #:		<b>RECEIVED</b> JUN 11 2025		

BY: Updated Version 12/04/24



**Application for Site Plan Review**  
 City of Hattiesburg – Planning Division  
 PO BOX 1898 – Hattiesburg, MS 39403-1898 | Phone (601)- 545-4599

The following fees are an excerpt from Ordinance No. 2977, adopted January 22, 2008, as amended.

<u>Public Hearing Fees</u>	
Public Hearing Type	Fees Associated
<b>Variance</b> Variance applications include one Concept Site Plan Review and one Variance request	\$175.00 per application. \$50.00 for each additional variance.
<b>Street / Alley Naming or Re-Naming</b> *Fees for replacement street signs shall be paid after City Council approval but prior to the effective date. *	\$300.00 per application. \$100.00 per required street name sign *if approved*
<b>Street / Alley Closing</b>	\$200.00 per application.
<b>Conditional Use</b>	\$200.00 per application.
<b>Zoning Change</b>	\$400.00 per application. *see PUD or PRD & zoning package rate)
<b>Planned Unit Development (PUD) or Planned Residential Development (PRD) with zoning change package</b>	\$600.00 per package.
<b>Subdivision of Land (Preliminary Plats)</b> Note: Final Plats should be submitted to the governing body for approval within 12 months of approval of preliminary plats.	\$250.00 per application. \$10.00 per each additional created lot (** see PUD or PRD & Subdivision of Land package rate)
<b>Planned Unit Development (PUD) or Planned Residential Development with Subdivision of Land Package**</b>	\$500.00 per application. \$10.00 per each additional created lot (** see PUD or PRD & Subdivision of Land package rate)
<b>Change in Land Development Code Text</b>	\$200.00 per application.
<b>Appeal Fees for Proponent or Opponent appeals to City Council</b> *Exempt from fees – Established Neighborhood Association*	\$50.00 per appeal.
<b>Cancellation/Re-notification fee on any public hearing process (Planning Commission or City Council) that is tabled or cancelled at the owner/developer's Request</b>	\$50.00 (per each 100 mailing labels)

**\*OTHER PROCESSES MAY HAVE ADDITIONAL FEES\***  
 Make all checks payable to the City of Hattiesburg

I hereby certify that I have completed and attached the above-required documents, information, and fees.

Print Name: Clifford Lockhart

Signature:

**OWNER AFFIDAVIT PAGE**

THIS PAGE MUST BE SIGNED IN FRONT OF A NOTARY, BY THE OWNER(S) OF THE SUBJECT PROPERTY

WITNESS THE SIGNATURES of the OWNER(s) of the subject property located at

744 west 4th St Hiborg MS 39401  
Street Address City State

on this the 16 day of May, 2025

In the matter of this request, the property owner further authorizes the following named person(s) to represent them at the public hearing on this petition.

Clifford Lockhart

on this the 16 day of May, 2025

Clifford Lockhart / Anointed Word  
Property Owner (Print)  
[Signature]  
Property Owner (Signature)

STATE OF Mississippi  
COUNTY OF Forrest

Personally came and appeared before me, the within named Clifford Lockhart, who signed and delivered the above and foregoing instrument as and for their free act and deed on the day and year therein mentioned, and who acknowledge to me that they are the owner(s) of the subject property as described in this Public Hearing Application.

GIVEN UNDER MY HAND AND OFFICIAL SEAL OF OFFICE, this the 16th day of May, 2025.

Carrie Jean Crawford  
NOTARY PUBLIC

\* STATE OF MISSISSIPPI \*  
CARRIE JEAN CRAWFORD, NOTARY PUBLIC  
PERRY COUNTY  
MY COMMISSION EXPIRES SEPTEMBER 23, 2028  
COMMISSION NUMBER 91129

My Commission Expires:  
September 23, 2028

**APPLICANT AFFIDAVIT PAGE**

THIS PAGE MUST BE SIGNED IN FRONT OF A NOTARY, BY THE APPLICANT(S) OF THE PETITION, ONLY IF DIFFERENT FROM THE OWNER(S) OF THE SUBJECT PROPERTY.

WITNESS THE SIGNATURES of the APPLICANT(S) of the subject property located at

748 West 4th St Hbung MS 39401  
Street Address City State

on this the 16 day of May, 20 25

In the matter of this request, the property owner further authorizes the following named person(s) to represent them at the public hearing on this petition.

on this the 16 day of May, 20 25

Clifford Lockhart  
Applicant (Print)  
[Signature]  
Applicant (Signature)

STATE OF Mississippi  
COUNTY OF Forrest

Personally came and appeared before me, the within named Clifford Lockhart, who signed and delivered the above and foregoing instrument as and for their free act and deed on the day and year therein mentioned, and who acknowledge to me that they are the owner(s) of the subject property as described in this Public Hearing Application.

GIVEN UNDER MY HAND AND OFFICIAL SEAL OF OFFICE, this the 16th day of May, 20 25.

Carrie Jean Crawford  
NOTARY PUBLIC

★ STATE OF MISSISSIPPI ★  
CARRIE JEAN CRAWFORD, NOTARY PUBLIC  
PERRY COUNTY  
MY COMMISSION EXPIRES SEPTEMBER 23, 2028  
COMMISSION NUMBER 91129

My Commission Expires: September 23, 2028

FOR VARIANCE APPLICANTS:

The Board of Adjustment has the responsibility to hear and make recommendation on requests for variances to the requirements of this Code (per Section 11.4). Section 12.4.1 Variances are departures from the standards of the Land Development Code, except land use, which will not be contrary to the public interest and where, owing to conditions peculiar to the property and not as a result of the action of the applicant, a literal enforcement of this Code would result in unnecessary and undue hardship.

The following conditions must be met before a variance can be recommended.

Approval Criteria.

A variance is not a right, but a privilege that property owners meeting the following criteria may request. These criteria are to be used to consider all variance requests. It shall be the burden of the applicant to prove that the request meets these criteria. Use this worksheet or format your own to demonstrate the following criteria.

- 1. **Hardship.** (a) the hardship is unique to the property and is not or will not be caused by the actions or inactions of the applicant. (b) There are exceptional conditions creating an undue hardship applicable only to the property involved or the intended use which do not apply generally to the other land areas or uses within the same zoning district.

Without Information Sign, Anointed Word would likely cause several significant hardships for the Church, impacting its operations, outreach and connection with the congregation and community. The sign is a vital part of Anointed Word and if removed it will impact growth & overall missi

- 2. **Special Privilege.** A variance shall not confer any special privilege that is denied to other lands or structures in the same zoning district.

The Church is simply using a standard tool for its operations, and taking it away would be detrimental.

- 3. **Literal Interpretation.** The literal interpretation of the provision of the regulation would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district and would cause unnecessary and undue hardship on the applicant.

All the rules and regulation of the signs are being met. No violation have been observed.

- 4. **Reasonable Use.** The applicant cannot make reasonable use of the property without the requested variance.

200 feet Buffer

---

---

- 5. **Minimum Required.** The granting of a variance is the minimum variance that will make possible the reasonable use of the land or structure.

For sign face of the sign been  
 there since 1970's but the new  
 facing has not

---

---

- 6. **Conformance with Purpose of this Code.** The granting of a variance will not conflict with the purposes and intent expressed or implied in the Land Development Code.

no it will not conflict  
 with purposes and intent expressed

---

---

**12.4.1.2 Conditions of Approval.** In recommending the granting of a variance, the Board of Adjustment may require appropriate conditions and safeguards in conformity with this Code. Violation of such conditions and safeguards, when made a part of the terms under which a variance is granted, shall be deemed a violation of the Code. The recommendation of the Board Adjustment shall be presented to the City Council for final action.

**FOR CONDITIONAL USE APPLICANTS:**

Section 12.3.3.1 Compliance Required. Uses requiring Planning Commission approval as noted in the Tables of Uses in Section 5 of this Code, shall be approved subject to this Section.

Any application for such use must comply with: all applicable standards that apply to similar uses and properties in the zoning district in general, the specific conditions listed for that use in Section 5, and the following criteria. \*Where conflicts exist, the Planning Commission shall determine which criteria apply on a case-by-case basis.\*

- 1. Does this application meet the conditions set forth in Section 5 of the LDC for the requested use? If yes, please explain:

---



---



---



---



---

- 2. Describe the effects the proposed use of utilities and facilities will have on the community.

*If will have none on  
Community*

---



---



---



---

- 3. Describe how the size of the site is appropriate for the proposed use.

*it is only a 4x8 that  
has been there since 1970's*

---



---



---

- 4. Will there be any additional pedestrian or vehicular traffic generated by the proposed use? If yes, please explain:

*NO*

---



---



---

- 5. Will there be any elevation in the noise level resulting from this proposed use? If yes, please explain:

*NO*

---



---

---

---

---

6. What is the expected number of customers/employees per day?

N/A

---

---

---

---

7. Is proposed use compatible with surrounding uses and design? If yes, please explain:

Yes

---

---

---

---

8. **Parking requirements:** Commercial/Industrial: Paved parking will be provided for \_\_\_\_\_ vehicles, and \_\_\_\_\_ ADA vehicles; with \_\_\_\_\_ loading spaces.

For more information, please reference the Land Development Code Section 12.3.3.2

Refer to the [hattiesburgms.com/planning](http://hattiesburgms.com/planning) for Land Development Code and GIS map. Access via link or QR code.



## **Petition Affirming Neighborly Acceptance of Anointed Word Ministries' Information Board Sign**

To Whom It May Concern:

We, the undersigned residents and neighbors residing in the vicinity of Anointed Word Ministries, located at 748 West 4<sup>th</sup> Street Hattiesburg, MS, wish to formally express our collective sentiment regarding the ministry's information board sign.

We hereby affirm that we **\*\*do not\*\*** have any objections or concerns regarding the content or display of the information board sign belonging to Anointed Word Ministries. We understand that this sign serves as a valuable means of communication for the ministry, providing information about services, events, and other relevant announcements to both its congregation and the wider community.

We recognize and respect Anointed Word Ministries' right to utilize such a sign for informational purposes. We value their presence in our neighborhood and appreciate their efforts to engage with the community.

Therefore, we respectfully request that any considerations or actions based on the premise of neighborhood opposition to the Anointed Word Ministries' information board sign be disregarded, as this petition clearly indicates the lack of such concerns among the undersigned residents.

Sincerely,

\*\* (Please Print Your Name) \*\* \*\* (Signature) \*\* \*\* (Address) \*\*

1. Bill Fletcher

*Bill Fletcher*  
812 W 5th Street / Hattiesburg

2. Mrs Knox Flowers

822 W 5th St  
Hattiesburg, MS 39401

3. Jamell Aungwaw

810 W 5th street  
Hattiesburg MS 39401

4. David Cherry

814 W 5th st  
Hattiesburg MS 39401

5. Maica Aracawa

820 W 5th Street / Hattiesburg MS 39401

6. Paul Yawn

821 W 5th Street  
Hattiesburg MS 39401

7. Board up / vacant

NO Address # West 5th Street  
Hattiesburg MS 39401

8. Vacant

816 West 5th Street  
Hattiesburg MS 39401

9. Vacant / Board up

806 West 5th Street  
Hattiesburg MS 39401

10.

\_\_\_\_\_  
\_\_\_\_\_

\*\*Date:\*\*

5/31/25

Forrest County  
Filed/Recorded JANUARY 14 2011 04:02:00PM  
Witness my hand and seal  
Jimmy C. Howard  
Chancery Clerk

Record & Return to:  
First American Title  
132 Westover Drive  
Hattiesburg, MS 39402  
601-264-2257

INDEXING INSTRUCTIONS: Part of NW¼ of NW¼, S9, T4N, R13W, 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 consideration, the receipt and sufficiency of which is hereby acknowledged, I the undersigned GRANTOR,

CLIFFORD MICHAEL LOCKHART

Address: 748 W. 4th St  
Hattiesburg MS 39401  
Telephone: 601-329-9922

does hereby grant, bargain, sell, convey and quitclaim unto the GRANTEE,

ANOINTED WORD MINISTRIES OF HATTIESBURG, a non-profit corporation

Address: 748 W. 4th St  
Hattiesburg MS 39401  
Telephone: 601-450-4523

as joint tenants with full rights of survivorship, and not as tenants by the entirety or as tenants in common, the following described real property, lying and being situate in Forrest County, Mississippi, described as follows, to-wit:

A part of the Northwest Quarter of the Northwest Quarter (NW¼ of NW¼) of Section Nine (9), Township Four (4) North, Range Thirteen (13) West, in the City of Hattiesburg, County of Forrest, State of Mississippi, and more particularly described as follows, to-wit:

Commence at the Northwest corner of the East half of the Northwest Quarter of the Northwest Quarter (E½ of NW¼ of NW¼) of said Section, Township and Range, and run South to the South right-of-way of the Mississippi Central Railroad for a point of beginning, thence run

**Inst. 670299  
Bk 1095 Pg 0728**

South for a distance of 300 feet, thence run East for a distance of 187.5 feet, thence run North for a distance of 328 feet, more or less, to the South right-of-way line of said Railroad, thence run West along said right-of-way line for a distance of 187.5 feet to the point of beginning, together with all improvements thereon and appurtenances thereunto belonging.

The Grantor herein warrants that the above described real property constitutes no part of his homestead.

WITNESS @MY SIGNATURE, on this, the 5th day of November, A.D., 2010.

Clifford Michael Lockhart  
CLIFFORD MICHAEL LOCKHART

STATE OF MISSISSIPPI

COUNTY OF Lamar

Personally appeared before me, the undersigned authority in and for the said county and state, on this 5th day of November, A.D., 2010, within my jurisdiction, the within named CLIFFORD MICHAEL LOCKHART, who acknowledged that he executed the above and foregoing instrument.



Dana Meers White  
NOTARY PUBLIC  
My Commission Expires: \_\_\_\_\_

Title to the above property has not been examined by the preparer of this instrument. No request for title examination, certificate, insurance, or opinion has been made and no title examination, certificate, insurance or opinion regarding the state of the title to the above property has been furnished, offered or given to anyone or for any purpose by the preparer. The preparer of this instrument does not represent either the Grantor or the Grantee and has given them no advice of any kind.

**Inst. 670299  
Bk 1095 Pg 0729**



Hartsburg



80°F  
cloudy

748



Anointed Word  
Ministries





HPC August Item: B  
Hancock Whitney Bank, Property Owner/Applicant, and Mark Alexander, Representative,  
Deborah Renfro, Applicant, and Mark Bond, Representative  
Request for: **Street/Alley Closure**



**Planning Commission  
Case Fact Sheet**

---

**Name of Petitioners:** Hancock Whitney Bank, Property Owner/Applicant, and Mark Alexander, Representative, Deborah Renfro, Applicant, and Mark Bond, Representative

**Address of Property:** 5370 HWY 42 (Former Murray Envelope Site), Ward 2  
**PPINs:**

Zoned I-1: 22210  
22212  
38707  
35945

Zoned B-3: 20699  
35944  
36942

Zoned R-1B: 22207  
22208  
22209

---

**Request:** **Street/Alley Closure**

**Purpose of Request:** Hancock Whitney Bank, Property Owner/Applicant, and Mark Alexander, Representative, Deborah Renfro, Applicant, and Mark Bond, Representative, request to close and vacate two alleys and one street located in blocks 6 and 7 of the original North Main Street Addition Subdivision, also located south of Mildred Avenue, west of Stanley Street, east of Redus Street, and north of Hwy 42 (Forrest County, Ward 2).

**History/Background:** The applicant is requesting approval to vacate the unimproved platted 20-foot-wide alley located in Block 6 of the North Main Street Addition Subdivision, described as part of the Northwest 1/4 of the Northeast 1/4 and the Southwest 1/4 of the Northeast 1/4 of Section 4, Township 4 North, Range 13 West, in the City of

HPC August Item: B

Hancock Whitney Bank, Property Owner/Applicant, and Mark Alexander, Representative,  
Deborah Renfroe, Applicant, and Mark Bond, Representative

Request for: **Street/Alley Closure**

Hattiesburg, Forrest County, Mississippi. The alley, covering approximately 0.42 acres, is currently unimproved and provides no public access due to the development of the adjacent property, Murray Envelope, which was constructed in 1969.

The alley to be vacated is part of a platted subdivision and has not been used for public access or utilities for several years, as it has been developed over by the Murray Envelope building. The alley is located within a commercial area and the applicant is seeking to vacate the alley to facilitate the legal and physical cleanup of the property, which is part of a bankruptcy and foreclosure process involving the CCM Group. The bank managing the property aims to resolve legal issues tied to the property and simplify the parcel structure.

The applicant has indicated a desire to collapse all parcels into a single property tax parcel. Currently, the properties involved are zoned differently, and staff has suggested a zoning change to unify the parcels under a single I-1 (Light Industrial) zoning designation. This zoning change is recommended to avoid potential development issues arising from the multiple existing zoning classifications on the site. The applicant also indicated an interest in consolidating zoning, but has not applied for rezoning at this time.

**Applicant Summary:** See Attached

**Applicable Regulations:**

**SECTION 12.2 Categories of Development Approvals**

Legislative Development Approvals – Street Closings

**Present Use:** Vacant Commercial Building – Formerly Murray Envelope

**Surrounding Zoning and Land Use:**

The adjacent land to the alley being requested for vacation is a mixture of the following:

- I-1 Light Industrial
- B-3 Community Business
- R-1B Single-Family Residential

Please reference the zoning map attached to the image sheet

**Letters or Concerns stated:**

As of finalizing this report, the Planning Division Office had received no calls or letters of concern.

HPC August Item: B  
Hancock Whitney Bank, Property Owner/Applicant, and Mark Alexander, Representative,  
Deborah Renfroe, Applicant, and Mark Bond, Representative  
Request for: **Street/Alley Closure**

**Option:** Recommend **Approval** or **Denial** of a request to close and vacate two alleys and one street located in blocks 6 and 7 of the original North Main Street Addition Subdivision, also located south of Mildred Avenue, west of Stanley Street, east of Redus Street, and north of Hwy 42 (Forrest County, Ward 2).

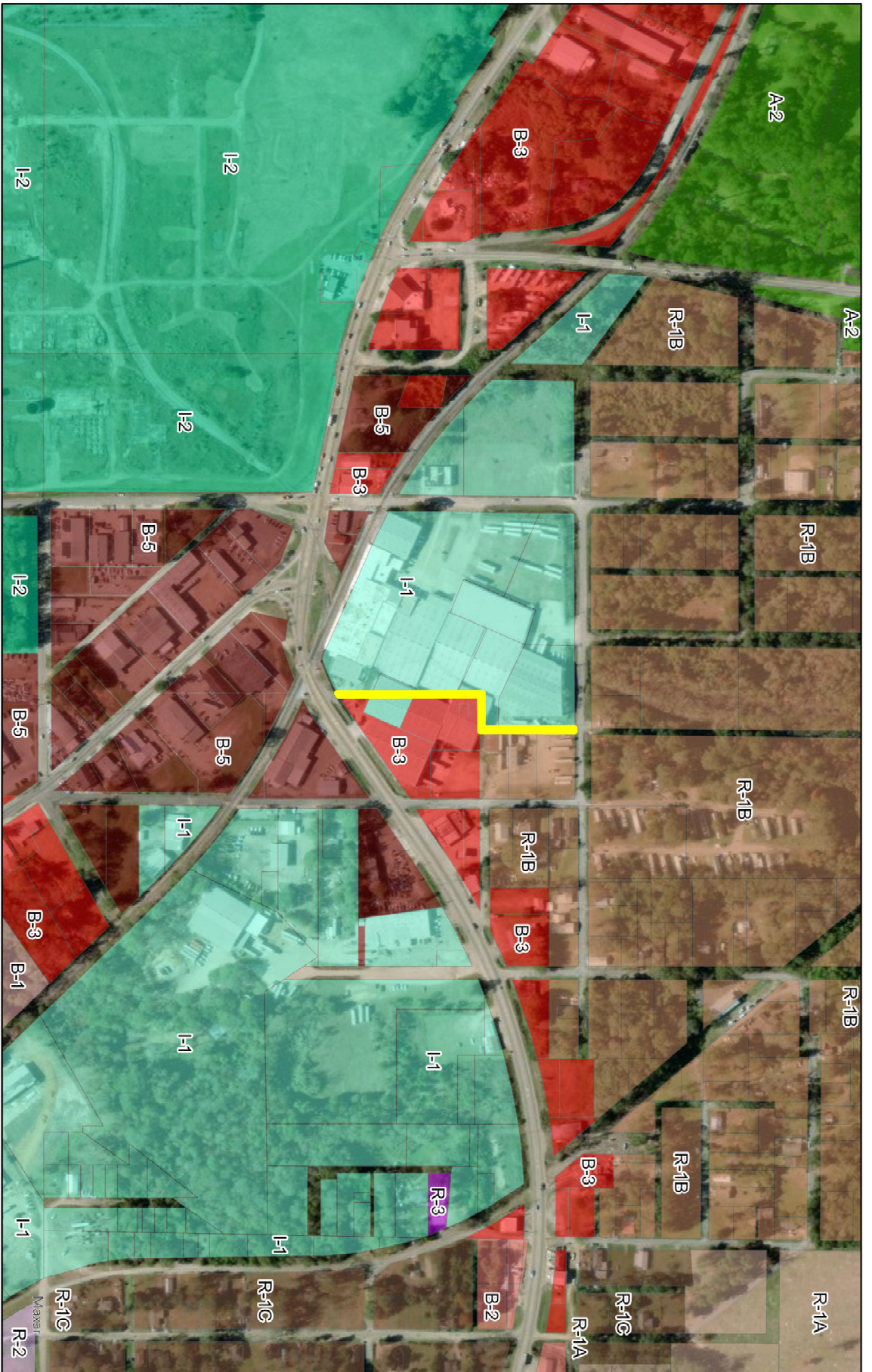
## SUBJECT PARCEL

---

### Alley Closure Requests

Street & Alley Closure Request- Hancock Whitney Bank, Property Owner/Applicant, and Mark Alexander, Representative, Deborah Renfroe, Applicant, and Mark Bond, Representative, request to close and vacate two alleys and one street located in blocks 6 and 7 of the original North Main Street Addition Subdivision, also located south of Mildred Avenue, west of Stanley Street, east of Redus Street, and north of Hwy 42 (Forrest County, Ward 2).





- A-2
- R-1A
- R-1B
- R-1C
- R-2
- R-3
- B-1
- B-2
- B-3
- B-5
- I-1
- I-2

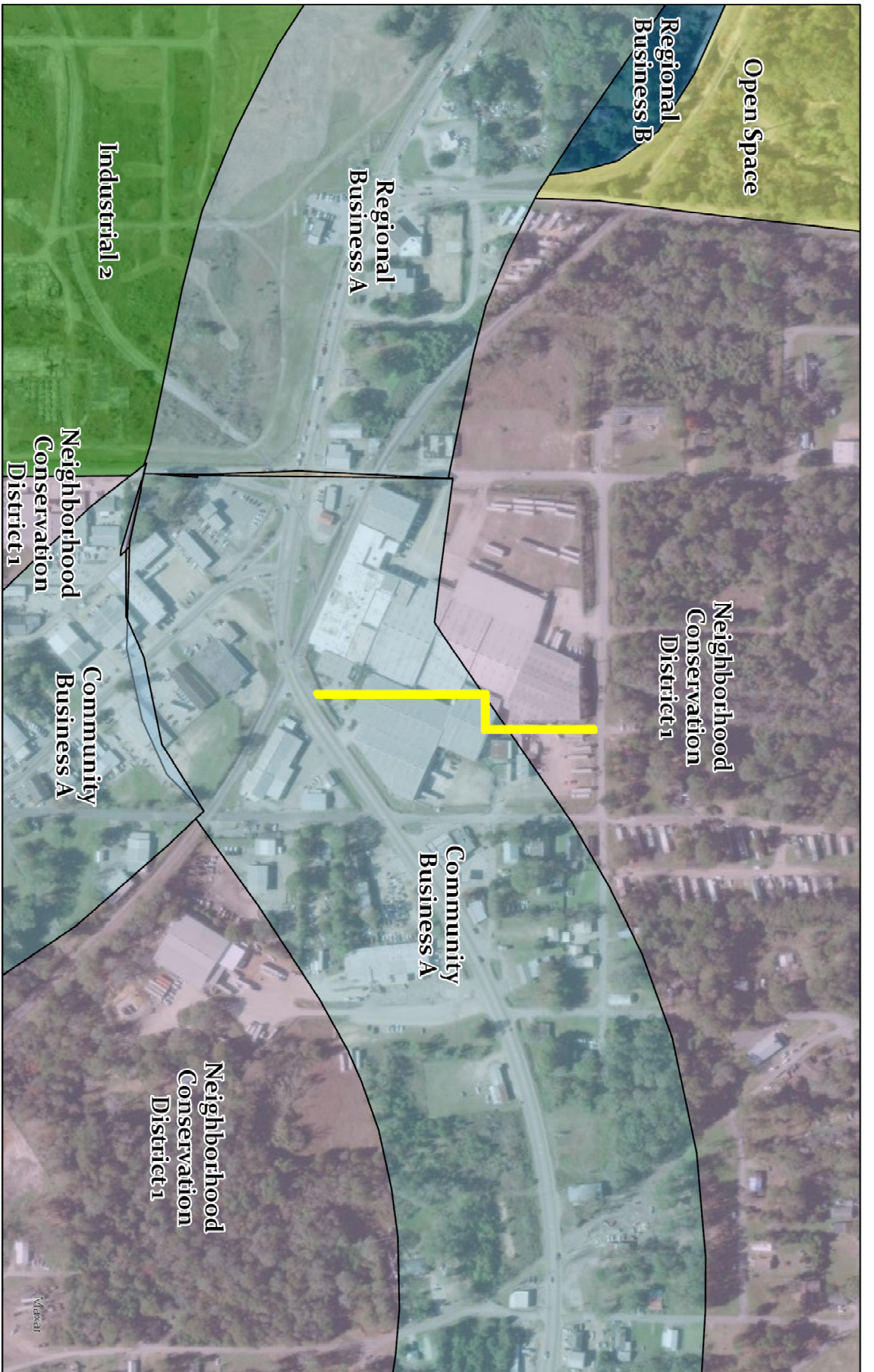
Alley Closure Request

**DISCLAIMER:** This map is ONLY FOR REFERENCE. There is NO WARRANTY of the accuracy of data. This information CANNOT be used as a substitute for legal, business, tax or other professional advice. Map Exported on: 7/26/2025 4:51 PM

**Zoning And Location Map**  
**Alley Closure Request**  
**Old Highway 42 / Geneva Street**  
**Zoned: I-1, B-3, and R-1B (Adjacent parcels)**  
**Flood Zone: SX-500**  
**Ward 2, Forrest County**




**URBAN DEVELOPMENT**  
**PLANNING DIVISION**  
 Center: 89° 18'9"W 31° 20'33"N



- Future Land Use Map
- Community Business A
  - Industrial 2
  - Neighborhood Conservation District 1
  - Open Space

- Regional Business A
- Regional Business B
- Alley Closure Request

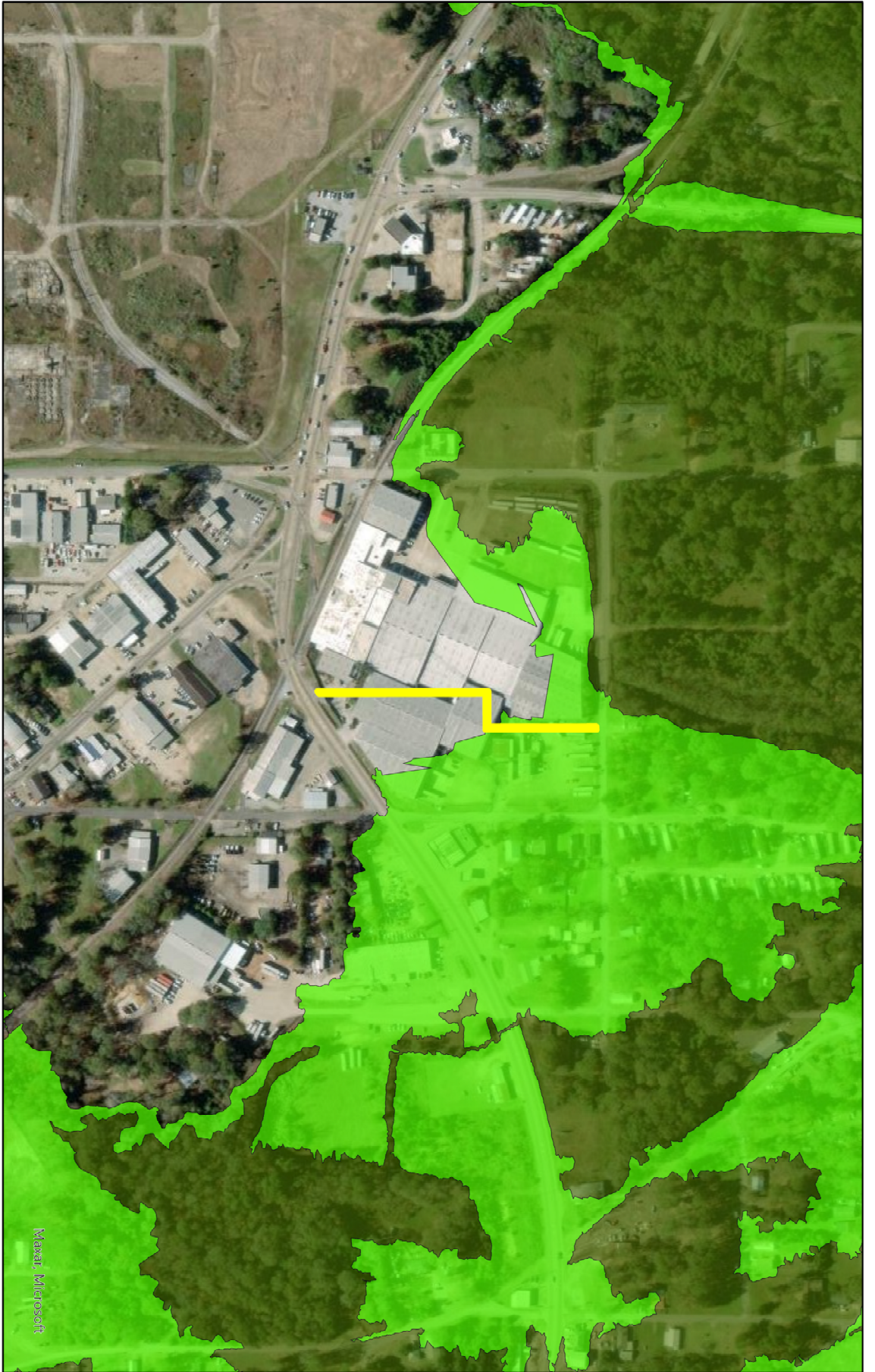
Alley Closure Request  
 Old Highway 42 / Geneva Street  
 Zoned: I-1, B-3, and R-1B (Adjacent parcels)  
 Flood Zone: SX-500  
 Ward 2, Forrest County



**URBAN DEVELOPMENT**  
**PLANNING DIVISION**

Center: 89°18'9"W 31°20'33"N

DISCLAIMER: This map is ONLY FOR REFERENCE. There is NO WARRANTY of the accuracy of data.  
 This information CANNOT be used as a substitute for legal, business, tax or other professional advice.  
 Map Exported on: 7/28/2025 4:59 PM



- USA Wetlands
- River
- 748 W 4th Street
- Alley Closure Request
- FLOODWAY AREA IN ZONE AE
- ZONE A (100 yr flood - no elevation)
- ZONE AE (100 yr flood w/ elevation)
- ZONE SX (690 yr flood)

Conditional Use Approval  
 ~320 Barkley Road (address not verified)  
 PPIN: 32153  
 Flood Zone: X  
 Ward 5, Forrest County

DISCLAIMER: This map is ONLY FOR REFERENCE. There is NO WARRANTY of the accuracy of data. This information CANNOT be used as a substitute for legal, business, tax or other professional advice. Map Exported on: 7/28/2025 5:00 PM

0 1,000 Feet

**URBAN DEVELOPMENT**  
**PLANNING DIVISION**

Center: 89°18'9"W 31°20'33"N

# Site Aerial



# Surrounding Area

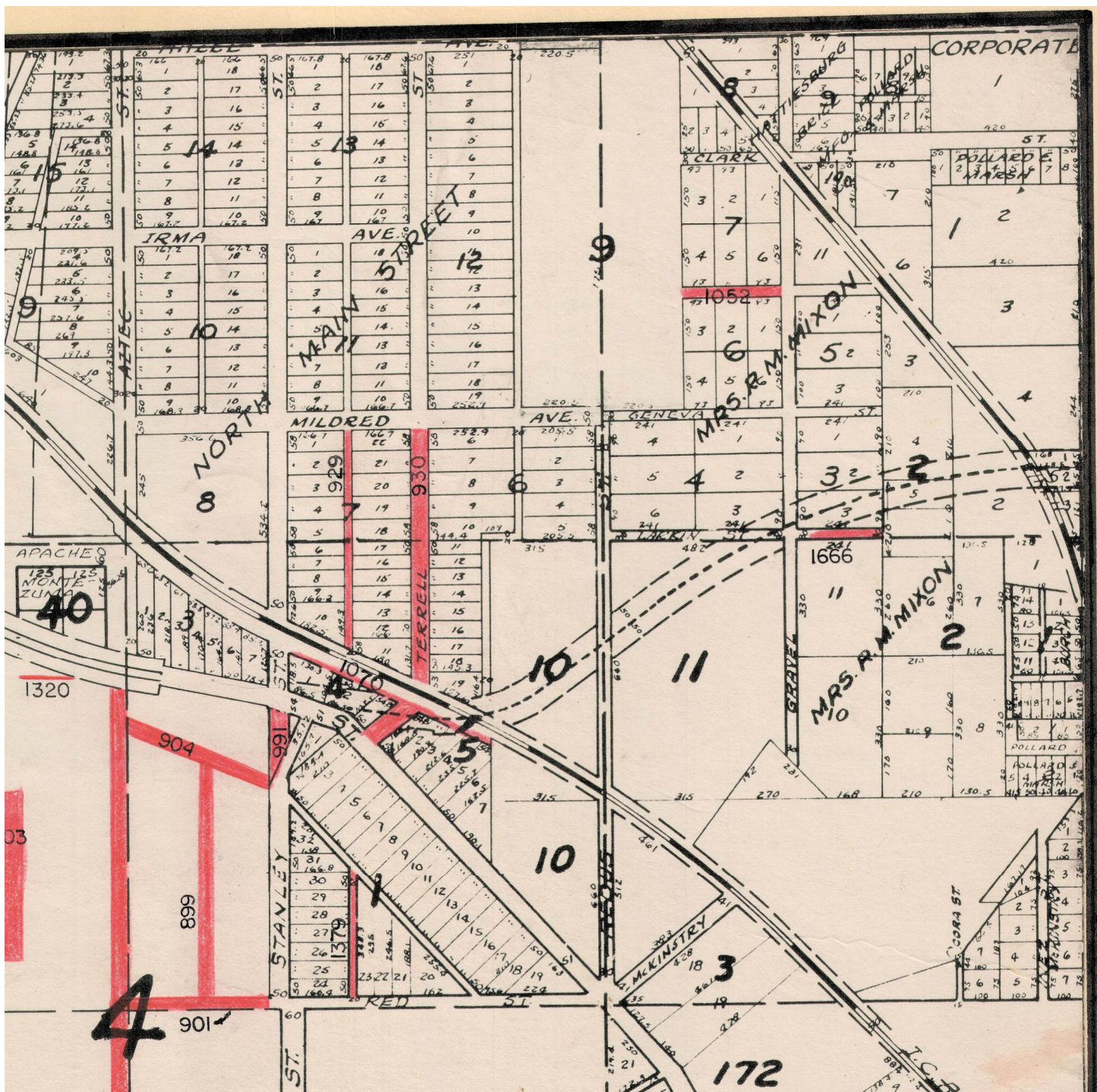


# Surrounding Area

---



# Plat of Unimproved Public Alley in Blk 6 of North Main Addition



# MAP OF THE NORTH MAIN STREET ADDITION To The City of Hattiesburg, Miss.

Being a Subdivision of a part of the West Half of the Northeast Quarter of Sec. 4, Township 4, North, Range 13, West, and a parcel of land described as follows: Commencing at the Northeast corner of Northeast Quarter of Northwest Quarter of Sec. 4, Township 4, North, Range 13, West, running thence South Twenty Chains, thence West 45 degrees North to Green's Creek, thence down the windings of said Green's Creek to where the Township Line between 4 and 5 crosses said Creek, thence East to the point of beginning, containing 15 acres, more or less, situated in the County of Forest, State of Mississippi.

STATE OF MISSISSIPPI,  
Forest County.

This is to certify that I, the undersigned owner of the land shown on this plat, do hereby dedicate this plat to be hereinafter known as the North Main Street Addition to the City of Hattiesburg, Miss. I also donate to the use of the public the right of passage on all streets, avenues and alleys as shown on this plat for all foot passengers and all vehicles, have caused the same to be subdivided as shown below and have signed and delivered this plat this 1st day of January 1909.

State of Mississippi,  
Forest County.

Personally appeared before me, the undersigned clerk of the Chancery Court, in and for the state and county aforesaid, the above named Mrs. R. M. Nixon as owner, and Oscar A. Bennett as surveyor, who each acknowledged, the above named Mrs. R. M. Nixon as owner and surveyor of the land described in this plat.

Given under my hand and seal this 1st day of January 1909.

T. E. Ratson Chancery Clerk.

Filed for record this 9th day of Feb 1909.

STATE OF MISSISSIPPI,  
County of Forest

This is to certify that I, T. E. Ratson, Chancery Clerk in and for the State and County aforesaid, and Oscar A. Bennett, surveyor, have compared this the duplicate plat of the North Main Street Addition to the City of Hattiesburg, Miss., with the ORIGINAL and find the same to be an exact copy.

Given under our hands and seals this 1st day of January 1909.

Oscar A. Bennett Surveyor  
T. E. Ratson Chancery Clerk

STATE OF MISSISSIPPI,  
County of Forest

This is to certify that I have surveyed the land described in the above caption and subdivided the same into lots, blocks, streets and alleys, and that the plat below is a correct representation of said survey and subdivision.

Given under my hand this 18th day of December 1908.

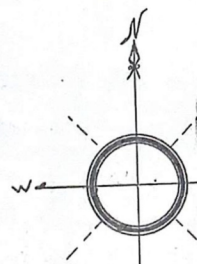
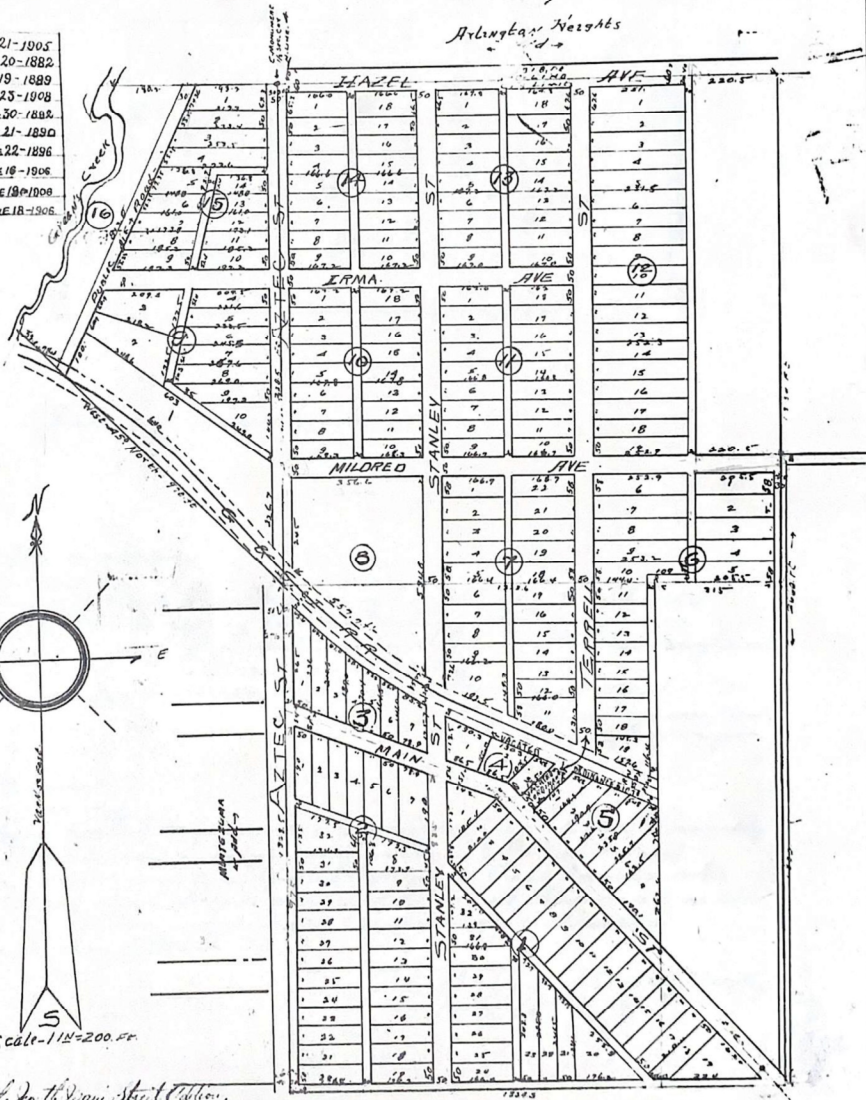
Oscar A. Bennett Surveyor

Recorded this 9th day of February 1909.

T. E. Ratson Chancery Clerk.

UNITED STATES	BOOK	DATE
Geo D. HARTFIELD	Book L. P. 358	Dec 21-1905
Jas W. MIXON	F. 252	Apr 20-1882
M. J. MIXON Et Als	H. 143	Jan 19-1889
O. C. MIXON	R. 333	Dec 25-1908
UNITED STATES	R. M. BENNETT	W. A. 75
Mrs R. M. MIXON	M. O. BENNETT	C. 37
Mrs J. D. BENNETT	S. F. GIBBERT	D. 378
SEWARD GILBERT	S. M. PARKS	Y. 81
C. M. PARKS	T. E. RATSON	Y. 87
T. E. RATSON	R. M. MIXON	Y. 98

### ABSTRACT



Map of Division of the North Main Street Addition, made by Oscar A. Bennett, Surveyor, and filed for record in the County of Forest, State of Mississippi, on the 9th day of February, 1909, and approved by the Board of Supervisors of the City of Hattiesburg, Mississippi, on the 18th day of December, 1908.

*(Handwritten signature)*

For Ordinance  
No 1379 (221)  
in Book 218  
Page 542



# Application for Public Hearing

City of Hattiesburg – Planning Division

PO BOX 1898 – Hattiesburg, MS 39403-1898 | Phone (601)- 545-4599



**NOTE:**

- Fill this application out **IN FULL** with what applies to your application
- Refer to the [hattiesburgms.com/planning](http://hattiesburgms.com/planning) for Land Development Code and GIS map. Access via link or QR code



### Applicant Information

Name Applicant: Hancock Whitney Bank

Project Name: Channel Control Merchants - Hwy. 42 Bypass

Municipal Address of Site: 5370 Hwy. 42, Hattiesburg, MS 39401

PPIN #: See attached Exhibit "A"

Parcel Number(s): See attached Exhibit "B"

Type of Public Hearing	Additional Information Needed:
<input type="checkbox"/> Variance (fill out pages 7 & 8)	<input type="checkbox"/> Sign <input type="checkbox"/> Setback <input type="checkbox"/> Off-Site Parking <input type="checkbox"/> Lot Width <input type="checkbox"/> Lot Coverage Area <input type="checkbox"/> Buffer <input type="checkbox"/> Open Space <input type="checkbox"/> Other: _____
<input type="checkbox"/> Rezoning (fill out page 11)	Existing Zoning: _____ Proposed Zoning: _____
<input type="checkbox"/> Conditional Use (fill out pages 9 & 10)	<input type="checkbox"/> Automotive Filling Station <input type="checkbox"/> Digital Billboard, New <input type="checkbox"/> Digital Billboard, Replacement <input type="checkbox"/> Telecommunications <input type="checkbox"/> Restaurant <input type="checkbox"/> Solar Farm <input type="checkbox"/> Other: _____

### Other Application types:

- |   |   |
|---|---|
| <input type="checkbox"/> Subdividing of a lot, Parcel, or Tract (fill out page 12)    | <input type="checkbox"/> Text Amendment                   |
| <input type="checkbox"/> Street or Alley Renaming (fill out pages 13 & 14)            | <input type="checkbox"/> Overlay District                 |
| <input checked="" type="checkbox"/> Vacating Street or Alley (fill out pages 13 & 14) | <input type="checkbox"/> Planned Mixed-Use District (PMU) |

For Staff Only:				
Zoning:	Historic District:	Flood Zone:	Ward:	
			<input type="checkbox"/> 1	<input type="checkbox"/> 2 <input type="checkbox"/> 3 <input type="checkbox"/> 4 <input type="checkbox"/> 5
Project Number:		Received:		
PPIN # or Parcel #:				



# Application for Public Hearing

City of Hattiesburg – Planning Division

PO BOX 1898 – Hattiesburg, MS 39403-1898 | Phone (601)- 545-4599

### Public Hearing Petitioner Information:

Deadline for applicant to file petition: \_\_\_\_\_

Hattiesburg Planning Commission Meeting Date: \_\_\_\_\_

Hattiesburg Board of Adjustment Meeting Date: \_\_\_\_\_

City Council Agenda Review Date – (you or your representative should attend): \_\_\_\_\_

City Council Meeting (Vote) Date – (you or your representative may attend): \_\_\_\_\_

- There is a 10-day appeal period, required by State Law, between the Planning Commission Meeting and/or Board of Adjustment Meeting and the City Council Meeting – appeals must be filed within this 10-day period.
  - o There is an additional 10-day appeal period, required by State Law, after the City Council Meeting, for all Variances and Conditional Use Permit which ends \_\_\_\_\_ and a 30-day wait period for Zoning or Street closing/re-naming, PMUs, PRDs, PUDs which ends \_\_\_\_\_.
- So, if approved by the City, no final site plan review approvals or building permits could be issued prior to these dates.

\*Dates and times are subject to change. If an appeal is filed or the petition is tabled for any reason at any stage, the above-listed dates would need to be revised. \*

### Public Hearing Application Checklist

The following paperwork **MUST** be attached to this application:

- Site Diagram (11" x 17" preferred size): Drawing to scale prepared by professional engineer/surveyor showing lot dimensions, existing/proposed building, signs, parking areas, etc. (Different standards may be accepted only per approval from staff)
- Site & Design Review Committee, if needed
- Copy of entire Warranty Deed (filed and recorded at the courthouse) with legal description granting title to the current owner. (If the Warranty Deed covers a larger piece of property than the current project, a legal description for this project site only may also be required)
- Electronic/Digital copy of legal description **REQUIRED** for all public notices, saved as Word or text document OR emailed to [planning@hattiesburgms.com](mailto:planning@hattiesburgms.com)
- An affidavit (pages 3 & 4) attesting that the applicant or representing party (if other than the owner) is acting on behalf of the owner(s) of record. The affidavit must be sworn to before a notary public or other appropriate official. (Included in owners signature page, or may be a separate document).
- Variance application only:** A letter of approval/denial from all adjoining property owners must be obtained and submitted with the application
- Other documents needed (if relevant):
  - Maps of digital billboard removal sites
  - Maps of digital billboard replacement sites
  - Documentation on measurements
  - Other: \_\_\_\_\_
- Payment to the City of Hattiesburg for filing a public hearing application in the amount of \$\_\_\_\_\_



## Application for Site Plan Review

City of Hattiesburg – Planning Division

PO BOX 1898 – Hattiesburg, MS 39403-1898 | Phone (601)- 545-4599

The following fees are an excerpt from Ordinance No. 2977, adopted January 22, 2008, as amended.

<b>Public Hearing Fees</b>	
<b>Public Hearing Type</b>	<b>Fees Associated</b>
<b>Variance</b> Variance applications include one Concept Site Plan Review and one Variance request	<b>\$175.00</b> per application. <b>\$50.00</b> for each additional variance.
<b>Street / Alley Naming or Re-Naming</b>	<b>\$300.00</b> per application. <b>\$100.00</b> per required street name sign if approved* (*Fees for replacement street signs shall be paid after City Council approval but prior to the effective date.)
<b>Street / Alley Closing</b>	<b>\$300.00</b> per application.
<b>Conditional Use</b>	<b>\$200.00</b> per application.
<b>Zoning Change</b>	<b>\$400.00</b> per application. *see PUD or PRD & zoning package rate)
<b>Planned Unit Development (PUD) or Planned Residential Development (PRD) with zoning change package</b>	<b>\$600.00</b> per package.
<b>Subdivision of Land (Preliminary Plats)</b> Note: Final Plats should be submitted to the governing body for approval within 12 months of approval of preliminary plats.	<b>\$250.00</b> per application. <b>\$10.00</b> per each additional created lot (** see PUD or PRD & Subdivision of Land package rate)
<b>Planned Unit Development (PUD) or Planned Residential Development with Subdivision of Land Package**</b>	<b>\$500.00</b> per application. <b>\$10.00</b> per each additional created lot (** see PUD or PRD & Subdivision of Land package rate)
<b>Change in Land Development Code Text</b>	<b>\$200.00</b> per application.
<b>Appeal Fees for Proponent or Opponent appeals to City Council</b> *Exempt from fees – Established Neighborhood Association*	<b>\$50.00</b> per appeal.
<b>Cancellation/Re-notification fee on any public hearing process (Planning Commission or City Council) that is tabled or cancelled at the owner/developer's Request</b>	<b>\$50.00</b> (per each 100 mailing labels)

**\*OTHER PROCESSES MAY HAVE ADDITIONAL FEES\***

Make all checks payable to the City of Hattiesburg

I hereby certify that I have completed and attached the above-required documents, information, and fees.

Print Name: Mark Alexander

Signature: 

Updated Version 05/22/2025

**OWNER AFFIDAVIT PAGE**

THIS PAGE MUST BE SIGNED IN FRONT OF A NOTARY, BY THE OWNER(S) OF THE SUBJECT PROPERTY

WITNESS THE SIGNATURES of the OWNER(s) of the subject property located at

5370 Hwy. 42 Hattiesburg MS  
Street Address City State

on this the 30th day of June, 2025.

In the matter of this request, the property owner further authorizes the following named person(s) to represent them at the public hearing on this petition.

Mark Alexander and/or Mark Bond

on this the 30th day of June, 2025.

Hancock Whitney Bank

Property Owner (Print)

[Signature]  
Property Owner (Signature)

STATE OF Louisiana

COUNTY OF Livingston

Personally came and appeared before me, the within named

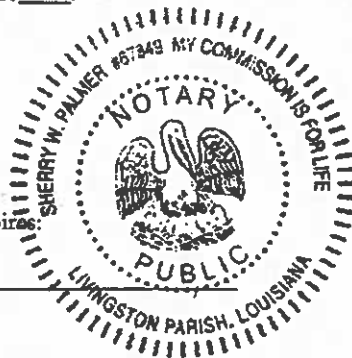
Deborah Ruffae

who signed and delivered the above and foregoing instrument as and for their free act and deed on the day and year therein mentioned, and who acknowledge to me that they are the owner(s) of the subject property as described in this Public Hearing Application.

GIVEN UNDER MY HAND AND OFFICIAL SEAL OF OFFICE, this the 30th day of June, 2025.

Sherryl W. Palmer #67849  
NOTARY PUBLIC [Signature]

My Commission Expires: at death



**APPLICANT AFFIDAVIT PAGE**

THIS PAGE MUST BE SIGNED IN FRONT OF A NOTARY, BY THE APPLICANT(S) OF THE PETITION, ONLY IF DIFFERENT FROM THE OWNER(S) OF THE SUBJECT PROPERTY.

WITNESS THE SIGNATURES of the APPLICANT(S) of the subject property located at

5370 Hwy. 42 Hattiesburg MS  
Street Address City State

on this the 30th day of June, 2025.

In the matter of this request, the property owner further authorizes the following named person(s) to represent them at the public hearing on this petition.

Mark Alexander and/or Mark Bond

on this the 30th day of June, 2025.

Hancock Whitney Bank

Applicant (Print)

[Signature]  
Applicant (Signature)

STATE OF Louisiana

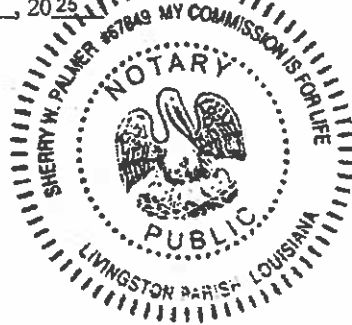
COUNTY OF Livingston

Personally came and appeared before me, the within named

Deborah Rentrée

who signed and delivered the above and foregoing instrument as and for their free act and deed on the day and year therein mentioned, and who acknowledge to me that they are the owner(s) of the subject property as described in this Public Hearing Application.

GIVEN UNDER MY HAND AND OFFICIAL SEAL OF OFFICE, this the 30th day of June, 2025



Sherry W Palmer #67849  
NOTARY PUBLIC Sherry W Palmer

My Commission Expires:

at death

**FOR STREET/ALLEY RENAMING, CLOSING, OR VACATING**

1. **Indicate the specific request(s):**

Street    Alley    Closing    Vacating    Naming    Renaming

2. **Current name of street/alley to be named/renamed, vacated, or closed:**

Unnamed streets that are not clear if they have been previously vacated

3. **Proposed name of street/alley to be named/renamed (If Applicable):**

N/A

4. **Describe the portion of the street/alley to be renamed, closed, or vacated (use all bounding or intersecting streets/alleys, from and to):**

The platted streets to be vacated are within (covered by) a constructed and operational set of buildings/warehouses

Geneva St./Mildred Ave. - North; US Hwy. 42 Truck Bypass - Southeast; ICRR - Southwest

Larkin St. - East; Stanley St. - West

5. **Tax Block(s) and Lot(s) involved in closing request:**

See attached Exhibit "A"

See attached Exhibit "B"

See attached Deed

6. **Describe the existing land use of properties and the number of residents affected by renaming the street/alley within 400 feet:**

Type of Land Use of adjacent development	Number of properties adjacent to the existing street	Number of property owners adjacent to the existing street	Number of residents affected by the change of address
Businesses	Multiple	1	N/A
Residences	None	None	None
Apartments	None	None	None
Churches/Schools	None	None	None
Other	None	None	None

**Any Additional Information:** Hancock Whitney Bank holds a Deed of Trust on the property owned by Channel Control Merchants that will be foreclosed upon July 31, 2025

Hancock Whitney Bank seeks clarification of the underlying deed statement that the referenced roads have been vacated

The subject property is developed and has operating business within buildings constructed over the subject streets

7. **Describe the effect the proposed change will have on existing development and the transportation system within the affected area:** None

\_\_\_\_\_  
\_\_\_\_\_

- 8. **Have applications for zoning, variance, building permit, or other applications been filed?**
  - Yes (If so, provide reference #s and dates: \_\_\_\_\_)**
  - No**
- 9. **Acknowledgement of property owners affected by the street/alley renaming. Include all names and addresses. Please attach these as additional page(s).**
- 10. **Obtain from City's Engineering Department the legal description of the street/alley or portion thereof to be closed, vacated, named, or renamed (electronic copy required)**

**EXHIBIT A**

PPIN Nos. 006204  
022207  
022208  
022209  
022212  
035944  
035945  
038707  
039642  
022210  
022211

**EXHIBIT B**

Tax Parcel Nos.	2-029C-04-145
	2-029C-04-147
	2-029C-04-142
	2-029C-04-143
	2-029C-04-144
	2-029C-04-138
	2-029C-04-147.01
	2-029C-04-147.02
	2-029C-04-141
	2-029C-04-146
	2-029C-04-140
	2-029C-04-139



DEED  
 Bk: 1260 Page: 710-721  
 RCD: 08/22/2017 @ 11:31:00:AM  
 FORREST COUNTY, MS  
 JIMMY C. HAVARD CHANCERY CLERK

Prepared by and Return to:

Robert T. Jackson, Sr.  
 Jackson, Tullos & Rogers, PLLC  
 P. O. Box 15517  
 Hattiesburg, MS 39404-5517  
 (601) 264-3309

**INDEXING INSTRUCTIONS:** Lot 1, Block 10, Mrs. R.M. Mixon Survey or Addition;  
 Lots 1-19, Block 6, North Main Street Addition; Block 7,  
 North Main Street Addition

STATE OF MISSISSIPPI  
 COUNTY OF FORREST

**SUBSTITUTED TRUSTEE'S DEED**

WHEREAS, on May 17, 2007, that certain Deed of Trust, Assignment of Leases and Rents, Security Agreement and Fixture Filing was executed by Hanging File Investments, LLC, a Delaware limited liability company, for the benefit of Mortgage Electronic Registration Systems, Inc., as Beneficiary (and as nominee for Bank of America, N.A.), which was recorded Deed Book 1572 at Page 0722 on May 25, 2007, in the office of the Chancery Clerk of Forrest County, Mississippi; and

WHEREAS, the obligations of Hanging File Investments, LLC, were assumed by Hattiesburg File Owners, LLC, a Mississippi limited liability company, as the Borrower, pursuant to that certain Loan Assumption Agreement dated December 15, 2008, and recorded in Deed Book 1674 at Page 0595, assigned Instrument Number 632776, recorded on January 5, 2009, in the office of the Chancery Clerk of Forrest County, Mississippi; and

WHEREAS, pursuant to that certain Assignment of Deed of Trust, Assignment of Leases and Rents and Security Agreement, and Fixture Filing dated as of March 28, 2012, and recorded April 12, 2012, in Book 1834 at page 0157, assigned Instrument Number 688772, in the office of the Chancery Clerk of Forrest County, Mississippi, Mortgage Electronic Registration Systems, Inc., a Delaware corporation, as nominee of Bank of America, N.A., a national bank association, assigned to Wells Fargo Bank N.A., as Trustee for the registered holders of Banc of America Commercial Mortgage, Inc., Commercial Mortgage Pass-Through Certificates Series 2007-2 that certain Deed of Trust, Assignment of Leases and Rents, Security Agreement and Fixture Filing dated May 17, 2007, executed by Hanging File Investments, LLC, recorded in Land Deed of Trust Book 1572 at Page 0722; and

WHEREAS, on the 21<sup>st</sup> day of April, 2017, Wells Fargo Bank N.A., as Trustee for the registered holders of Banc of America Commercial Mortgage, Inc., Commercial Mortgage Pass-Through Certificates Series 2007-2, as Grantor, assigned all of its right, title, and interest in, to, and arising out of that certain Deed of Trust, Assignment of Leases and Rents, Security Agreement and Fixture Filing dated May 17, 2007, and recorded on May 25, 2007, at Deed Book 1572 at Page 0772, as modified by that certain Loan Assumption Agreement dated December 15, 2008, and recorded on January 5, 2009, in Deed of Book 1674 at Page 0595, Instrument Number 632776, to CCM Capital Assets, LLC, P. O. Box 711, Hattiesburg, MS 39403, as Beneficiary, which said Land Deed of Trust (as assigned and

assumed) secures an indebtedness therein set forth and as security therefor conveys the real property hereinafter described and is of record in Deed Book 2120 at Page 26 in the office of the Chancery Clerk of Forrest County, Mississippi, at Hattiesburg, Mississippi; and

WHEREAS, on the 5<sup>th</sup> of June, 2017, the holder of said Deed of Trust, Assignment of Leases and Rents, Security Agreement and Fixture Filing substituted and appointed Robert T. Jackson, Sr. as Substitute Trustee in said Deed of Trust, pursuant to that certain Substitution of Trustee recorded on June 22, 2017, in the office of the Chancery Clerk of Forrest County, Mississippi, in Deed Book 2128 at Page 363; and

WHEREAS, default having been made in the payment of the indebtedness secured by said Deed of Trust dated May 17, 2007, and said Substituted Trustee has been requested and directed by the Beneficiary to foreclose said Deed of Trust for the purpose of paying said indebtedness or as much thereof as said sale brings;

WHEREAS, I did duly give public notice of the time, place and terms of the sale of said land and property in the manner and for the time required by the laws of the State of Mississippi and by said Deed of Trust by posting a Notice of Sale thereof on the appropriate bulletin board at the Forrest County Chancery Court Building, located at 641 Main Street, Hattiesburg, Forrest County, Mississippi, which Notice remained posted continuously until the date and time of the foreclosure sale and is attached hereto as Exhibit "A" and made a part hereof for all purposes, and by publishing Notice thereof in the Hattiesburg American, a newspaper having general circulation in Forrest County, Mississippi, in the editions of July 26, 2017; August 2, 2017; August 9, 2017, and August 16, 2014, proof of publication thereof being attached hereto as Exhibit "B" and made a part hereof for all purposes;

WHEREAS, during legal hours on Monday, August 21, 2017, at the Forrest County Chancery Courthouse, located at 641 Main Street, Hattiesburg, Forrest County, Mississippi, being the time and place specified in the aforesaid Substituted Trustee's Notice of Sale, I did offer for sale at public auction to the highest and best bidder for cash the herein described land and property, whereupon CCM Capital Assets, LLC became the highest and best bidder for the sum of \$ 2,500,000.00, and I sold said land and property to said bidder.

NOW, THEREFORE, in consideration of the premises and of the sum of \$ 2,500,000.00, and by virtue of the power and authority vested in me by the aforesaid Deed of Trust, I

**Robert T. Jackson, Sr., Substituted Trustee**  
P.O. Box 15517  
Hattiesburg, Mississippi 39404  
Telephone: (601) 264-3309


do hereby bargain, grant, sell, convey and release unto

**CCM Capital Assets, LLC**  
6892 US HWY 49 N  
HATTIESBURG, MS 39401  
Telephone: 800-245-5924

Grantee, all of the right, title and interest in and to the following described real property lying and being situated in Forrest County, Mississippi, vested in me by the aforesaid Deed of Trust and being more particularly described as follows, to wit:

(See attached Exhibit "C")

WITNESS MY SIGNATURE on this 21<sup>st</sup> day of August, 2017.

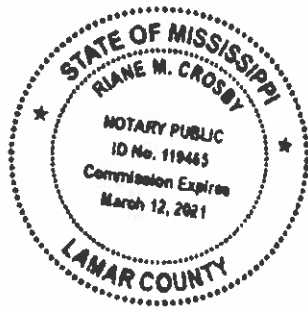
  
\_\_\_\_\_  
**ROBERT T. JACKSON, SR.**  
Substituted Trustee

STATE OF MISSISSIPPI  
COUNTY OF Lamar

PERSONALLY APPEARED BEFORE ME, the undersigned authority in and for said County and State, on this 22<sup>nd</sup> day of August, 2017, within my jurisdiction, the within named **ROBERT T. JACKSON, SR.**, who acknowledged that he is the Substituted Trustee, and that in said representative capacity, he has executed the above and foregoing instrument, as such Trustee.

Riane Crosby  
NOTARY PUBLIC

My Commission Expires:



**Exhibit "A"**  
**(Notice of Sale)**

Book 1260 Page 714  
Instrument# 765243  
DEED 8/22/2017 11:31:00 AM  
STATE OF MISSISSIPPI  
FORREST COUNTY  
I CERTIFY THE INSTRUMENT  
WAS FILED AND RECORDED

8-21-17

STATE OF MISSISSIPPI  
COUNTY OF FORREST

2017 JUL 26 PM 12:31

**SUBSTITUTE TRUSTEE'S NOTICE OF FORECLOSURE SALE** WITNESS MY HAND AND SEAL  
JIMMY C. HAVARD  
CHANCERY CLERK

WHEREAS, on May 17, 2007, that certain Deed of Trust, Assignment of Leases and Rents, Security Agreement and Fixture Filing was executed by Hanging File Investments, LLC, a Delaware limited liability company, for the benefit of Mortgage Electronic Registration Systems, Inc., as Beneficiary (and as nominee for Bank of America, N.A.), which was recorded Deed Book 1572 at Page 0722 on May 25, 2007, in the office of the Chancery Clerk of Forrest County, Mississippi; and

WHEREAS, the obligations of Hanging File Investments, LLC, were assumed by Hattiesburg File Owners, LLC, a Mississippi limited liability company, as the Borrower, pursuant to that certain Loan Assumption Agreement dated December 15, 2008, and recorded in Deed Book 1674 at Page 0595, assigned Instrument Number 632776, recorded on January 5, 2009, in the office of the Chancery Clerk of Forrest County, Mississippi; and

WHEREAS, pursuant to that certain Assignment of Deed of Trust, Assignment of Leases and Rents and Security Agreement, and Fixture Filing dated as of March 28, 2012, and recorded April 12, 2012, in Book 1834 at page 0157, assigned Instrument Number 688772, in the office of the Chancery Clerk of Forrest County, Mississippi, Mortgage Electronic Registration Systems, Inc., a Delaware corporation, as nominee of Bank of America, N.A., a national bank association, assigned to Wells Fargo Bank N.A., as Trustee for the registered holders of Banc of America Commercial Mortgage, Inc., Commercial Mortgage Pass-Through Certificates Series 2007-2 that certain Deed of Trust, Assignment of Leases and Rents, Security Agreement and Fixture Filing dated May 17, 2007, executed by Hanging File Investments, LLC, recorded in Land Deed of Trust Book 1572 at Page 0722; and

**WHEREAS**, on the 21<sup>st</sup> day of April, 2017, Wells Fargo Bank N.A., as Trustee for the registered holders of Banc of America Commercial Mortgage, Inc., Commercial Mortgage Pass-Through Certificates Series 2007-2, as Grantor, assigned all of its right, title, and interest in, to, and arising out of that certain Deed of Trust, Assignment of Leases and Rents, Security Agreement and Fixture Filing dated May 17, 2007, and recorded on May 25, 2007, at Deed Book 1572 at Page 0772, as modified by that certain Loan Assumption Agreement dated December 15, 2008, and recorded on January 5, 2009, in Deed of Book 1674 at Page 0595, Instrument Number 632776, to CCM Capital Assets, LLC, P. O. Box 711, Hattiesburg, MS 39403, as Beneficiary, which said Land Deed of Trust (as assigned and assumed) secures an indebtedness therein set forth and as security therefor conveys the real property hereinafter described and is of record in Deed Book 2120 at Page 26 in the office of the Chancery Clerk of Forrest County, Mississippi, at Hattiesburg, Mississippi; and

**WHEREAS**, on the 5<sup>th</sup> of June, 2017, the holder of said Deed of Trust, Assignment of Leases and Rents, Security Agreement and Fixture Filing substituted and appointed Robert T. Jackson, Sr. as Substitute Trustee in said Deed of Trust, pursuant to that certain Substitution of Trustee recorded on June 22, 2017, in the office of the Chancery Clerk of Forrest County, Mississippi, in Deed Book 2128 at Page 363; and

**WHEREAS**, said Deed of Trust and the promissory note and loan agreement therein described and thereby secured, among other things, provided for the payment of said indebtedness in installments of principal and interest and provide further, in the event of default, that the whole of said indebtedness shall, at the option of the holder thereof, become immediately due and payable in full without notice; and in such event, among others, said Deed of Trust may be foreclosed as therein provided; and

**WHEREAS**, default has been made in the payment of said indebtedness after due demand and the said CCM Capital Assets, LLC, the owner and holder of said indebtedness, has declared

immediately due and payable the whole of the indebtedness secured by said Deed of Trust, and further, has requested and directed the undersigned Substitute Trustee to foreclose the same and to execute this Substitute Trustee's Notice of Foreclosure Sale in accordance with the terms of said Land Deed of Trust and of the statutes in such cases made and provided, all for the purpose of paying and satisfying said indebtedness;

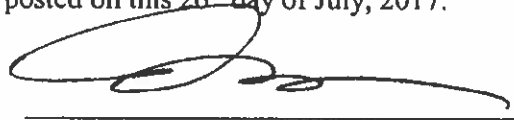
**N O W, T H E R E F O R E:**

I, the undersigned, **ROBERT T. JACKSON, SR.**, Substitute Trustee in said Land Deed of Trust, will, within legal hours between 11:00 a.m. and 4:00 p.m. on August 21, 2017, at the main back entrance of the Forrest County Chancery Courthouse, located at 641 N Main Street, Hattiesburg, Mississippi, offer for sale, and will sell, at public outcry and auction, to the highest bidder, for cash, the real property lying, being and situated in Forrest County, Mississippi, conveyed by and in said Land Deed of Trust and described therein as follows, to-wit:

**SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF  
AS IF COPIED AT LENGTH HEREIN.**

I will convey only such title as is vested in me as Substitute Trustee by and in said Land Deed of Trust.

**WITNESS MY SIGNATURE** and posted on this 26<sup>th</sup> day of July, 2017.



Robert T. Jackson, Sr.  
Substitute Trustee

**PUBLICATION DATES:**

**July 26, 2017**  
**August 2, 2017**  
**August 9, 2017**  
**August 16, 2017**

EXHIBIT "A"

Real property in the City of Hattiesburg, County of Forrest, State of Mississippi, described as follows:

Tract 1

All that part of Lot One (1), Block Ten (10), of the Mrs. R. M. Mixon Survey or Addition to the City of Hattiesburg, lying North of the Northern ROW line of the U.S. Highway 11 By-Pass, as per the map or plat thereof on file in the Office of the Chancery Clerk of Forrest County, Mississippi;

Also: Lot 1 – 19 inclusive, and that certain twenty (20) foot wide vacated alley lying East of Lots 6 – 19, inclusive, being a portion of Block Six (6) of the North Main Street Addition to the City of Hattiesburg, as per map or plat thereof on file in the Office of the Chancery Clerk of Forrest County, Mississippi;

Also: All of Block Seven (7), including that certain vacated alley intersecting the same, of the North Main Street Addition to the City of Hattiesburg, as per the map or plat thereof on file in the Office of the Chancery Clerk of Forrest County, Mississippi, and the vacated portion of Terrell Street lying East of Block Seven (7) and West of Block Six (6) of the North Main Street Addition to the City of Hattiesburg, Forrest County, Mississippi;

All of the above Tract 1 being more particularly described as follows:

Beginning at a ½ inch rebar found at the intersection of the North right-of-way margin of U.S. Highway 11 By-Pass (a.k.a Highway 42) and the West right-of-way margin of Redus Street; thence South 54°36'12" West along the North right-of-way margin of said U.S. Highway 11 By-Pass a distance of 357.67 feet; thence continue along the North right-of-way margin of said U.S. Highway 11 By-Pass with a curve turning to the right, with an arc length of 126.10 feet, a radius of 332.91 feet, a chord bearing of South 65°27'17" West, and a chord length of 125.35 feet to the Northeast right-of-way margin of the Illinois-Central Railroad; thence North 66°26'01" West along the Northeast right-of-way margin of the Illinois-Central Railroad a distance of 293.71 feet; thence continue along the Northeast right-of-way margin of the Illinois-Central Railroad with a curve turning to the right with an arc length of 226.50 feet, a radius of 3245.30 feet, a chord bearing of North 65°14'58" West, and a chord length of 226.45 feet to the East right-of-way margin of Stanley Street; thence North 00°23'01" West along the East right-of-way margin of Mildred Avenue; thence South 89°55'39" East along the South right-of-way margin of Mildred Avenue a distance of 878.83 feet to the West right-of-way margin of Redus Street; thence South 00°36'09" East along the West right-of-way margin of Redus Street a distance of 508.24 feet to the Point of Beginning, having an area of 578,610.4 more or less square feet, (13.283 more or less acres).

# AFFIDAVIT OF PUBLICATION HATTIESBURG AMERICAN

TO: JACKSON & ARRINGTON, PLLC  
309 S 40TH AVE  
HATTIESBURG, MS 39402  
Acct# TCL-H16256

Ad Number: 0002296620

## THE STATE OF MISSISSIPPI FORREST COUNTY

PERSONALLY appeared before me, the undersigned notary public in and for the City of Hattiesburg, Forrest County, Alicia Collins, an authorized clerk of the Hattiesburg American, a newspaper as defined and prescribed in Sections 13-3-31 and 13-3-32, of the Mississippi Code of 1972, as amended, who, being duly sworn, states that the notice, a true copy of which is hereto attached, appeared in the issues of said newspaper as follows:

Was published in said newspaper in the issue(s) of:

07/26/17, 08/02/17, 08/09/17, 08/16/17

Size: 1350 words / 1 col. x 222 lines  
Published: 4 time(s)

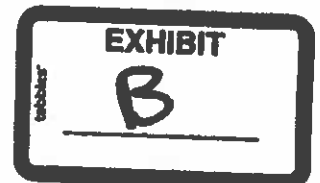
Now due on said account is \$579.32

Signed Alicia Collins  
Authorized Clerk of the Hattiesburg American

SWORN to and subscribed before me on 08/16/2017.

Frances L. Mack  
Notary Public  
Frances Mack

Notary Public State of Mississippi at Large.



STATE OF MISSISSIPPI  
COUNTY OF FORREST

SUBSTITUTE TRUSTEE'S NOTICE OF  
FORECLOSURE SALE

WHEREAS, on May 17, 2007, that certain Deed of Trust, Assignment of Leases and Rents, Security Agreement and Fixture Filing was executed by Hanging File Investments, LLC, a Delaware limited liability company, for the benefit of Mortgage Electronic Registration Systems, Inc., as Beneficiary (and as nominee for Bank of America, N.A.), which was recorded Deed Book 1572 at Page 0722 on May 25, 2007, in the office of the Chancery Clerk of Forrest County, Mississippi; and WHEREAS, the obligations of Hanging File Investments, LLC, were assumed by Hattiesburg File Owners, LLC, a Mississippi limited liability company, as the Borrower, pursuant to that certain Loan Assumption Agreement dated December 15, 2008, and recorded in Deed Book 1674 at Page 0595, assigned Instrument Number 632776, recorded on January 5, 2009, in the office of the Chancery Clerk of Forrest County, Mississippi; and

WHEREAS, pursuant to that certain Assignment of Deed of Trust, Assignment of Leases and Rents and Security Agreement, and Fixture Filing dated as of March 26, 2012, and recorded April 12, 2012, in Book 1834 at page 0157, assigned Instrument Number 688772, in the office of the Chancery Clerk of Forrest County, Mississippi, Mortgage Electronic Registration Systems, Inc., a Delaware corporation, as nominee of Bank of America, N.A., a national bank association, assigned to Wells Fargo Bank N.A., as Trustee for the registered holders of Banc of America Commercial Mortgage, Inc., Commercial Mortgage Pass-Through Certificates Series 2007-2 that certain Deed of Trust, Assignment of Leases and Rents, Security Agreement and Fixture Filing dated May 17, 2007, executed by Hanging File Investments, LLC, recorded in Land Deed of Trust Book 1572 at Page 0722, and

WHEREAS, on the 21st day of April, 2017, Wells Fargo Bank N.A., as Trustee for the registered holders of Banc of America Commercial Mortgage, Inc., Commercial Mortgage Pass-Through Certificates Series 2007-2, as Grantor, assigned all of its right, title, and interest in, to, and arising out of that certain Deed of Trust, Assignment of Leases and Rents, Security Agreement and Fixture Filing dated May 17, 2007, and recorded on May 25, 2007, at Deed Book 1572 at Page 0722, as modified by that certain Loan Assumption Agreement dated December 15, 2008, and recorded on January 5, 2009, in Deed of Book 1674 at Page 0595, Instrument Number 632776, to CCM Capital Assets, LLC, P. O. Box 711, Hattiesburg, MS 39403, as Beneficiary, which said Land Deed of Trust (as assigned and assumed) secures an indebtedness therein set forth and as security therefor conveys the real property hereinafter described and is of record in Deed Book 2120 at Page 26 in the office of the Chancery Clerk of Forrest County, Mississippi, at Hattiesburg, Mississippi; and

WHEREAS, on the 5th of June, 2017, the holder of said Deed of Trust, Assignment of Leases and Rents, Security Agreement and Fixture Filing substituted and appointed Robert T. Jackson, Sr. as Substitute Trustee in said Deed of Trust, pursuant to that certain Substitution of Trustee recorded on June 22, 2017, in the office of the Chancery Clerk of Forrest County, Mississippi, in Deed Book 2128 at Page 363; and

WHEREAS, said Deed of Trust and the promissory note and loan agreement therein described and thereby secured, among other things, provided for the payment of said indebtedness in installments of principal and interest and provide further, in the event of default, that the whole of said indebtedness shall, at the option of the holder thereof, become immediately due and payable in full without notice; and in such event, among others, said Deed of Trust may be foreclosed as therein provided; and

WHEREAS, default has been made in the payment of said indebtedness after due demand and the said CCM Capital Assets, LLC, the owner and holder of said indebtedness, has declared immediately due and payable the whole of the indebtedness secured by said Deed of Trust, and further, has requested and directed the undersigned Substitute Trustee to foreclose the same and to execute this Substitute Trustee's Notice of Foreclosure Sale in accordance with the terms of said Land Deed of Trust and of the statutes in such cases made and provided, all for the purpose of

paying and satisfying said indebtedness;  
NOW, THEREFORE:  
I, the undersigned, ROBERT T. JACKSON, SR., Substitute Trustee in said Land Deed of Trust, will, within legal hours between 11:00 a.m. and 4:00 p.m. on August 21, 2017, at the main back entrance of the Forrest County Chancery Courthouse, located at 641 N Main Street, Hattiesburg, Mississippi, offer for sale, and will sell, at public outcry and auction, to the highest bidder, for cash, the real property lying, being and situated in Forrest County, Mississippi, conveyed by and in said Land Deed of Trust and described therein as follows, to-wit:

EXHIBIT "A"

Real property in the City of Hattiesburg, County of Forrest, State of Mississippi, described as follows:

Tract 1

All that part of Lot One (1), Block Ten (10) of the Mrs. R. M. Mixon Survey or Addition to the City of Hattiesburg, lying North of the Northern ROW line of the U.S. Highway 11 By-Pass, as per the map or plat thereof on file in the Office of the Chancery Clerk of Forrest County, Mississippi;

Also: Lot 1 - 19 inclusive, and that certain twenty (20) foot wide vacated alley lying East of Lots 6 - 19, inclusive, being a portion of Block Six (6) of the North Main Street Addition to the City of Hattiesburg, as per map or plat thereof on file in the Office of the Chancery Clerk of Forrest County, Mississippi;

Also: All of Block Seven (7), including that certain vacated alley intersecting the same, of the North Main Street Addition to the City of Hattiesburg, as per the map or plat thereof on file in the Office of the Chancery Clerk of Forrest County, Mississippi, and the vacated portion of Terrill Street lying East of Block Seven (7) and West of Block Six (6) of the North Main Street Addition to the City of Hattiesburg, Forrest County, Mississippi;

All of the above Tract 1 being more particularly described as follows:

Beginning at a 1/2 inch rebar found at the intersection of the North right-of-way margin of U.S. Highway 11 By-Pass (a.k.a. Highway 42) and the West right-of-way margin of Redus Street; thence South 54°36'12" West along the North right-of-way margin of said U.S. Highway 11 By-Pass a distance of 357.87 feet; thence continue along the North right-of-way margin of said U.S. Highway 11 By-Pass with a curve turning to the right, with an arc length of 126.10 feet, a radius of 332.91 feet, a chord bearing of South 65°27'17" West, and a chord length of 125.35 feet to the Northeast right-of-way margin of the Illinois-Central Railroad; thence North 66°26'01" West along the Northeast right-of-way margin of the Illinois-Central Railroad a distance of 293.71 feet; thence continue along the Northeast right-of-way margin of the Illinois-Central Railroad with a curve turning to the right with an arc length of 226.50 feet, a radius of 3245.30 feet, a chord bearing of North 65°14'58" West, and a chord length of 226.45 feet to the East right-of-way margin of Stanley Street; thence North 00°23'01" West along the East right-of-way margin of Mildred Avenue; thence South 69°55'39" East along the South right-of-way margin of Mildred Avenue a distance of 878.83 feet to the West right-of-way margin of Redus Street; thence South 00°38'09" East along the West right-of-way margin of Redus Street a distance of 508.24 feet to the Point of Beginning, having an area of 578,810.4 more or less square feet, (13.263 more or less acres).

I will convey only such title as is vested in me as Substitute Trustee by and in said Land Deed of Trust.  
WITNESS MY SIGNATURE and posted on this 28th day of July, 2017.

s/ Robert T. Jackson, Sr.  
Substitute Trustee

PUBLISHED: 7/26, 8/2, 8/9 & 8/16/2017  
0002296820-01

**EXHIBIT "C"**

Real property in the City of Hattiesburg, County of Forrest, State of Mississippi, described as follows:

Tract 1

All that part of Lot One (1), Block Ten (10), of the Mrs. R. M. Mixon Survey or Addition to the City of Hattiesburg, lying North of the Northern ROW line of the U.S. Highway 11 By-Pass, as per the map or plat thereof on file in the Office of the Chancery Clerk of Forrest County, Mississippi;

Also: Lot 1 – 19 inclusive, and that certain twenty (20) foot wide vacated alley lying East of Lots 6 – 19, inclusive, being a portion of Block Six (6) of the North Main Street Addition to the City of Hattiesburg, as per map or plat thereof on file in the Office of the Chancery Clerk of Forrest County, Mississippi;

Also: All of Block Seven (7), including that certain vacated alley intersecting the same, of the North Main Street Addition to the City of Hattiesburg, as per the map or plat thereof on file in the Office of the Chancery Clerk of Forrest County, Mississippi, and the vacated portion of Terrell Street lying East of Block Seven (7) and West of Block Six (6) of the North Main Street Addition to the City of Hattiesburg, Forrest County, Mississippi;

All of the above Tract 1 being more particularly described as follows:

Beginning at a ½ inch rebar found at the intersection of the North right-of-way margin of U.S. Highway 11 By-Pass (a.k.a Highway 42) and the West right-of-way margin of Redus Street; thence South 54°36'12" West along the North right-of-way margin of said U.S. Highway 11 By-Pass a distance of 357.67 feet; thence continue along the North right-of-way margin of said U.S. Highway 11 By-Pass with a curve turning to the right, with an arc length of 126.10 feet, a radius of 332.91 feet, a chord bearing of South 65°27'17" West, and a chord length of 125.35 feet to the Northeast right-of-way margin of the Illinois-Central Railroad; thence North 66°26'01" West along the Northeast right-of-way margin of the Illinois-Central Railroad a distance of 293.71 feet; thence continue along the Northeast right-of-way margin of the Illinois-Central Railroad with a curve turning to the right with an arc length of 226.50 feet, a radius of 3245.30 feet, a chord bearing of North 65°14'58" West, and a chord length of 226.45 feet to the East right-of-way margin of Stanley Street; thence North 00°23'01" West along the East right-of-way margin of Mildred Avenue; thence South 89°55'39" East along the South right-of-way margin of Mildred Avenue a distance of 878.83 feet to the West right-of-way margin of Redus Street; thence South 00°36'09" East along the West right-of-way margin of Redus Street a distance of 508.24 feet to the Point of Beginning, having an area of 578,610.4 more or less square feet, (13.283 more or less acres).

FORREST COUNTY, MS JIMMY C. HAVARD  
I CERTIFY THIS INSTRUMENT WAS FILED ON 8/22/2017 11:31:00 AM AND RECORDED IN DEED BOOK: 1260 PAGE: Pages 710 - 721

