

**IN THE COUNTY COURT OF WARREN COUNTY, MISSISSIPPI
SPECIAL COURT OF EMINENT DOMAIN**

**MAYOR AND ALDERMEN OF THE CITY OF
VICKSBURG, MISSISSIPPI, and WARREN COUNTY
BOARD OF SUPERVISORS**

PLAINTIFFS

v.

CAUSE NO. _____

**HALLIE QUEEN MACK, DESSA MACK,
WILLIE MAY NEWELL, SOL BARGIE, LINDA HOBODY
OR THEIR RESPECTIVE UNKNOWN HEIRS AT LAW,
AND ALL OTHER PERSONS CLAIMING
ANY RIGHT, TITLE, OR INTEREST IN
REAL PROPERTY DESCRIBED HEREIN**

DEFENDANTS

**COMPLAINT TO CONFIRM TITLE AND OBTAIN
REAL PROPERTY BY EMINENT DOMAIN**

Plaintiffs Mayor and Aldermen of the City of Vicksburg, Mississippi, ("Vicksburg") and the Warren County Board of Supervisors ("Warren County"), hereby file their sworn Complaint to Confirm Title and Obtain Real Property by Eminent Domain against Defendants Hallie Queen Mack, Dessa Mack, Willie May Newell, Sol Bargie, and Linda Hobdy or their respective unknown heirs at law, and all other persons claiming any right, title, or interest in real property described herein and, in support of this Complaint, would show unto the Court the following:

1. Plaintiff Vicksburg is a city organized and operating under the laws of the state of Mississippi, including, without limitation, Miss. Code Ann. § 21-1-1, et seq.

2. Plaintiff Warren County is a county organized and operating under the laws of the state of Mississippi, including, without limitation, Miss. Code Ann. § 19-1-149.

3. The court has subject matter jurisdiction of this eminent domain proceeding pursuant to Miss. Code Ann. § 11-27-3 and the court has pendent jurisdiction to determine and confirm title of the Defendants in this eminent domain proceeding.

4. Defendants are as follows:

A. Hallie Queen Mack, who cannot be found in the state of Mississippi after diligent search

and inquiry and whose place of residence, street address and post office address are unknown to Plaintiffs after diligent search and inquiry or, if deceased, her unknown heirs whose names, places of residence, street and post office addresses are unknown to Plaintiffs after diligent search and inquiry.

B. Dessa Mack, who cannot be found in the state of Mississippi after diligent search and inquiry and whose place of residence, street address and post office address are unknown to Plaintiffs after diligent search and inquiry or, if deceased, her unknown heirs whose names, places of residence, street and post office addresses are unknown to Plaintiffs after diligent search and inquiry.

C. Willie May Newell, who cannot be found in the state of Mississippi after diligent search and inquiry and whose place of residence, street address and post office address are unknown to Plaintiffs after diligent search and inquiry or, if deceased, her unknown heirs whose names, places of residence, street and post office addresses are unknown to Plaintiffs after diligent search and inquiry.

D. Sol Bargie, who cannot be found in the state of Mississippi after diligent search and inquiry and whose place of residence, street address and post office address are unknown to Plaintiffs after diligent search and inquiry or, if deceased, his unknown heirs whose names, places of residence, street and post office addresses are unknown to Plaintiffs after diligent search and inquiry.

E. Linda Hobdy, who cannot be found in the state of Mississippi after diligent search and inquiry but whose last known post office address is P.O. Box 15463 Colorado Springs, CO 80935 or, if deceased, her unknown heirs whose names, places of residence, street and post office addresses are unknown to Plaintiffs after diligent search and inquiry.

F. All persons having or claiming any legal or equitable right, title or interest in the lands described below, the names, places of residences, street addresses and post office addresses of said persons being unknown to the Plaintiffs after diligent search and inquiry.

4. The Defendants identified in Paragraphs 3(A) – 3(D) above are the record owners of the real property located in Section 18 and 19, Township 15 North, Range 3 East, Warren County, Mississippi, commonly known and described as Warren County Parcel Number 124189999000800 and Warren County Property Index Numbers (“PPIN”) 021906 (the “Subject Property”). The Subject Property is assessed for real property taxes on the Warren County tax records to Hallie Queen Mack, et al c/o Linda Hobdy. The said Linda Hobdy is made a defendant herein to the extent that she has or claims any interest in the Subject Property by inheritance or

otherwise.

5. Plaintiffs deraign the Defendants' respective interest in the Subject Property as follows:

A. The northernmost five acres of the Subject Property were severed from the sovereign more than 75 years prior to the filing of this Complaint and title thereto passed by mesne conveyances to Louisa Barnes, Elise B. Hullum, John A. Barnes and Hattie B. Harrison. By Deed dated January 9, 1882, recorded in Book 88 at Page 49 of the land records of Warren County, Mississippi, the said Louisa Barnes, Elise B. Hullum, John A. Barnes and Hattie B. Harrison conveyed said northernmost 5 acres of the Subject Property to Robert Hart. On December 26, 1910, the said Robert Hart conveyed said 5 acre portion of the Subject Property to Defendant Sol Bargie by deed recorded in Book 117 at Page 534 of the land records of Warren County, Mississippi.

B. The remainder of the Subject Property was severed from the sovereign more than 75 years prior to the filing of this Complaint and passed by mesne conveyances to Louisa Barnes, Elise Hullum, John A. Barnes and Hattie B. Harrison. By deed dated January 15, 1901, recorded in Book 95 at Page 466 of the land records of Warren County, Mississippi, the aforesaid Louisa Barnes, John A. Barnes, Elise Hullum and Hattie B. Harrison conveyed said property to Joseph Hart. By deed dated August 22, 1933, recorded in Book 190 at Page 94 of the Warren County land records, the said Joseph Hart conveyed said property to Defendants Hallie Queen Mack, Dessa Mack, and Willie May Newell. Said deed also conveyed any interest in the 5 acre tract referred to in subsection A above inherited by the said Joseph Hart from his father, Robert Hart.

C. Defendants obtained their interest in the Subject Property more than 60 years prior to the filing of this Complaint and therefore no further deraignment is required pursuant to Miss. C. Ann. § 11-17-35.

6. Pursuant to the laws of the State of Mississippi, including, but not limited to, Miss. Code Ann. § 21-37-47, Plaintiff Vicksburg is entitled to exercise the right of eminent domain in the manner now provided by law. Vicksburg is also entitled to exercise the right of eminent domain under, including, but not limited to, Miss. Code Ann. § 59-1-37, acting alone or jointly with Warren County. Vicksburg is also entitled to exercise the right of eminent domain under, including, but not limited to, Miss. Code Ann. § 59-1-17.

7. Pursuant to the laws of the State of Mississippi, including, but not limited to, Miss. Code Ann. § 59-1-37, Plaintiff Warren County is also entitled to exercise the right of eminent domain in the manner now provided by law, acting alone or jointly with Vicksburg.

8. Plaintiffs propose to construct and develop a Port Project on approximately 1900 acres of land (the "Port Project"), which will be located in Warren County, Mississippi, both within and outside the corporate limits of Vicksburg. The Port Project will entail the construction and development of a public port, a flood control levee, related access roads, a rail line extension, water and sewer infrastructure, and adequate area for necessary industrial use around the public port, as contemplated pursuant to Miss. Code Ann. § 59-1-37. As such, the Port Project is a public purpose. The Port Project will also provide a point of transportation and commerce for the benefit of the public, increasing the areas' access to domestic and international commerce, as well as increasing the opportunities for job creation and economic development.

9. The Port Project will be conveyed to and operated and maintained by the Warren County Port Commission, a public body, created pursuant to Miss. Code Ann. § 59-7-125.

10. Plaintiffs have determined that there is a public need for, and the public convenience and necessity require, the construction and operation of the Port Project to provide a public port for transportation and commercial activity and economic benefits to the area. In addition, the levee and flood control components of the Port Project will provide flood control benefits to the affected and surrounding areas.

11. Plaintiffs have determined that the Subject Property is necessary to achieve the public purpose of the Port Project. A viable public port will require the levee and flood control aspects of the Port Project, as well as sewer and water infrastructure, a rail extension, and adequate lands necessary for industrial and commercial activity inherent to the port's operation, all of which are essential to the construction and operation of the Port Project, and aspects of all of which will require the Subject Property.

12. After diligent search and inquiry, the Plaintiffs are unable to locate the record owners of the Subject Property. Further, Plaintiffs have been unable to locate any probate proceedings filed for any of said record owners in Warren County, Mississippi. Plaintiffs have been unable to determine the identity of or locate any heirs of said record owners, all of said heirs remaining unknown to the Plaintiffs after diligent search and inquiry. As a result, Plaintiffs have been unable to

acquire the Subject Property by purchase from the record owners or their heirs at law. Therefore, it is necessary for Plaintiffs to exercise their right of eminent domain to obtain the land described above pursuant to the laws of Mississippi, including, but not limited to, Miss. Code Ann. §§ 21-37-47, 59-1-37, and 59-1-17.

13. Plaintiff Vicksburg has found that the Port Project has a public purpose, and the proposed use of the Subject Property is essential to achieving that public purpose, and has found that the public convenience requires, and a public need and necessity exist, for the construction, operation, maintenance, and access to the Port Project and for the taking of the Subject Property. A copy of the Joint Resolution of the City of Vicksburg and Warren County Board of Supervisors, finding that such a public purpose and necessity exist and, thus, authorizing the city's right under Mississippi law to use its power of eminent domain, is attached to this Complaint and, by reference, made a part of this Complaint as Exhibit A.

14. Plaintiff Warren County has also found that the Port Project has a public purpose, and the proposed use of the Subject Property is essential to achieving that public purpose, and has found that the public convenience requires, and a public need and necessity exist, for the construction, operation, maintenance, and access to the Port Project and for the taking of the Subject Property. A copy of the Joint Resolution of the City of Vicksburg and Warren County Board of Supervisors, finding that such a public purpose and necessity exist and, thus, authorizing the county's right under Mississippi law to use its power of eminent domain, is attached to this Complaint and, by reference, made a part of this Complaint as Exhibit A.

15. The Subject Property, which Plaintiffs seek to condemn by eminent domain is subject to the following conditions, reservations, and limitations:

- a. Plaintiffs do not in this Complaint seek to acquire any interest in oil, gas, or other minerals.
- b. The Subject Property is condemned for the purposes -- presently and at such other times in the future -- as Plaintiffs,

their successors and assigns, may elect.

16. The acquisition of the Subject Property is in the public interest, is a public necessity, serves a public purpose, and is for the public use within the meaning of the laws of the State of Mississippi.

WHEREFORE, PREMISES CONSIDERED, Plaintiffs respectfully pray:

- a. That the Court will enter an Order fixing the time and place for a hearing of this matter pursuant to Miss. C. Ann. § 11-27-7;
- b. That proper summons by publication be issued to the Defendants requiring said defendants to appear at the time and place set by the Court to respond to this Complaint;
- c. That the Court exercise its pendent jurisdiction in this eminent domain proceeding to adjudicate and confirm title to the Subject Property is vested in Defendants Hallie Queen Mack, Dessa Mack, Willie May Newell and Sol Bargie or their unknown heirs as the sole owners thereof;
- d. That upon a hearing of this cause, the court will determine the amount of damages the Plaintiffs are required to pay to the aforesaid owners of the Subject Property for the taking of the above-described Subject Property, and further determine the amount or portion thereof payable to each said owner.
- e. That Judgment be entered as provided by law vesting title to the Subject Property in the Plaintiffs.
- f. That the court will grant such other legal or equitable relief that to the court appears necessary and proper to accomplish the intent of this Complaint.

MAYOR AND ALDERMEN OF THE
CITY OF VICKSBURG, MISSISSIPPI, and
WARREN COUNTY BOARD OF SUPERVISORS

By: _____

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OATH

STATE OF MISSISSIPPI
COUNTY OF WARREN

Personally appeared before me the undersigned authority in and for the said county and state, on this ____ day of _____, 2026, the within named Willis Thompson, Mayor of the City of Vicksburg, Mississippi, who, being by me first duly sworn, stated on oath for and on behalf of and as authorized by the Mayor and Alderman of the City of Vicksburg that (a) all of the matters and things stated in the foregoing Complaint to Confirm Title and Obtain Real Property by Eminent Domain are true and correct as therein stated; (b) all of the Defendants cannot be found in the state of Mississippi after diligent search and inquiry and their respective places of residences, street addresses and post office addresses are unknown to the Plaintiffs after diligent search and inquiry or, if deceased, the identity of their heirs is unknown and their places of residence, street and post office addresses are unknown to the Plaintiffs after diligent search and inquiry to ascertain same and (c) the names of any and all other persons having or claiming any legal or equitable right, title or interest in the lands described herein are unknown to the Plaintiffs and their places of residence, street addresses and post office addresses are unknown to the Plaintiffs after diligent search and inquiry.

WILLIS THOMPSON
Mayor of the City of Vicksburg, Mississippi

Sworn to and subscribed before me this ____ day of _____, 2026.

Notary Public or Other Authorized Authority
My commission expires: _____

OATH

STATE OF MISSISSIPPI
COUNTY OF WARREN

Personally appeared before me the undersigned authority in and for the said county and state, on this ____ day of _____, 2026, the within named Kelle Barfield, President of the Board Supervisors of Warren County, Mississippi, who, being by me first duly sworn, stated on oath for and on behalf of and as authorized by the Board of Supervisors of Warren County, Mississippi that (a) all of the matters and things stated in the foregoing Complaint to Confirm Title and Obtain Real Property by Eminent Domain are true and correct as therein stated; (b) all of the Defendants cannot be found in the state of Mississippi after diligent search and inquiry and their respective places of residences, street addresses and post office addresses are unknown to the Plaintiffs after diligent search and inquiry or, if deceased, the identity of their heirs is unknown and their places of residence, street and post office addresses are unknown to the Plaintiffs after diligent search and inquiry to ascertain same and (c) the names of any and all other persons having or claiming any legal or equitable right, title or interest in the lands described herein are unknown to the Plaintiffs and their places of residence, street addresses and post office addresses are unknown to the Plaintiffs after diligent search and inquiry.

KELLE BARFIELD
President of the Board Supervisors of
Warren County, Mississippi

Sworn to and subscribed before me this ____ day of _____, 2026.

Notary Public or Other Authorized Authority
My commission expires: _____