

ORDINANCE NO. _____

**AN ORDINANCE TO AMEND ORDINANCE 2018-02 CLOSING AND VACATING
THAT CERTAIN PORTION OF
WISCONSIN AVENUE RIGHT OF WAY LOCATED IN THE CITY OF VICKSBURG,
MISSISSIPPI**

WHEREAS, Joseph M. Bonelli, Sr. and Campbell Development Corporation have petitioned the Mayor and Aldermen of the City of Vicksburg, Mississippi to close and vacate a 27' x 20' portion of the Wisconsin Avenue Right of Way upon discovery that one of their structures encroaches upon the right of way more particularly described as Parcel 1 in the attached Survey dated 2/8/18; and

WHEREAS, the Board of Mayor and Aldermen of the City of Vicksburg, MS adopted Ordinance 2018-02 on March 9, 2018 to Close and Vacate a portion of Wisconsin Avenue and the legal description of the portion to be closed and vacated had an incorrect call in the legal description; and

WHEREAS, it is necessary to correct the legal description of the portion of Wisconsin Avenue vacated and all other matters shall remain the same;

WHEREAS, the vacating of this portion of the right of way described above will not deny any property owner access to his property, nor will it affect the public use and enjoyment of other streets in the City of Vicksburg.

WHEREAS, the Petitioners own the land adjoining the portion of Wisconsin Avenue to be closed and vacated on both the east and west sides thereof, and which is otherwise inaccessible by any third party and there is no third party who claims any part of the said Wisconsin Avenue right of way to be designated and vacated; and

WHEREAS, the Mayor and Aldermen deem it in the best interest of the adjacent property owners and the general public good to have the afore described portion of Wisconsin Avenue right of way to be closed, vacated and abandoned by the Mayor and Aldermen, and for the Mayor and Aldermen of the City of Vicksburg to file an ordinance in the Warren County Land Records.

WHEREAS, the City of Vicksburg reserves for itself any and all utility easements within the vacated street and the right to ingress and egress to same.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Aldermen of the City of Vicksburg:

1. That the following described portion of right of way of Wisconsin Avenue as situated in the City of Vicksburg be, and the same hereby is, closed and vacated, to-wit:

BEGINNING at a concrete monument that marks the southeast corner of Sec. 28,
Thence N 23°36'56"W a distance of 1711.21' to the Point of Beginning, thence
N39°24'33" W a distance of 27.55' to a set pin, thence N50°41'48"E a distance of 20.00' to a set
pin. Thence S 40°45'41"E a distance of 27.04' to a set iron pin, thence S49°14'19"W a distance
of 20.64' to the Point of Beginning, containing 0.01 acres, more or less and being situated in
Section 28, Township 16 N, Range 3 East, Warren County, Mississippi.

2. That the Mayor and Aldermen of the City of Vicksburg do hereby find that such
vacation and closing will result in no damages to any adjacent land owners and that in lieu of the
delivery of separate Quitclaim Deeds in favor of the Petitioners herein, there being no other
adjacent property owners thereto, the City Clerk is authorized and empowered to deliver to
Petitioners a certified copy of this Ordinance in a form which will be acceptable by the Chancery
Clerk of Warren County, Mississippi for recordation among the Land Records in the Office of
the Clerk as a muniment of title and to give convenient record notice of such vacation to any
party interested in the record title of such lands.

3. That the City reserves any and all water, sewage, gas and other easements, located
within the said vacated street, and the right of egress and ingress to the same.

The above and foregoing ordinance was introduced in writing and on motion
by _____, seconded by _____, it was read in full the first
time, by its title the second time, and again read in full the third time, was discussed and was then read
and considered section by section and voted upon as follows:

This the 23rd day of March, 2018.

The Mayor and Aldermen of the City of
Vicksburg, Mississippi

George Flaggs, Jr., Mayor

Michael A. Mayfield, Sr., Alderman

Alex J. Monsour, Jr., Alderman

CERTIFICATE

I, Walter W. Osborne, Jr., the duly appointed, qualified and acting City Clerk and lawful custodian of the Minutes of The Mayor and Aldermen of the City of Vicksburg and Seal of said City, Certify that the foregoing is a true and exact copy of an Ordinance Adopted by the Mayor and Aldermen of the City of Vicksburg at an Adjourned Board Meeting held on Friday, March 23, 2018.

WITNESS my signature and official seal of office this 23rd day of March, 2018.

Walter W. Osborne, Jr., City Clerk