

# COVER SHEET

## Civil Case Filing Form

(To be completed by Attorney/Party  
Prior to Filing of Pleading)

Mississippi Supreme Court  
Administrative Office of Courts

Form AOC/01  
(Rev 2020)

### Court Identification Docket #

County #	Judicial District	Court ID (CH, CI, CO)
Month	Date	Year

### Case Year

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### Docket Number

							Local Docket ID

This area to be completed by clerk

Case Number if filed prior to 1/1/94

In the CHANCERY

Court of HANCOCK

County —

FIRST

Judicial District

### Origin of Suit (Place an "X" in one box only)

- |  |                                     |  |  |                                |
|--|-------------------------------------|--|--|--------------------------------|
| <input checked="" type="checkbox"/> Initial Filing | <input type="checkbox"/> Reinstated | <input type="checkbox"/> Foreign Judgment Enrolled | <input type="checkbox"/> Transfer from Other court | <input type="checkbox"/> Other |
| <input type="checkbox"/> Remanded                  | <input type="checkbox"/> Reopened   | <input type="checkbox"/> Joining Suit/Action       | <input type="checkbox"/> Appeal                    |                                |

### Plaintiff - Party(ies) Initially Bringing Suit Should Be Entered First - Enter Additional Plaintiffs on Separate Form

Individual AUSTIN

MICHAEL

P

Last Name

First Name

Maiden Name, if applicable

M.I.

Jr/Sr/III/IV

Check (x) if Individual Plaintiff is acting in capacity as Executor(trix) or Administrator(trix) of an Estate, and enter style:

Estate of

Check (x) if Individual Plaintiff is acting in capacity as Business Owner/Operator (d/b/a) or State Agency, and enter entity:  
D/B/A or Agency

### Business

Enter legal name of business, corporation, partnership, agency - If Corporation, indicate the state where incorporated

Check (x) if Business Plaintiff is filing suit in the name of an entity other than the above, and enter below:  
D/B/A

Address of Plaintiff 7425 N Aberdeen Drive, Pass Christian, MS 39571

Attorney (Name & Address) Jordan Mathews, Esq. 12206 Highway 49, Gulfport, MS 39503

MS Bar No. 105210

Check (x) if Individual Filing Initial Pleading is NOT an attorney

Signature of Individual Filing:

### Defendant - Name of Defendant - Enter Additional Defendants on Separate Form

Individual

Last Name

First Name

Maiden Name, if applicable

M.I.

Jr/Sr/III/IV

Check (x) if Individual Defendant is acting in capacity as Executor(trix) or Administrator(trix) of an Estate, and enter style:

Estate of

Check (x) if Individual Defendant is acting in capacity as Business Owner/Operator (d/b/a) or State Agency, and enter entity:  
D/B/A or Agency The City of Bay St. Louis, Mississippi

### Business

Enter legal name of business, corporation, partnership, agency - If Corporation, indicate the state where incorporated

Check (x) if Business Defendant is acting in the name of an entity other than the above, and enter below:  
D/B/A

Attorney (Name & Address) - If Known

MS Bar No.

Check (x) if child support is contemplated as an issue in this suit.\*

\*If checked, please submit completed Child Support Information Sheet with this Cover Sheet

### Nature of Suit (Place an "X" in one box only)

- |   |  |
|---|--|
| <input type="checkbox"/> Domestic Relations                 | <input type="checkbox"/> Business/Commercial                   |
| <input type="checkbox"/> Child Custody/Visitation           | <input type="checkbox"/> Accounting (Business)                 |
| <input type="checkbox"/> Child Support                      | <input type="checkbox"/> Business Dissolution                  |
| <input type="checkbox"/> Contempt                           | <input type="checkbox"/> Debt Collection                       |
| <input type="checkbox"/> Divorce: Fault                     | <input type="checkbox"/> Employment                            |
| <input type="checkbox"/> Divorce: Irreconcilable Diff.      | <input type="checkbox"/> Foreign Judgment                      |
| <input type="checkbox"/> Domestic Abuse                     | <input type="checkbox"/> Garnishment                           |
| <input type="checkbox"/> Emancipation                       | <input type="checkbox"/> Replevin                              |
| <input type="checkbox"/> Modification                       | <input type="checkbox"/> Other                                 |
| <input type="checkbox"/> Paternity                          | <input type="checkbox"/> Probate                               |
| <input type="checkbox"/> Property Division                  | <input type="checkbox"/> Accounting (Probate)                  |
| <input type="checkbox"/> Separate Maintenance               | <input type="checkbox"/> Birth Certificate Correction          |
| <input type="checkbox"/> Term. of Parental Rights-Chancery  | <input type="checkbox"/> Mental Health Commitment              |
| <input type="checkbox"/> UIFSA (eff 7/1/97; formerly URESA) | <input type="checkbox"/> Conservatorship                       |
| <input type="checkbox"/> Other                              | <input type="checkbox"/> Guardianship                          |
| <input type="checkbox"/> Appeals                            | <input type="checkbox"/> Joint Conservatorship & Guardianship  |
| <input type="checkbox"/> Administrative Agency              | <input type="checkbox"/> Heirship                              |
| <input type="checkbox"/> County Court                       | <input type="checkbox"/> Intestate Estate                      |
| <input type="checkbox"/> Hardship Petition (Driver License) | <input type="checkbox"/> Minor's Settlement                    |
| <input type="checkbox"/> Justice Court                      | <input type="checkbox"/> Muniment of Title                     |
| <input type="checkbox"/> MS Dept Employment Security        | <input type="checkbox"/> Name Change                           |
| <input type="checkbox"/> Municipal Court                    | <input type="checkbox"/> Testate Estate                        |
| <input type="checkbox"/> Other                              | <input type="checkbox"/> Will Contest                          |
|   | <input type="checkbox"/> Alcohol/Drug Commitment (Involuntary) |

☐ Alcohol/Drug Commitment (Voluntary)  
☐ Other

### Children/Minors - Non-Domestic

- ☐ Adoption - Contested  
☐ Adoption - Uncontested  
☐ Consent to Abortion  
☐ Minor Removal of Minority  
☐ Other

### Civil Rights

- ☐ Elections  
☐ Expungement  
☐ Habeas Corpus  
☐ Post Conviction Relief/Prisoner  
☐ Other

### Contract

- ☐ Breach of Contract  
☐ Installment Contract  
☐ Insurance  
☐ Specific Performance  
☐ Other

### Statutes/Rules

- ☐ Bond Validation  
☐ Civil Forfeiture  
☐ Declaratory Judgment  
☐ Injunction or Restraining Order  
☐ Other

### Real Property

- ☐ Adverse Possession  
☐ Ejectment  
☐ Eminent Domain  
☐ Eviction  
☐ Judicial Foreclosure  
☐ Lien Assertion  
☐ Partition  
☐ Tax Sale: Confirm/Cancel  
☐ Title Boundary or Easement  
☒ Other Vacate Plat

### Torts

- ☐ Bad Faith  
☐ Fraud  
☐ Intentional Tort  
☐ Loss of Consortium  
☐ Malpractice - Legal  
☐ Malpractice - Medical  
☐ Mass Tort  
☐ Negligence - General  
☐ Negligence - Motor Vehicle  
☐ Premises Liability  
☐ Product Liability  
☐ Subrogation  
☐ Wrongful Death  
☐ Other

IN THE CHANCERY COURT OF HANCOCK COUNTY, MISSISSIPPI

MICHAEL PAUL AUSTIN

PLAINTIFF

VS.

CAUSE NO. \_\_\_\_\_

THE CITY OF BAY ST. LOUIS, MISSISSIPPI;  
AND ANY AND ALL OTHER PERSONS  
WITH AN INTEREST IN THE PROPERTY  
DESCRIBED IN THE SUBJECT COMPLAINT

DEFENDANTS

**PETITION TO VACATE, TO AMEND PLAT  
AND FOR OTHER RELIEF**

COMES NOW, the Plaintiff, Michael Paul Austin, by and through undersigned counsel, Schwartz, Orgler, Jordan & Williams PLLC, pursuant to Mississippi Code Section 19-27-31, or alternatively 65-7-121, 21-37-7, as well as other provisions, and files this Petition, and would show unto the Court the following, to wit:

1. The Plaintiff, Michael Paul Austin (hereinafter "Plaintiff"), is an adult resident citizen of Hancock County, Mississippi. The Plaintiff is the owner of certain real property located in the Hancock County, Mississippi, said real property being more particularly described as follows:

Lots 21, 22, 23, 24, 25, and 26, Block 40 and Lots 7 and 8, Block 22, Bay St. Louis Land and Improvement Company, 1<sup>st</sup> Addition to Bay St. Louis and Waveland, Mississippi.

Also a part of Lot 42, Rear of 4<sup>th</sup> Ward, Bay St. Louis, Mississippi more particularly described as follows, to-wit:

Beginning at the SE corner of Lot 42, Rear of 4<sup>th</sup> Ward and running thence S 76 Degrees W. 145.2 feet along the Northerly line of the Gainesville Road or Old Spanish Trail to an iron stake; thence N 14 degrees W. 96.2 feet to an iron stake at the SW corner of Lot 7, Block 22, Bay St. Louis Land and Improvement Company, 1<sup>st</sup> Addition to Bay St. Louis and Waveland, Mississippi; thence S 70 degrees E. 174.8 feet along a Southerly line of said 1<sup>st</sup> Addition to the place of beginning. Being a part of Lot 42, Rear of 4<sup>th</sup> Ward, City of Bay St. Louis, according to the official plat of said City made by E.S. Drake, C.E., and on file in the Office of the Clerk of Chancery Court of Hancock County, Mississippi.

LESS AND EXCEPT:

Lot 1, Block 24, Bay St. Louis Land & Improvement Company's Subdivision of part of the Bay St. Louis Land & Improvement Company's First Addition to the City of Bay St. Louis and Waveland, Mississippi, as per the official plat of said Subdivision on file in the office of the Clerk of the Chancery Court of Hancock County, Mississippi, dated April 24, 1897.

ALSO: Commencing at the NW corner of Block 24, Bay St. Louis Land & Improvement Company's Subdivision, per the 1897 plat thereof; thence South 4° 56' West along the East line of Kellar Street to its intersection with the Northeastern line of Lot 42, Rear Fourth Ward, Bay St. Louis, Mississippi, as the place of beginning; thence continuing South 4° 56' West along the East side of Kellar Street to its intersection with the Northern line of aforesaid Old Spanish Trail to its intersection with the abovementioned Northeastern line of said Rear Lot 42; thence North 70° West along the aforesaid rear lot line to the place of beginning; said land being that triangular portion of Lot 42, Rear Fourth Ward, Bay St. Louis, bounded on the West by the East line of Kellar Street, on the South by the Northern line of Old Spanish Trail, and on the North by the Northeastern line of said Rear Lot 42.

(collectively "Plaintiff's property"). A copy of the vesting deed to the Plaintiff's property is attached hereto and marked as Exhibit "A". Plaintiff's property is also legally described in metes and bounds on the survey attached hereto and marked as Exhibit "B".

3. The Defendants in this action are as follows:

- (A) The City of Bay St. Louis, Mississippi which may be reached for service of process in any manner as set forth in Rule 4 of the Mississippi Rules of Civil Procedure. The City of Bay St. Louis, Mississippi is named as a necessary and indispensable party as the subject property is located in the City of Bay St. Louis, Mississippi and the City of Bay St. Louis, Mississippi could have a potential claim to the property described herein.
- (B) Any and all other persons with an interest in the subject property whose names, post office boxes and addresses are unknown after a diligent search and inquiry and who may be served with process by publication under Rule 4.

4. This Court has subject matter jurisdiction over this matter pursuant to Mississippi Code Section 19-27-31, and other various provisions of the Mississippi Code. Further, upon service of process this Court will have jurisdiction over the parties. Venue is proper in that the subject property is located in Hancock County, Mississippi.

5. The Plaintiff's property is bisected by the undeveloped right of way/roadway. The roadway serves no purpose as a public road, as the Plaintiff owns both sides of the portion of the roadway which is requested to be vacated. A survey which reflects the location of the portion of the roadway requested to be vacated is attached hereto as Exhibit "B" (hereinafter "roadway").

Said roadway is legally described as follows:

A PARCEL OF LAND SITUATED IN BLOCK 40 OF THE BAY ST. LOUIS LAND & IMPROVEMENT COMPANY'S SUBDIVISION OF PART OF THE BAY ST. LOUIS & IMPROVEMENT COMPANY'S FIRST ADDITION TO THE CITY OF BAY ST. LOUIS AND WAVELAND, BAY ST. LOUIS, HANCOCK COUNTY, MISSISSIPPI, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO WIT:

COMMENCING AT A 1/2" IRON ROD FOUND AT THE INTERSECTION OF THE WEST RIGHT-OF-WAY OF KELLAR STREET AND THE NORTH RIGHT-OF-WAY OF OLD SPANISH TRAIL, SAID ROD ALSO BEING THE SOUTH EAST CORNER OF LOT 42A, REAR OF 4TH WARD; THENCE CONTINUE ALONG SAID WEST RIGHT-OF-WAY N 06°01'49" E 137.93' TO A CAPPED 1/2" IRON ROD SET AND THE POINT OF BEGINNING; THENCE N 88°06'37" W 53.50' TO A CAPPED 1/2" IRON ROD SET; THENCE N 88°13'43" W 206.33' TO A CAPPED 1/2" IRON ROD SET; THENCE N 69°34'25" W 45.47' TO A METAL FENCE POST; THENCE N 06°31'55" E 28.15' TO A PVC PIPE; THENCE S 88°27'04" E 249.77' TO A CAPPED 1/2" IRON ROD SET; THENCE S 88°27'04" E 53.86' TO A CAPPED 1/2" IRON ROD SET ON THE WEST RIGHT-OF-WAY OF KELLAR STREET; THENCE CONTINUE ALONG SAID WEST RIGHT-OF-WAY S 06°01'49" W 44.25' TO THE POINT OF BEGINNING. SAID PARCEL CONTAINING 0.30 ACRES OR 12,880 SQUARE FEET, MORE OR LESS.

Pursuant to Mississippi Code Section 19-27-31, the Plaintiff desires to vacate said roadway.

6. As the Plaintiff owns both sides of the portion of the roadway which he desires to vacate, the roadway serves no purpose and should be formally vacated.

7. The Plaintiff asserts that the roadway does not actually serve any public purpose today. Despite the fact that the roadway does not serve a public purpose, the failure to formally vacate the same constitutes a cloud on the Plaintiff's title. Additionally, Plaintiff alleges that (a) the portion of the roadway which it seeks to vacate does not provide primary access to occupied properties, (b) no substantial public purpose is being served thereby, and (c) public interest and convenience require formal abandonment and vacation.

8. Plaintiff proposes to vacate the roadway within the bounds of the Plaintiff's property, and the property effected by such reserved strip will become owned by the Plaintiff.

9. There are no known lien holders on the subject property who would be adversely affected by the vacation.

10. The Plaintiff is the only owner of real property which borders the portion of the roadway which they desire to vacate, and no abutting landowners are entitled to compensation for the vacation, as the portion of roadway the Plaintiff is seeking to vacate is exclusive to the Plaintiff's property.

11. The Subject Property is not subject to any known covenants which preclude the vacation of the roadway set forth herein.

12. The Plaintiff requests that this Court order the portion of the roadway shown on the attached survey marked as Exhibit "B" be vacated by Hancock County, Mississippi, and returned to the Plaintiff within the confines of the Plaintiff's property, thereby allowing the Plaintiff to confirm their title without the same being an encumbrance on the property of the

Plaintiff, and to thereafter make use of the same.

13. Plaintiff further prays the Court will remove the roadway as a claim and cloud on Plaintiff's title.

WHEREFORE, PREMISE CONSIDERED, the Plaintiff requests this petition be filed and docketed and that process be issued to the Defendants herein according to law, commanding them to be and appear before this Honorable Court in the time and manner provided by law to answer or otherwise plead to this Petition, and after all due proceedings be had, that this Court will do the following:

(1) Enter a decree that the portion of the roadway as shown on the attached Exhibit "B" be vacated, with the area of the roadway being confirmed to the Plaintiff, and further confirming that the subject property is no longer burdened by such roadway;

(2) Remove the cloud on Plaintiff's title created by the roadway, and affirming that no damages are due to abutting landowners, for the portion to be vacated is exclusive to the Plaintiff's property; and

Plaintiff's property; and

(3) Grant the Plaintiff such other and further relief, whether general, specific, or otherwise to which it may be entitled and to which the Court may deem appropriate.

RESPECTFULLY SUBMITTED.

  
MICHAEL PAUL AUSTIN

STATE OF MISSISSIPPI  
COUNTY OF HARRISON

Personally appeared before me, the undersigned authority in and for the said county and state, on this October 31, 2024, within my jurisdiction, the within named **MICHAEL PAUL AUSTIN**, who being first duly sworn acknowledged that he executed, signed and delivered the above and foregoing instrument, and that the matters and facts set forth therein are true and correct to the best of his knowledge and belief.

  
NOTARY PUBLIC

JORDAN R. MATHEWS, ESQ.  
Schwartz, Orgler & Jordan, PLLC  
2137 E Pass Rd, Ste B  
Gulfport, MS 39507  
(228) 388-7441  
MSB #105210  
[jordan@sojlaw.net](mailto:jordan@sojlaw.net)

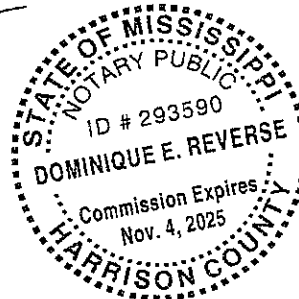


Exhibit "A"

2024 15734  
Recorded in the Above  
Deed Book & Page  
18-30-2024 10:40:23 AM  
Tiffany L Cowan  
Hancock County

Prepared By and Return To:  
Schwartz, Orgler & Jordan, PLLC  
12206 Hwy 49  
Gulfport, MS 39503  
228-832-8550  
Our File: 240151

Indexing Instructions:  
Lots 21-36, Blk 40 & Lots 1-8, Blk 22,  
Bay St. Louis Land and Improvement  
Company, 1<sup>st</sup> Add. To Bay St. Louis and  
Waveland, MS; Pt of Lot 42, Rear of 4<sup>th</sup>  
Ward, Bay St. Louis, MS  
Hancock County, MS

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STATE OF MISSISSIPPI  
COUNTY OF HANCOCK

**QUITCLAIM DEED**

THAT FOR AND IN CONSIDERATION of the sum of Ten and no/100 Dollars (\$10.00),  
cash in hand paid, and other good and valuable consideration, the receipt and sufficiency of all of  
which is hereby acknowledged,

**Christopher Joseph Austin  
115 Arbor Station Drive  
Long Beach, MS 39560  
228-216-6297**

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

**Michael Paul Austin  
7425 N Aberdeen Drive  
Pass Christian, MS 39571  
228-870-0602**

the following described property, together with the improvements, hereditaments and appurtenances  
thereunto situated and located in the County of Hancock, State of Mississippi, and more particularly  
described as follows, to-wit:

**Legal Description Attached Hereto as Exhibit "A"**

The above described property is no part of the homestead of the Grantor  
herein.

Title Not Examined Nor Requested



THIS CONVEYANCE is subject to any and all recorded restrictive covenants, rights-of-way and easements applicable to subject property, and any prior recorded reservations, conveyances and leases of oil, gas and minerals by previous owners of subject property.

AD VALOREM TAXES for the current and subsequent years are hereby assumed by the Grantee herein.

THIS CONVEYANCE is also subject to Zoning and/or other land use regulations promulgated by federal, state or local governments affecting the use or occupancy of the subject property.

WITNESS THE SIGNATURE of this Grantor on this the 28<sup>th</sup> day of October, 2024.

Christopher Joseph Austin  
Christopher Joseph Austin

STATE OF MISSISSIPPI  
COUNTY/PARISH OF HARRISON

THIS DAY personally appeared before me, the undersigned authority in and for the jurisdiction aforesaid, **Christopher Joseph Austin**, who acknowledged that he signed, executed and delivered the above and foregoing instrument as a voluntary act and deed on the day and year therein mentioned.

GIVEN UNDER MY HAND AND OFFICIAL SEAL OF OFFICE, this the 28 day of October, 2024.

Dominique E. Reverse  
NOTARY PUBLIC

(SEAL)

My Commission Expires:



EXHIBIT "A"  
LEGAL DESCRIPTION

Lots 21, 22, 23, 24, 25, and 26, Block 40 and Lots 7 and 8, Block 22, Bay St. Louis Land and Improvement Company, 1<sup>st</sup> Addition to Bay St. Louis and Waveland, Mississippi.

Also a part of Lot 42, Rear of 4<sup>th</sup> Ward, Bay St. Louis, Mississippi more particularly described as follows, to-wit:

Beginning at the SE corner of Lot 42, Rear of 4<sup>th</sup> Ward and running thence S 76 Degrees W. 145.2 feet along the Northerly line of the Gainesville Road or Old Spanish Trail to an iron stake; thence N 14 degrees W. 96.2 feet to an iron stake at the SW corner of Lot 7, Block 22, Bay St. Louis Land and Improvement Company, 1<sup>st</sup> Addition to Bay St. Louis and Waveland, Mississippi; thence S 70 degrees E. 174.8 feet along a Southerly line of said 1<sup>st</sup> Addition to the place of beginning. Being a part of Lot 42, Rear of 4<sup>th</sup> Ward, City of Bay St. Louis, according to the official plat of said City made by E.S. Drake, C.E., and on file in the Office of the Clerk of Chancery Court of Hancock County, Mississippi.

LESS AND EXCEPT:

Lot 1, Block 24, Bay St. Louis Land & Improvement Company's Subdivision of part of the Bay St. Louis Land & Improvement Company's First Addition to the City of Bay St. Louis and Waveland, Mississippi, as per the official plat of said Subdivision on file in the office of the Clerk of the Chancery Court of Hancock County, Mississippi, dated April 24, 1897.

Also: Commencing at the NW corner of Block 24, Bay St. Louis Land & Improvement Company's Subdivision, per the 1897 plat thereof; thence South 4° 56' West along the East line of Kellar Street to its intersection with the Northeastern line of Lot 42, Rear Fourth Ward, Bay St. Louis, Mississippi, as the place of beginning; thence continuing South 4° 56' West along the East side of Kellar Street to its intersection with the Northern line of aforesaid Old Spanish Trail to its intersection with the abovementioned Northeastern line of said Rear Lot 42; thence North 70° West along the aforesaid rear lot line to the place of beginning; said land being that triangular portion of Lot 42, Rear Fourth Ward, Bay St. Louis, bounded on the West by the East line of Kellar Street, on the South by the Northern line of Old Spanish Trail, and on the North by the Northeastern line of said Rear Lot 42.

AND ALSO:

Lots 27 thru 36, inclusive, Block 40; and Lots 1 thru 6, inclusive, Block 22, Bay St. Louis Land & Improvement Company's Subdivision of Bay St. Louis Land & Improvement Company's First Addition to the City of Bay St. Louis and Waveland, as per the official plat thereof filed in the office of the Clerk of the Chancery Court of Hancock County, Mississippi, on April 27, 1897, including 19 feet driveway on west side.

Also: Commencing at the SE corner of Lot 42, Rear Fourth Ward, City of Bay St. Louis, Hancock County, Mississippi; and running thence South 76 degrees West 143.2 feet to an iron stake set for the place of beginning; thence South 76 degrees West 19 feet to a stake; thence North 14 degrees West 108 feet to a stake on the northerly line of the Mary Parish Claim; thence South 70 degrees East 22.7 feet to an iron stake; thence South 14 degrees East 96.2 feet to the place of beginning; being part of Lot 42, Rear Fourth Ward, City of Bay St. Louis, Mississippi, according to the official plat of said City made by E.S. Drake, C.E., and filed in the office of the Clerk of the Chancery Court of Hancock County, Mississippi.

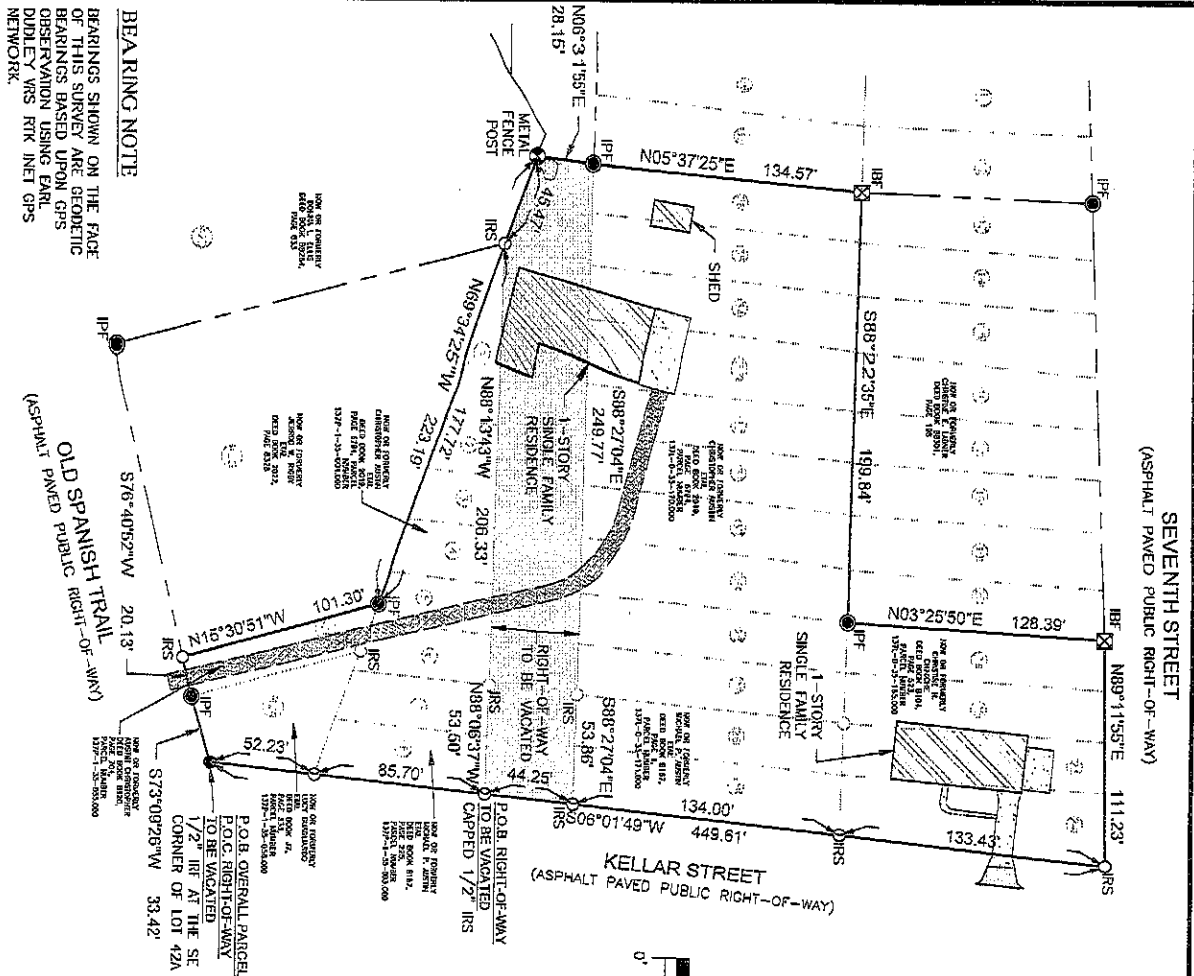
Together with all and singular, the rights, privileges, improvements and appurtenances to the same belonging or in any wise appertaining.

Title Not Examined Nor Requested

3



Hancock County  
I certify this instrument was filed on  
10-30-2024 10:41:23 AM  
and recorded in Deed Book  
2024 at pages 15734 - 15736  
Tiffany L. Cowman



716 HOWARD AVE Suite # B1001 MS 39-350 | 228.388.1950 | [www.mpsdesigngroup.com](http://www.mpsdesigngroup.com)

**A PARCEL OF LAND SITUATED IN BLOCK 40  
OF THE BAY ST. LOUIS LAND &  
IMPROVEMENT COMPANY'S FIRST ADDITION  
TO THE CITY OF BAY ST. LOUIS AND  
WAVELAND, ALSO PART OF LOT 42, REAR  
OF 4TH WARD, BAY ST. LOUIS, MISSISSIPPI**

PROJECT NO.	SHEET
2019-09-25	1 OF 2

**BNDY**

LEGAL DESCRIPTION: OVERALL PARCEL

A PARCEL OF LAND SITUATED IN BLOCK 40 OF THE BAY ST. LOUIS LAND & IMPROVEMENT COMPANY'S SUBDIVISION OF PART OF THE BAY ST. LOUIS & IMPROVEMENT COMPANY'S FIRST ADDITION TO THE CITY OF BAY ST. LOUIS AND WAVELAND, ALSO A PART OF LOT 42, REAR OF 4TH WARD, BAY ST. LOUIS, HANCOCK COUNTY, MISSISSIPPI, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO WIT:

BEGIN AT A 1/2" IRON ROD FOUND AT THE INTERSECTION OF THE WEST RIGHT-OF-WAY OF KELLAR STREET AND THE NORTH RIGHT-OF-WAY OF OLD SPANISH TRAIL, SAID ROD ALSO BEING THE SOUTH EAST CORNER OF LOT 42A, REAR OF 4TH WARD; THENCE CONTINUE ALONG SAID NORTH RIGHT-OF-WAY S 73°09'28" W 33.42' TO A 2" IRON PIPE FOUND; THENCE CONTINUE ALONG SAID NORTH RIGHT-OF-WAY S 76°40'52" W 20.13' TO A CAPPED 1/2" IRON ROD SET; THENCE N 15°30'51" W 101.30' TO A 2" IRON PIPE FOUND; THENCE N 69°34'25" W 223.19' TO A METAL FENCE POST; THENCE N 08°31'55" E 28.15' TO A PVC PIPE FOUND; THENCE N 05°37'25" E 134.57' TO AN IRON BAR FOUND; THENCE S 88°22'35" E 199.84' TO AN IRON PIPE FOUND; THENCE N 03°25'50" E 128.39' TO AN IRON BAR FOUND ON THE SOUTH RIGHT-OF-WAY OF SEVENTH STREET; THENCE CONTINUE ALONG SAID SOUTH RIGHT-OF-WAY N 89°11'55" E 111.23' TO A CAPPED 1/2" IRON ROD SET AT THE INTERSECTION OF THE SOUTH RIGHT-OF-WAY OF SEVENTH STREET AND THE WEST RIGHT-OF-WAY OF KELLAR STREET; THENCE CONTINUE ALONG SAID WEST RIGHT-OF-WAY S 08°01'49" W 499.61' TO THE POINT OF BEGINNING, SAID PARCEL CONTAINING 1.92 ACRES OR 83,815 SQUARE FEET, MORE OR LESS.

LEGAL DESCRIPTION: RIGHT-OF-WAY TO BE VACATED

A PARCEL OF LAND SITUATED IN BLOCK 40 OF THE BAY ST. LOUIS LAND & IMPROVEMENT COMPANY'S SUBDIVISION OF PART OF THE BAY ST. LOUIS & IMPROVEMENT COMPANY'S FIRST ADDITION TO THE CITY OF BAY ST. LOUIS AND WAVELAND, BAY ST. LOUIS, HANCOCK COUNTY, MISSISSIPPI, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO WIT:

COMMENCING AT A 1/2" IRON ROD FOUND AT THE INTERSECTION OF THE WEST RIGHT-OF-WAY OF KELLAR STREET AND THE NORTH RIGHT-OF-WAY OF OLD SPANISH TRAIL, SAID ROD ALSO BEING THE SOUTH EAST CORNER OF LOT 42A, REAR OF 4TH WARD; THENCE CONTINUE ALONG SAID WEST RIGHT-OF-WAY N 06°01'49" E 137.93' TO A CAPPED 1/2" IRON ROD SET AND THE POINT OF BEGINNING; THENCE N 88°08'37" W 53.50' TO A CAPPED 1/2" IRON ROD SET; THENCE N 88°13'43" W 206.33' TO A CAPPED 1/2" IRON ROD SET; THENCE N 69°34'25" W 45.47' TO A METAL FENCE POST; THENCE N 08°31'55" E 28.15' TO A PVC PIPE; THENCE S 88°27'04" E 249.77' TO A CAPPED 1/2" IRON ROD SET; THENCE S 88°27'04" E 53.86' TO A CAPPED 1/2" IRON ROD SET ON THE WEST RIGHT-OF-WAY OF KELLAR STREET; THENCE CONTINUE ALONG SAID WEST RIGHT-OF-WAY S 08°01'49" W 44.25' TO THE POINT OF BEGINNING, SAID PARCEL CONTAINING 0.30 ACRES OR 12,860 SQUARE FEET, MORE OR LESS.

SURVEYOR CERTIFICATION

THIS IS TO CERTIFY THAT I HAVE SURVEYED THE PROPERTY HERON DESCRIBED AND DELINEATED, AND THAT THE MEASUREMENTS AND OTHER DATA INDICATED ARE CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

GREGORIE COLE THOMPSON, P.S. #26008  
MARCH 18, 2025

BEARING NOTE

BEARINGS SHOWN ON THE FACE OF THIS SURVEY ARE GEODETIC BEARINGS BASED UPON GPS OBSERVATION USING EARL DUDLEY VRS RTR INET GPS NETWORK.



MP DESIGN GROUP

918 Howard Ave Suite F Biloxi MS 39530 | 228-888-1950 | www.mpdsgroup.us

A PARCEL OF LAND SITUATED IN BLOCK 40		SCALE	AS SHOWN
OF THE BAY ST. LOUIS LAND &		PROJECT NO.	001
IMPROVEMENT COMPANY'S FIRST ADDITION		DATE	NOVEMBER
TO THE CITY OF BAY ST. LOUIS AND		DRAWN BY	JAB
WAVELAND, ALSO PART OF LOT 42, REAR		CHECKED BY	GET
OF 4TH WARD, BAY ST. LOUIS, MISSISSIPPI		SHEET NO.	BNDY
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