

The Mayor and Board of Aldermen of the City of Hernando met in regular session at City Hall on Tuesday, February 3, 2015, at 6:00 P.M. with Mayor Chip Johnson presiding. Aldermen present were: Sam Lauderdale, Alderman Higdon, Alderman McLendon, Alderwoman Brooks, and Jeff Hobbs. Also present for the meeting were: Deputy Clerk Julie Harris, City Engineer Joe Frank Lauderdale, Police Chief Mike Riley, Assistant Police Chief Shane Ellis, Fire Chief Hubert Jones, Public Works Director Gary McElhannon, Planning Director Jared Darby, Parks Director Dewayne Williams, Dolly Brechin, Henry Bailey, Robert Long, Edward Pidgeon, Stephen Tow, Kris Guruy, Alex Pelletier, Andrew Edwards, Shephen Cubbage, Vickey McLendon, Robert Hopkins, Chad Crawford, Logan Muse, and Amy Covey. Alderman Hobbs arrived late.

INVOCATION

Alderman Miller gave the invocation.

APPROVAL OF AGENDA

Agenda
City of Hernando
Mayor and Board of Alderman
Regular Meeting

February 3, 2015

6:00pm

- 1) Call the meeting to order
- 2) Invocation
- 3) Approve Agenda
- 4) Approve Docket of Claims No.'s 106709 – 106898 less 106724, 106727, 106752 – 106756, 106823 and 106824
- 5) Approve Docket of Claims No.'s (Lauderdale) 106727, 106823 and 106824
- 6) Approve Docket of Claims No.'s (Bryant) 106752 - 106756
- 7) Approve Docket of Claims No.'s (Miller) 106724
- 8) Approve Minutes
- 9) Request from Boy Scouts of America for funding
- 10) Request from Hernando High School for their Humanitarian trip
- 11) Authorize to give Janet Hawks a 90 day performance raise of \$0.50 per hour
- 12) Asphalt paving overlay 2015
- 13) Application for a Final Plat Approval for Forest Meadows, Phase 5, submitted by Chris Montesi – Windstone Property Trust. The subdivision is comprised of 39 lots totaling 33.4 acres located on the west side of Jaybird Road just south of Banbury Lane in Section 8, Township 3 South, Range 7 West. The property is currently zoned R-30 Single-family Overlay District.
- 14) Authorize to open a Hernando Memorial Park Perpetual Fund bank account
- 15) Authorize to open a Tourism Fund bank account

- 16) Authorize to change the name of the Money Market bank account to Forfeiture Fund
- 17) Approve best bid from Evergreen Skates for building a skatepark
- 18) Executive Session for Police Personnel
- 19) Adjourn

Motion was duly made by Alderman Higdon, and seconded by Alderwoman Brooks to approve the agenda. A vote was taken with the following results:

Those voting "Aye": Alderman Lauderdale, Alderman Miller, Alderman Higdon, Alderman McLendon, and Alderwoman Brooks.

Those voting "Nay": None.

ORDERED AND DONE this the 3rd day of February, 2015.

APPROVE DOCKET OF CLAIMS NO.'S 106709 – 106898 LESS 106724, 106727, 106752 – 106756, 106823 AND 106824

The Board of Aldermen were presented with a docket of claims No. 106709 – 106898 less 106724, 106727, 106752 – 106756, 106823 and 106824 in the amount of \$581,709.78 for approval.

Motion was duly made by Alderman Higdon, and seconded by Alderman McLendon to approve the docket of claims for payment as presented. A vote was taken with the following results:

Those voting "Aye": Alderman Bryant, Alderman Higdon, Alderman McLendon, Alderwoman Brooks, and Alderman Lauderdale.

Those voting "Nay": None.

ORDERED AND DONE this the 3rd day of February, 2015.

APPROVE DOCKET OF CLAIMS NO. 106727, 106823, AND 106824 (LAUDERDALE)

Alderman Lauderdale recused himself and left the room.

The Board of Aldermen were presented with a docket of claims No. 106727, 106823 and 106824 in the amount of \$213,710.52 for approval.

Motion was duly made by Alderman Miller, and seconded by Alderman McLendon to approve the docket of claims for payment as presented. A vote was taken with the following results:

Those voting "Aye": Alderman Miller, Alderman Higdon, Alderman McLendon, and Alderwoman Brooks.

Those voting "Nay": None.

ORDERED AND DONE this the 3rd day of February, 2015

APPROVE DOCKET OF CLAIMS NO. 106724 AND 106752 - 106756 (BRYANT AND MILLER)

The Board combined item number 6 and 7 since Alderman Bryant was not present. Alderman Miller recused himself and left the room.

The Board of Aldermen were presented with a docket of claims No. 106724 and 106752 - 106756 in the amount of \$39,881.79 for approval.

Motion was duly made by Alderman Higdon, and seconded by Alderman Lauderdale to approve the docket of claims for payment as presented. A vote was taken with the following results:

Those voting "Aye": Alderman McLendon, Alderwoman Brooks, Alderman Hobbs, Alderman Lauderdale, and Alderman Higdon.

Those voting "Nay": None.

ORDERED AND DONE this the 3rd day of February, 2015

APPROVE MINUTES FROM THE REGULAR BOARD MEETING ON JANUARY 20, 2015

Motion was duly made by Alderman McLendon and seconded by Alderman Higdon to approve the Minutes from the regular Board Meeting on January 20, 2015 as presented. A vote was taken with the following results:

Those voting "Aye": Alderman Lauderdale, Alderman Higdon, Alderman McLendon, and Alderwoman Brooks.

Those voting "Nay": None.

Alderman Hobbs and Alderman Miller abstained from voting.

ORDERED AND DONE this the 3rd day of February, 2015

REQUEST FROM BOY SCOUTS OF AMERICAN FOR FUNDING

Motion was duly made by Alderman McLendon, and seconded by Alderwoman Brooks to approve the request from the Boy Scouts of America for funding of \$500.00. A vote was taken with the following results:

Those voting "Aye": Alderman Lauderdale, Alderman Miller, Alderman Higdon, Alderman McLendon, Alderwoman Brooks, and Alderman Hobbs.

Those voting "Nay": None.

ORDERED AND DONE this the 3rd day of February, 2015

REQUEST FROM HERNANDO HIGH SCHOOL FOR THEIR HUMANITARIAN TRIP

Motion was duly made by Alderman Higdon, and seconded by Alderman Hobbs to approve the request from the Hernando High School for funding of their Humanitarian trip in the amount of \$375.00. A vote was taken with the following results:

Those voting "Aye": Alderman Higdon, Alderman McLendon, Alderwoman Brooks, Alderman Hobbs, Alderman Lauderdale, and Alderman Miller.

Those voting "Nay": None.

ORDERED AND DONE this the 3rd day of February, 2015

AUTHORIZE TO GIVE JANET HAWKS A 90 DAY PERFORMANCE RAISE OF \$0.50 PER HOUR

Motion was duly made by Alderman Miller, and seconded by Alderman Higdon to authorize to give Janet Hawks a 90 day performance raise of \$0.50 per hour, based on the Personnel Committee's recommendation, following the City Clerk's recommendation. A vote was taken with the following results:

Those voting "Aye": Alderman McLendon, Alderwoman Brooks, Alderman Hobbs, Alderman Lauderdale, Alderman Miller, and Alderman Higdon.

Those voting "Nay": None.

ORDERED AND DONE this the 3rd day of February, 2015

ASPHALT PAVING OVERLAY 2015

Mayor Johnson spoke stating that we have about \$190,000 for asphalt paving.

Alderman Miller stated that we identified 23 streets last year, only did 10. Why is number 13 last year number 10? Why do streets keep falling every year? Why can't these streets get paved? Traffic ain't stopped, cars still moving.

Joe Frank Lauderdale stated that Hill Street is waiting on the sidewalk project. Some streets have been on the list for 5 years.

Alderman Hobbs asked if Fountain Lane was worse this year.

Mayor Johnson answered that Fountain Lane is one of the worst.

Alderman Hobbs asked Joe Frank Lauderdale if he was ranking streets from worst to best.

Alderman Miller asked if this was officially on record.

Alderman McLendon asked if we went by each year to fix 10 worse streets.

Alderman Higdon stated that we submitted a list from our wards.

Alderman Hobbs stated not on purpose.

Mayor Johnson advised Alderman Miller that he put Hill Street on the list after it was just paved 3 years ago.

Alderwoman Brooks asked Joe Frank Lauderdale to clarify if it was ranked from worst to best.

Joe Frank Lauderdale answered yes it was ranked worst to best.

Alderman Higdon asked what the estimate of asphalt was.

Joe Frank Lauderdale answered \$80.

Alderman Hobbs stated that Joe Frank Lauderdale can only do what he is asked.

Mayor Johnson stated that hopefully the county will give some money for Motor Scooter. Tonight y'all will authorize for bids.

Alderman McLendon asked how much did we spend last year and what this year?

Mayor Johnson stated that this was one of the biggest overlay years in a long time.

Motion was duly made by Alderman Higdon, and seconded by Alderman Hobbs to authorize to Joe Frank Lauderdale to advertise for bids for our paving needs on the Asphalt Paving project. A vote was taken with the following results:

Those voting "Aye": Alderwoman Brooks, Alderman Hobbs, Alderman Lauderdale, Alderman Higdon, and Alderman McLendon.

Those voting "Nay": Alderman Miller.

ORDERED AND DONE this the 3rd day of February, 2015

APPLICATION FOR A FINAL PLAT APPROVAL FOR FOREST MEADOWS, PHASE 5, SUBMITTED BY CHRIS MONTESI – WINDSTONE PROPERTY TRUST. THE SUBDIVISION IS COMPRISED OF 39 LOTS TOTALING 33.4 ACRES LOCATED ON THE WEST SIDE OF JAYBIRD ROAD JUST SOUTH OF BANBURY LANE IN THE SECTION 8, TOWNSHIP 3 SOUTH, RANGE 7 WEST. THE PROPERTY IS CURRENTLY ZONED R-30 SINGLE – FAMILY OVERLAY DISTRICT

**MAYOR AND BOARD OF ALDERMEN
FILE: PL-1084**

DATE: February 3, 2015

CAPTION: Final Plat; Forest Meadows, Phase 5; Chris Montesi

INTRODUCTION:

Chris Montesi with Windstone Property Trust is requesting final plat approval for Forest Meadows, Phase 5. The subdivision will consist of 39 lots. The subdivision is located on the west side of Jaybird Road and south of Banbury Lane and is comprised of 33.44 acres.

DESCRIPTION:

Forest Meadows Phase 5 is the final phase of the Forest Meadows R-30 Overlay Planned District. The entire development plan of Forest Meadows, including Phase 5, was approved by the Board of Supervisors in 2001. Phases 1 – 4 were developed and completed under the jurisdictional control of DeSoto County. The City of Hernando then annexed the entire development in 2007, on the eve of the Great Recession. Development of Forest Meadows was intense as utility infrastructure installation was well under way when construction came to a halt due to the recession. The original developer, Dan Brown, was unable to keep the development.

Building in Hernando has returned to a vigorous pace and developers are interested in completing unfinished subdivisions. The applicant has submitted a plat that meets the general geometry of the Forest Meadows Development Plan with some minor changes to lot configuration, but not size or density. Lot sizes on average equal 21,667 sq. ft. , which is well within zoning and development criteria. The largest lot is 32,867 sq. ft. and the smallest is 20,006 sq. ft. The plat will complete two coves and add a cove that is attached to what will be an extension of Carlee Drive to Jaybird Road.

It is important to note the following distinct characteristics of Forest Meadows Development, which includes Phase 5. When Forest Meadows was annexed, the City of Hernando inherited the land use characteristics of the subdivision including the zoning district and the development plan. The Board will find that the City of Hernando no longer has a zoning classification of R-30 Overlay. This is a legacy zoning district that allowed some planned unit development type characteristics, such as a development plan, to be included in a standard euclidian zone to allow flexibility in density and infrastructure. The city's Planned Unit Development, PUD zoning district allows for the same type of flexibility.

The City of Hernando does have the authority to amend the zoning designation of an annexed area after a particular period. However, the city never sought to do so. Therefore, Forest Meadows remains as an R-30 Overlay zone and all the properties associated with the zone, such as the Forest Meadows Development Plan, are in full effect. Staff has attached a copy of the Forest Meadows Development Plan. Upon review, the first element observed is the absence of curb and gutter as well as sidewalks on both sides of the street. A visual analysis of the developed subdivision will also reveal the lack of curb and gutter.

The Board will remember that the R-30 Overlay Zoning District allows for density and infrastructure alterations that are governed by a development plan. Forest Meadows is no different. In order to achieve the varied density and the waiver of certain infrastructure improvements, the original developer submitted the Forest Meadows Development Plan. The plan boasted a heavily forested environment with undisturbed topography that would create a natural neighborhood environment. Unfortunately, the plan was not adhered to since the forest environment was mostly cleared, and the street trees were never planted. The forested environment was the developer's argument against curb and gutter as you will read in the Board of Supervisors motion of approval. Staff has included the Board of Supervisor's minutes for review. The motion includes the waiver of infrastructure such as curb and gutter in favor of natural drainage and the existing trees (that were chopped down).

Since Forest Meadows, Phase 5 is within the R-30 Overlay zoning district and governed by the Forest Meadows development plan the developer has the right to develop the subdivision in accordance with the development plan. The development plan acts as the preliminary plat; therefore, the application before the Board is the final plat, and the Board will not see a secondary application related to this application if the Board chooses to approve the application.

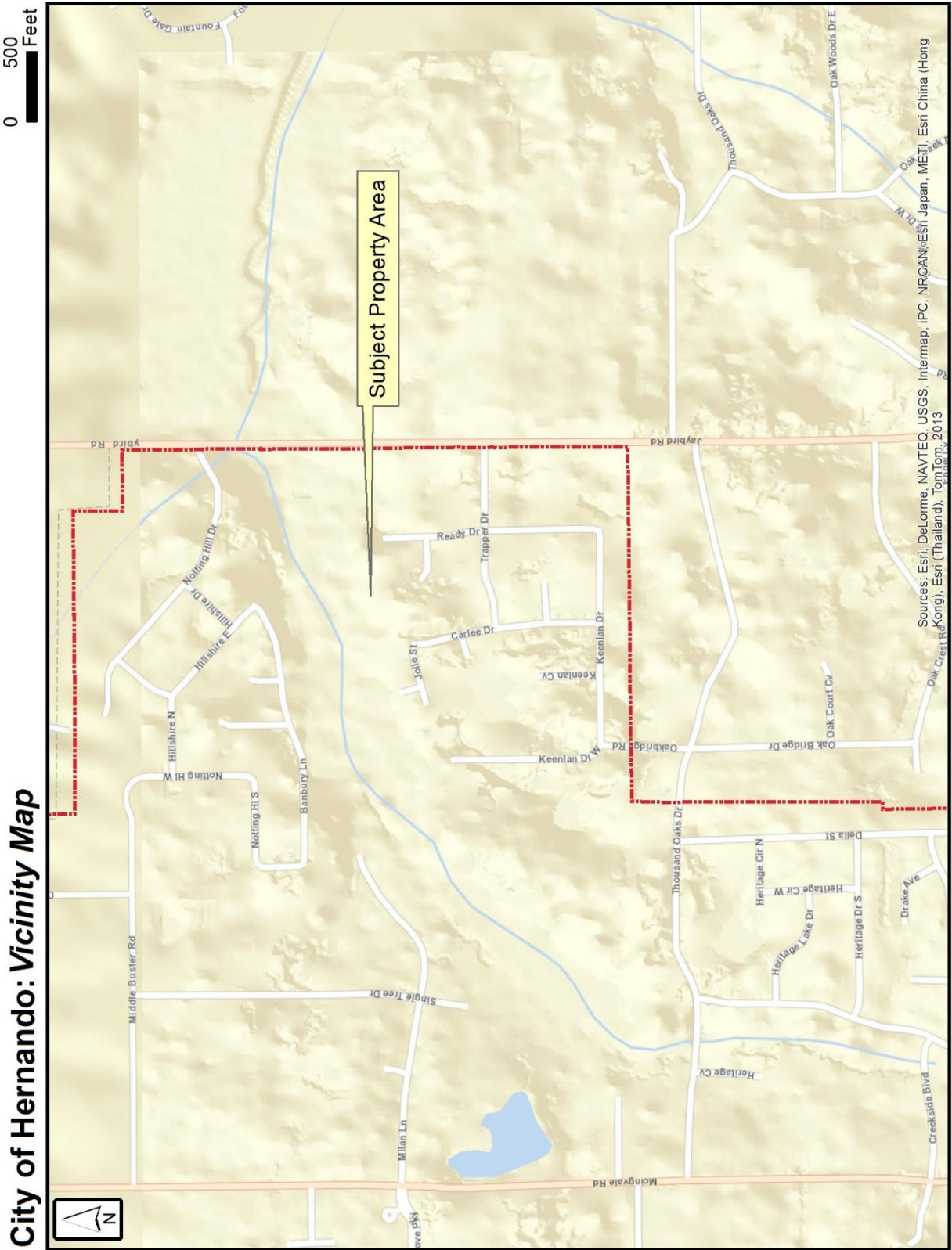
STAFF COMMENTS:

In general, the submitted plat does meet the requirements of the Forest Meadows development plan especially in terms of the geometry. The applicants have met with the City Engineer in regards to the hydrology. The City Engineer has agreed to allow the study to be submitted with construction plans. Construction plans shall be approved by the City Engineer before the plat is to be recorded.

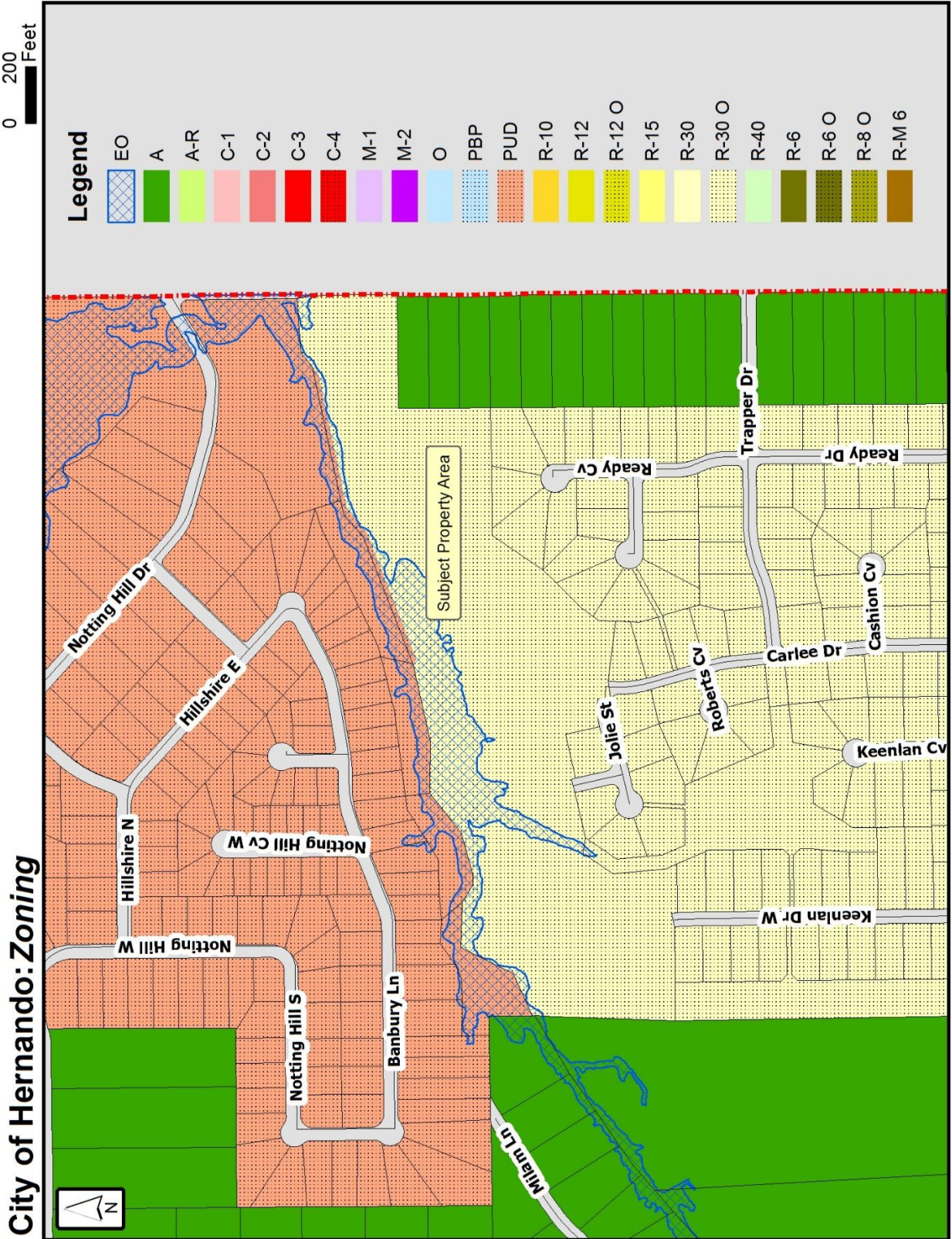
The Planning Commission unanimously recommended the approval of the subdivision to the Mayor and Board of Aldermen. Commissioner Pirtle made the motion, and Commissioner Wills seconded the motion. The motion passed unanimously. No one was present to speak against the application while several neighboring homeowners, including the homeowner's association president, were present to speak in favor of the application. If the Board chooses to approve the application, the Planning Commission recommends the following conditions of approval:

- A) Homeowners Association to be established prior to the recording of any final plat. Any buffer areas, retention basins, landscape areas, open areas, street medians, entrance signs, and any other common elements, proposed to be dedicated to the Homeowners Association in that phase shall be deeded over to the Homeowners Association with the recording of the final plat of that respective phase. A copy of the finalized incorporation papers and any deeds transferring common elements to the Homeowners Association shall be submitted to the staff for inclusion in the file.
- B) All landscaping in all common open space areas, natural areas, buffer areas, streetscape areas, medians, islands, and the entrance signage areas and such other associated improvements shall be installed/constructed prior to the issuance of any building permit within that respective phase of the development. Street trees may be bonded insuring their installation prior to the final inspection and occupancy of the residence upon each lot.

- C) Homeowners Association covenants shall be approved by planning staff prior to recording of the plat.
 - D) Improvements to be the responsibility of the developer and not the responsibility of the City of Hernando.
 - E) Grading, drainage, and engineering construction plans to be approved by the City Engineer and Public Works Director.
 - F) The developer shall install drainage pipe, erosion control material, sewer mains and service, water mains, fire hydrants, and service, gas mains and service, and gravel or soil cement base for the streets and one (1) layer of blacktop, 1½" thick, before the plat of the subdivision, or any phase of the subdivision, is recorded. A performance guarantee must be filed for the remainder of the improvements in an amount set by the City Engineer. This includes another 1½" of blacktop making a total of three (3") of blacktop surface and sidewalks.
 - G) Sidewalks to be installed on one side of all streets not including coves.
 - H) Finished floor elevations shall be listed for each lot.
 - I) Drainage pipe table shall be provided that will include drainage pipe diameter for each lot and be approved by the City Engineer.
 - J) Streetlights to be installed at the developer's expense. Streetlight plans to be submitted to the City Engineer for approval.
 - K) All utilities and services (electric, telephone, cable, etc.) to be installed underground. The water service lines shall be installed with tracing wire at the top.
 - L) Final approval by the Board of Aldermen and recording of the plat.
 - M) No relocated buildings will be allowed.
-





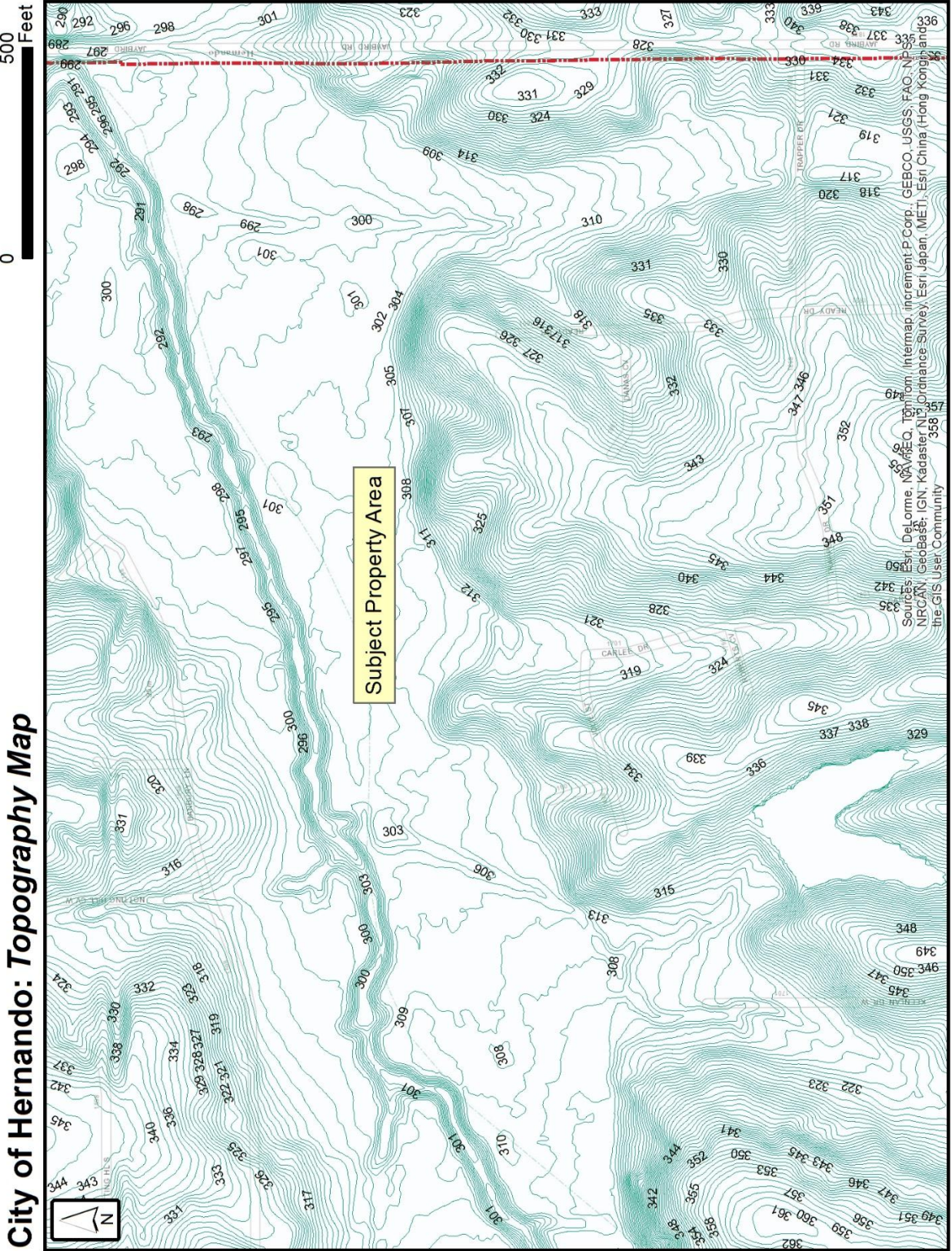


City of Hernando: Flood Plain

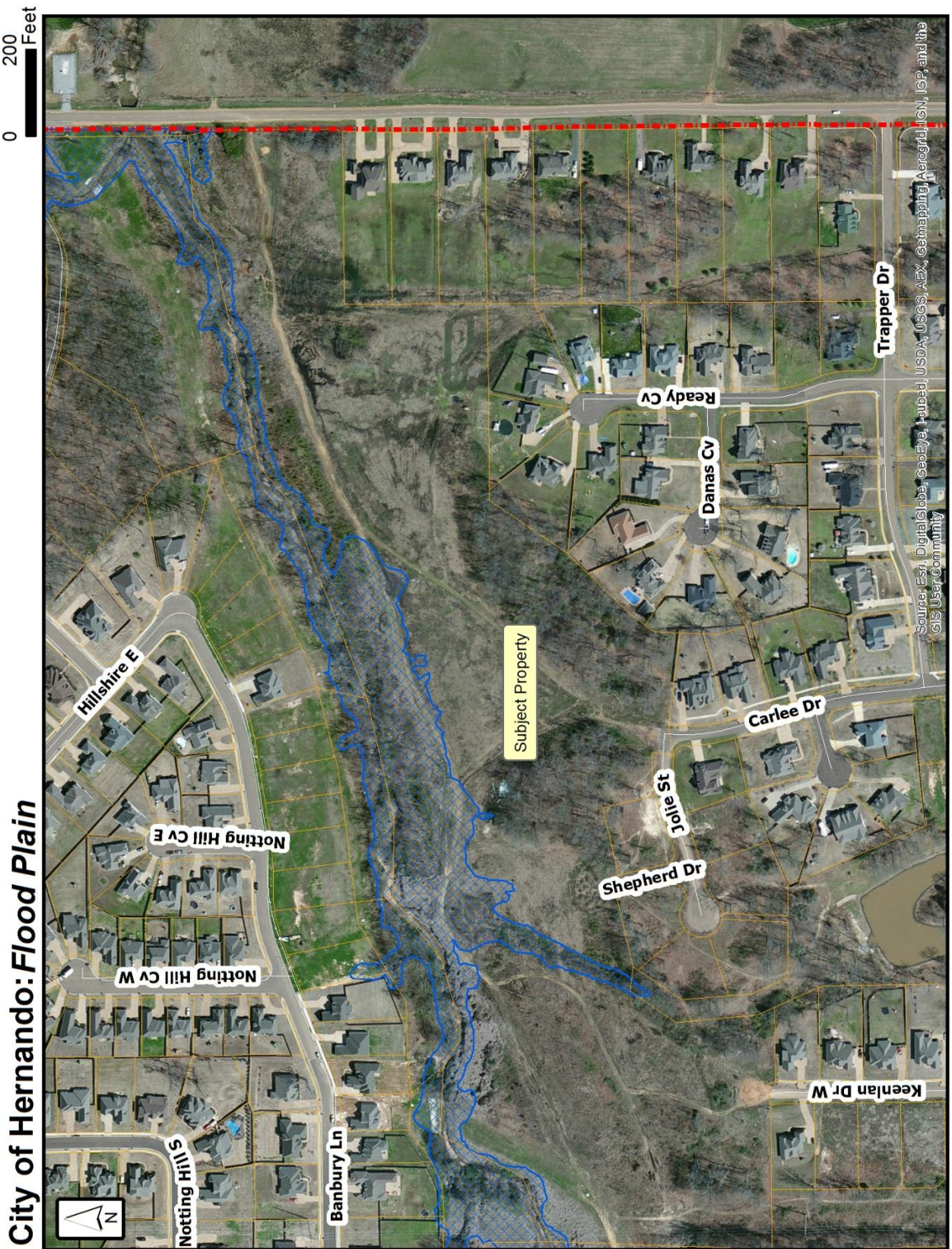
0 200 Feet



Source: Esri, DigitalGlobe, GeoEye, iSat, USDA, USGS, AEX, Getmapping, Aergrid, IGN, IGP, and the GIS User Community



City of Hernando: Topography Map



INCLUDED EXHIBITS:

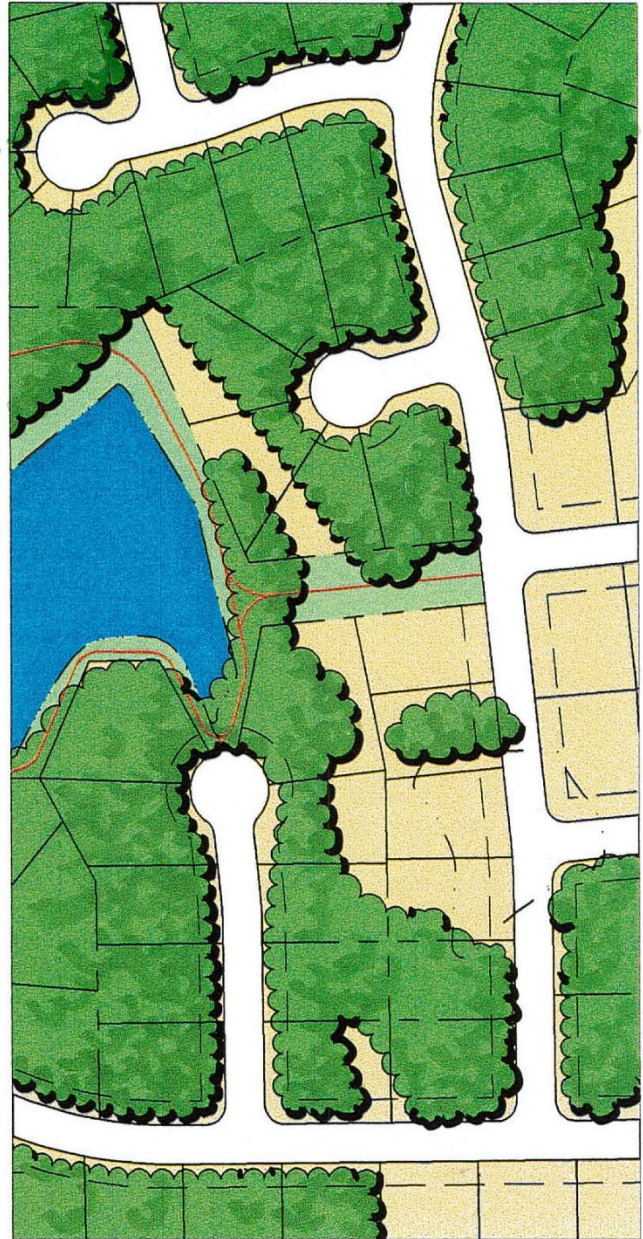
- Forest Meadows Development Plan
- Excerpt from the DeSoto County Board of Supervisors minutes approving Forest Meadows
- Proposed Plat

FOREST MEADOWS

A RESIDENTIAL NEIGHBORHOOD

DESOTO COUNTY, MISSISSIPPI

A Site Sensitive, Amenity Focused Neighborhood.



Owner/Developer:

Dan A. Brown
P.O. Box 711
7203 Goodman Road, Suite 200
Olive Branch, MS 38654

Planning/Landscape Architecture:

Dalhoff Thomas Daws
5865 Ridgeway Center Parkway
Suite 103
Memphis, Tennessee 38120

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DALHOFF
THOMAS
DAWS ■

PLANNING ■
LANDSCAPE ARCHITECTURE ■

July 3, 2000

Mr. Sam Russell
2535 Highway 51 South
Desoto County Planning Commission
Courthouse
Hernando, MS 38632

**RE: FOREST MEADOWS
A RESIDENTIAL NEIGHBORHOOD**

Dear Mr. Russell:

We are pleased, on behalf of the Owner/Developer, to submit this application for R-30 overlay covering 115.26 acres. The Owner/Developer is very excited about this development plan, and realizes its importance to the future growth and prominence of the County of Desoto. We feel strongly that the location of Forest Meadows, the existing lake, natural topography, steep slopes, and mature trees, along with creativity and enhanced character of its neighborhood concept, will bring Forest Meadows to the forefront of excellence in neighborhood design.

Forest Meadows is located in the northwest quadrant of Thousand Oaks Drive and Jay Bird Road, totaling 115.26 acres. The property's character is very unique given that it contains many narrow ridges and steep slopes in some areas up to 18% and grade changes up to 18 to 20 feet. Approximately 60-70% of the property is wooded with many mature trees. Along the north boundary is the Short Fork Creek with a small part of the site being in the 100 year flood zone along the creek, the east boundary is bordered by Phase 1, Forest Meadows Subdivision, which homes are being constructed. The west boundary is for the most part still agricultural property of large tracts of land. The south boundary is adjacent to Thousand Oaks Subdivision and a current street stub, Oakbridge Road. Proposed along the south boundary of Forest Meadows is a natural buffer 25 feet in width maintaining the existing mature buffer.

Forest Meadows is planned to cause the least development impact to the natural amenities of the site. Home sites have been planned with the topography in mind and will have lots that range in size from 16,000 to 35,000 SF. Given the narrow ridges and being sensitive to the property, we are proposing a front yard width of 35 feet. With these few design elements used, the home sites are given wonderful views and settings.

DALHOFF ■ THOMAS ■ DAWS

5865 Ridgeway Center Parkway • Suite 103 • Memphis, TN 38120-4006 • 901.766.1600 Fax 901.766.1606

Mr. Sam Russell
July 3, 2000
Page 2

A greenbelt system, 19.6 acres (17.0%), provides for easy pedestrian access and circulation to the lake or just for exercise. The greenbelt system is interconnected with the neighborhood roadway system. The roads are proposed with a rural cross-section keeping in character with the neighborhood's rural flavor. The roadway system ties with Jay Bird Road at two locations and ties with Oakbridge Road to the south. A street stub is proposed to the west for future extension.

The Forest Meadows neighborhood will contain 169 single-family homes on 115.26 acres providing for an overall density of 1.46 homes per acre. This density is much less than 3.5 units per acre allowed by the Desoto County Comprehensive Plan. The minimum heated area of the homes will be 1700 SF with 2 car garages.

We feel that the Forest Meadows neighborhood will be a neighborhood that Desoto County and the Developer will be proud to have taken part. Again, the Developer's commitment to this project is sincere in pledging to make Forest Meadows an integral part of the growth and prominence of the County of Desoto. It is our opinion that this plan expounds upon the site's existing amenities and natural character that all residents will have the opportunity to enjoy and hopefully will have a positive effect on the quality of life. The staff's favorable response to this development request will be very much appreciated, and if I can be of any help with regards to this application, please don't hesitate to call.

Sincerely,

DALHOFF THOMAS DAWS



Robert Dalhoff, APA
Principal

RD/ro

CC: Mr. Dan A. Brown

DALHOFF ■ THOMAS ■ DAWS

5865 Ridgeway Center Parkway • Suite 103 • Memphis, TN 38120-4006 • 901.766.1600 Fax 901.766.1606

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EXHIBITS

- EXHIBIT A - REGIONAL LOCATION MAP
- EXHIBIT B – IMMEDIATE AREA LOCATION MAP
- EXHIBIT C – AERIAL PHOTO
- EXHIBIT D - BOUNDARY PLOT PLAN
- EXHIBIT E - SITE ANALYSIS
- EXHIBIT F – LAND USE – OUTLINE PLAN
- EXHIBIT G - PRELIMINARY SITE PLAN
- EXHIBIT H – OPEN SPACE / PEDESTRIAN CIRCULATION
- EXHIBIT I - MASTER PLAN ILLUSTRATION
- EXHIBIT J – DEVELOPMENT PHASING PLAN
- EXHIBIT K - LANDSCAPE PLATES AND STREET CROSS-SECTIONS
- EXHIBIT L – LOT SIZE ANALYSIS

I. GENERAL STATEMENT

Dan A. Brown, hereinafter the "Developer," and the County of Desoto hereinafter the "County", agree that the highest and best use for the 115.26 acre Forest Meadows Residential Neighborhood located in Desoto County and specifically described in Exhibit D attached hereto is as a neighborhood which contains a compatible and complementary mixture of residential lot sizes. It is the intent of the Developer that the Forest Meadows Residential Neighborhood shall maintain an overall neighborhood setting through the use of unifying architectural guidelines and cohesive landscaping criteria. From the distinctive open spaces and amenities throughout the neighborhood, Forest Meadows Residential Neighborhood will establish itself as a unique and carefully planned neighborhood which will stand apart from other subdivision developments.

The Outline Plan and Site Plan shall serve as the general land use and transportation plan for development of the site. It is understood that internal roadways and lotting arrangements may be adjusted somewhat at the time of final design to take advantage of topography and other site considerations. The Master Plan shall serve as the conceptual visual plan for development and a statement of what is the intent of development.

The purpose of this General Statement is to set forth the conceptual vision of Forest Meadows as depicted in the Master Plan. The actual permitted uses, dimensional regulations, access and circulation, design criteria, etc., for the project shall at all times be governed by the Outline Plan and these Conditions of Approval and the Forest Meadows Declaration of Covenants, Conditions and Restrictions.

The neighborhood will contain a mix of residential lot sizes, working in conjunction with existing topography, reflects the demands of the residential market, and also exemplifies the needs and desires of the residents of the County. Without restricting the uses, it is anticipated that the various areas may be developed as depicted on the Site Plan, to-wit:

- A. Areas 1 and 2 - The planned use is limited to single-family detached residential housing.
- B. C.O.S. (Common Open Space) - The planned uses are limited to landscaping, signage, architectural elements and neighborhood passive recreation.
- C. Because of the size of the project and the necessarily general nature of the preliminary development plans, final plans for each phase will be required. Prior to the development of a given phase, the Developer will submit to the County for approval a final site plan which will illustrate not only the spatial relationship of areas and lots within the phase to be undertaken, but also how those areas and lots relate to adjacent phases, areas and lots. The plan will further provide a statement which outlines how the new phase contributes to the completion of the "whole" project. It is the intent of this provision to help assure that the neighborhood will develop in such a way that each phase is capable of standing on its own as an example of good development practices.

II. USES PERMITTED

- A. Areas 1 and 2
Single Family Detached residential uses shall be permitted as regulated in the R-30 Low Density Residential District.
- B. Common Open Space – C.O.S.
Common Open Space shall be for the residents of Forest Meadows passive recreational use. Uses may include benches, landscaping, recreation equipment, architectural elements, public and private utilities as required related to development shall be allowed.
- C. Accessory uses and structures shall be permitted in accordance with applicable provisions of the Desoto County Zoning Ordinance pertaining to principle use of the property as permitted and provided for in Subsections A through B of this Section II.
- D. The overall project will be developed in a neighborhood-like setting with a strong definition of neighborhood through the use of entranceways, streetscape, and an interconnecting overall pedestrian system, which offers an environment that is people friendly and amenity focused.
- E. Concern and attention to common areas, landscaping, views and vistas, relationships of buildings and preservation of the pastoral setting shall be evident throughout development.
- F. Aesthetic design consideration shall be given to all development on all parcels.
- G. The neighborhood will be developed with an interconnecting roadway system, which will be designed to take advantage of the site's existing topography and which facilitates development of the site. The roadway system shall provide adequate traffic service levels for occupants of the neighborhood and will become an integral part of the overall neighborhood transportation system.
- H. A Declaration of Covenants, Conditions and Restrictions, hereinafter the "Declaration" shall be applicable to all properties within the community. An Owner's Association shall be maintained to assure that developments within the neighborhood are completed to the high standards anticipated by the residents of the County of Desoto and to assure that all features and amenities of the neighborhood which are considered to be common assets are continuously maintained in a quality manner.
- I. The neighborhood will be developed so that it not only preserves and protects, but in fact enhances surrounding property. Forest Meadows will reflect sensitivity to adjacent land uses and encourage the highest quality development.
- J. It is anticipated that as areas of the neighborhood are developed, their Final Plans may incorporate water features and architectural elements which will contribute to the overall aesthetic appearance and provide recreational alternatives for residents within the neighborhood. These amenities will include park benches, and a walking path around main lake and within common area as indicated on the Site Plan document.

III. BULK REQUIREMENTS

Development of the neighborhood will be guided by the Outline Plan, Site Plan, and the area use descriptions provided above. Development of individual parcels must be in compliance with the provisions for dimensional regulations, and access and circulation conditions provided below.

Areas are designated with a Referenced District, referring to zoning districts in the Desoto County Zoning Ordinance. Other restrictions not specifically addressed here or elsewhere in the conditions (and its attachments), include but are not limited to setbacks, side and rear yard requirements, minimum lot areas, accessory uses, and parking and loading shall be as defined in the Zoning Ordinance for the County of Desoto as applicable to the Reference District for the particular parcel in question. Where provisions of this agreement are in conflict with the above referenced Ordinance, these provisions shall apply.

A. Plan Data (Maximum Densities)

AREA	LOT SIZE	HOMES
1	20,000 S.F.	17
2	16,000 S.F.	152
Total		169 Homes

Overall Neighborhood Density 1.46 DU/AC
 Neighborhood Open Space (C.O.S. 1) 19.6 AC. / 17.0%

The land use density is based on gross acreage. The total development density is 1.46 dwelling units per acre. The actual acreage of development areas may vary slightly subject to final detail design and final engineering.

B. Design standards for single-family detached residences:

1. Areas 1 and 2
 The minimum heated square footage of a 1-story house will be 1700 square feet. The minimum square footage of a 1½ or 2-story house will be 1700 square feet. These areas are exclusive of open porches, garages, and basements.

C. Minimum Building Setback for Residential Uses:

1. Areas 1 & 2
 Minimum Front Yard Setback 35 feet
 Minimum Side Yard Setback 10 feet
 Minimum Rear Yard Setback 30 feet

D. Maximum heights shall be as follows:

1. All Residential uses – 35 feet

IV. ROADWAYS, ACCESS AND CIRCULATION

- A. Roads shall be dedicated 25 feet from centerline in accordance with contiguous development.
- B. All internal public streets shall be dedicated and improved in accordance with the County of Desoto Design Standards, as modified herein.
- C. Parking and loading spaces shall be in accordance with the Zoning Ordinance requirements.
- D. All dedicated public improvements required herein shall be constructed to the specifications of the County of Desoto.

V. LANDSCAPING, SCREENING, AND OPEN SPACE

- A. Open space/common area within Forest Meadows totals approximately 19.6 acres. This totals 17.0% of the total project area.
- B. Landscape Buffer Plate 1 shall be provided as indicated on the Outline Plan/Site Plan.
- C. Medians, streetscape areas, and neighborhood greens shall be maintained by the Homeowner's Association.
- D. A natural buffer area, 25 feet in width, shall be provided along the south property boundary. This area must remain in its natural setting with no improvements except required infrastructure improvements, fencing, and the cutting of underbrush.
- E. To further enhance the neighborhood-like setting of the Development, a premium will be placed on the preservation of the natural tree cover and other unique characteristics of the landscape. This is deemed necessary in order to maintain a sense of natural amenity and to preserve the intrinsic environmental values and continuity of mature, native tree cover as a wildlife habitat and as protection against erosion and contamination by runoff on the site. All freestanding trees with a trunk diameter of eight inches or more, measured three feet above grade, shall be preserved if at all possible. Particular attention shall also be given to grade changes and other work adjacent to the trees designated to be preserved. Existing grades, drainage, and aeration shall be maintained around the trees.
- F. Required landscaping shall not conflict with any existing easements.
- G. The Planning Commission may make minor modifications at the request of the Developer to the bulk, access, parking, circulation, signage, lighting, landscaping and other site design requirements if equivalent alternatives are provided; however, the Planning Commission shall not increase the intensity or modify the uses permitted on the property without approval by the Board of Supervisors.

VI. SIGNS

- A. The minimum sign setback from any public right-of-way shall be 10 feet excluding directional and stop signs.
- B. Portable and temporary signs shall not be permitted, with the exception of temporary construction signs and real estate signs.

VII. DRAINAGE FACILITIES AND SERVICES

- A. The stormwater drainage system shall be designed and constructed to the standards of the Desoto County Stormwater Management Program.
- B. The drainage plan submitted to the County Engineer must include written determination from the Mississippi Department of Health and Environment regarding their jurisdiction over the water courses on this site.
- C. All public storm drainage shall require a public easement.
 - 1. The following note shall be placed on the final plat of any development requiring on-site stormwater detention facilities: The areas denoted by "Reserved for Stormwater Detention" shall not be used as a building site or filled without first obtaining written permission from the County Engineer. Stormwater detention systems located in these areas, except for those parts located in a public drainage easement, shall be owned and maintained by the respective property owner. Such maintenance shall be performed so as to insure that the system operates in accordance with the approved plan on file in the County Engineer's office. Such maintenance shall include, but not be limited to, removal of sedimentation, fallen objects, debris, trash, mowing, outlet cleaning and repair of drainage structures.

VIII. IMPACT ON COMMUNITY FACILITIES

The proposed development will increase demand on schools, roads, police, and fire protection. The internal park and common area will absorb some recreational impact.

Demands for garbage collection and disposal should be adequately served by the county, and should be self sustaining through tap fees and monthly charges. There will be no public costs related to these services.

The water system and fire hydrants shall be constructed in compliance with Desoto County, North Mississippi Utility District. Sanitary Sewers will be connected to the City of Hernando Utility System.

Since much of the funding for public education arises from state allocation on an average daily attendance basis and County Ad Valorem taxes, the expenses related to education should be minimal.

The remaining responsibilities and public costs will be addressed as though they will accrue to the county.

Due to the proximity of the site to existing public facilities, the installation of required infrastructure by the developer and the increased tax base of the dwellings planned, the public cost of the development to the County should be minimal.

IX. SANITARY SEWER FACILITIES AND SERVICE

- A. All sewer lines within the development shall be provided by the Developer in accordance with specifications of the City of Hernando.
- B. Sizes of sanitary sewer lines shall be determined at the time the final construction plans are submitted to the City Engineer.

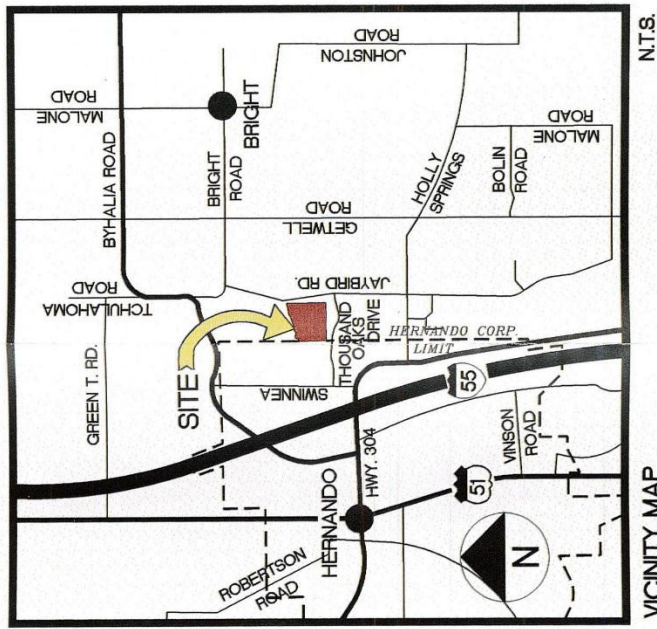
X. WATER SERVICE

Water service shall be provided by The North Mississippi Utility District.

XI. DEVELOPMENT PHASING

- A. An overall Master Phasing Plan (Exhibit J) indicates the anticipated development phasing. The anticipated time period for construction of all phases is 3-5 years.

**EXHIBIT A
REGIONAL LOCATION MAP**

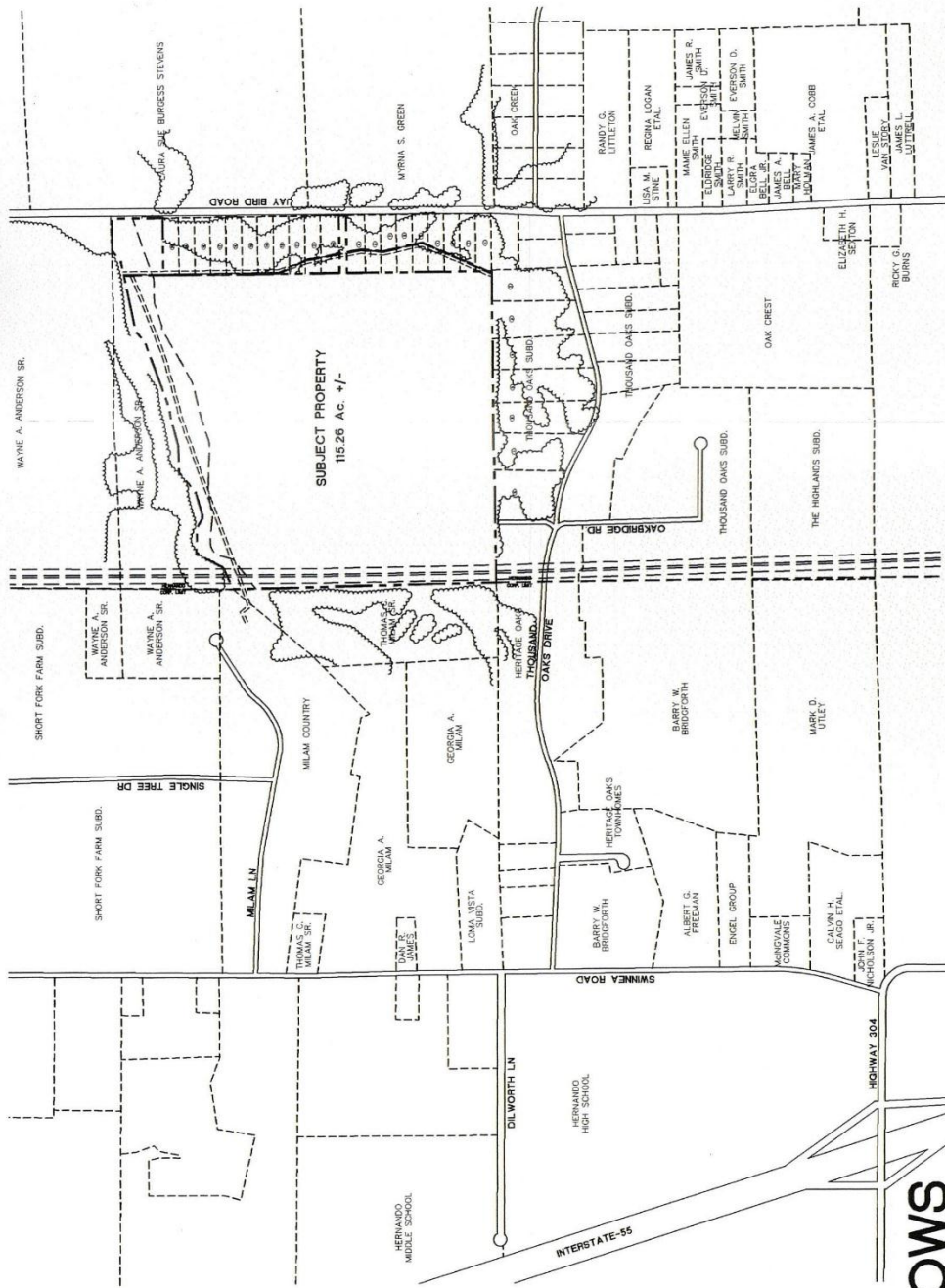


DRAWN/DESIGNED:
JAN A. BROWN
 P. No. 11
 7203 GOODMAN ROAD, SUITE 200
 OLIVE BRANCH, MS 38664

THIS DOCUMENT IS THE PROPERTY OF DALHOFF
 PLANNING / LANDSCAPE ARCHITECTURE
 1100 EAST UNIVERSITY AVENUE, SUITE 100, MEMPHIS, TN 38103
DALHOFF THOMAS DAWES
 PLANNING / LANDSCAPE ARCHITECTURE

FOREST MEADOWS
 A RESIDENTIAL NEIGHBORHOOD
 R-30 OVERLAY
 DESOTO COUNTY, MISSISSIPPI

EXHIBIT B
IMMEDIATE AREA
LOCATION MAP



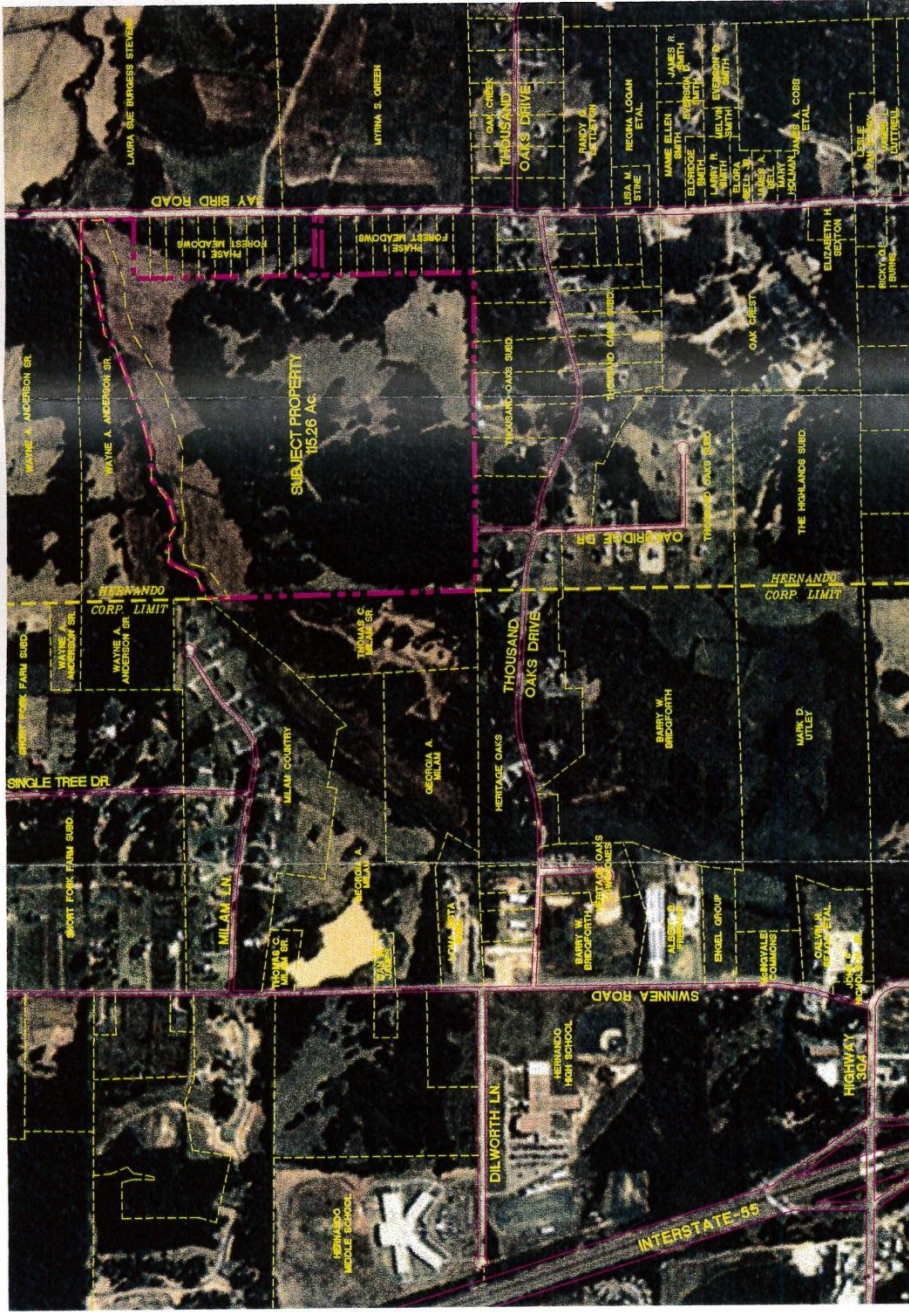
FOREST MEADOWS
A RESIDENTIAL NEIGHBORHOOD
R-30 OVERLAY
DESO TO COUNTY, MISSISSIPPI

OWNER/DEVELOPER:
BROWN
DAN REX, JR.
7203 GOODMAN ROAD, SUITE 200
OLIVE BRANCH, MS 38654

DALHOFF THOMAS DAWS
PLANNING / LANDSCAPE ARCHITECTURE
REGISTERED ARCHITECTS AND LANDSCAPE ARCHITECTS
1000 W. HUNTER BLVD., SUITE 100
MEMPHIS, TN 38119
PH: 901.525.1100
WWW.DALHOFFTHOMASDAWS.COM

REVISIONS:
1. 02/03/15
2. 02/03/15
3. 02/03/15
4. 02/03/15
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100. 02/03/15

EXHIBIT C
AERIAL PHOTO



FOREST MEADOWS
 A RESIDENTIAL NEIGHBORHOOD
 R-30 OVERLAY
 DESOTO COUNTY, MISSISSIPPI

OWNER/DEVELOPER:
 DAN A. BROWN
 7303 GOODMAN ROAD, SUITE 200
 OLIVE BRANCH, MS 38654

PHOTO DATE: 10/16/97

GRAPHIC SCALE
 0 50 100
 FEET
 0 10 20
 METERS

DESIGNED BY: JAMES J. DAWSON, ARCHITECT
 DRAWN BY: JAMES J. DAWSON, ARCHITECT
 PHOTO PROVIDED BY: DAN A. BROWN

DALHOFF **THOMAS** **DAWS**
 PLANNING / LANDSCAPE ARCHITECTURE
 10000 WOODBRIDGE AVENUE, SUITE 100, P.O. BOX 10000, HERNANDO, MISSISSIPPI 38645

EXHIBIT D BOUNDARY PLOT PLAN

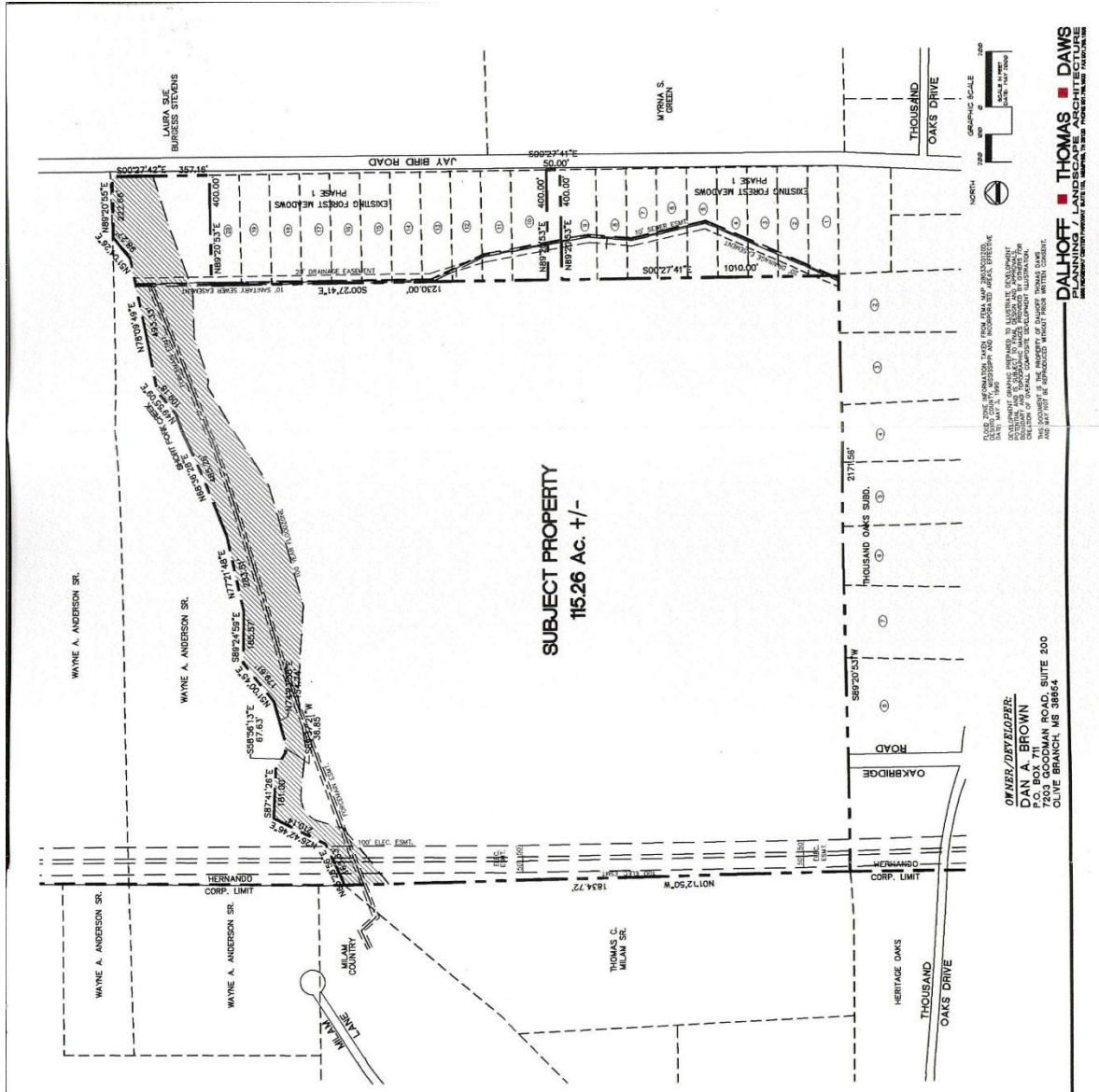
PROPERTY DESCRIPTION

Description of a 115.26 acre tract being part of the southeast quarter of section 8, T-3-S, R-7-W, Desoto County, Mississippi, and being more particularly described as follows:

Beginning at a steel fence post found in the south line of section 8, T-3-S, R-7-W, Desoto County, Mississippi, at the southwest corner of lot 1 of Forest Meadows Subdivision as recorded in plat book 67, page 13, said post being S-89°20'53"-W 400.00' form the southeast corner of said section 8; Thence S-89°20'53"-W along the south line of said section 2171.56' to a 3/8" rebar at the southwest corner of said southeast quarter; Thence N-011°2'50"-W 1834.72' to the centerline of a drainage ditch; Thence northeasterly along said centerline of ditch the following courses: N-65°28'56"-E 185.63', N-26°42'48"-E 210.14', S-87°41'26"-E 181.00', S-58°56'13"-E 67.63', N-89°37'22"-E 36.85', N-74°23'35"-E 154.74', N-51°00'45"-E 179.61', S-89°24'59"-E 185.57', N-77°21'48"-E 283.51', N-68°36'28"-E 485.26', N-49°55'09"-E 109.18', N-78°09'49"-E 493.33', N-51°04'26"-E 98.27' to a point on the north line of said quarter; Thence N-89°20'55"-E along said north line 222.66' to a 3/8" rebar on the west right-of-way of Jay Bird Road; Thence S-00°27'41"-E along said west right-of-way 357.16' to a metal post at the northeast corner of lot 20 of said Forest Meadows Subdivision; Thence S-89°20'53"-W along the north line of said lot 20 a distance of 400.00' to a metal post; Thence S-00°27'41"-E along the west line of said Forest Meadows Subdivision 2290.00' to the point of beginning containing 5,020,920.36 square feet or 115.26 acres.

Subject to Desoto County Subdivision and Zoning Regulations.
Subject to any easements for utilities.

FOREST MEADOWS A RESIDENTIAL NEIGHBORHOOD R-30 OVERLAY DESOTO COUNTY, MISSISSIPPI



FLOOD ZONE INFORMATION TAKEN FROM FEMA MAP AND APPROVED DATE: MAY 1, 2010
DATE: MAY 1, 2010
DRAWN BY: DAN A. BROWN
CHECKED BY: DAN A. BROWN
DATE: MAY 1, 2010
SCALE: AS SHOWN
GRAPHIC SCALE
NORTH

DRAWN BY: DAN A. BROWN
7203 GOODMAN ROAD, SUITE 200
OLIVE BRANCH, MS 38854

DALHOFF THOMAS ARCHITECTURE
PLANNING / LANDSCAPE ARCHITECTURE
1000 GARDEN DRIVE, SUITE 100, HERNANDO, MS 38741
PHONE: 662-893-7400
FAX: 662-893-7401
WWW.DALHOFFTHOMAS.COM



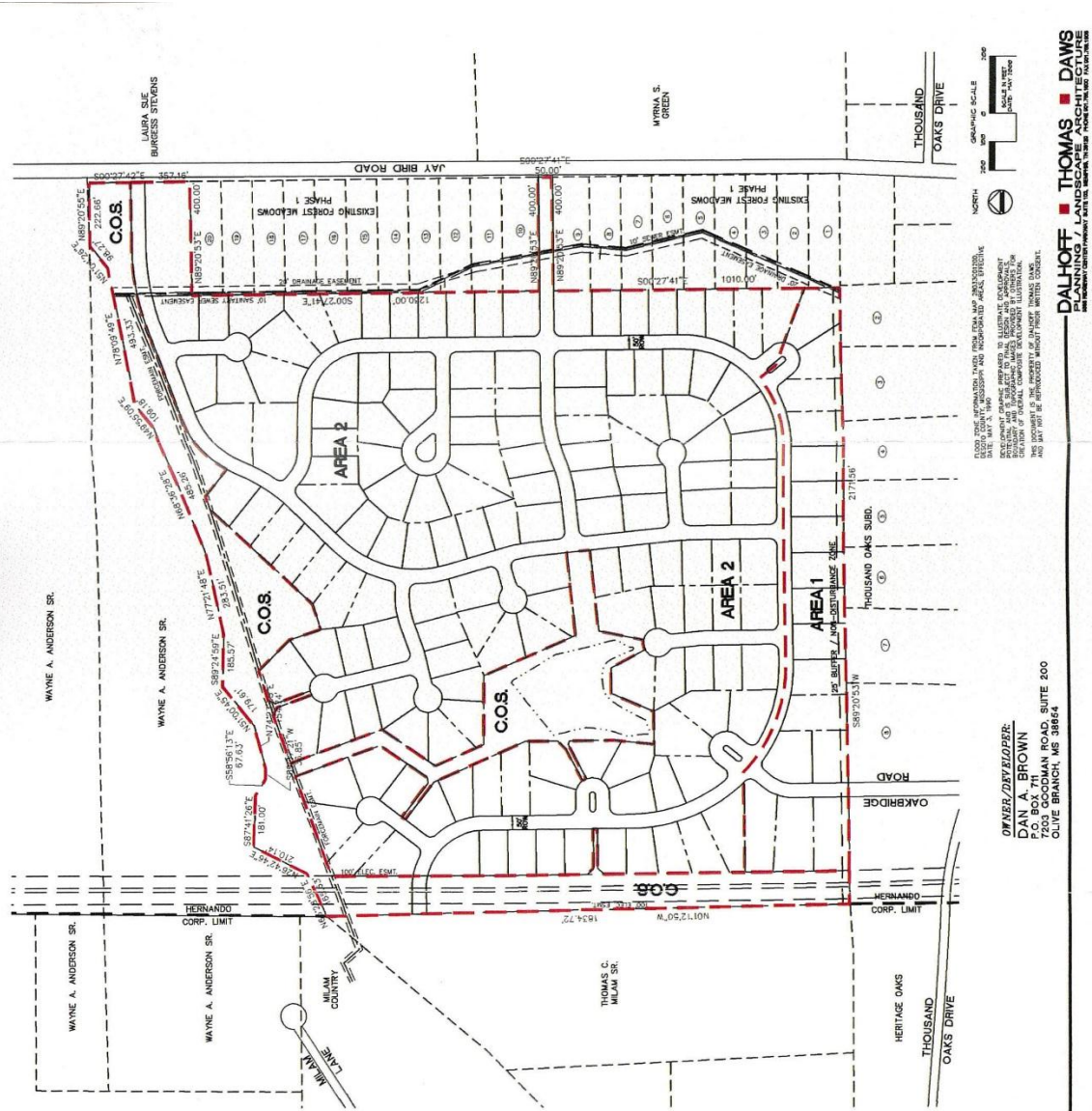
**EXHIBIT F
LAND USE/
OUTLINE PLAN**

PLAN DATA

AREA 1	11.6 AC.
MINIMUM LOT SIZE	20,000 SF
AREA 2	84.5 AC.
MINIMUM LOT SIZE	16,000 SF
C.O.S.	19.6 AC.
COMMON OPEN SPACE	
TOTAL	115.26 AC.

TOTAL HOMES	169 Lots
DENSITY	.68 DU/AC.

**FOREST MEADOWS
A RESIDENTIAL NEIGHBORHOOD
R-30 OVERLAY
DESOTO COUNTY, MISSISSIPPI**



OWNER/DEVELOPER:
DAN A. BROWN
7203 GOODMAN ROAD, SUITE 200
OLIVE BRANCH, MS 38854

THIS SITE INFORMATION WAS FROM THE MAP INFORMATION
OBTAINED FROM THE MISSISSIPPI AND NEBRASKA MAP DIVISION.
DEVELOPMENT DRAWING PREPARED TO ILLUSTRATE DEVELOPMENT
PROPOSAL AND TO SHOW THE PROPOSED LOTS AND COMMON
OPEN SPACE. THIS DRAWING IS NOT TO BE USED FOR ANY OTHER
PURPOSE WITHOUT THE WRITTEN CONSENT OF DALHOFF, THOMAS &
DAWS ARCHITECTURE, P.L.L.C.

DALHOFF, THOMAS & DAWS
PLANNING & LANDSCAPE ARCHITECTURE
1000 GOLF COURSE DRIVE, SUITE 100, MEMPHIS, TN 38117-1000

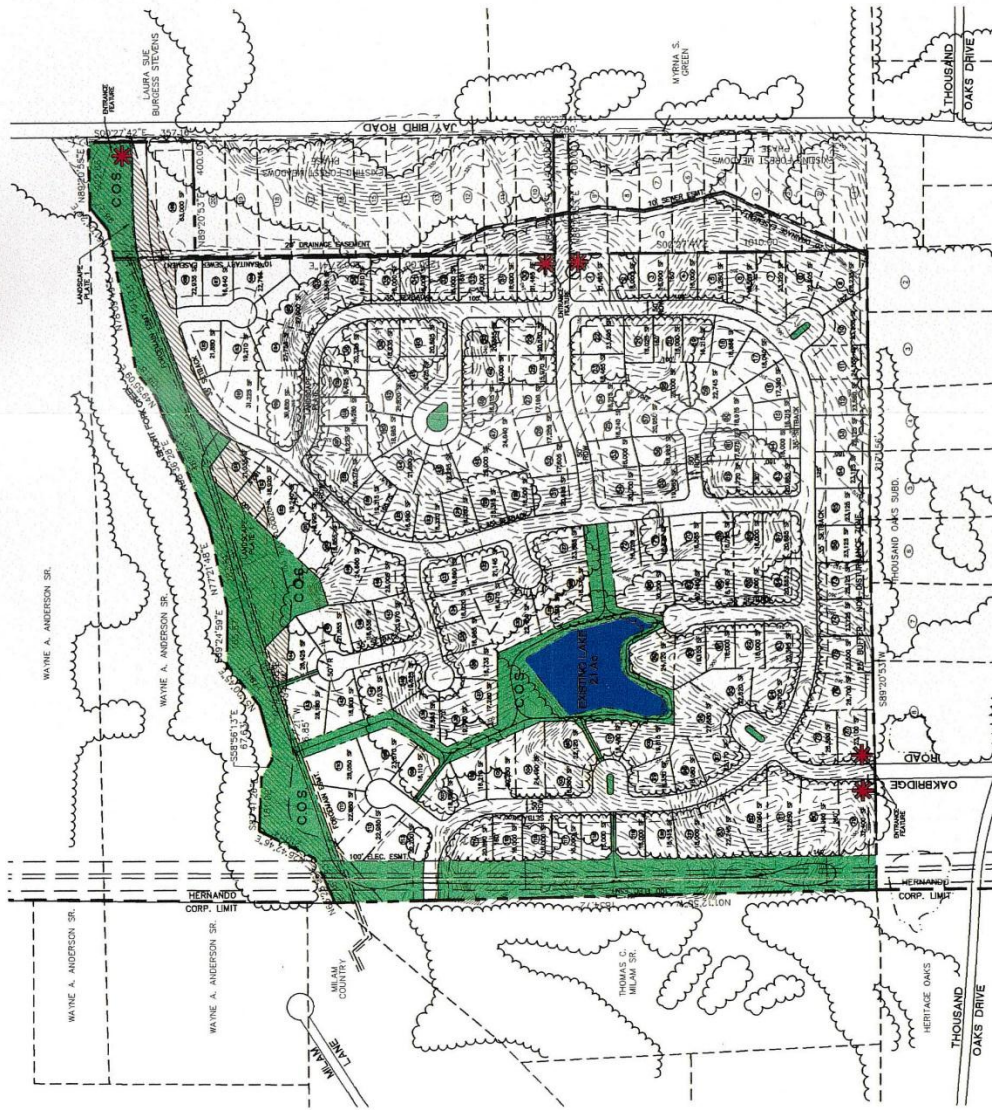
EXHIBIT G
PRELIMINARY SITE PLAN

PLAN DATA

TOTAL SITE AREA 115.26 AC.
 TOTAL HOMES 169 Lots
 OVERALL DENSITY .68 DU/AC.
 COMMON OPEN SPACE 19.6 AC.
 LAKE 2.1 AC.

MINIMUM LOT SIZE 16,000 SF.
 MINIMUM FRONT YARD SETBACK 35 FT.

FOREST MEADOWS
A RESIDENTIAL NEIGHBORHOOD
R-30 OVERLAY
DESOTO COUNTY, MISSISSIPPI



PLANNING INFORMATION FROM Aerial Map and Aerial Photographs
 DATE: MAY 21, 1990
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OWNER/DEVELOPER:
 DAN A. BROWN
 P.O. BOX 711
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 OLIVE BRANCH, MS 38854

DALHOFF, THOMAS & DAWS
 ARCHITECTURE
 PLLC
 1000 W. MAIN ST., SUITE 100
 HERNANDO, MS 38854