

LEGAL NOTICES

FINAL NOTICE & PUBLIC EXPLANATION OF A PROPOSED ACTIVITY IN THE 100-YEAR FLOODPLAIN AND WETLAND
To: All Interested Agencies, Groups and Individuals

This is to give notice that the Town of Pickens has conducted an evaluation as required by Executive Order (11988 or 11990) in accordance with HUD regulations at 24 CFR 55.20 to determine the potential affect that its activity in the floodplain or wetland will have on the environment. The proposed project will consist of demolition and reconstruction of three homes, the replacement of one mobile home and the rehabilitation of two homes.

This HOME Investment Partnership funded project has three homes located in the floodplain. Alternatives considered were no action and relocating project to a non-flood hazard area. However, there is no practicable alternative other than to reconstruct and replace the homes in the floodplain for the following reasons: 1) no action would continue to cause unsafe and unsanitary living conditions and 2) rebuilding outside the floodplain would require acquisition which is not allowed with the home rehab grant. This activity will have no significant impact on the environment because mitigation measures will be taken, which include, constructing two new homes and installing one new manufactured home following proper elevation as stated by a land survey and subsequent elevation certificate. Also, the home owners will be required to maintain flood insurance through the National Flood Insurance Program.

Written comments must be received by the Town of Pickens at the following address on or before November 27, 2018 by 5:00 p.m.: Town of Pickens, P.O. Box 297, Pickens, Mississippi 39146, Attention: William Primer, Jr., Mayor

11-8b

NOTICE OF INTENTION TO LEASE NATURAL GAS SYSTEM OWNED BY CITY OF TCHULA

NOTICE IS HEREBY GIVEN that the Mayor and Board of Aldermen of the City of Tchula, Mississippi, propose to renew a lease of its natural gas system to Mississippi River Gas, LLC, a Mississippi LLC ("MRG") which currently leases the natural gas system owned by the City of Tchula and operates said system to provide natural gas service to residents served by the Tchula system. The current lease expires December 31, 2018.

The price and other general terms and conditions of such proposed Lease Agreement that differ from the current lease are as follows:

1) **Term:** Term of Lease Agreement shall be for a period of five (5) years from and after effective date of January 1, 2019.

2) **Rental:** City of Tchula shall lease the system to MRG for a total five year basic rental sum of One Hundred Thousand Dollars (\$100,000.00), allocated as \$20,000.00 per year, and payable as follows: Fifty Thousand Dollars (\$50,000.00) upon execution of the lease; Ten Thousand Dollars (\$10,000.00) payable on or before January 15, 2019, and continuing in the amount of Ten Thousand Dollars (\$10,000.00) per year payable by the fifteenth day of January thereafter with the last basic annual advance rental payment being due and payable on or before January 15, 2023. Should early termination of the lease occur, MRG shall be entitled to a pro-rata refund of the unearned basic rental amounts paid in advance based on an annual rental payment of \$20,000.00.

3) **Franchise Tax:** In addition to the basic annual advance rental payment, MRG shall pay into City of Tchula a franchise tax of twenty-five cents (\$.25) per MCF of gas sold to both residential and commercial consumers served by the gas distribution system located within and adjacent to the corporate limits of City of Tchula. Said payments to be made quarterly on the following dates of each year during the term of said Lease Agreement: February 25, May 25, August 25 and November 25, providing however, that the first quarterly payment shall be made on May 25, 2019.

4) **Customer Rate:** MRG shall charge customers in the Tchula system (1) a base rate of \$6.00 regardless of gas usage, plus (2) a volumetric rate of \$.575 MCF, plus (3) pass-through charges for the actual cost of purchased gas per unit, including, but not limited to, applicable transportation charges, BTU adjustments and any other applicable fees applied by gas suppliers and transmission companies, plus (4) the additional twenty-five cents (\$.25) per MCF franchise fee described in Section 3 that shall be collected monthly by MRG and paid to the City of Tchula on a quarterly basis. The volumetric rate shall increase by a cost of living adjustment on July 1, 2021.

5) **Assignment:** MRG shall have the right to assign its rights and duties hereunder without the written consent of City of Tchula, provided that the assignee is a Mississippi public utility company subject to the jurisdiction of the Mississippi Public Service Commission.

The entire Lease Agreement which is on file with the City Clerk is hereby referred to and made a part hereof by reference in order that all of the terms, conditions, and agreements of the Lease Agreement will be available for public view and part of this publication but without copying same herein. After ten days from the last publication of this Notice, said Lease Agreement will be entered into by Mayor and Board of Aldermen of the City of Tchula, Mississippi, and Mississippi River Gas, LLC, a Mississippi LLC, unless within ten days after the last publication of said Notice, a petition signed by not less than twenty per centum of the qualified voters of the City of Tchula be filed, objecting to and protesting against said Lease Agreement.

This the 29th day of October, 2018.
CITY OF TCHULA, MISSISSIPPI
By: s/Tyisha Horton
City Clerk

11-1,8,15b

IN THE CHANCERY COURT OF HOLMES COUNTY, MISSISSIPPI IN THE MATTER OF THE ESTATE OF LADYE V. MARSHALL, DECEASED CIVIL ACTION FILE NO. 18-0131 NOTICE TO CREDITORS

Letters Testamentary having been issued on October 15, 2018 to the undersigned as Executor of the above estate by the Chancery Court of Holmes County, Mississippi, notice is hereby given to all persons having claims against said estate to file the same with the Clerk of said Court for probate and allowance as required by law within ninety (90) days of the date of the first publication of this notice, or the same will be forever barred.

THIS 15th day of October, 2018.
JOHNNIE B. MARSHALL
EXECUTOR OF THE ESTATE OF
LADYE V. MARSHALL, DECEASED
WILEY J. BARBOUR
HENRY, BARBOUR, DECELL &
BRIDGFORTH, LTD
117 E. Jefferson St.
P. O. Box 1569
Yazoo City, MS 39194
Telephone: (662) 746-2134
Telecopier: (662) 746-2167

10-25;11-1,8b

IN THE CHANCERY COURT OF HOLMES COUNTY, MISSISSIPPI IN THE MATTER OF THE ADMINISTRATION OF THE ESTATE OF CLAIBORNE DAVENPORT, DECEASED CIVIL ACTION, FILE NO. 2018-0102 NOTICE TO CREDITORS

Letters Testamentary on the Estate of **Claiborne Davenport**, Deceased, having been granted to the undersigned on the 28th day of September, 2018, by the Chancery Court of Holmes County, Mississippi in Civil Action No. 2018-0102 notice is hereby given to all persons having claims against said estate to have such claims probated and registered by the Chancery Clerk of Holmes County, Mississippi, within ninety (90) days from the date of the first publication of this notice or said claims will be forever barred.

JOYCE HURLEY
Administratrix of the Estate
of Jeff Moore, Deceased
JIM ARNOLD (MSB No. 1625)
Attorney at Law
435 East Beacon Street
Philadelphia, MS 39350
Phone: 601-653-6914
Facsimile: 601-653-6958
E-mail: arnoldjimh@att.net

10-25;11-1,8b

NOTICE OF SUBSTITUTE TRUSTEE'S SALE STATE OF MISSISSIPPI COUNTY OF HOLMES

WHEREAS, default has occurred in the performance of the covenants, terms and conditions of a Deed of Trust dated October 3, 2016, executed by TERRY JAMES LARGE, conveying certain real property therein described to TITLE WORKS OF VIRGINIA, INC., as Trustee, for MORTGAGE ELECTRONIC REGISTRATION SYSTEMS INC AS NOMINEE FOR LIVE WELL FINANCIAL INC., Original Beneficiary, to secure the indebtedness therein described, as same appears of record in the office of the Chancery Clerk of Holmes County, Mississippi filed and recorded October 13, 2016, in Deed Book 2016, Page 3461; and

WHEREAS, the beneficial interest of said Deed of Trust was transferred and assigned to Live Well Financial, Inc; and

WHEREAS, the undersigned, Ruben Lublin, LLC has been appointed as Substitute Trustee; and

NOW, THEREFORE, the holder of said Deed of Trust, having requested the undersigned so to do, as Substitute Trustee or his duly appointed agent, by virtue of the power, duty and authority vested and imposed upon said Substitute Trustee shall, on **December 6, 2018** within the lawful hours of sale between 11:00AM and 4:00PM at the north door of the Courthouse proceed to sell at public outcry to the highest and best bidder for cash or certified funds ONLY, the following described property situated in Holmes County, Mississippi, to wit:

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE COUNTY OF HOLMES, STATE OF MISSISSIPPI, AND IS DESCRIBED AS FOLLOWS:

THAT PART OF LOT 165 IN SAID CITY OF DURANT, DESCRIBED BY METES AND BOUNDS, TO-WIT:

BEGIN AT THE SOUTHWEST CORNER OF SAID LOT 165 AND RUN THENCE NORTHERLY ALONG THE ILLINOIS CENTRAL RAILROAD RIGHT-OF-WAY 100 FEET; THENCE EASTERLY 200 FEET; THENCE SOUTHERLY 62 FEET, MORE OR LESS, TO THE NORTH BOUNDARY OF EAST MADISON STREET; THENCE WESTERLY ALONG THE NORTHERN BOUNDARY OF EAST MADISON STREET (FORMERLY KNOWN AS "TURNPIKE ROAD") TO THE POINT OF BEGINNING; LESS AND EXCEPT 75 FEET EVENLY OFF OF THE EAST SIDE THEREOF.

PROPERTY ADDRESS: The street address of the property is believed to be **491 E MADISON STREET, DURANT, MS 39063**. In the event of any discrepancy between this street address and the legal description of the property, the legal description shall control.

Title to the above described property is believed to be good, but I will convey only such title as is vested in me as Substitute Trustee.

THIS LAW FIRM IS ATTEMPTING TO COLLECT A DEBT. ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE.

428 North Lamar Blvd, Suite 107
Oxford, MS 38655
rubinlublin.com/property-listing
Tel: (877) 813-0992
Fax: (404) 601-5846

11-1,8,15,22b

NOTICE OF ELECTION

Pursuant to the provisions of Section 69-27-31, Mississippi Code 1972 Annotated, an election will be held on Tuesday, November 20, 2018 to elect three (3) commissioners for the Holmes County Soil and Water Conservation District from beats 2, 3, and 5.

VOTING PLACE - TIME - LOCATION

Beat #: 1
Place: The One Stop Store
From 8:00 A.M. To 4:00 P.M.
Location: 26359 Hwy. 17
Lexington, MS 39095
Beat #: 2
Place: Scott Petroleum
From 8:00 A.M. To 4:00 P.M.
Location: 16056 N. Jackson St.
Durant, MS 39063
Beat #: 3
Place: The Big Store
From 8:00 A.M. To 4:00 P.M.
Location: 3178 Ebenezer Road,
Lexington, MS 39095
Beat #: 4
Place: Mississippi Ag.
From 8:00 A.M. To 4:00 P.M.
Location: 20268 Hwy. 12
Lexington, MS 39095
Beat #: 5
Place: Helena Commercial Company
From 8:00 A.M. To 4:00 P.M.
Location: 100 Howard Road,
Tchula, MS 39169

Signed by Authority of the Mississippi Soil and Water Conservation Commission as recorded in its minutes of July 23, 2017.

Mark E. Gilbert
Executive Director, MSWCC
10-25;11-1,8b

LEGAL NOTICE

I, Catherine Rena Gatewood Intend to make application for a Package Retailer permit As provided for by the Local Option Alcoholic Beverage Control Laws, Section 67-1-1, et. seq., of the Mississippi Code of 1972, Annotated. If granted such permit, I propose to operate as a sole owner Under the trade name of Eastside Liquor Store Located at 318 Depot St., Lexington, Holmes.

The name(s), title(s) and address(es) of the owner(s)/partner(s)/corporate officer(s) and/or majority stockholder(s), member(s)/trustee of the above named business are:

**Catherine Gatewood
/s/ Catherine Gatewood
Owner
44 St. Marys Church Rd.
Goodman, MS 39079**

If any person wishes to request a hearing to object to the issuance of this permit a request for a hearing must be made in writing and received by the Department of Revenue within (15) fifteen days from the first date this notice was published.

Requests shall be sent to:

**Chief Counsel, Legal Division
Department of Revenue
P.O. Box 22828
Jackson, MS 39225**

Date of first publication: October 25, 2018.

This the 19th day of October, 2018.

(SEAL)

11-1,8p

Please submit all legal notices to heraldlegals@gmail.com

IN THE CHANCERY COURT HOLMES COUNTY, MISSISSIPPI IN THE MATTER OF THE ESTATE OF OZENA TIDWELL, DECEASED CAUSE NO. 18-0039

SUMMONS BY PUBLICATION

STATE OF MISSISSIPPI
TO: THE UNKNOWN HEIRS OF OZENA TIDWELL.

You have been made a Defendant in the suit filed in this Court by Loretta Tidwell, Administratrix, on behalf of her father, Alvin G. Tidwell, ownership of the real property of Ozena Tidwell, deceased located Holmes County. There are no other defendants in this action.

You are summoned to appear and defend against the complaint or petition filed against you in this action at 9:00 a.m. on the **13th day of December, 2018**, in the Chancery Courtroom of the Holmes County Courthouse in Lexington, Mississippi, and in case of your failure to appear and defend a judgment will be entered against you for the money or other things demanded in the complaint or petition.

You are not required to file an answer or other pleading, but you may do so if you desire.

Issued under my hand and the seal of said Court, this the 6th day of November, 2018.

Holmes Luckett,
Chancery Clerk
Holmes County, Mississippi
By: /s/ Charlie Luckett
Deputy Clerk

11-8,15,22b

HOME INVESTMENT PARTNERSHIPS GRANT PROGRAM COMBINED NOTICE NOTICE OF NO SIGNIFICANT IMPACT ON THE ENVIRONMENT AND NOTICE TO PUBLIC OF REQUEST FOR RELEASE OF FUNDS

Date: November 8, 2018

Town of Pickens, Mississippi
163 North Second Street
Pickens, MS 39146
TO ALL INTERESTED AGENCIES, GROUPS AND PERSONS:

On or about November 28, 2018, the above named Town will request the Mississippi Home Corporation to release Federal funds under Title I of the Housing and Community Development Act of 1974, as amended, for the following project:

2016 Town of Pickens HOME project for the purpose of reconstructing three (3) homes, replacing one (1) mobile home and rehabilitating two (2) homes with funding from the HOME Rehabilitation Grant funds.

Finding of No Significant Impact

It has been determined that such request for release of funds will not constitute an action significantly affecting the quality of human environment and, accordingly, the above named Town has decided not to prepare an Environmental Impact Statement under the National Environmental Policy Act (NEPA) of 1969 (PL 91-190).

The reasons for such decision not to prepare such a statement are as follows:

The proposed activities will have no adverse effect on the environment, and the project will benefit the area residents by providing dependable water service for this area.

An Environmental Review Record respecting the within project has been made by the above-named Town which documents the environmental review of the project and more fully sets forth why such statement is not required. This Environmental Review Record is on file at the above address and is available for public examination and copying weekdays between the hours of 8:00 a. m. until 5:00 p. m.

No further environmental review of such project is proposed to be conducted prior to the request for release of federal funds.

Public Comments on Finding

All interested agencies, groups, and persons disagreeing with this decision are invited to submit written comments for consideration by the Town of Pickens, Mississippi, to the office of the undersigned. Such written comments should be received at the Pickens Town Hall at 163 North Second Street Pickens, Mississippi 39146 on or before November 27, 2018. All such comments so received will be considered and the Town will not request the release of funds or take any administrative action on the within named project prior to the date specified in the preceding sentence.

The Town of Pickens, Mississippi, will undertake the project described above with grant funds from the HOME Investment Partnerships Grant Program. The Town of Pickens, Mississippi is certifying to the State that the board of Aldermen and William Primer, Jr., in his official capacity as Mayor, consent to accept the jurisdiction of the federal courts if an action is brought to enforce responsibilities in relation to environmental reviews and that these responsibilities have been satisfied under the National Environmental Policy Act of 1969, as amended.

OBJECTIONS TO STATE RELEASE OF FUNDS

The State will accept an objection to its approval only if it is on one of the bases set forth in 24CFR Part 58.76, and submitted in accordance with the required procedure set forth in 24CFR Part 58. Objections must be prepared and submitted in accordance to Ms. Jackie Cobbins, Housing Rehabilitation Officer, Mississippi Home Corporation, 735 Riverside Drive, Jackson, Mississippi 39202.

Objections to the release of funds on bases other than those referenced above will not be considered by the State. No objection received after November 27, 2018, will be considered by the State.

William Primer, Jr., Mayor
Town of Pickens
P.O. Box 297
Pickens, Mississippi 39146

11-8b

***Outdoor**

(Continued from page 6.)
both sides and can also tell you what I prefer. Well, let me just tell you. I wished all states allowed baiting, unless those states have critical issues with Chronic Wasting Disease. If that's the case, baiting needs to be stopped. Otherwise, go for it. Here's what I've noticed. First, baiting gives an opportunity for a new hunter to harvest a deer. It's more effective in growing the hunter population, which is paramount for the future of hunting. Secondly, baiting doesn't increase the number of deer one can harvest per season. A hunter in Kentucky is still not allowed to take more than one buck each year. This means if a hunter decides to shoot a six-pointer, he is done for the year and out of the woods. This makes more room and opportunity for those who are looking for a larger trophy. And for those who are holding out for a large-racked deer; they rarely settle for anything less. This means if a trophy hunter doesn't ever see that big buck, she will probably end the year with that tag unfilled. Lastly, baiting does not guarantee a particular deer will show up. In fact, bucks (especially big ones) are smart animals.

They got big by remaining skeptical, especially when there is something in their woods that is not indigenous. I know I'll get a couple of emails about my opinion, but it's just my opinion. I'm not a scientist or biologist, but as I said earlier, even those biologists in our state wildlife agencies disagree. So, I'm not sure if anyone can say there is only one way. I'm just an observer with a desire for others to join the hunting ranks. With the exorbitant fees that hunters must pay to hunt, the ranks are getting thinner by the year. Unfortunately, those same agencies that want us to hunt, will bear much of the guilt for its demise in the years to come. They are slowly pricing our sport into one only the elite can participate in. Which means that one day, the anti-hunters will outnumber the hunters, and we will be voted into submission. Perhaps a pile of corn on a Kentucky ridge can bring a new hunter into the fold. And perhaps that will give a little more time for some higher-ups to figure out how to bring in more money to the commissions without getting rid of the hunter in the process. And that's the Outdoor Truth.

gary@outdoortruths.org

Discount Gun Safe INSURANCE SALE
2636 Old Brandon Rd. Pearl, MS 39208

SAVE BIG

Fatboy 48 Gun Safe \$1299

Revere 36 Gun Safe \$999

Centurion 24 Gun Safe \$749

601-939-8233
Until Nov. 12th or While Supplies Last!

