

**THE CITY OF
CLEVELAND
BOLIVAR COUNTY
STATE OF MISSISSIPPI**

**MINUTES OF REGULAR MEETING HELD ON
TUESDAY, MAY 5TH, 2020**

This regular meeting of the Mayor and Board of Aldermen of The City of Cleveland, Mississippi, was duly and legally begun and held remotely via Zoom at 6:30 o'clock p.m. on Tuesday, May 5, 2020.

Present were: Billy Nowell, Mayor; J. Paul Janoush, Theodore "Ted" Campbell, Robert Sanders, Danny Abraham, Maurice Smith, Gary Gainspoletti and J. Kirkham Povall, Aldermen; Danny Griffith, City Attorney; Dominique Green, City Clerk; Michelle Arbuckle, Deputy City Clerk; Charles A. Bingham, Chief of Police; Kenneth Taylor, Community Development Director; Ray Bell, Public Works Director; Jason Woods, Parks and Recreation Director; Jamie Gregory- Grant, Animal Shelter Director; Keith Christopher, Inframark; Josh McPherson, Eley Barkley Engineer. The meeting was duly opened, and, upon due proclamation first made, the following proceedings were held, to-wit:

ORDERED this May 5, 2020.

PUBLIC HEARINGS

**ORDER TO ADJUDICATE REAL PROPERTY AS DESCRIBED HEREIN TO
BE A MENACE TO THE PUBLIC HEALTH AND SAFETY OF THIS
COMMUNITY**

WHEREAS, heretofore the Director of Community Development and Assistant Director of Community Development reported to this Board the uncleanliness of the premises hereinafter described and belonging to the owner or owners as hereinafter set forth, and this Board set hearings to be held upon said uncleanliness at 6:30 o'clock p.m. on May 5th, 2020, and provided for notices thereof unto said owners; and,

WHEREAS, notice or notices have been duly served thereupon in the manner and time provided by Section 21-19-11 of the Mississippi Code of 1972 as amended, in response to which said owners have wholly defaulted and neither abated said uncleanliness nor appeared at this hearing at the appointed time and place, except as hereinafter set forth; and

WHEREAS, evidence has been presented to this Board at this hearing sufficient to prove that the conditions of said parcel or parcels of land are a menace to the public health and safety of this community; therefore, it is now,

ORDERED, ADJUDICATED, AND FOUND, upon motion made by Alderman Sanders, second by Alderman Smith, and unanimously adopted, that said premises hereinafter set forth, and as designated on the current tax rolls of this City, in the conditions reported as aforesaid, and at the time of this hearing, are each a menace to the public health and safety of this community, and that this City, if each of said owners does not do so himself, proceed to have the land cleaned by cutting weeds, removing rubbish, dilapidated fences, dilapidated buildings, and other debris, and draining any standing water therefrom, subject to the adjudication and assessment of the costs thereof, all as provided by said Section 21-19-11, provided the owners shall have time to bring the property into compliance with city requirements as requested and noted with each entry, all of said properties being as follows with the exception of Delta Street (33-28-065-00-05300), 118 Walker Street, 604 N. Bayou Avenue who cured the nuisance prior to the hearing and 104 East End Street which was granted a thirty day extension to cure the nuisance.

Public Hearing for Properties Under MCA 21-19-11
May 5, 2020

Site Address	Parcel #	Legal	Owner Name	Owner Address	Owner City	Complaint	Status
403 N. Bayou Avenue	33-16-070-0001501	Pt of Lots 15 & 16 Carpenter & Walker Addition	Mary Lee W Pittman c/o Wayne Pittman	291 Loshier Street	Hernando, MS 38632	Structure needs repaired, overgrowth, limbs & broken tree in rear yard	No Progress
Delta Street	33-28-065-0005300	Lot 53-54 Burly Hills Subdivision	Ajax J. Morris Jr.	P O Box 1049	Cleveland, MS 38732	Overgrowth & Vehicles park in grass on empty lot	Property cleaned /Remove from P.N.
637 Jane Street	33-17-550-0002300	N 87.5 Ft of Lot 23 Reed 1st Subdivision	Bobby D. Brown	174 Whisper Lake Blvd.	Madison, MS 39110	Overgrown grass	No Progress
218 N. Second Avenue	33-20-450-0000500	Lot 5 Nowell's Subd. of a Pt of Blk 3 of College Heights Addition	South Delta Regional Housing Authority	PO Box 570	Indianola, MS 38751	Dilapidated structures, overgrowth, & junk	No Progress
652 N. Bayou Avenue	33-17-085-0005100	S 75' of N 125' of Lot 51 Carpenter & Walker 3rd Subd.	Jordan Rental Properties, LLC	17 Eastbrooke Circle	Madison, MS 39110	Structure needs repairs, overgrowth, & junk	No Progress
710 Yale Street	33-20-515-0303200	Lot 32 Blk 3 Oasis Addition	Ditech Financial LLC	2100 E Elliott Rd. Bldg 94 T325	Tempe, AZ 85284	Overgrown grass	No Progress
806 Pearl Avenue	33-21-505-0000801	N 1/2 of Lot 8 Nowell & Ross 4th Addition	Bertha Lee Matthews & Joe E Cox	806 Pearl Avenue	Cleveland, MS 38732	Overgrown grass	No Progress
201 S. Davis Avenue	33-21-900-0004800	A strip of land 1.115 acres in SW 1/4 of NE 1/4 Cleveland Not Platted	Krystal-Cleveland MS LLC	c/o Phalanx Properties Partnership 3805 Cherokee Woods	Knoxville, TN 37920	Overgrown grass & trash	No Progress

Ruby Street	33-21-900-0016802	Lot In NE 1/4 Of SE 1/4 S21 T22 R5 Cleveland Not Platted	100 Black Men of Bolivar County	P. O. Box 891	Cleveland	Overgrown grass	No Progress
Ruby Street	33-21-900-0011801	A Lot in SE 1/4 of NE 1/4 S21 T22 R5 Cleveland Not Platted	100 Black Men of Bolivar County	Box 891	Cleveland, MS 38732	Overgrown grass	No Progress
505 Murphy Street	33-21-320-0000200	Lot 2 Kelley's Addition	Easter Shortridge c/o Elizabeth Forest	134 Crosby Road	Boyle, MS 38730	Overgrown grass & limbs	No Progress
701 Memorial Drive	33-28-900-0007300	Tract of Land in NW 1/4 of S28 T22 R5 Cleveland Not Platted	Cotton Station Holdings LLC	1319 Memorial Drive	Cleveland, MS 38732	Junk & Overgrowth	No Progress
104 East End Street	33-21-395-0001500	Lot 15 McLean Addition	Charles & Audrey & Joyce & Sharon Fitzpatrick	125 Sara Fox Drive	Brandon, MS 39047	Dilapidated structure & Overgrown grass	Owner is requesting a 30 day extension
510 N. Bayou Avenue	33-16-070-0000401	N 1/2 Of Lot 4 Carpenter & Walker 4th Addition	Jordan Remodeling LLC	603 S. Leflore Avenue	Cleveland, MS 38732	Overgrown grass	No Progress
120 Coleman Street	33-16-900-0009000	Lot in S 1/2 of SW 1/4 E of Bayou Rd. S16 T22 R5 Cleveland Not Platted	West Cleveland Realty, LLC	1110 Avery Street	Cleveland, MS 38732	Overgrowth & junk	No Progress
118 Walker Street	33-16-070-0000101	W 100 Ft of Lot 1 Carpenter & Walker Addition	Steve Allen Taylor	P O Box 308	Boyle, MS 38730	Dilapidated structure, junk, & overgrowth	Property cleaned /Remove from P.N.

604 N. Bayou Avenue	33-16-085-0004000	S 1/2 of Lot 40 Carpenter & Walker 3rd Subdivision	Daniel Griffin	604 N. Bayou Avenue	Cleveland, MS 38732	Overgrown grass, broken tree & junk in rear	Property cleaned /Remove from P.N.
309 W. Carpenter Street	33-16-080-0002801	W 86' of Lot 28 Carpenter & Walker 2nd Subdivision	Jose Moncada	P O Box 1586	Cleveland, MS 38732	Burned structure & overgrown grass	No Progress
203 N. Victoria Avenue	33-21-820-0100900	Lot 9 Blk 1 Williams & Davidson Addition	Bailey Investments LLC	P. O. Box 624	Cleveland, MS 38732	Structure needs repairs	No Progress
215 N. Third Avenue	33-20-140-0301700	E 1/2 of Lot 17 Subd. of Blk 3 of College	Jordan Properties, LTD	17 Eastbrooke Circle	Madison, MS 39130	Dilapidated structure, junk, & overgrowth	No Progress
209 N. Third Avenue	33-20-140-0302400	E 1/2 of Lot 24 Subd. of Blk 3 of	Terry M. Burd	1400 Terrace Rd.	Cleveland, MS 38732	Overgrowth & junk	No Progress
206 N. Fourth Avenue	33-20-140-0302401	W 147.5 Ft. of Lot 24 Subd. of Blk 3 College Heights Addition	Terry M. Burd	1400 Terrace Rd.	Cleveland, MS 38732	Structure needs repair, overgrown grass & trash	No Progress
523 N. Bayou Avenue	33-16-070-000800	N 75' of Lot 8 Carpenter & Walker Addition	ACME Investment Company	P. O. Box 1737	Cleveland, MS 38732	Junk in rear yard	No Progress
521 N. Bayou Avenue	33-16-070-000801	N 70 Ft of SO 125 Ft of Lot 8 Carpenter & Walker Addition	Jessie Ramiz & Vanessa Burns	521 N. Bayou Avenue	Cleveland, MS 38732	Dilapidated structure, overgrowth & debris	No Progress
517 N. Bayou Avenue	33-16-070-000900	N 95' of S 160' of Lot 9 Carpenter & Walker Addition	Acme Investment Co. Inc.	P.O. Box 1737	Cleveland, MS 38732	Dilapidated structure, junk & debris	No Progress
1210 Aloe Avenue	33-28-260-0300400	Lots 4 & 5 Blk 3 Fairlawn Subdivision	Mary W. Garrett c/o Jacqueline or Majorie R. Massey	7586 Proud Land Drive	Memphis, TN 38119	Overgrown grass	No Progress

105 S. Fourth Avenue	33-20-135-1300600	North 63.5' of Lots 6, 7, 8 Blk 13 College Heights Addition	Dinesh Chawla	523 Frederick Drive	Cleveland, MS 38732	Overgrown grass	No Progress
819 N. Chrisman Avenue	33-16-900-0001505	A Lot in SW of NE 1/4 S16 T22 R5	Cleveland Athletic Club Inc. c/o Henry G. Mosco	488 Laughlin Road	Cleveland, MS 38732	Overgrown grass	No Progress
713 Natarila Hutton Street	33-21-325-0000300	Lot 3 Lee's Addition	Doris Gene Griffin	P.O. Box 8392	Chicago, IL 60680-8392	Overgrown grass	No Progress
315 S. Victoria Avenue	33-21-820-0608200	Lot 82 Blk 6 Williams & Davidson	Dinesh Chawla	523 Frederick Drive	Cleveland, MS 38732	Overgrown grass & limbs	No Progress
702 Hadley Street	33-21-685-0000600	Lot 6 South Side Addition	Roosevelt Green	c/o Johnnie Green 4157 Old Hwy 61 N	Leland, MS 38756	Overgrown grass	No Progress
708 Aloe Avenue	33-21-240-0301300	Lot 13 Blk 3 Edgewood Addition	Jessie White	708 Aloe Avenue	Cleveland, MS 38732	Overgrown grass	No Progress
Young Avenue	33-28-900-0007902	Lot in SE 1/4 of SW 1/4 of NW 1/4 S28 T22 R5 Cleveland Not Platted	C & L Construction Inc.	828 N. Parkway Drive	Cleveland, MS 38732	Overgrown grass	No Progress
Lincoln Street	33-22-790-0010700	Lot 107 Washington Height Addition	Robert Lee Morgan Jr.	1090 Spring Green Drive	Joliet, IL 60433	Overgrown grass	No Progress
642 N. Sharpe Avenue	33-16-900-0004000	Lot in SE 1/4 OF NW 1/4 East of Sharpe Avenue Extended S16 T22 R5 Cleveland Not Platted	Paul Erik Rosberg	P. O. Box 642	Cleveland, MS 38732	Overgrown grass	No Progress
100 East End Street	33-21-395-0001300	Lot 13 McLean Addition	Maxine G. Moss c/o Tom Moss	1255 Stable Run Drive	Cordova, TN 38018	Overgrown grass	No Progress

801 Church Avenue	33-21-485-000401	W 1/2 of Lot 4 of Jack Nowell Addition	Cotton States Investments Corp.	320 W. Lee Road	Clarksdale, MS 38614	Overgrown grass & limbs	No Progress
608 Aloe Avenue	33-21-240-0300300	Pt of Lot 3 Blk 3 Edgewood	Leoler Thomas Wymmer	608 Aloe Avenue	Cleveland, MS 38732	Overgrown grass	No Progress
907 Pearl Avenue	33-21-500-0005301	W 1/2 of Lot 54 Nowell &	James Glenn	907 Pearl Avenue	Cleveland, MS 38732	Overgrown grass	No Progress
725 S. Davis Avenue	33-21-315-0000800	Lots 8 & 9 Jackson Addition	Nancy Nowell McKnight & Neysa Nowell Yeager	2612 Hwy 446	Boyle, MS 38730	Overgrown grass	No Progress
511 Ferguson Avenue	33-16-080-0002000	S 1/2 of Lot 20 Carpenter & Walker 2nd Subdivision	Martha Lee & Willie Lee Dotstry	600 18th Avenue N.	Minneapolis, MN 55411	Overgrown grass	No Progress
905 S. Chrisman Avenue	33-21-900-0024000	Lot by M&B in NW 1/4 of SE 1/4 S21 T22 R5 Cleveland Not Platted	Charlie Collins & Jessie Jefferson Jr.	905 S. Chrisman Avenue	Cleveland, MS 38732	Overgrown grass	No Progress
929 Pearl Avenue	33-21-500-0004301	W 1/2 of Lot 43 Nowell & Ross 3rd Addition	Karen Barbara Williams	50 John Garland Blvd Unit 204	Toronto, ON M9V 1 N4	Overgrown grass, limbs, & trash	No Progress
618 Pearl Avenue	33-21-240-0400600	Lot 6 Blk 4 Edgewood Addition	General P. Jackson & Will Henry	92 Hobart Street	Rochester, NY 14611	Overgrown grass, dead trees, trash, & junk	No Progress
711 Cross Street	33-21-900-0020000	A Lot 50 ft by 96.5 ft in SE 1/4 S21 T22 R5 Cleveland Not Platted	Rosetta B. Womack	c/o Michael Randle 609 Legion Road	Cleveland, MS 38732	Overgrown grass	No Progress
104 Williams Street	33-17-900-0001200	Triangular Lot East Of Lot 44 Of Carpenter & Walker 3rd S/D S17 T22 R5 Cleveland Not Platted	Essie Bates	7 John Street	Roosevelt, NY 11575	Overgrown grass	No Progress

1239 Church Avenue	33-28-260-0104100	Lots 41-44 Blk 1 Fairlawn Subdivision	Earnell B Harris	c/o Patricia Hudson 3405 Boxwell Circle	Killeen, TX 76543	Overgrown grass	No Progress
709 Beach Street	33-21-900-0010100	E 68 Ft of W 392 Ft of S 1/2 of N 1/2 of S 1/2 of SE 1/4 of NE 1/2 Not Platted	Joyce Tucker	9 Second Street	Cleveland, MS 38732	Overgrown grass	No Progress
708 Jackson Street	33-21-315-0000300	Lot 3 Jackson Addition	T S Tice	708 Jackson Street	Cleveland, MS 38732	Overgrown grass	No Progress
907 S. Chrisman Avenue	33-21-900-0024001	Lot M & B IN NW 1/2 of SE 1/4 S21 T22 R5 Clevealand Not Platted	Leon Foster	c/o Beverly Foster 66740 Cresent Dr. Apt. B	Desert Hotspring, CA 92240	Overgrown grass	No Progress
1408 S. Chrisman Avenue	33-28-265-0001800	Lots 18 & 19 Fairlawn 2nd	Sylvester Butcher	1320 Church Avenue	Cleveland, MS 38732	Overgrown grass	No Progress
912 Cross Street	33-22-790-0000700	Lot 7 Washington Heights Addition	Pamela D. Lewis & Bridget L. Anderson	912 Cross Street	Cleveland, MS 38732	Overgrown grass, trash, & debris	No Progress
704 Ninth Avenue	33-20-700-0002300	Lot 23 of Terrace Gardens	Virgie Mae Wright	704 Ninth Avenue	Cleveland, MS 38732	Overgrown grass	No Progress
808 Pearl Avenue	33-21-505-0000800	S 1/2 of Lot 8 Nowell & Ross 4th Addition	Moshiu Knox	5 Oak Street	Renova, MS 38732	Dilapidated structure & Overgrown grass	No Progress
626 N. Bayou Avenue	33-17-085-0004500	S 1/2 of Lot 45 Carpenter & Walker 3rd Subdivision	Bolivar County Habitat for Humanity	P O Box 1785	Cleveland, MS 38732	Overgrown grass & broken tree	No Progress
601 Ruby Street	33-21-460-0200100	Lot 1 Blk 2 Nowell's Addition	Covenant Partners LLC	483 Airport Road	Natchez, MS 39120	Overgrown grass & limbs	No Progress

211 N. Andrews Avenue	33-21-235-0002200	Lot 22 Less W 30' Subdivision of Lots 3 & 5 Blk 2 & 3 of East Side Addition	S L & Raksha Sethi	1554 W. Peace Street	Canton, MS 39046	Overgrown grass & dead tree	No Progress
209 N. Andrews Avenue	33-21-235-0002100	Lot 21 Less 4 30' Subdivision of Lots 3 & 5 of Blks 2 & 3 East Side Addition	S L & Raksha Sethi	1554 W. Peace Street	Canton, MS 39046	Overgrown grass	No Progress
214 N. Davis Avenue	33-21-390-0000204	Lots 5 & 6 & S 42 ft of Lot 4 in Lot 2 Subdivision of Lots 1 & 2 McLean Addition	Sunco Holdings LLC	1554 W. Peace Street	Canton, MS 39046	Overgrown grass	No Progress
929 Aloe Avenue	33-21-495-0003800	W 1/2 of Lot 38 Nowell & Ross 2nd Addition	Gwendolyn Watson	951 Taylor Road	Boyle, MS 38730	Overgrown grass & limbs	No Progress
413 S. Chrisman Avenue	33-21-635-0202400	Lots 24 & 25 Blk 2 Scott's Addition	Cotton States Investments Corp.	320 W. Lee Road	Clarksdale, MS 38614	Dilapidated structure, junk, & overgrowth	No Progress
523 Ferguson Avenue	33-16-080-0002300	E 1/2 of Lot 23 Carpenter & Walker 2nd Subdivision	Elizabeth Allen & Essie Brown	523 Ferguson Avenue	Cleveland, MS 38732	Overgrown grass	No Progress

4/8/2020

IWORQ Systems Inc.



DEPARTMENT OF COMMUNITY DEVELOPMENT

P.O. Box 1439 • 215 N. Bayou Rd.

Cleveland, MS 38732

Phone: 662-843-4601 • Fax: 662-846-5701

NOTICE OF ENTRY OF PROPERTY FOR CLEANING UNDER MISSISSIPPI CODE ANNOTATED §21-19-11

Date: April 8, 2020

To: Mary Lee W Pittman c/o Wayne Pittman
291 Loshier Street
Hernando, MS 38632

Re: Public Nuisance Hearing pursuant to Mississippi Code Annotated §21-19-11
Site: 403 N. Bayou Avenue

The Board of Aldermen of the City of Cleveland has authorized this notice to be sent to you regarding 403 N. Bayou Avenue. This property is alleged to be in need of cleaning pursuant to Mississippi Code Annotated §21-19-11. This statute allows a municipality to clean any property in its city limits which is found to be a menace to the public health, safety and welfare of the community. If the property is found to be such a nuisance, the city may enter the property and clean the property by removing any dilapidated buildings, rubbish, cutting weeds and grass, removing fences, outside toilets, and personal property.

You have an opportunity to appear before the Mayor and Board of Aldermen to contest this allegation regarding the subject property. A hearing will be held on 05/05/2020 at 6:30 p.m. in the Board Room at City Hall.

Adjudication at the hearing that the parcel is in need of cleaning will authorize the City to use its employees to enter the property to perform any necessary cleaning including, but not limited to, removing any dilapidated buildings, rubbish, cutting weeds and grass, removing fences, outside toilets, and personal property.

An adjudication at the hearing that the parcel is in need of cleaning will also authorize the municipality to re-enter the property or parcel of land for a period of one (1) year after the hearing without any additional hearings as long as notice is posted on the property or parcel of land and at the city hall or another place in the city which commonly posts such notices at least 7 days before the property or parcel is re-entered for cleaning.

Code Official

Deborah McClure

4/8/2020

IWORQ Systems Inc.



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**NOTICE OF ENTRY OF PROPERTY FOR CLEANING UNDER
MISSISSIPPI CODE ANNOTATED §21-19-11**

Date: April 8, 2020
To: Ajax J. Morris Jr.
P O Box 1049
Cleveland, MS 38732
Re: Public Nuisance Hearing pursuant to Mississippi Code Annotated §21-19-11
Site: Delta Street

The Board of Aldermen of the City of Cleveland has authorized this notice to be sent to you regarding Delta Street. This property is alleged to be in need of cleaning pursuant to Mississippi Code Annotated §21-19-11. This statute allows a municipality to clean any property in its city limits which is found to be a menace to the public health, safety and welfare of the community. If the property is found to be such a nuisance, the city may enter the property and clean the property by removing any dilapidated buildings, rubbish, cutting weeds and grass, removing fences, outside toilets, and personal property.

You have an opportunity to appear before the Mayor and Board of Aldermen to contest this allegation regarding the subject property. A hearing will be held on 05/05/2020 at 6:30 p.m. in the Board Room at City Hall.

Adjudication at the hearing that the parcel is in need of cleaning will authorize the City to use its employees to enter the property to perform any necessary cleaning including, but not limited to, removing any dilapidated buildings, rubbish, cutting weeds and grass, removing fences, outside toilets, and personal property.

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Code Official

4/8/2020

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**NOTICE OF ENTRY OF PROPERTY FOR CLEANING UNDER
MISSISSIPPI CODE ANNOTATED §21-19-11**

Date: April 8, 2020
To: Bobby D. Brown
174 Whisper Lake Blvd.
Madison, MS 39110
Re: Public Nuisance Hearing pursuant to Mississippi Code Annotated §21-19-11
Site: 637 Jane Street

The Board of Aldermen of the City of Cleveland has authorized this notice to be sent to you regarding 637 Jane Street. This property is alleged to be in need of cleaning pursuant to Mississippi Code Annotated §21-19-11. This statute allows a municipality to clean any property in its city limits which is found to be a menace to the public health, safety and welfare of the community. If the property is found to be such a nuisance, the city may enter the property and clean the property by removing any dilapidated buildings, rubbish, cutting weeds and grass, removing fences, outside toilets, and personal property.

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**NOTICE OF ENTRY OF PROPERTY FOR CLEANING UNDER
MISSISSIPPI CODE ANNOTATED §21-19-11**

Date: April 8, 2020
To: South Delta Regional Housing Authority
PO Box 570
Indianola, MS 38751
Re: Public Nuisance Hearing pursuant to Mississippi Code Annotated §21-19-11
Site: 218 N. Second Avenue

The Board of Aldermen of the City of Cleveland has authorized this notice to be sent to you regarding 218 N. Second Avenue. This property is alleged to be in need of cleaning pursuant to Mississippi Code Annotated §21-19-11. This statute allows a municipality to clean any property in its city limits which is found to be a menace to the public health, safety and welfare of the community. If the property is found to be such a nuisance, the city may enter the property and clean the property by removing any dilapidated buildings, rubbish, cutting weeds and grass, removing fences, outside toilets, and personal property.

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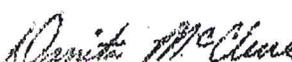
Date: April 8, 2020
To: Jordan Rental Properties, LLC
17 Eastbrooke Circle
Madison, MS 39110
Re: Public Nuisance Hearing pursuant to Mississippi Code Annotated §21-19-11
Site: 652 N. Bayou Avenue

The Board of Aldermen of the City of Cleveland has authorized this notice to be sent to you regarding 652 N. Bayou Avenue. This property is alleged to be in need of cleaning pursuant to Mississippi Code Annotated §21-19-11. This statute allows a municipality to clean any property in its city limits which is found to be a menace to the public health, safety and welfare of the community. If the property is found to be such a nuisance, the city may enter the property and clean the property by removing any dilapidated buildings, rubbish, cutting weeds and grass, removing fences, outside toilets, and personal property.

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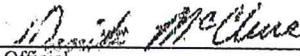
Date: April 8, 2020
To: Ditech Financial LLC
2100 E Elliott Rd. Bldg 94 T325
Tempe, AZ 85284
Re: Public Nuisance Hearing pursuant to Mississippi Code Annotated §21-19-11
Site: 710 Yale Street

The Board of Aldermen of the City of Cleveland has authorized this notice to be sent to you regarding 710 Yale Street. This property is alleged to be in need of cleaning pursuant to Mississippi Code Annotated §21-19-11. This statute allows a municipality to clean any property in its city limits which is found to be a menace to the public health, safety and welfare of the community. If the property is found to be such a nuisance, the city may enter the property and clean the property by removing any dilapidated buildings, rubbish, cutting weeds and grass, removing fences, outside toilets, and personal property.

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**NOTICE OF ENTRY OF PROPERTY FOR CLEANING UNDER
MISSISSIPPI CODE ANNOTATED §21-19-11**

Date: April 8, 2020
To: Bertha Lee Matthews & Joe E Cox
806 Pearl Avenue
Cleveland, MS 38732
Re: Public Nuisance Hearing pursuant to Mississippi Code Annotated §21-19-11
Site: 806 Pearl Avenue

The Board of Aldermen of the City of Cleveland has authorized this notice to be sent to you regarding 806 Pearl Avenue. This property is alleged to be in need of cleaning pursuant to Mississippi Code Annotated §21-19-11. This statute allows a municipality to clean any property in its city limits which is found to be a menace to the public health, safety and welfare of the community. If the property is found to be such a nuisance, the city may enter the property and clean the property by removing any dilapidated buildings, rubbish, cutting weeds and grass, removing fences, outside toilets, and personal property.

You have an opportunity to appear before the Mayor and Board of Aldermen to contest this allegation regarding the subject property. A hearing will be held on 05/05/2020 at 6:30 p.m. in the Board Room at City Hall.

Adjudication at the hearing that the parcel is in need of cleaning will authorize the City to use its employees to enter the property to perform any necessary cleaning including, but not limited to, removing any dilapidated buildings, rubbish, cutting weeds and grass, removing fences, outside toilets, and personal property.

An adjudication at the hearing that the parcel is in need of cleaning will also authorize the municipality to re-enter the property or parcel of land for a period of one (1) year after the hearing without any additional hearings as long as notice is posted on the property or parcel of land and at the city hall or another place in the city which commonly posts such notices at least 7 days before the property or parcel is re-entered for cleaning.


Code Official

4/8/2020

IWORQ Systems Inc.



DEPARTMENT OF COMMUNITY DEVELOPMENT
P.O. Box 1439 • 215 N. Bayou Rd.
Cleveland, MS 38732
Phone: 662-843-4601 • Fax: 662-846-5701

**NOTICE OF ENTRY OF PROPERTY FOR CLEANING UNDER
MISSISSIPPI CODE ANNOTATED §21-19-11**

Date: April 8, 2020
To: Krystal-Cleveland MS LLC
c/o Phalanx Properties Partnership 3805 Cherokee Woods Way
Knoxville, TN 37920
Re: Public Nuisance Hearing pursuant to Mississippi Code Annotated §21-19-11
Site: 201 S. Davis Avenue

The Board of Aldermen of the City of Cleveland has authorized this notice to be sent to you regarding 201 S. Davis Avenue. This property is alleged to be in need of cleaning pursuant to Mississippi Code Annotated §21-19-11. This statute allows a municipality to clean any property in its city limits which is found to be a menace to the public health, safety and welfare of the community. If the property is found to be such a nuisance, the city may enter the property and clean the property by removing any dilapidated buildings, rubbish, cutting weeds and grass, removing fences, outside toilets, and personal property.

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**NOTICE OF ENTRY OF PROPERTY FOR CLEANING UNDER
MISSISSIPPI CODE ANNOTATED §21-19-11**

Date: April 8, 2020
To: 100 Black Men of Bolivar County
P. O. Box 891
Cleveland MS 38732
Re: Public Nuisance Hearing pursuant to Mississippi Code Annotated §21-19-11
Site: Ruby Street

The Board of Aldermen of the City of Cleveland has authorized this notice to be sent to you regarding Ruby Street. This property is alleged to be in need of cleaning pursuant to Mississippi Code Annotated §21-19-11. This statute allows a municipality to clean any property in its city limits which is found to be a menace to the public health, safety and welfare of the community. If the property is found to be such a nuisance, the city may enter the property and clean the property by removing any dilapidated buildings, rubbish, cutting weeds and grass, removing fences, outside toilets, and personal property.

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Date: April 8, 2020
To: 100 Black Men of Bolivar County
Box 891
Cleveland, MS 38732
Re: Public Nuisance Hearing pursuant to Mississippi Code Annotated §21-19-11
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The Board of Aldermen of the City of Cleveland has authorized this notice to be sent to you regarding Ruby Street. This property is alleged to be in need of cleaning pursuant to Mississippi Code Annotated §21-19-11. This statute allows a municipality to clean any property in its city limits which is found to be a menace to the public health, safety and welfare of the community. If the property is found to be such a nuisance, the city may enter the property and clean the property by removing any dilapidated buildings, rubbish, cutting weeds and grass, removing fences, outside toilets, and personal property.

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**NOTICE OF ENTRY OF PROPERTY FOR CLEANING UNDER
MISSISSIPPI CODE ANNOTATED §21-19-11**

Date: April 8, 2020
To: Easter Shortridge c/o Elizabeth Forest
134 Crosby Road
Boyle, MS 38730
Re: Public Nuisance Hearing pursuant to Mississippi Code Annotated §21-19-11
Site: 505 Murphy Street

The Board of Aldermen of the City of Cleveland has authorized this notice to be sent to you regarding 505 Murphy Street. This property is alleged to be in need of cleaning pursuant to Mississippi Code Annotated §21-19-11. This statute allows a municipality to clean any property in its city limits which is found to be a menace to the public health, safety and welfare of the community. If the property is found to be such a nuisance, the city may enter the property and clean the property by removing any dilapidated buildings, rubbish, cutting weeds and grass, removing fences, outside toilets, and personal property.

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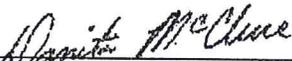
Date: April 8, 2020
To: Cotton Station Holdings LLC
1319 Memorial Drive
Cleveland, MS 38732
Re: Public Nuisance Hearing pursuant to Mississippi Code Annotated §21-19-11
Site: 701 Memorial Drive

The Board of Aldermen of the City of Cleveland has authorized this notice to be sent to you regarding 701 Memorial Drive. This property is alleged to be in need of cleaning pursuant to Mississippi Code Annotated §21-19-11. This statute allows a municipality to clean any property in its city limits which is found to be a menace to the public health, safety and welfare of the community. If the property is found to be such a nuisance, the city may enter the property and clean the property by removing any dilapidated buildings, rubbish, cutting weeds and grass, removing fences, outside toilets, and personal property.

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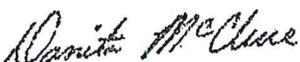
Date: April 8, 2020
To: Charles & Audrey & Joyce & Sharon Fitzpatrick
125 Sara Fox Drive
Brandon, MS 39047
Re: Public Nuisance Hearing pursuant to Mississippi Code Annotated §21-19-11
Site: 104 East End Street

The Board of Aldermen of the City of Cleveland has authorized this notice to be sent to you regarding 104 East End Street. This property is alleged to be in need of cleaning pursuant to Mississippi Code Annotated §21-19-11. This statute allows a municipality to clean any property in its city limits which is found to be a menace to the public health, safety and welfare of the community. If the property is found to be such a nuisance, the city may enter the property and clean the property by removing any dilapidated buildings, rubbish, cutting weeds and grass, removing fences, outside toilets, and personal property.

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**NOTICE OF ENTRY OF PROPERTY FOR CLEANING UNDER
MISSISSIPPI CODE ANNOTATED §21-19-11**

Date: April 8, 2020
To: Jordan Remodeling LLC
603 S. Leflore Avenue
Cleveland, MS 38732
Re: Public Nuisance Hearing pursuant to Mississippi Code Annotated §21-19-11
Site: 510 N. Bayou Avenue

The Board of Aldermen of the City of Cleveland has authorized this notice to be sent to you regarding 510 N. Bayou Avenue. This property is alleged to be in need of cleaning pursuant to Mississippi Code Annotated §21-19-11. This statute allows a municipality to clean any property in its city limits which is found to be a menace to the public health, safety and welfare of the community. If the property is found to be such a nuisance, the city may enter the property and clean the property by removing any dilapidated buildings, rubbish, cutting weeds and grass, removing fences, outside toilets, and personal property.

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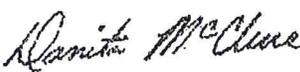
Date: April 8, 2020
To: West Cleveland Realty, LLC
1110 Avery Street
Cleveland, MS 38732
Re: Public Nuisance Hearing pursuant to Mississippi Code Annotated §21-19-11
Site: 120 Coleman Street

The Board of Aldermen of the City of Cleveland has authorized this notice to be sent to you regarding 120 Coleman Street. This property is alleged to be in need of cleaning pursuant to Mississippi Code Annotated §21-19-11. This statute allows a municipality to clean any property in its city limits which is found to be a menace to the public health, safety and welfare of the community. If the property is found to be such a nuisance, the city may enter the property and clean the property by removing any dilapidated buildings, rubbish, cutting weeds and grass, removing fences, outside toilets, and personal property.

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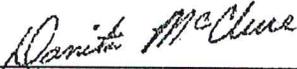
Date: April 8, 2020
To: Steve Allen Taylor
P O Box 308
Boyle, MS 38730
Re: Public Nuisance Hearing pursuant to Mississippi Code Annotated §21-19-11
Site: 118 Walker Street

The Board of Aldermen of the City of Cleveland has authorized this notice to be sent to you regarding 118 Walker Street. This property is alleged to be in need of cleaning pursuant to Mississippi Code Annotated §21-19-11. This statute allows a municipality to clean any property in its city limits which is found to be a menace to the public health, safety and welfare of the community. If the property is found to be such a nuisance, the city may enter the property and clean the property by removing any dilapidated buildings, rubbish, cutting weeds and grass, removing fences, outside toilets, and personal property.

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**NOTICE OF ENTRY OF PROPERTY FOR CLEANING UNDER
MISSISSIPPI CODE ANNOTATED §21-19-11**

Date: April 8, 2020
To: Daniel Griffin
604 N. Bayou Avenue
Cleveland, MS 38732
Re: Public Nuisance Hearing pursuant to Mississippi Code Annotated §21-19-11
Site: 604 N. Bayou Avenue

The Board of Aldermen of the City of Cleveland has authorized this notice to be sent to you regarding 604 N. Bayou Avenue. This property is alleged to be in need of cleaning pursuant to Mississippi Code Annotated §21-19-11. This statute allows a municipality to clean any property in its city limits which is found to be a menace to the public health, safety and welfare of the community. If the property is found to be such a nuisance, the city may enter the property and clean the property by removing any dilapidated buildings, rubbish, cutting weeds and grass, removing fences, outside toilets, and personal property.

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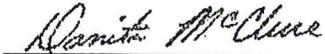
Date: April 8, 2020
To: Jose Moncada
P O Box 1586
Cleveland, MS 38732
Re: Public Nuisance Hearing pursuant to Mississippi Code Annotated §21-19-11
Site: 309 W. Carpenter Street

The Board of Aldermen of the City of Cleveland has authorized this notice to be sent to you regarding 309 W. Carpenter Street. This property is alleged to be in need of cleaning pursuant to Mississippi Code Annotated §21-19-11. This statute allows a municipality to clean any property in its city limits which is found to be a menace to the public health, safety and welfare of the community. If the property is found to be such a nuisance, the city may enter the property and clean the property by removing any dilapidated buildings, rubbish, cutting weeds and grass, removing fences, outside toilets, and personal property.

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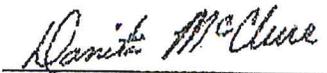
Date: April 8, 2020
To: Bailey Investments LLC
P. O. Box 624
Cleveland, MS 38732
Re: Public Nuisance Hearing pursuant to Mississippi Code Annotated §21-19-11
Site: 203 N. Victoria Avenue

The Board of Aldermen of the City of Cleveland has authorized this notice to be sent to you regarding 203 N. Victoria Avenue. This property is alleged to be in need of cleaning pursuant to Mississippi Code Annotated §21-19-11. This statute allows a municipality to clean any property in its city limits which is found to be a menace to the public health, safety and welfare of the community. If the property is found to be such a nuisance, the city may enter the property and clean the property by removing any dilapidated buildings, rubbish, cutting weeds and grass, removing fences, outside toilets, and personal property.

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**NOTICE OF ENTRY OF PROPERTY FOR CLEANING UNDER
MISSISSIPPI CODE ANNOTATED §21-19-11**

Date: April 8, 2020
To: Jordan Properties, LTD
17 Eastbrooke Circle
Madison, MS 39130
Re: Public Nuisance Hearing pursuant to Mississippi Code Annotated §21-19-11
Site: 215 N. Third Avenue

The Board of Aldermen of the City of Cleveland has authorized this notice to be sent to you regarding 215 N. Third Avenue. This property is alleged to be in need of cleaning pursuant to Mississippi Code Annotated §21-19-11. This statute allows a municipality to clean any property in its city limits which is found to be a menace to the public health, safety and welfare of the community. If the property is found to be such a nuisance, the city may enter the property and clean the property by removing any dilapidated buildings, rubbish, cutting weeds and grass, removing fences, outside toilets, and personal property.

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**NOTICE OF ENTRY OF PROPERTY FOR CLEANING UNDER
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Date: April 8, 2020
To: Terry M. Burd
1400 Terrace Rd.
Cleveland, MS 38732
Re: Public Nuisance Hearing pursuant to Mississippi Code Annotated §21-19-11
Site: 209 N. Third Avenue

The Board of Aldermen of the City of Cleveland has authorized this notice to be sent to you regarding 209 N. Third Avenue. This property is alleged to be in need of cleaning pursuant to Mississippi Code Annotated §21-19-11. This statute allows a municipality to clean any property in its city limits which is found to be a menace to the public health, safety and welfare of the community. If the property is found to be such a nuisance, the city may enter the property and clean the property by removing any dilapidated buildings, rubbish, cutting weeds and grass, removing fences, outside toilets, and personal property.

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P.O. Box 1439 • 215 N. Bayou Rd.
Cleveland, MS 38732
Phone: 662-843-4601 • Fax: 662-846-5701

**NOTICE OF ENTRY OF PROPERTY FOR CLEANING UNDER
MISSISSIPPI CODE ANNOTATED §21-19-11**

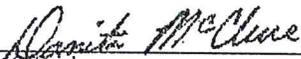
Date: April 8, 2020
To: Terry M. Burd
1400 Terrace Rd.
Cleveland, MS 38732
Re: Public Nuisance Hearing pursuant to Mississippi Code Annotated §21-19-11
Site: 206 N. Fourth Avenue

The Board of Aldermen of the City of Cleveland has authorized this notice to be sent to you regarding 206 N. Fourth Avenue. This property is alleged to be in need of cleaning pursuant to Mississippi Code Annotated §21-19-11. This statute allows a municipality to clean any property in its city limits which is found to be a menace to the public health, safety and welfare of the community. If the property is found to be such a nuisance, the city may enter the property and clean the property by removing any dilapidated buildings, rubbish, cutting weeds and grass, removing fences, outside toilets, and personal property.

You have an opportunity to appear before the Mayor and Board of Aldermen to contest this allegation regarding the subject property. A hearing will be held on 05/05/2020 at 6:30 p.m. in the Board Room at City Hall.

Adjudication at the hearing that the parcel is in need of cleaning will authorize the City to use its employees to enter the property to perform any necessary cleaning including, but not limited to, removing any dilapidated buildings, rubbish, cutting weeds and grass, removing fences, outside toilets, and personal property.

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Code Official

4/8/2020

IWORQ Systems Inc.



DEPARTMENT OF COMMUNITY DEVELOPMENT
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MISSISSIPPI CODE ANNOTATED §21-19-11**

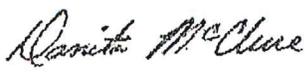
Date: April 8, 2020
To: ACME Investment Company
P. O. Box 1737
Cleveland, MS 38732
Re: Public Nuisance Hearing pursuant to Mississippi Code Annotated §21-19-11
Site: 523 N. Bayou Avenue

The Board of Aldermen of the City of Cleveland has authorized this notice to be sent to you regarding 523 N. Bayou Avenue. This property is alleged to be in need of cleaning pursuant to Mississippi Code Annotated §21-19-11. This statute allows a municipality to clean any property in its city limits which is found to be a menace to the public health, safety and welfare of the community. If the property is found to be such a nuisance, the city may enter the property and clean the property by removing any dilapidated buildings, rubbish, cutting weeds and grass, removing fences, outside toilets, and personal property.

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**NOTICE OF ENTRY OF PROPERTY FOR CLEANING UNDER
MISSISSIPPI CODE ANNOTATED §21-19-11**

Date: April 8, 2020
To: Jessie Ramiz & Vanessa Burns
521 N. Bayou Avenue
Cleveland, MS 38732
Re: Public Nuisance Hearing pursuant to Mississippi Code Annotated §21-19-11
Site: 521 N. Bayou Avenue

The Board of Aldermen of the City of Cleveland has authorized this notice to be sent to you regarding 521 N. Bayou Avenue. This property is alleged to be in need of cleaning pursuant to Mississippi Code Annotated §21-19-11. This statute allows a municipality to clean any property in its city limits which is found to be a menace to the public health, safety and welfare of the community. If the property is found to be such a nuisance, the city may enter the property and clean the property by removing any dilapidated buildings, rubbish, cutting weeds and grass, removing fences, outside toilets, and personal property.

You have an opportunity to appear before the Mayor and Board of Aldermen to contest this allegation regarding the subject property. A hearing will be held on 05/05/2020 at 6:30 p.m. in the Board Room at City Hall.

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Code Official

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**NOTICE OF ENTRY OF PROPERTY FOR CLEANING UNDER
MISSISSIPPI CODE ANNOTATED §21-19-11**

Date: April 8, 2020
To: Acme Investment Co. Inc.
P.O. Box 1737
Cleveland, MS 38732
Re: Public Nuisance Hearing pursuant to Mississippi Code Annotated §21-19-11
Site: 517 N. Bayou Avenue

The Board of Aldermen of the City of Cleveland has authorized this notice to be sent to you regarding 517 N. Bayou Avenue. This property is alleged to be in need of cleaning pursuant to Mississippi Code Annotated §21-19-11. This statute allows a municipality to clean any property in its city limits which is found to be a menace to the public health, safety and welfare of the community. If the property is found to be such a nuisance, the city may enter the property and clean the property by removing any dilapidated buildings, rubbish, cutting weeds and grass, removing fences, outside toilets, and personal property.

You have an opportunity to appear before the Mayor and Board of Aldermen to contest this allegation regarding the subject property. A hearing will be held on 05/05/2020 at 6:30 p.m. in the Board Room at City Hall.

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Code Official

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**NOTICE OF ENTRY OF PROPERTY FOR CLEANING UNDER
MISSISSIPPI CODE ANNOTATED §21-19-11**

Date: April 8, 2020
To: Mary W. Garrett c/o Jacqueline or Majorie R. Massey
7586 Proud Land Drive
Memphis, TN 38119
Re: Public Nuisance Hearing pursuant to Mississippi Code Annotated §21-19-11
Site: 1210 Aloc Avenue

The Board of Aldermen of the City of Cleveland has authorized this notice to be sent to you regarding 1210 Aloc Avenue. This property is alleged to be in need of cleaning pursuant to Mississippi Code Annotated §21-19-11. This statute allows a municipality to clean any property in its city limits which is found to be a menace to the public health, safety and welfare of the community. If the property is found to be such a nuisance, the city may enter the property and clean the property by removing any dilapidated buildings, rubbish, cutting weeds and grass, removing fences, outside toilets, and personal property.

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**NOTICE OF ENTRY OF PROPERTY FOR CLEANING UNDER
MISSISSIPPI CODE ANNOTATED §21-19-11**

Date: April 8, 2020
To: Dinesh Chawla
523 Frederick Drive
Cleveland, MS 38732
Re: Public Nuisance Hearing pursuant to Mississippi Code Annotated §21-19-11
Site: 105 S. Fourth Avenue

The Board of Aldermen of the City of Cleveland has authorized this notice to be sent to you regarding 105 S. Fourth Avenue. This property is alleged to be in need of cleaning pursuant to Mississippi Code Annotated §21-19-11. This statute allows a municipality to clean any property in its city limits which is found to be a menace to the public health, safety and welfare of the community. If the property is found to be such a nuisance, the city may enter the property and clean the property by removing any dilapidated buildings, rubbish, cutting weeds and grass, removing fences, outside toilets, and personal property.

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**NOTICE OF ENTRY OF PROPERTY FOR CLEANING UNDER
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Date: April 8, 2020
To: Cleveland Athletic Club Inc. c/o Henry G. Mosco
488 Laughlin Road
Cleveland, MS 38732
Re: Public Nuisance Hearing pursuant to Mississippi Code Annotated §21-19-11
Site: 819 N. Chrisman Avenue

The Board of Aldermen of the City of Cleveland has authorized this notice to be sent to you regarding 819 N. Chrisman Avenue. This property is alleged to be in need of cleaning pursuant to Mississippi Code Annotated §21-19-11. This statute allows a municipality to clean any property in its city limits which is found to be a menace to the public health, safety and welfare of the community. If the property is found to be such a nuisance, the city may enter the property and clean the property by removing any dilapidated buildings, rubbish, cutting weeds and grass, removing fences, outside toilets, and personal property.

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**NOTICE OF ENTRY OF PROPERTY FOR CLEANING UNDER
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Date: April 8, 2020
To: Doris Gene Griffin
P.O. Box 8392
Chicago, IL 60680-8392
Re: Public Nuisance Hearing pursuant to Mississippi Code Annotated §21-19-11
Site: 713 Natarlia Hutton Street

The Board of Aldermen of the City of Cleveland has authorized this notice to be sent to you regarding 713 Natarlia Hutton Street. This property is alleged to be in need of cleaning pursuant to Mississippi Code Annotated §21-19-11. This statute allows a municipality to clean any property in its city limits which is found to be a menace to the public health, safety and welfare of the community. If the property is found to be such a nuisance, the city may enter the property and clean the property by removing any dilapidated buildings, rubbish, cutting weeds and grass, removing fences, outside toilets, and personal property.

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**NOTICE OF ENTRY OF PROPERTY FOR CLEANING UNDER
MISSISSIPPI CODE ANNOTATED §21-19-11**

Date: April 8, 2020
To: Dinesh Chawla
523 Frederick Drive
Cleveland, MS 38732
Re: Public Nuisance Hearing pursuant to Mississippi Code Annotated §21-19-11
Site: 315 S. Victoria Avenue

The Board of Aldermen of the City of Cleveland has authorized this notice to be sent to you regarding 315 S. Victoria Avenue. This property is alleged to be in need of cleaning pursuant to Mississippi Code Annotated §21-19-11. This statute allows a municipality to clean any property in its city limits which is found to be a menace to the public health, safety and welfare of the community. If the property is found to be such a nuisance, the city may enter the property and clean the property by removing any dilapidated buildings, rubbish, cutting weeds and grass, removing fences, outside toilets, and personal property.

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**NOTICE OF ENTRY OF PROPERTY FOR CLEANING UNDER
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Date: April 8, 2020
To: Roosevelt Green
c/o Johnnie Green 4157 Old Hwy 61 N
Leland, MS 38756
Re: Public Nuisance Hearing pursuant to Mississippi Code Annotated §21-19-11
Site: 702 Hadley Street

The Board of Aldermen of the City of Cleveland has authorized this notice to be sent to you regarding 702 Hadley Street. This property is alleged to be in need of cleaning pursuant to Mississippi Code Annotated §21-19-11. This statute allows a municipality to clean any property in its city limits which is found to be a menace to the public health, safety and welfare of the community. If the property is found to be such a nuisance, the city may enter the property and clean the property by removing any dilapidated buildings, rubbish, cutting weeds and grass, removing fences, outside toilets, and personal property.

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**NOTICE OF ENTRY OF PROPERTY FOR CLEANING UNDER
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Date: April 8, 2020
To: Jessie White
708 Aloe Avenue
Cleveland, MS 38732
Re: Public Nuisance Hearing pursuant to Mississippi Code Annotated §21-19-11
Site: 708 Aloe Avenue

The Board of Aldermen of the City of Cleveland has authorized this notice to be sent to you regarding 708 Aloe Avenue. This property is alleged to be in need of cleaning pursuant to Mississippi Code Annotated §21-19-11. This statute allows a municipality to clean any property in its city limits which is found to be a menace to the public health, safety and welfare of the community. If the property is found to be such a nuisance, the city may enter the property and clean the property by removing any dilapidated buildings, rubbish, cutting weeds and grass, removing fences, outside toilets, and personal property.

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**NOTICE OF ENTRY OF PROPERTY FOR CLEANING UNDER
MISSISSIPPI CODE ANNOTATED §21-19-11**

Date: April 8, 2020
To: C & L Construction Inc.
828 N. Parkway Drive
Cleveland, MS 38732
Re: Public Nuisance Hearing pursuant to Mississippi Code Annotated §21-19-11
Site: Young Avenue

The Board of Aldermen of the City of Cleveland has authorized this notice to be sent to you regarding Young Avenue. This property is alleged to be in need of cleaning pursuant to Mississippi Code Annotated §21-19-11. This statute allows a municipality to clean any property in its city limits which is found to be a menace to the public health, safety and welfare of the community. If the property is found to be such a nuisance, the city may enter the property and clean the property by removing any dilapidated buildings, rubbish, cutting weeds and grass, removing fences, outside toilets, and personal property.

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**NOTICE OF ENTRY OF PROPERTY FOR CLEANING UNDER
MISSISSIPPI CODE ANNOTATED §21-19-11**

Date: April 8, 2020
To: Robert Lee Morgan Jr.
1090 Spring Green Drive
Joliet, IL 60433
Re: Public Nuisance Hearing pursuant to Mississippi Code Annotated §21-19-11
Site: Lincoln Street

The Board of Aldermen of the City of Cleveland has authorized this notice to be sent to you regarding Lincoln Street. This property is alleged to be in need of cleaning pursuant to Mississippi Code Annotated §21-19-11. This statute allows a municipality to clean any property in its city limits which is found to be a menace to the public health, safety and welfare of the community. If the property is found to be such a nuisance, the city may enter the property and clean the property by removing any dilapidated buildings, rubbish, cutting weeds and grass, removing fences, outside toilets, and personal property.

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**NOTICE OF ENTRY OF PROPERTY FOR CLEANING UNDER
MISSISSIPPI CODE ANNOTATED §21-19-11**

Date: April 8, 2020
To: Paul Erik Rosberg
P. O. Box 642
Cleveland, MS 38732
Re: Public Nuisance Hearing pursuant to Mississippi Code Annotated §21-19-11
Site: 642 N. Sharpe Avenue

The Board of Aldermen of the City of Cleveland has authorized this notice to be sent to you regarding 642 N. Sharpe Avenue. This property is alleged to be in need of cleaning pursuant to Mississippi Code Annotated §21-19-11. This statute allows a municipality to clean any property in its city limits which is found to be a menace to the public health, safety and welfare of the community. If the property is found to be such a nuisance, the city may enter the property and clean the property by removing any dilapidated buildings, rubbish, cutting weeds and grass, removing fences, outside toilets, and personal property.

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**NOTICE OF ENTRY OF PROPERTY FOR CLEANING UNDER
MISSISSIPPI CODE ANNOTATED §21-19-11**

Date: April 8, 2020
To: Maxine G. Moss c/o Tom Moss
1255 Stable Run Drive
Cordova, TN 38018
Re: Public Nuisance Hearing pursuant to Mississippi Code Annotated §21-19-11
Site: 100 East End Street

The Board of Aldermen of the City of Cleveland has authorized this notice to be sent to you regarding 100 East End Street. This property is alleged to be in need of cleaning pursuant to Mississippi Code Annotated §21-19-11. This statute allows a municipality to clean any property in its city limits which is found to be a menace to the public health, safety and welfare of the community. If the property is found to be such a nuisance, the city may enter the property and clean the property by removing any dilapidated buildings, rubbish, cutting weeds and grass, removing fences, outside toilets, and personal property.

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**NOTICE OF ENTRY OF PROPERTY FOR CLEANING UNDER
MISSISSIPPI CODE ANNOTATED §21-19-11**

Date: April 8, 2020
To: Cotton States Investments Corp.
320 W. Lee Road
Clarksdale, MS 38614
Re: Public Nuisance Hearing pursuant to Mississippi Code Annotated §21-19-11
Site: 801 Church Avenue

The Board of Aldermen of the City of Cleveland has authorized this notice to be sent to you regarding 801 Church Avenue. This property is alleged to be in need of cleaning pursuant to Mississippi Code Annotated §21-19-11. This statute allows a municipality to clean any property in its city limits which is found to be a menace to the public health, safety and welfare of the community. If the property is found to be such a nuisance, the city may enter the property and clean the property by removing any dilapidated buildings, rubbish, cutting weeds and grass, removing fences, outside toilets, and personal property.

You have an opportunity to appear before the Mayor and Board of Aldermen to contest this allegation regarding the subject property. A hearing will be held on 05/05/2020 at 6:30 p.m. in the Board Room at City Hall.

Adjudication at the hearing that the parcel is in need of cleaning will authorize the City to use its employees to enter the property to perform any necessary cleaning including, but not limited to, removing any dilapidated buildings, rubbish, cutting weeds and grass, removing fences, outside toilets, and personal property.

An adjudication at the hearing that the parcel is in need of cleaning will also authorize the municipality to re-enter the property or parcel of land for a period of one (1) year after the hearing without any additional hearings as long as notice is posted on the property or parcel of land and at the city hall or another place in the city which commonly posts such notices at least 7 days before the property or parcel is re-entered for cleaning.

Code Official

4/8/2020

IWORQ Systems Inc.



DEPARTMENT OF COMMUNITY DEVELOPMENT
P.O. Box 1439 • 215 N. Bayou Rd.
Cleveland, MS 38732
Phone: 662-843-4601 • Fax: 662-846-5701

**NOTICE OF ENTRY OF PROPERTY FOR CLEANING UNDER
MISSISSIPPI CODE ANNOTATED §21-19-11**

Date: April 8, 2020
To: Leoler Thomas Wymer
608 Aloe Avenue
Cleveland, MS 38732
Re: Public Nuisance Hearing pursuant to Mississippi Code Annotated §21-19-11
Site: 608 Aloe Avenue

The Board of Aldermen of the City of Cleveland has authorized this notice to be sent to you regarding 608 Aloe Avenue. This property is alleged to be in need of cleaning pursuant to Mississippi Code Annotated §21-19-11. This statute allows a municipality to clean any property in its city limits which is found to be a menace to the public health, safety and welfare of the community. If the property is found to be such a nuisance, the city may enter the property and clean the property by removing any dilapidated buildings, rubbish, cutting weeds and grass, removing fences, outside toilets, and personal property.

You have an opportunity to appear before the Mayor and Board of Aldermen to contest this allegation regarding the subject property. A hearing will be held on 05/05/2020 at 6:30 p.m. in the Board Room at City Hall.

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**NOTICE OF ENTRY OF PROPERTY FOR CLEANING UNDER
MISSISSIPPI CODE ANNOTATED §21-19-11**

Date: April 8, 2020
To: James Glenn
907 Pearl Avenue
Cleveland, MS 38732
Re: Public Nuisance Hearing pursuant to Mississippi Code Annotated §21-19-11
Site: 907 Pearl Avenue

The Board of Aldermen of the City of Cleveland has authorized this notice to be sent to you regarding 907 Pearl Avenue. This property is alleged to be in need of cleaning pursuant to Mississippi Code Annotated §21-19-11. This statute allows a municipality to clean any property in its city limits which is found to be a menace to the public health, safety and welfare of the community. If the property is found to be such a nuisance, the city may enter the property and clean the property by removing any dilapidated buildings, rubbish, cutting weeds and grass, removing fences, outside toilets, and personal property.

You have an opportunity to appear before the Mayor and Board of Aldermen to contest this allegation regarding the subject property. A hearing will be held on 05/05/2020 at 6:30 p.m. in the Board Room at City Hall.

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**NOTICE OF ENTRY OF PROPERTY FOR CLEANING UNDER
MISSISSIPPI CODE ANNOTATED §21-19-11**

Date: April 8, 2020
To: Nancy Nowell McKnight & Neysa Nowell Yeager
2612 Hwy 446
Boyle, MS 38730
Re: Public Nuisance Hearing pursuant to Mississippi Code Annotated §21-19-11
Site: 725 S. Davis Avenue

The Board of Aldermen of the City of Cleveland has authorized this notice to be sent to you regarding 725 S. Davis Avenue. This property is alleged to be in need of cleaning pursuant to Mississippi Code Annotated §21-19-11. This statute allows a municipality to clean any property in its city limits which is found to be a menace to the public health, safety and welfare of the community. If the property is found to be such a nuisance, the city may enter the property and clean the property by removing any dilapidated buildings, rubbish, cutting weeds and grass, removing fences, outside toilets, and personal property.

You have an opportunity to appear before the Mayor and Board of Aldermen to contest this allegation regarding the subject property. A hearing will be held on 05/05/2020 at 6:30 p.m. in the Board Room at City Hall.

Adjudication at the hearing that the parcel is in need of cleaning will authorize the City to use its employees to enter the property to perform any necessary cleaning including, but not limited to, removing any dilapidated buildings, rubbish, cutting weeds and grass, removing fences, outside toilets, and personal property.

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**NOTICE OF ENTRY OF PROPERTY FOR CLEANING UNDER
MISSISSIPPI CODE ANNOTATED §21-19-11**

Date: April 8, 2020
To: Martha Lee & Willie Lee Dotstry
600 18th Avenue N.
Minneapolis, MN 55411
Re: Public Nuisance Hearing pursuant to Mississippi Code Annotated §21-19-11
Site: 511 Ferguson Avenue

The Board of Aldermen of the City of Cleveland has authorized this notice to be sent to you regarding 511 Ferguson Avenue. This property is alleged to be in need of cleaning pursuant to Mississippi Code Annotated §21-19-11. This statute allows a municipality to clean any property in its city limits which is found to be a menace to the public health, safety and welfare of the community. If the property is found to be such a nuisance, the city may enter the property and clean the property by removing any dilapidated buildings, rubbish, cutting weeds and grass, removing fences, outside toilets, and personal property.

You have an opportunity to appear before the Mayor and Board of Aldermen to contest this allegation regarding the subject property. A hearing will be held on 05/05/2020 at 6:30 p.m. in the Board Room at City Hall.

Adjudication at the hearing that the parcel is in need of cleaning will authorize the City to use its employees to enter the property to perform any necessary cleaning including, but not limited to, removing any dilapidated buildings, rubbish, cutting weeds and grass, removing fences, outside toilets, and personal property.

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**NOTICE OF ENTRY OF PROPERTY FOR CLEANING UNDER
MISSISSIPPI CODE ANNOTATED §21-19-11**

Date: April 8, 2020
To: Charlie Collins & Jessie Jefferson Jr.
905 S. Chrisman Avenue
Cleveland, MS 38732
Re: Public Nuisance Hearing pursuant to Mississippi Code Annotated §21-19-11
Site: 905 S. Chrisman Avenue

The Board of Aldermen of the City of Cleveland has authorized this notice to be sent to you regarding 905 S. Chrisman Avenue. This property is alleged to be in need of cleaning pursuant to Mississippi Code Annotated §21-19-11. This statute allows a municipality to clean any property in its city limits which is found to be a menace to the public health, safety and welfare of the community. If the property is found to be such a nuisance, the city may enter the property and clean the property by removing any dilapidated buildings, rubbish, cutting weeds and grass, removing fences, outside toilets, and personal property.

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**NOTICE OF ENTRY OF PROPERTY FOR CLEANING UNDER
MISSISSIPPI CODE ANNOTATED §21-19-11**

Date: April 8, 2020
To: Karen Barbara Williams
50 John Garland Blvd Unit 204
Toronto, ON M9V 1 N4
Re: Public Nuisance Hearing pursuant to Mississippi Code Annotated §21-19-11
Site: 929 Pearl Avenue

The Board of Aldermen of the City of Cleveland has authorized this notice to be sent to you regarding 929 Pearl Avenue. This property is alleged to be in need of cleaning pursuant to Mississippi Code Annotated §21-19-11. This statute allows a municipality to clean any property in its city limits which is found to be a menace to the public health, safety and welfare of the community. If the property is found to be such a nuisance, the city may enter the property and clean the property by removing any dilapidated buildings, rubbish, cutting weeds and grass, removing fences, outside toilets, and personal property.

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Cleveland, MS 38732

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**NOTICE OF ENTRY OF PROPERTY FOR CLEANING UNDER
MISSISSIPPI CODE ANNOTATED §21-19-11**

Date: April 8, 2020
To: General P. Jackson & Will Henry
92 Hobart Street
Rochester, NY 14611
Re: Public Nuisance Hearing pursuant to Mississippi Code Annotated §21-19-11
Site: 618 Pearl Avenue

The Board of Aldermen of the City of Cleveland has authorized this notice to be sent to you regarding 618 Pearl Avenue. This property is alleged to be in need of cleaning pursuant to Mississippi Code Annotated §21-19-11. This statute allows a municipality to clean any property in its city limits which is found to be a menace to the public health, safety and welfare of the community. If the property is found to be such a nuisance, the city may enter the property and clean the property by removing any dilapidated buildings, rubbish, cutting weeds and grass, removing fences, outside toilets, and personal property.

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**NOTICE OF ENTRY OF PROPERTY FOR CLEANING UNDER
MISSISSIPPI CODE ANNOTATED §21-19-11**

Date: April 8, 2020
To: Rosetta B. Womack
c/o Michael Randle 609 Legion Road
Cleveland, MS 38732
Re: Public Nuisance Hearing pursuant to Mississippi Code Annotated §21-19-11
Site: 711 Cross Street

The Board of Aldermen of the City of Cleveland has authorized this notice to be sent to you regarding 711 Cross Street. This property is alleged to be in need of cleaning pursuant to Mississippi Code Annotated §21-19-11. This statute allows a municipality to clean any property in its city limits which is found to be a menace to the public health, safety and welfare of the community. If the property is found to be such a nuisance, the city may enter the property and clean the property by removing any dilapidated buildings, rubbish, cutting weeds and grass, removing fences, outside toilets, and personal property.

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**NOTICE OF ENTRY OF PROPERTY FOR CLEANING UNDER
MISSISSIPPI CODE ANNOTATED §21-19-11**

Date: April 8, 2020
To: Essie Bates
7 John Street
Roosevelt, NY 11575
Re: Public Nuisance Hearing pursuant to Mississippi Code Annotated §21-19-11
Site: 104 Williams Street

The Board of Aldermen of the City of Cleveland has authorized this notice to be sent to you regarding 104 Williams Street. This property is alleged to be in need of cleaning pursuant to Mississippi Code Annotated §21-19-11. This statute allows a municipality to clean any property in its city limits which is found to be a menace to the public health, safety and welfare of the community. If the property is found to be such a nuisance, the city may enter the property and clean the property by removing any dilapidated buildings, rubbish, cutting weeds and grass, removing fences, outside toilets, and personal property.

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Code Official

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**NOTICE OF ENTRY OF PROPERTY FOR CLEANING UNDER
MISSISSIPPI CODE ANNOTATED §21-19-11**

Date: April 8, 2020
To: Earnell B Harris
c/o Patricia Hudson 3405 Boxwell Circle
Killeen, TX 76543
Re: Public Nuisance Hearing pursuant to Mississippi Code Annotated §21-19-11
Site: 1239 Church Avenue

The Board of Aldermen of the City of Cleveland has authorized this notice to be sent to you regarding 1239 Church Avenue. This property is alleged to be in need of cleaning pursuant to Mississippi Code Annotated §21-19-11. This statute allows a municipality to clean any property in its city limits which is found to be a menace to the public health, safety and welfare of the community. If the property is found to be such a nuisance, the city may enter the property and clean the property by removing any dilapidated buildings, rubbish, cutting weeds and grass, removing fences, outside toilets, and personal property.

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**NOTICE OF ENTRY OF PROPERTY FOR CLEANING UNDER
MISSISSIPPI CODE ANNOTATED §21-19-11**

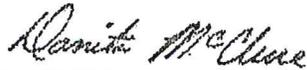
Date: April 8, 2020
To: Joyce Tucker
9 Second Street
Cleveland, MS 38732
Re: Public Nuisance Hearing pursuant to Mississippi Code Annotated §21-19-11
Site: 709 Beach Street

The Board of Aldermen of the City of Cleveland has authorized this notice to be sent to you regarding 709 Beach Street. This property is alleged to be in need of cleaning pursuant to Mississippi Code Annotated §21-19-11. This statute allows a municipality to clean any property in its city limits which is found to be a menace to the public health, safety and welfare of the community. If the property is found to be such a nuisance, the city may enter the property and clean the property by removing any dilapidated buildings, rubbish, cutting weeds and grass, removing fences, outside toilets, and personal property.

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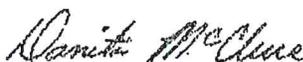
Date: April 8, 2020
To: T S Tice
708 Jackson Street
Cleveland, MS 38732
Re: Public Nuisance Hearing pursuant to Mississippi Code Annotated §21-19-11
Site: 708 Jackson Street

The Board of Aldermen of the City of Cleveland has authorized this notice to be sent to you regarding 708 Jackson Street. This property is alleged to be in need of cleaning pursuant to Mississippi Code Annotated §21-19-11. This statute allows a municipality to clean any property in its city limits which is found to be a menace to the public health, safety and welfare of the community. If the property is found to be such a nuisance, the city may enter the property and clean the property by removing any dilapidated buildings, rubbish, cutting weeds and grass, removing fences, outside toilets, and personal property.

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**NOTICE OF ENTRY OF PROPERTY FOR CLEANING UNDER
 MISSISSIPPI CODE ANNOTATED §21-19-11**

Date: April 8, 2020
 To: Leon Foster
 c/o Beverly Foster 66740 Cresent Dr. Apt. B
 Desert Hotspring, CA 92240
 Rc: Public Nuisance Hearing pursuant to Mississippi Code Annotated §21-19-11
 Site: 907 S. Chrisman Avenue

The Board of Aldermen of the City of Cleveland has authorized this notice to be sent to you regarding 907 S. Chrisman Avenue. This property is alleged to be in need of cleaning pursuant to Mississippi Code Annotated §21-19-11. This statute allows a municipality to clean any property in its city limits which is found to be a menace to the public health, safety and welfare of the community. If the property is found to be such a nuisance, the city may enter the property and clean the property by removing any dilapidated buildings, rubbish, cutting weeds and grass, removing fences, outside toilets, and personal property.

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**NOTICE OF ENTRY OF PROPERTY FOR CLEANING UNDER
 MISSISSIPPI CODE ANNOTATED §21-19-11**

Date: April 8, 2020
 To: Sylvester Butcher
 1320 Church Avenue
 Cleveland, MS 38732
 Rc: Public Nuisance Hearing pursuant to Mississippi Code Annotated §21-19-11
 Site: 1408 S. Chrisman Avenue

The Board of Aldermen of the City of Cleveland has authorized this notice to be sent to you regarding 1408 S. Chrisman Avenue. This property is alleged to be in need of cleaning pursuant to Mississippi Code Annotated §21-19-11. This statute allows a municipality to clean any property in its city limits which is found to be a menace to the public health, safety and welfare of the community. If the property is found to be such a nuisance, the city may enter the property and clean the property by removing any dilapidated buildings, rubbish, cutting weeds and grass, removing fences, outside toilets, and personal property.

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**NOTICE OF ENTRY OF PROPERTY FOR CLEANING UNDER
MISSISSIPPI CODE ANNOTATED §21-19-11**

Date: April 8, 2020
To: Pamela D. Lewis & Bridget L. Anderson
912 Cross Street
Cleveland, MS 38732
Re: Public Nuisance Hearing pursuant to Mississippi Code Annotated §21-19-11
Site: 912 Cross Street

The Board of Aldermen of the City of Cleveland has authorized this notice to be sent to you regarding 912 Cross Street. This property is alleged to be in need of cleaning pursuant to Mississippi Code Annotated §21-19-11. This statute allows a municipality to clean any property in its city limits which is found to be a menace to the public health, safety and welfare of the community. If the property is found to be such a nuisance, the city may enter the property and clean the property by removing any dilapidated buildings, rubbish, cutting weeds and grass, removing fences, outside toilets, and personal property.

You have an opportunity to appear before the Mayor and Board of Aldermen to contest this allegation regarding the subject property. A hearing will be held on 05/05/2020 at 6:30 p.m. in the Board Room at City Hall.

Adjudication at the hearing that the parcel is in need of cleaning will authorize the City to use its employees to enter the property to perform any necessary cleaning including, but not limited to, removing any dilapidated buildings, rubbish, cutting weeds and grass, removing fences, outside toilets, and personal property.

An adjudication at the hearing that the parcel is in need of cleaning will also authorize the municipality to re-enter the property or parcel of land for a period of one (1) year after the hearing without any additional hearings as long as notice is posted on the property or parcel of land and at the city hall or another place in the city which commonly posts such notices at least 7 days before the property or parcel is re-entered for cleaning.

Code Official

4/8/2020

IWORQ Systems Inc.



DEPARTMENT OF COMMUNITY DEVELOPMENT
P.O. Box 1439 • 215 N. Bayou Rd.
Cleveland, MS 38732
Phone: 662-843-4601 • Fax: 662-846-5701

**NOTICE OF ENTRY OF PROPERTY FOR CLEANING UNDER
MISSISSIPPI CODE ANNOTATED §21-19-11**

Date: April 8, 2020
To: Virgie Mae Wright
704 Ninth Avenue
Cleveland, MS 38732
Re: Public Nuisance Hearing pursuant to Mississippi Code Annotated §21-19-11
Site: 704 Ninth Avenue

The Board of Aldermen of the City of Cleveland has authorized this notice to be sent to you regarding 704 Ninth Avenue. This property is alleged to be in need of cleaning pursuant to Mississippi Code Annotated §21-19-11. This statute allows a municipality to clean any property in its city limits which is found to be a menace to the public health, safety and welfare of the community. If the property is found to be such a nuisance, the city may enter the property and clean the property by removing any dilapidated buildings, rubbish, cutting weeds and grass, removing fences, outside toilets, and personal property.

You have an opportunity to appear before the Mayor and Board of Aldermen to contest this allegation regarding the subject property. A hearing will be held on 05/05/2020 at 6:30 p.m. in the Board Room at City Hall.

Adjudication at the hearing that the parcel is in need of cleaning will authorize the City to use its employees to enter the property to perform any necessary cleaning including, but not limited to, removing any dilapidated buildings, rubbish, cutting weeds and grass, removing fences, outside toilets, and personal property.

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Code Official

4/8/2020

IWORQ Systems Inc.



DEPARTMENT OF COMMUNITY DEVELOPMENT
P.O. Box 1439 • 215 N. Bayou Rd.
Cleveland, MS 38732
Phone: 662-843-4601 • Fax: 662-846-5701

NOTICE OF ENTRY OF PROPERTY FOR CLEANING UNDER MISSISSIPPI CODE ANNOTATED §21-19-11

Date: April 8, 2020
To: Moshu Knox
5 Oak Street
Renova, MS 38732
Re: Public Nuisance Hearing pursuant to Mississippi Code Annotated §21-19-11
Site: 808 Pearl Avenue

The Board of Aldermen of the City of Cleveland has authorized this notice to be sent to you regarding 808 Pearl Avenue. This property is alleged to be in need of cleaning pursuant to Mississippi Code Annotated §21-19-11. This statute allows a municipality to clean any property in its city limits which is found to be a menace to the public health, safety and welfare of the community. If the property is found to be such a nuisance, the city may enter the property and clean the property by removing any dilapidated buildings, rubbish, cutting weeds and grass, removing fences, outside toilets, and personal property.

You have an opportunity to appear before the Mayor and Board of Aldermen to contest this allegation regarding the subject property. A hearing will be held on 05/05/2020 at 6:30 p.m. in the Board Room at City Hall.

Adjudication at the hearing that the parcel is in need of cleaning will authorize the City to use its employees to enter the property to perform any necessary cleaning including, but not limited to, removing any dilapidated buildings, rubbish, cutting weeds and grass, removing fences, outside toilets, and personal property.

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[Signature]
Code Official

4/8/2020

IWORQ Systems Inc.



DEPARTMENT OF COMMUNITY DEVELOPMENT
P.O. Box 1439 • 215 N. Bayou Rd.
Cleveland, MS 38732
Phone: 662-843-4601 • Fax: 662-846-5701

NOTICE OF ENTRY OF PROPERTY FOR CLEANING UNDER MISSISSIPPI CODE ANNOTATED §21-19-11

Date: April 8, 2020
To: Bolivar County Habitat for Humanity
P O Box 1785
Cleveland, MS 38732
Re: Public Nuisance Hearing pursuant to Mississippi Code Annotated §21-19-11
Site: 626 N. Bayou Avenue

The Board of Aldermen of the City of Cleveland has authorized this notice to be sent to you regarding 626 N. Bayou Avenue. This property is alleged to be in need of cleaning pursuant to Mississippi Code Annotated §21-19-11. This statute allows a municipality to clean any property in its city limits which is found to be a menace to the public health, safety and welfare of the community. If the property is found to be such a nuisance, the city may enter the property and clean the property by removing any dilapidated buildings, rubbish, cutting weeds and grass, removing fences, outside toilets, and personal property.

You have an opportunity to appear before the Mayor and Board of Aldermen to contest this allegation regarding the subject property. A hearing will be held on 05/05/2020 at 6:30 p.m. in the Board Room at City Hall.

Adjudication at the hearing that the parcel is in need of cleaning will authorize the City to use its employees to enter the property to perform any necessary cleaning including, but not limited to, removing any dilapidated buildings, rubbish, cutting weeds and grass, removing fences, outside toilets, and personal property.

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[Signature]
Code Official

4/8/2020

IWORQ Systems Inc.



DEPARTMENT OF COMMUNITY DEVELOPMENT

P.O. Box 1439 • 215 N. Bayou Rd.
Cleveland, MS 38732
Phone: 662-843-4601 • Fax: 662-846-5701

**NOTICE OF ENTRY OF PROPERTY FOR CLEANING UNDER
MISSISSIPPI CODE ANNOTATED §21-19-11**

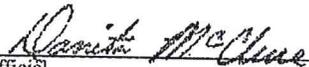
Date: April 8, 2020
To: Covenant Partners LLC
483 Airport Road
Natchez, MS 39120
Re: Public Nuisance Hearing pursuant to Mississippi Code Annotated §21-19-11
Site: 601 Ruby Street

The Board of Aldermen of the City of Cleveland has authorized this notice to be sent to you regarding 601 Ruby Street. This property is alleged to be in need of cleaning pursuant to Mississippi Code Annotated §21-19-11. This statute allows a municipality to clean any property in its city limits which is found to be a menace to the public health, safety and welfare of the community. If the property is found to be such a nuisance, the city may enter the property and clean the property by removing any dilapidated buildings, rubbish, cutting weeds and grass, removing fences, outside toilets, and personal property.

You have an opportunity to appear before the Mayor and Board of Aldermen to contest this allegation regarding the subject property. A hearing will be held on 05/05/2020 at 6:30 p.m. in the Board Room at City Hall.

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Code Official

4/8/2020

IWORQ Systems Inc.



DEPARTMENT OF COMMUNITY DEVELOPMENT

P.O. Box 1439 • 215 N. Bayou Rd.
Cleveland, MS 38732
Phone: 662-843-4601 • Fax: 662-846-5701

**NOTICE OF ENTRY OF PROPERTY FOR CLEANING UNDER
MISSISSIPPI CODE ANNOTATED §21-19-11**

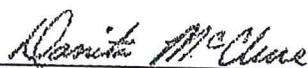
Date: April 8, 2020
To: S L & Raksha Sethi
1554 W. Peace Street
Canton, MS 39046
Re: Public Nuisance Hearing pursuant to Mississippi Code Annotated §21-19-11
Site: 211 N. Andrews Avenue

The Board of Aldermen of the City of Cleveland has authorized this notice to be sent to you regarding 211 N. Andrews Avenue. This property is alleged to be in need of cleaning pursuant to Mississippi Code Annotated §21-19-11. This statute allows a municipality to clean any property in its city limits which is found to be a menace to the public health, safety and welfare of the community. If the property is found to be such a nuisance, the city may enter the property and clean the property by removing any dilapidated buildings, rubbish, cutting weeds and grass, removing fences, outside toilets, and personal property.

You have an opportunity to appear before the Mayor and Board of Aldermen to contest this allegation regarding the subject property. A hearing will be held on 05/05/2020 at 6:30 p.m. in the Board Room at City Hall.

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Code Official

4/8/2020

IWORQ Systems Inc.



DEPARTMENT OF COMMUNITY DEVELOPMENT
P.O. Box 1439 • 215 N. Bayou Rd.
Cleveland, MS 38732
Phone: 662-843-4601 • Fax: 662-846-5701

**NOTICE OF ENTRY OF PROPERTY FOR CLEANING UNDER
MISSISSIPPI CODE ANNOTATED §21-19-11**

Date: April 8, 2020
To: S L & Raksha Sethi
1554 W. Peace Street
Canton, MS 39046
Re: Public Nuisance Hearing pursuant to Mississippi Code Annotated §21-19-11
Site: 209 N. Andrews Avenue

The Board of Aldermen of the City of Cleveland has authorized this notice to be sent to you regarding 209 N. Andrews Avenue. This property is alleged to be in need of cleaning pursuant to Mississippi Code Annotated §21-19-11. This statute allows a municipality to clean any property in its city limits which is found to be a menace to the public health, safety and welfare of the community. If the property is found to be such a nuisance, the city may enter the property and clean the property by removing any dilapidated buildings, rubbish, cutting weeds and grass, removing fences, outside toilets, and personal property.

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Code Official

4/8/2020

IWORQ Systems Inc.



DEPARTMENT OF COMMUNITY DEVELOPMENT
P.O. Box 1439 • 215 N. Bayou Rd.
Cleveland, MS 38732
Phone: 662-843-4601 • Fax: 662-846-5701

**NOTICE OF ENTRY OF PROPERTY FOR CLEANING UNDER
MISSISSIPPI CODE ANNOTATED §21-19-11**

Date: April 8, 2020
To: Sunco Holdings LLC
1554 W. Peace Street
Canton, MS 39046
Re: Public Nuisance Hearing pursuant to Mississippi Code Annotated §21-19-11
Site: 214 N. Davis Avenue

The Board of Aldermen of the City of Cleveland has authorized this notice to be sent to you regarding 214 N. Davis Avenue. This property is alleged to be in need of cleaning pursuant to Mississippi Code Annotated §21-19-11. This statute allows a municipality to clean any property in its city limits which is found to be a menace to the public health, safety and welfare of the community. If the property is found to be such a nuisance, the city may enter the property and clean the property by removing any dilapidated buildings, rubbish, cutting weeds and grass, removing fences, outside toilets, and personal property.

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Code Official

4/8/2020

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P.O. Box 1439 • 215 N. Bayou Rd.
Cleveland, MS 38732
Phone: 662-843-4601 • Fax: 662-846-5701

**NOTICE OF ENTRY OF PROPERTY FOR CLEANING UNDER
MISSISSIPPI CODE ANNOTATED §21-19-11**

Date: April 8, 2020
To: Gwendolyn Watson
951 Taylor Road
Boyle, MS 38730
Re: Public Nuisance Hearing pursuant to Mississippi Code Annotated §21-19-11
Site: 929 Aloe Avenue

The Board of Aldermen of the City of Cleveland has authorized this notice to be sent to you regarding 929 Aloe Avenue. This property is alleged to be in need of cleaning pursuant to Mississippi Code Annotated §21-19-11. This statute allows a municipality to clean any property in its city limits which is found to be a menace to the public health, safety and welfare of the community. If the property is found to be such a nuisance, the city may enter the property and clean the property by removing any dilapidated buildings, rubbish, cutting weeds and grass, removing fences, outside toilets, and personal property.

You have an opportunity to appear before the Mayor and Board of Aldermen to contest this allegation regarding the subject property. A hearing will be held on 05/05/2020 at 6:30 p.m. in the Board Room at City Hall.

Adjudication at the hearing that the parcel is in need of cleaning will authorize the City to use its employees to enter the property to perform any necessary cleaning including, but not limited to, removing any dilapidated buildings, rubbish, cutting weeds and grass, removing fences, outside toilets, and personal property.

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Code Official

4/8/2020

IWORQ Systems Inc.



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P.O. Box 1439 • 215 N. Bayou Rd.
Cleveland, MS 38732
Phone: 662-843-4601 • Fax: 662-846-5701

**NOTICE OF ENTRY OF PROPERTY FOR CLEANING UNDER
MISSISSIPPI CODE ANNOTATED §21-19-11**

Date: April 8, 2020
To: Cotton States Investments Corp.
320 W. Lee Road
Clarksdale, MS 38614
Re: Public Nuisance Hearing pursuant to Mississippi Code Annotated §21-19-11
Site: 413 S. Chrisman Avenue

The Board of Aldermen of the City of Cleveland has authorized this notice to be sent to you regarding 413 S. Chrisman Avenue. This property is alleged to be in need of cleaning pursuant to Mississippi Code Annotated §21-19-11. This statute allows a municipality to clean any property in its city limits which is found to be a menace to the public health, safety and welfare of the community. If the property is found to be such a nuisance, the city may enter the property and clean the property by removing any dilapidated buildings, rubbish, cutting weeds and grass, removing fences, outside toilets, and personal property.

You have an opportunity to appear before the Mayor and Board of Aldermen to contest this allegation regarding the subject property. A hearing will be held on 05/05/2020 at 6:30 p.m. in the Board Room at City Hall.

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Code Official

4/8/2020

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**NOTICE OF ENTRY OF PROPERTY FOR CLEANING UNDER
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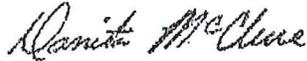
Date: April 8, 2020
To: Elizabeth Allen & Essie Brown
523 Ferguson Avenue
Cleveland, MS 38732
Re: Public Nuisance Hearing pursuant to Mississippi Code Annotated §21-19-11
Site: 523 Ferguson Avenue

The Board of Aldermen of the City of Cleveland has authorized this notice to be sent to you regarding 523 Ferguson Avenue. This property is alleged to be in need of cleaning pursuant to Mississippi Code Annotated §21-19-11. This statute allows a municipality to clean any property in its city limits which is found to be a menace to the public health, safety and welfare of the community. If the property is found to be such a nuisance, the city may enter the property and clean the property by removing any dilapidated buildings, rubbish, cutting weeds and grass, removing fences, outside toilets, and personal property.

You have an opportunity to appear before the Mayor and Board of Aldermen to contest this allegation regarding the subject property. A hearing will be held on 05/05/2020 at 6:30 p.m. in the Board Room at City Hall.

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Code Official

ORDERED this May 5, 2020.

ON-CALL ENGINEERING UPDATE

Josh McPherson of Eley-Barkley Engineering provided an update of engineering projects.

**ORDER TO APPROVE HIGHWAY 8 AND 61 LIGHTING IMPROVEMENT
PROJECT PAY REQUEST #1**

After discussion, upon Motion by Alderman Gainspoletti, second by Alderman Smith, and unanimously adopted, it is ordered to approve the Highway 8 and 61 Lighting Improvement Project pay request #1 from Robinson Electric totaling \$32,012.

LPA-001 v 1.2
Revised Apr. 02, 2009MISSISSIPPI DEPARTMENT OF TRANSPORTATION
Contractor's Estimate - Recap SheetSTP-0090-00(008)/107374701
Printed: 04/30/2020 01:45 pm

Vendor Number	3100034215 0	Completion Date	00/00/0000
Contract ID	LSTP009000008	Time Units / Days to be Allowed	168.00
In Account With	City of Cleveland P.O. Box 1439, Cleveland, MS, 38732		
FMS Contract Number	OG00001243		
Estimate Number	0001 PROGRESS	Period	03/30/2020 Thru 04/26/2020
Project County: BOLIVAR (6)			
Project Number: 107374701000 [STP-0090-00(008)/107374701]		Current Period	Previous Estimate
Total Cost (Participating)		\$32,012.00	\$0.00
Total Cost		\$32,012.00	\$0.00
Project Total		\$32,012.00	\$0.00
% Matching Funds Deduction for LPA 11.82000 %		(\$3,783.82)	(\$0.00)
Total Net Amount Owed to LPA		\$28,228.18	\$0.00
Total Contract Net Work Due		\$28,228.18	\$0.00
Time Units / Days Used		10.000000	0
Contract % Complete (Dollars)		2.80 %	0.00 %
Contract % Elapsed Time		5.950000%	0.000000%

Quantities Checked
Original Signed

McPherson, Josh (13-93)

Project Engineer

LPA Official:

Approved:

Chief Engineer by

Original Signed

Lee Frederick, P.E.

LPA Engineer

Completion Date: 00/00/0000

Calendar Days to be Allowed: 168.00

Total Contract Bid Amount: \$1,144,090.75

Total Contract Current Amount: \$1,144,090.75

Productive Days to be Allowed: 168.000000

Total Productive Days Assessed: 10.000000

Contract % Elapsed Time (Productive Days): 5.950000 %

Progress of Project: -3.150000%

Approved for Payment
5-5-2020 Board MeetingHwy 8 & 61 Lighting Imp. Project Pay
Request #1

ORDERED this May 5, 2020.

**ORDER TO AUTHORIZE THE CLEANOUT OF DRAINAGE DITCHES ON
ROSEMARY ROAD AND RONALDMAN DRIVE**

After discussion, upon Motion by Alderman Campbell, second by Alderman Gainspoletti, and unanimously adopted, it is ordered to authorize Joe Reed Co. to cleanout drainage ditches along Rosemary Road and Ronaldman Drive.

ORDERED this May 5, 2020.

**ORDER TO APPROVE EAST SIDE PARK STORM DRAINAGE
IMPROVEMENT PROJECT PAY REQUESTS #1, #2 AND #3 AND AUTHORIZE
ADDITIONAL REPAIRS**

After discussion, upon Motion by Alderman Sanders, second by Alderman Janoush, and unanimously adopted, it is ordered to approve East Side Park Storm Drainage Improvement Project pay requests #1, #2 and #3 from Avis Construction, Inc. totaling \$7,950, \$2,500 and \$2,875 respectively and authorize Avis Construction, Inc. to make additional repairs to the East Side Park Drainage system.

AVIS CONSTRUCTION, INC.

P.O. BOX 1260
GREENVILLE, MS 38702

Invoice

Date	Invoice #
5/15/2019	2827

Bill To
CITY OF CLEVELAND CLEVELAND, MS.

P.O. No.	Terms	Project
	Net 30	

Quantity	Description	Rate	Amount
1	EAST PARKWAY STORM DRAIN REPAIR MAY 13-15, 2019 -RESEALING JOINTS ON 24IN CONCRETE PIPE <i>Approved for payment 5-5-2020 Board Meeting East Side Storm Drainage Repairs - Pay Request #1 <u>305-682-910</u> DNG</i>	7,950.00	7,950.00
		Total	\$7,950.00

AVIS CONSTRUCTION, INC.
P.O. BOX 1260
GREENVILLE, MS 38702

Invoice

Date	Invoice #
5/6/2019	2828

Bill To
CITY OF CLEVELAND CLEVELAND, MS.

P.O. No.	Terms	Project
	Net 30	

Quantity	Description	Rate	Amount
1	CURB INLET REPAIR COX DRIVE/ WHITE STREET APRIL 22, 2019 -REPAIRING CATCH BASIN AND 10FT OF CURB AND GUTTER	2,500.00	2,500.00
<p>Approved for payment 5-5-2020 Board Meeting</p> <p>East Side Storm Drainage Repairs - Pay Request #2</p> <p><u>305-682-910</u> DNG</p>			
Thank you for your business.		Total	\$2,500.00

AVIS CONSTRUCTION, INC.

P.O. BOX 1260
GREENVILLE, MS 38702

Invoice

Date	Invoice #
5/6/2019	2829

Bill To
CITY OF CLEVELAND CLEVELAND, MS.

P.O. No.	Terms	Project
	Net 30	

Quantity	Description	Rate	Amount
1	CURB INLET REPAIR S. PARKWAY/ N. PARKWAY DR. APRIL, 23, 2019 -REPAIRED CURB INLET AND 16FT OF CURB AND GUTTER	2,875.00	2,875.00
<p>Approved for payment 5-5-2020 Board Meeting</p> <p>East Side Storm Drainage Repairs - Pay Request #3</p> <p><u>305-682-910</u> DNG</p>			
Thank you for your business.		Total	\$2,875.00

ORDERED this May 5, 2020.

ORDER TO APPROVE STERLING ANDERSON GAZEBO PROJECT FINAL PAY REQUEST

After discussion, upon Motion by Alderman Campbell, second by Alderman Smith, and unanimously adopted, it is ordered to approve the Sterling Anderson Gazebo Project final pay request due to Cleveland Lumber and Supply totaling \$30,950.00.



Cleveland Lumber & Supply Co.
 711 N. Davis Ave
 P.O. Box 489
 Cleveland, MS 38732
 PHONE: (662) 843-2728

CUST NO: 2813 JOB NO: 000 PURCHASE ORDER: REFERENCE: TERMS: NET 10TH CLERK: CVB DATE / TIME: 4/21/20 11:07

SOLD TO:
 CITY OF CLEV-JOB:STERLING
 ANDERSON PARK
 P. O. BOX 1439
 CLEVELAND MS 38732
 662-846-1471

SHIP TO:

DUE DATE: 5/10/20 TERMINAL: 203

SALESPERSON: 01 JOHN K. ABIDE
 TAX: 006 MPC - CLC JOBS NON-TA

INVOICE: 45753 /1

LINE	SHIPPED	ORDERED	UM	SKU	DESCRIPTION	SUGG	UNITS	PRICE/ PER	EXTENSION
1		1	EA	LAB04	LABOR AND MATERIALS FOR REPAIRS TO STERLING ANDERSON PARK AS PER SPECIFICATIONS		1	30950.00 /EA	30,950.00 N
2					Approved for Payment 5-5-2020 Board Meeting				
3					Sterling Anderson Gazebo Project - Final Pay Request				
					<u>305-682-910</u> DNG				

** AMOUNT CHARGED TO STORE ACCOUNT ** 30950.00

TAXABLE 0.00
 NON-TAXABLE 30950.00
 SUBTOTAL 30950.00



TAX AMOUNT 0.00
TOTAL 30950.00

ORDERED this May 5, 2020.

ORDER TO APPROVE FIRE STATION NUMBER ONE PROJECT PAY REQUEST #1

After discussion, upon Motion by Alderman Janoush, second by Alderman Gainspoletti, and unanimously adopted, it is ordered to approve the Fire Station Number One Project pay request #1 due to Mike Rozier Construction totaling \$177,598.59.

Application and Certificate for Payment

To Owner: CITY OF CLEVELAND
100 NORTH STREET
CLEVELAND, MS 38732

Project: CLEVELAND FIRE STATION #1

Application No: 1
Period To: 4/30/2020
Contract For:

Contract Date:
Project Nos: 2002

From Contractor: MIKE ROZIER CONSTRUCTION CO
INC.
PO BOX 230
CARROLLTON, MS 38917

Via Architect:

CONTRACTOR'S APPLICATION FOR PAYMENT

- 1) Original Contract Sum1,287,766.00
- 2) Net change by Change Orders0.00
- 3) Contract Sum to Date1,287,766.00
- 4) Completed and Stored to Date186,945.88
- 5) Retainage:
 - a. Completed Work9,347.29
 - b. Stored Material0.00
 - Total Retainage9,347.29
- 6) Total Earned less Retainage177,598.59
- 7) Less Previous Certificates for Payment0.00
- 8) Current Payment Due177,598.59
- 9) Balance to Finish, including Retainage1,110,167.41

CHANGE ORDER SUMMARY	ADDITIONS	DEDUCTIONS
Total changes approved in previous months by Owner	0.00	0.00
Total approved this Month	0.00	0.00
TOTALS	0.00	0.00
NET CHANGES by Change Order	0.00	

Approved for payment
5-5-2020 Board Meeting

Fire Station No. 1 Project - Pay Request #1
305-682-910
DNG

The undersigned Contractor certifies that to the best of the Contractor's knowledge, information and belief the Work covered by this Application for Payment has been completed in accordance with the Contract Documents, that all amounts have been paid by the Contractor for Work for which previous Certificates for Payment were issued and payments received from the Owner, and that current payment shown herein is now due.

CONTRACTOR: *[Signature]*
By: _____ Date: 4/30/20
State of Mississippi
County of: Carroll

Subscribed and sworn to before me this 30th day of April, 2020

Notary Public: *[Signature]*
My Commission expires: Aug 12, 2023



ARCHITECT'S CERTIFICATE FOR PAYMENT

In accordance with the Contract Documents, based on on-site observation and the data comprising this application, the Architect certifies to the Owner that to the best of the Architect's knowledge, information and belief the Work has progressed as indicated, the quality of the Work is in accordance with the Contract Documents, and the Contractor is entitled to payment of the AMOUNT CERTIFIED.

AMOUNT CERTIFIED \$ _____
(Attach explanation if amount certified differs from the amount applied. Initial all figures on this Application and on the Continuation Sheet that are changed to conform with the amount certified.)

ARCHITECT: _____
By: _____ Date: _____
This Certificate is not negotiable. The AMOUNT CERTIFIED is payable only to the Contractor named herein. Issuance, payment and acceptance of payment are without prejudice to any rights of the Owner or Contractor under this Contract.

ORDERED this May 5, 2020.

ORDER TO APPROVE CONSENT AGENDA ITEMS

After discussion, upon Motion by Alderman Janoush, second by Alderman Povall, and unanimously adopted, it is ordered that the consent agenda with supporting documentation attached hereto as "Exhibit A" be approved as follows.

1. Approval of Consent Agenda
 - a. Approval of Minutes (April 3rd, April 5th, April 7th, April 17th, April 24th)
 - b. Approval of April Claims Docket
 - c. Request to send notices for properties in violation of MCA 21-19-11
 - d. Request to tow nuisance vehicles
 - e. Request permission to advertise for Public Works Six Month Bids
 - f. Acceptance of legal advertising bid from Coopwood Newspapers – The Bolivar Bullet

ORDERED this May 5, 2020.

ORDER TO KEEP PARKS CLOSED TO MITIGATE THE FURTHER SPREAD OF COVID-19 PURSUANT TO GOVERNOR REEVES' EXECUTIVE "SAFER-AT-HOME" ORDER NUMBER 1478

After discussion, upon Motion by Alderman Janoush, second by Alderman Gainspoletti, and unanimously adopted, it is ordered to keep parks closed until further notice during the COVID-19 pandemic to aid in mitigating the further spread of COVID-19 therefore being more restrictive than Governor Reeves' Executive "Safer-at-Home" Order Number 1478.

ORDERED this May 5, 2020.

ORDER TO REQUIRE RESTAURANTS TO FOLLOW STATED GUIDELINES TO RE-OPEN AND MITIGATE THE FURTHER SPREAD OF COVID-19 PURSUANT TO GOVERNOR REEVES' EXECUTIVE "SAFER-AT-HOME" ORDER NUMBER 1478

After discussion, upon Motion by Alderman Abraham, second by Alderman Gainspoletti, and unanimously adopted, it is ordered to require restaurants to follow stated guidelines to re-open during the COVID-19 pandemic to aid in mitigating the further spread of COVID-19.

of COVID-19 pursuant to Governor Reeves' Executive "Safer-at-Home" Order Number 1478.

**Requirements for Restaurants and Bars to Re-Open
In the City of Cleveland, Mississippi**

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND BOARD OF ALDERMEN of the City of Cleveland pursuant to Mississippi Code Section 45-17-7, that the City hereby adopts the following additional emergency measures that shall take effect immediately and expire at the times provided in Executive Order 1478 unless further action is taken by the governmental authority of the City of Cleveland, to protect the public health, safety, and welfare of the community from the spread of a contagious or infectious disease and to eliminate or limit injuries or deaths that may occur in the absence of such measures:

SECTION 1

In order to protect the health and safety of customers and employees inside any business' facilities which remain open as essential businesses, such business must take appropriate actions to promote proper sanitization and minimize close person-to-person contact and enforce appropriate social distancing, to include the following:

Safer-At-Home via Executive Order 1477 shall remain in effect until Monday, May 11, 2020 at 8:00 a.m. with the additional exception added in Executive Order 1478 allowing Restaurants and Bars to reopen so long as they adhere to the following:

A. Requirements for Restaurants & Bars to Re-Open

1. Prior to resuming in-house dining, the entire restaurant and bar, including areas not open to the public, shall be deep cleaned, disinfected, and sanitized.
2. Bars & Bar Areas that do not offer food services shall remain closed.
3. Live music shall not be permitted.
4. Restaurants and bars must close at 10:00 p.m.

B. Requirements for Restaurant & Bar Employees

Restaurant/Bar shall implement steps to ensure compliance with the MS State Department of Health's and CDC's regulations, orders, and guidance to prevent the spread of COVID-19, including, but not limited to:

1. Adopt and enforce regular and proper hand-washing and personal hygiene protocols.
2. Follow social distancing guidelines.
3. Actively encourage sick employees to stay home.
4. Do not allow employees who have any type of sickness or have any symptoms of COVID-19 to work.
5. Conduct daily screening of all employees at the beginning of their shifts to include the following questions. Separate and send home employees who answer in the affirmative to any of the screening questions or appear to have any respiratory illness symptoms.
 - * Have you been in close contact with a confirmed case of COVID-19 in the past 14 days?
 - * Are you experiencing a cough, shortness of breath, or sore throat?
 - * Have you had a fever in the last 48 hours?

- * Have you had a loss of smell or taste?
- * Have you had vomiting or diarrhea in the last 24 hours?
- 6. Require employees to report any symptoms of COVID-19 or respiratory illness to their supervisor immediately during their shift. Send employee(s) home immediately and have them to consult with their physician.
- 7. Employees must wear PPE based on their duties and responsibilities and in adherence to MS State Department of Health requirements.
- 8. Every employee who comes into contact with a customer shall be required to wear a mask to cover nose and mouth. Employer must provide masks for employees. If masks are not available, a cloth or bandana, or other similar material may be used.
- 9. Employer must provide training to all employees regarding minimizing the spread of COVID-19 to include the importance of frequent handwashing and personal hygiene; proper cleaning, disinfection, and sanitization; cough and sneeze etiquette; use of PPE; and safe food-handling requirements.
- 10. Employer must sanitize and disinfect work surfaces routinely.
- 11. Where possible, workstations shall be spaced to avoid employees standing next to each other. Where separation is not possible, the frequency of surface cleaning and sanitizing must be increased.
- 12. Break rooms must be thoroughly cleaned and sanitized. Limit the number of employees in this area to less than 10 and require social distancing of 6 feet between employees.
- 13. All front-of-house high contact surfaces must be sanitized at least every 2 hours.
- 14. Employer must implement routine sanitization and disinfection of front-of-house contact surfaces including screens, phones, pens, keyboards, and all other hand contact surfaces every 2 hours at a minimum.
- 15. Employer must sanitize door handles at entrances, exits, and restrooms every 2 hours at a minimum.
- 16. Employer must provide hand sanitization materials for customers at restrooms, entrances, exits, and at cashier stations.
- 17. Signs must be posted at each entrance stating no customer with a fever or other symptom of COVID-19 is permitted in the restaurant or bar.
- 18. Customers must be screened for illness upon entry into the restaurant or bar and must not be allowed to enter if they answer in the affirmative to any of the screening questions or appear to have any respiratory illness symptoms.
 - * Have you been in close contact with a confirmed case of COVID-19 in the past 14 days?
 - * Are you experiencing a cough, shortness of breath, or sore throat?
 - * Have you had a fever in the last 48 hours?
 - * Have you had a loss of smell or taste?
 - * Have you had vomiting or diarrhea in the last 24 hours?

- 19. Must have markers on floors and/or signage measuring six-foot intervals and instructing people where to stand in order/pick-up/checkout lines must be implemented.
- 20. Employer must have employees specifically tasked to enforce social distancing among customers while waiting to be seated and in the bar area.

Bars that do not normally serve food, Parks, Gyms, Spas, Exercise Venues, Bowling Alley, & Entertainment Venues will remain closed until further notice. The City reserves the right to issue emergency orders more restrictive than those imposed by the above Executive Orders.

SECTION II

ENFORCEMENT of this Emergency Order shall be via issuance of a citation to the manager (person in charge) on the premises of the business at the time of the occurrence. **CITATIONS** shall be answerable to the City of Cleveland Municipal Court. **VIOLATIONS** of this Emergency Order shall be a misdemeanor. **PENALTIES** for violations shall be punishable by a fine not exceeding Three Hundred Dollars (\$300.00) as provided by Mississippi Code Section 45-17-9.

Alderman Danny Abraham moved for adoption of this Emergency Order, which motion was seconded by Alderman Gary Gainspoletti, said Emergency Order having been introduced in writing at the regular meeting of the Mayor Board of Aldermen of the City of Cleveland, Mississippi, held on May 5, 2020, at 6:30 p.m., which was read, considered, debated and ultimately adopted unanimously, paragraph by paragraph, section by section, then as a whole, and the question being put to a vote, the Mayor recorded the votes as follows:

Alderman Gary Gainspoletti voted:	aye
Alderman J. Paul Janoush voted:	aye
Alderman Ted Campbell voted:	aye
Alderman Robert Sanders voted:	aye
Alderman Danny Abraham voted:	aye
Alderman Maurice Smith voted:	aye
Alderman Kirkham Povall voted:	aye

/s/ Billy Nowell
 Billy Nowell
 Mayor of the City of Cleveland, Mississippi

/s/ Dominique Green
 Attest: Dominique Green
 City Clerk, City of Cleveland, Mississippi

ORDER TO TABLE DECLARATION OF A LEISURE AND RECREATION DISTRICT DISCUSSION

After discussion, upon motion by Alderman Janoush, second by Alderman Abraham, and unanimously adopted, it is ordered to table the declaration of a leisure and recreation district discussion.

ORDERED this May 5, 2020.

ORDER TO ADOPT THE FYE 2020 GENERAL OBLIGATION UTILITY BOND RESOLUTION

After discussion, Alderman Gainspoletti offered and moved the adoption of the resolution as detailed per **EXHIBIT B**:

ORDERED this May 5, 2020.

ORDER TO APPROVE NORTH RAMP EXPANSION PROJECT PAY REQUEST #1

After discussion, upon Motion by Alderman Povall second by Alderman Abraham, and unanimously adopted, it is ordered to approve the North Ramp Expansion Project pay request #1 from Roy Collins Construction Company, Inc. totaling \$48,201.10.

CONTRACTOR'S APPLICATION CERTIFICATE FOR PAYMENT
NORTH RAMP EXPANSION

AIP Project No.: 3-28-0015-022-2019 Contractor: Roy Collins Construction Company, Inc. Site: Cleveland Municipal Airport Address: 1021 Airport Terminal Road Cleveland MS 38732 County: Bolivar			Pay Estimate #: 1 Period From: 4/27/20 Time Computed From: 4/27/20 Current Calendar Days: 4 Total to Days Date: 4 % Time Consumed: 4%			To: 4/30/20 Work Started: 4/27/20 Previous Days: 0 Time Limit: 90			Original Contract Amount \$722,486.50 Current Contract Amount: \$722,486.50 Contract % Completed: 7%		
Item No.	Spec. Item	Item Description	Unit	Plans Quantities	Current	Quantities Previous	Total	Unit Price	Total Amount	% Total	
1	C-100	Contractor Quality Control Program (CQCP)	LS	1	0.25	0	0.25	\$ 15,000.00	\$ 3,750.00	25%	
2	C-102-5.1	Erosion Control Silt Fence (Installation & Removal)	LF	750	538	0	538	\$ 8.00	\$ 4,304.00	72%	
3	C-102-5.2	Erosion Control Blanket	SY	400	0	0	0	\$ 3.45	\$ -	0%	
4	C-105	Mobilization	LS	1	0.25	0	0.25	\$ 30,000.00	\$ 7,500.00	25%	
5	P-101-5.1	Pavement Removal	SY	62	62	0	62	\$ 60.00	\$ 3,720.00	100%	
6	P-152-4.1	Unclassified Excavation	CY	3680	3312	0	3312	\$ 9.50	\$ 31,464.00	90%	
7	P-152-4.2	Embankment In Place	CY	3670	0	0	0	\$ 15.00	\$ -	0%	
8	P-155-8.1	Lime-Treated Subgrade	SY	4575	0	0	0	\$ 13.50	\$ -	0%	
9	P-209-5.1	Crushed Aggregate Base Course (6" Compacted Thickness)	SY	4487	0	0	0	\$ 19.00	\$ -	0%	
10	P-501-8.1	Portland Cement Concrete (PCC) Pavement (8" Thickness)	SY	4400	0	0	0	\$ 95.37	\$ -	0%	
11	T-901-5.1	Seeding	AC	0.5	0	0	0	\$ 5,750.00	\$ -	0%	
12	T-904-5.1	Sodding	SY	250	0	0	0	\$ 9.50	\$ -	0%	
13	T-905-5.1	Topsoiling (Obtained On Site)	CY	270	0	0	0	\$ 6.00	\$ -	0%	
14	T-908-5.1	Mulching	AC	0.5	0	0	0	\$ 5,750.00	\$ -	0%	

CONTRACTOR'S APPLICATION CERTIFICATE FOR PAYMENT
NORTH RAMP EXPANSION

I hereby certify that the quantities and amounts herein shown were compiled by me, and are correct to the best of my knowledge and belief, and that the work has been performed and materials used in accordance with the plans and specifications heretofore approved for this project.

Total Earned	\$ 50,738.00	7%
Retainage	\$ 2,536.90	5%
Total Earned Less Retainage	\$ 48,201.10	
Previous Payments	0	
Amt. due this Est.	\$ 48,201.10	

Roy Collins
Roy Collins Construction Company, Inc. Date

Josh McPherson, P.E.
Eley Barkley - Construction Representative Date

R. Kevin Eason
Barge Design Solutions - Project Manager Date

Approved for payment
5-5-2020 Board Meeting

North Ramp Expansion Project
Pay Request #1

309-621-910
DNG

ORDERED this May 5, 2020.

ORDER TO AWARD LOWEST AND BEST BID FOR AIRPORT STORM DAMAGE REHAB PROJECT

After discussion, upon Motion by Alderman Janoush, second by Alderman Gainspoletti, and unanimously adopted, it is ordered to award the lowest and best bid for the Airport Storm Damage Rehab Project to multiple vendors including Roy Collins Construction Company, Robinson Electric and Grain Bin Painter for a total bid of \$77,289. Cleveland Lumber and Supply provided a total bid of \$205,470.10.

ORDERED this May 5, 2020.

**ORDER TO APPROVE SOUTH DELTA ADMINISTRATIVE SERVICES
AGREEMENT FOR MLK SEWER BASIN PROJECT**

After discussion, upon Motion by Alderman Janoush, second by Alderman Campbell, and unanimously adopted, it is ordered to approve a South Delta Administrative Services Agreement as it relates to the MLK Sewer Basin Project.

CONTRACT FOR ADMINISTRATIVE SERVICES

This contract entered into as of this 6th day of May 2020, by and between Cleveland, Mississippi, hereinafter referred to as the "City" and South Delta Planning and Development District, Inc., (a non-profit corporation organized and existing under the laws of the State of Mississippi), Greenville, Mississippi, hereinafter referred to as the "District".

IT IS AGREED That the City has received funding approval under the HUD Small Cities Community Development Block Grant Program, Grant No. 1136-19-146-PF-01 from the State of Mississippi, hereinafter referred to as the "State" in the sum of \$600,000 for the purpose of making drainage improvements.

I. SCOPE OF ADMINISTRATIVE SERVICES

The work to be performed by the District includes all services generally performed in the application preparation and administration of the Small Cities Community Development Block Grant Program including, but not limited to:

- A. Provide general administration services through the environmental clearance process.
- B. Prepare environmental reports as required.
- C. Coordinate the activities of all parties and agencies in the execution of the grant to assist in compliance with CDBG regulations and State and federal rules.
- D. Monitor conformance with terms of the grant agreement and adherence to time schedules, plus requests for extension and modification, when required.

- E. Represent the City during all environmental clearance activities of the grant by accompanying officials on scheduled site visits.

II. TYPE OF CONTRACT

This is a fixed fee professional services contract and does not include payment for or costs involved in providing the City with legal, audit, appraisal, engineering surveying, architectural (rehabilitation services), and labor or materials for construction, demolition and site clearance work of any kind. Additionally the District shall in no way be responsible for the following items which are deemed solely the obligations of the City, to wit:

- (1) Awarding bids for all work;
- (2) Hiring appraisers, attorneys, engineers, architects, inspectors and administrators;
- (3) Disbursement of grant funds to all vendors involved in the grant program;
- (4) Issuing all necessary permits as required by the grant;
- (5) Making all necessary and required inspections of program activities;
- (6) To fully comply with all applicable federal, state and local laws and regulations relating to the Community Development Block Grant Program.

III. DATA, INFORMATION, PERSONNEL ASSISTANCE AND PROFESSIONAL SERVICES TO BE FURNISHED BY THE CITY TO THE DISTRICT

The District, through its authorized representatives, shall have access to all files and records related to this Community Development project. The City shall also furnish normal assistance required for expeditious completion of the work to be done by the District under the terms of this contract to consist of, in part, occasional work space and office facilities to include typing, local telephone service, copying service, message center, forms and information distribution.

- IV. The services of the District are to commence on May 1, 2020 and are to continue until all of the CDBG Program activities have been satisfactorily completed and finally closed out, or the contract may be terminated by either party following thirty (30) days written notice.

V. COMPENSATION

In consideration of the performance of this contract, the District shall be paid by the City a fixed fee not to exceed the sum of \$40,000. The total compensation figure may be exceeded only after a review of any increase in the Scope of Services and this document officially amended by both parties.

VI. METHOD OF PAYMENT

Payment shall be made to the District not more than forty five days following receipt by the City of an invoice from the District. The District will submit invoices to the City on a periodic basis.

VII. TERMS AND CONDITIONS

This contract is subject to and incorporates the provisions of 24 CFR 570.496 applicable Federal Laws relating to the Block Grant Program, the Standard Grant Assurances as well as the provisions attached hereto and identified as "Part II, Terms and Conditions".

IN WITNESS HEREOF, Cleveland, Mississippi, and the South Delta Planning and Development District, Inc., have executed this contract by and through their duly authorized officers, signature and official seal, on the date hereinabove first written.

Billy Nowell
Billy Nowell, Mayor
Cleveland, Mississippi

(Seal)

ATTEST:

Dominique Green
Dominique Green, City Clerk

SOUTH DELTA PLANNING AND
DEVELOPMENT DISTRICT, INC.

BY: Thomas L. Goodwin
Thomas L. Goodwin
Executive Director

(Seal)

ATTEST:

Heather N. Moore
Heather N. Moore
Director, Fiscal Management

PART II - TERMS AND CONDITIONS

1. Termination of Contract for Cause.

If, through any cause, the District shall fail to fulfill in a timely and proper manner its obligations under this contract, or if the District shall violate any of the covenants, agreements, or stipulations of this contract, the City shall thereupon have the right to terminate this contract by giving written notice to the District of such termination and specifying the effective date thereof, at least thirty (30) days before the effective date of such termination. In such event, all finished or unfinished documents, data studies and reports prepared by the District under this contract shall, at the option of the City, become its property, and the District shall be entitled to receive just and equitable compensation for any satisfactory work completed on such documents.

Notwithstanding the above, the District shall not be relieved of liability to the City for damages sustained by the City by virtue of any breach of the contract by the District, and the City may withhold any payments to the District for the purpose of setoff until such time as the exact amount of damages due the City from the District is determined. Likewise, the City shall not be relieved of liability to the District for damage, losses and expenses incurred and sustained by the District by virtue of any breach in the contract by the City or due to any act of the City, including but not limited to negligence of the City, its agents, officials and employees involving their grant program. Additionally, the City agrees to indemnify the District for any costs and expenses, including attorney fees, for any cause of action where the District should be named along with the City arising out of this program grant.

2. Termination for Convenience of the City.

The City may terminate this contract any time by a notice in writing from the City to the District. If the Contract is terminated by the City as provided herein, the District will be paid an amount which bears the same ratio to the total compensation as the services actually performed bear to the total services of the District covered by this contract, unless payments of compensation are previously made. Additionally, an equitable adjustment shall be made as compensation for any substantial amount of work or services performed by the District as of the date of such termination or cancellation, but not accepted by the City.

3. Changes.

The City may, from time to time, request changes in the Scope of Services to be performed hereunder. Such changes, including any increase or decrease in the amount of the District's compensation, which are mutually agreed upon by and between the City and the District, shall be incorporated in written amendments to this contract.

4. Energy.

This contract is subject to mandatory standards and policies relating to energy efficiency which are contained in the State Energy Conservation Plan issued in compliance with the Energy Policy and Conservation Act (P.L. 94-163).

5. Anti-Kickback Rules.

Salaries of architects, draftsmen, technical engineers, and technicians performing work under this contract shall be paid unconditionally and not less often than once a month without deduction or rebate on any account except only such payroll deductions as are mandatory by law or permitted by the applicable regulations issued by the Secretary of Labor pursuant to the "Anti-Kickback Act" of June 13, 1934 (48 Stat. 948; 62 Stat. 740; 63 Stat. 108, Title 18, U.S.C., Section 874; and Title 40 U.S.C., Section 276e) and Department of Labor regulations (29 CFR, Part 3). The District shall comply with all

applicable "Anti-Kickback" regulations and shall insert appropriate provisions in all subcontracts covering work under this contract to insure compliance by subcontractors with such regulations, and shall be responsible for the submission of affidavits required of subcontractors thereunder except as the Secretary of Labor may specifically provide for variations of or exemptions from the requirements thereof. Those specific contract conditions of A-102 not directly addressed in this contract will be met by the District as the scope of services may dictate.

6. Equal Employment Opportunity: During the performance of this contract, the District agrees as follows:

- (a) The District will not discriminate against any employee or applicant for employment because of race, color, religion, sex, or national origin. The District will take affirmative action to insure that applicants are employed, and that employees are treated during employment without regard to their race, color, religion, sex, or national origin. Such action shall include, but not be limited to, the following: employment, upgrading, demotion or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay and other forms of compensation; and selection for training, including apprenticeship. The District agrees to post in conspicuous places, available to employees and applicants for employment, notices to be provided by the setting forth the provisions of this nondiscrimination clause.
- (b) The District will, in all solicitations or advertisements for employees placed by or on behalf of the City, state that all qualified applicants will receive consideration for employment without regard to race, creed, color, or national origin.

7. Officials Not to Benefit.

No member of or delegate to the Congress or Resident Commissioner of the United States of America shall be admitted to any share or part of this contract or to any benefits to arise therefrom.

8. Interest of Members of the City.

No member of the governing body of the City, and no other officer, employee, or agent of the City who exercises any functions or responsibilities in connection with the carrying out of the program to which this contract pertains, shall have any personal interest, direct or indirect, in this contract.

9. Availability of Books and Records.

The City, HUD, the State, the Comptroller General of the United States, or any of their duly authorized representatives shall have access to any plans, documents, papers and records which are directly pertinent to this contract for the purpose of making audit, examination, excerpts and transcripts. All records pertaining to this contract shall be maintained by the District for a period of not less than three years.

10. Section 3.

To the greatest extent possible, opportunities for training and employment will be given to lower income residents of the project area, and contracts for work in connection with the project are awarded to eligible business concerns which are located in, or owned in substantial part by, persons residing in the area of the project.

**ORDER TO ALLOW THE DOWNTOWN FARMER'S MARKET TO RESUME
OPERATION ON MAY 30TH, 2020**

After discussion, upon Motion by Alderman Janoush, second by Alderman Abraham, and unanimously adopted, it is ordered to allow the Downtown Farmer's Market to resume operation on May 30th, 2020.

ORDERED this May 5, 2020.

**ORDER TO APPROVE BID FOR GEOTECHNICAL INVESTIGATION SERVICES
FOR THE ANIMAL SHELTER RENOVATION PROJECT**

After discussion, upon Motion by Alderman Abraham, second by Alderman Gainspoletti, and unanimously adopted, it is ordered to approve a bid for Geotechnical Investigation Services from Burle Engineering totaling \$5,500 for the Animal Shelter Renovation Project.



April 22, 2020

Ms. Dominique Green
City Clerk
City of Cleveland
P.O. Box 1439
Cleveland, MS 38732

Re: Proposal/Agreement No. 20-017
Geotechnical Investigation and Engineering Report
Animal Shelter Addition
Cleveland, Mississippi

Dear Ms. Green:

INTRODUCTION:

W.L. Burle, Engineers, P.A. (BURLE) is pleased to submit this proposal for the referenced project. The proposal was requested by the City of Cleveland, MS (CLIENT) on April 20, 2020. This proposal outlines the services/schedule/costs associated with providing engineering services for the proposed project.

The proposed project consists of the construction of an animal shelter addition in Cleveland, MS. The building will be a 4,000 s.f., single-story pre-engineered structure. An asphalt parking lot will be constructed to serve the facility.

SCOPE OF WORK:

The geotechnical investigation will be performed in accordance with the scope of work provided by CLIENT's architect, Shelter Planners of America. In summary, it will involve the following:

- Contacting MS One Call and requesting a utility locate;
- Drilling/sampling/abandoning three (3) borings in the vicinity of the proposed building addition to depths of 15 feet or refusal, whichever occurs first;
- Testing the soil samples to both characterize and classify the material; and
- Prepare an engineering report which documents the work performed, evaluates the findings, and provides criteria for the design and construction of the recommended foundation systems.

SCHEDULE:

The project will be performed in accordance with CLIENT's schedule, assuming favorable weather conditions and the absence of travel restrictions due to COVID-19.

Ms. Dominique Green
City of Cleveland
April 22, 2020
Page 2

COMPENSATION:

The cost to provide these services is a lump sum fee of five thousand, five hundred dollars [\$5,500.00]. The work will be invoiced upon completion. Payment is due upon receipt of the invoice and is past due 30 days from the invoice date.

CONDITIONS:

The following conditions qualify the proposal:

- The site is accessible to our drill rig and support vehicles.
- The proposed structure can be supported by a shallow foundation system.
- This proposal is submitted with the understanding that cuts in excess of five (5) feet are not planned.
- **This proposal is submitted with the understanding that the estimated project cost is being used by your company for budgeting purposes only and that the proposal is not being used by your company as a bid.**
- The proposal/agreement is subject to the general conditions (Exhibit A) which are enclosed and made a part of this proposal/agreement.
- This proposal/agreement is valid for 30 days.
- CLIENT is to provide available plans, specifications, building details to determine building loadings, and allowable settlement for proposed structures.

If actual conditions differ from those described, you will be notified immediately and the proposal will either be amended to address the situation(s) or withdrawn.

ACCEPTANCE OF PROPOSAL:

If this proposal meets with your approval, please return a signed copy of Exhibit B and/or a purchase order incorporating the terms of the agreement.

Sincerely,

W.L. BURLE, ENGINEERS, P.A.



William L. Burle, Jr., Ph.D., P.E., P.G.

WLB/lcl

Enclosures

pc: Mr. Michael Barnard, AIA, Shelter Planners of America



EXHIBIT A

W. L. BURLE, ENGINEERS, P.A.
GENERAL CONDITIONS

1. **PARTIES AND SCOPE OF WORK:** "W. L. Burle, Engineers, P.A., (BURLE)" shall include said company, its particular division, subsidiary or affiliate performing the work. "Work" means the specific engineering design, geotechnical, environmental, or other services(s) performed by BURLE for client as set forth in BURLE's proposal or at client's direction. "This agreement" consists of BURLE's proposal or work order, BURLE's Schedule of Fees, client's written acceptance thereof if accepted by BURLE, and these General Conditions. "Client" refers to the person or business entity ordering the work to be done by BURLE. If client is ordering the work on behalf of another, client represents and warrants that client is the duly authorized agent of said party for the purpose of ordering and directing said work and in such case the term "client" also includes the principal for whom the work being performed. Prices quoted and charged by BURLE for its work are predicated upon the conditions and the allocations of risks and obligations expressed in this agreement. Unless this agreement specifically provides that BURLE is to perform its work pursuant to specified Federal, State, or local regulations, client assumes sole responsibility for determining whether the quantity and the nature of the work ordered by client is adequate and sufficient for client's intended purpose. Client assumes, and agrees to indemnify BURLE from all third-party liabilities, and shall communicate these General Conditions to each and every third party to whom client transmits any part of BURLE's work product(s). BURLE shall have no duty or obligation to any party other than those duties and obligations expressly set forth in this agreement. Ordering work from BURLE shall constitute acceptance of the terms of this agreement.
2. **RESPONSIBILITY:** Work shall not include determining, supervising or implementing the means, methods techniques sequences or procedures of construction, nor evaluating, reporting or affecting job conditions concerning health, safety or welfare, unless specifically required in the scope of work. BURLE's work or failure to perform shall not in any way excuse client or any contractor, subcontractor or supplier from performance of its responsibilities in accordance with this agreement or the contract documents.
3. **OWNERSHIP OF DOCUMENTS:** All documents including Drawings, Reports, and Specifications prepared or furnished by BURLE's independent professional associates and consultants are instruments of service and BURLE shall retain an ownership and property interest therein. Any reuse without written verification or adaptation by BURLE for the specific purpose intended will be at Client's sole risk.
4. **OPINIONS OF COST:** As BURLE has no control over the cost of labor, materials, equipment or services furnished by others or over the Contractor(s)' methods of determining prices, or over competitive bidding or market conditions, opinions of probable costs cannot and do not guarantee that proposals, bids or actual total project or construction costs will not vary from opinions of probable cost prepared by BURLE.
5. **HAZARDOUS MATERIALS:** BURLE's work may include limited visual observation, laboratory analyses or physical testing of samples of subsurface and other materials for the purpose of detection, quantification, or identification of the extent, if any, of contamination of subsurface soils or ground water by hazardous materials, defined elsewhere in this agreement, or being those materials defined as such by RCRA, 42 USC or those identified as such by a state or the Federal EPA, as more specifically stated in BURLE's proposal. Nothing contained within this agreement shall be construed or interpreted as requiring BURLE to assume the status of an owner, operator, generator, storer, transporter, treater or disposal facility as those terms appear within RCRA, CERCLA or within any Federal or State statute or regulation governing the generation, handling, transport, treatment, storage and disposal of pollutants. Client assumes full responsibility for compliance with the provisions of RCRA and any other Federal or State statute or regulation governing the handling, transport, treatment, storage and disposal of pollutants.
6. **SCHEDULING OF WORK:** The work as set forth in BURLE's proposal will be accomplished in a timely and workmanlike manner by BURLE personnel. If BURLE is required to delay any part of its work to accommodate the requests or requirements of client, regulatory agencies, or third parties or due to any causes beyond the direct reasonable control of BURLE, additional charges may apply, which client agrees to pay.
7. **SITE ACCESS, RESTORATION, & DUTY TO NOTIFY:** Client will arrange and provide access to each site upon which it will be necessary for BURLE to perform its work. In the event work is required on any site not owned by client, client represents and warrants to BURLE that client has obtained all necessary permissions for BURLE to enter upon the site and conduct its work. Client shall, upon request, provide BURLE with evidence of such permission as well as acceptance of the other terms and conditions set forth herein by the owner(s) and tenant(s), if applicable, of such site(s) in a form acceptable to BURLE. Any work performed by BURLE to obtain permission to enter upon and do work on the lands of others as well as any work performed by BURLE pursuant to this agreement shall be deemed as being done on behalf of client and client agrees to assume all risks thereof. BURLE shall take reasonable measures and precautions to minimize damage to each site and any improvements located thereon as the result of its work and the use of its equipment; however, BURLE has not included in its fee the cost of restoration of damage which may occur. If client or the possessor of any interest in any site desires or requires BURLE to restore site to its former conditions, upon written request of client, BURLE will perform such additional work as is necessary and client agrees to pay BURLE the cost thereof plus BURLE's normal mark-up for overhead and profit. BURLE shall be under no obligation to inform other parties of its activities or discoveries, but shall not be held liable, even if negligent in doing so. Client further recognizes that knowledge of such suspected or actual condition may result in a reduction in a property's value and may provide incentive to owners of properties affected to initiate legal action against client and/or others.
8. **CLIENT'S DUTY TO NOTIFY BURLE:** Client represents and warrants that he has advised BURLE of any known or suspected hazardous materials, utility lines, underground or overhead structures, and pollutants at any site at which BURLE is to do work hereunder, and unless BURLE has assumed in writing the responsibility of locating subsurface objects, structures, lines or conduits, CLIENT AGREES TO RELEASE, DEFEND, INDEMNIFY AND HOLD HARMLESS BURLE FROM ALL CLAIMS, SUITS, LOSSES, COSTS AND EXPENSES, ("DAMAGES") INCLUDING REASONABLE ATTORNEYS FEES AS A RESULT OF PERSONAL INJURY, DEATH OR PROPERTY DAMAGE OCCURRING WITH RESPECT TO BURLE'S PERFORMANCE OF ITS WORK AND RESULTING FROM OR CAUSED BY CONTACT WITH SUBSURFACE OR LATENT OBJECTS, STRUCTURES, LINES OR CONDUITS WHERE THE ACTUAL OR POTENTIAL PRESENCE AND LOCATION THEREOF WAS NOT REVEALED TO BURLE BY CLIENT REGARDLESS OF WHETHER OR NOT SUCH DAMAGES ARE THE RESULT OF BURLE'S NEGLIGENCE IN WHOLE OR IN PART.
9. **LIMITATIONS OF PROCEDURES, EQUIPMENT AND TESTS:** Information obtained from observation, analysis and testing of sample materials shall be reported on boring logs or other test reports and may be considered evidence with respect to the detection, quantification and identification of pollutants, but any inference or conclusion based thereon is an opinion based upon engineering judgment and shall not be construed as a representation of fact. Ground water levels and composition may vary due to seasonal and climatic changes and extrinsic conditions and, unless sampling and testing are conducted over an extended period of time, pollutants contained therein may escape detection. A site at which pollutants are not found to exist or at the time of inspection do not in fact exist, may later, due to intervening causes such as natural ground water flows or human intervention, become contaminated. There is a risk that sampling techniques may themselves result in contamination of certain subsurface areas such as when a probe or boring device moves through a contaminated area linking it to an aquifer, underground stream or other hydrous body not previously contaminated. Because the risks set forth in this paragraph may be unavoidable and because the sampling techniques to be employed are a necessary aspect of BURLE's work on client's behalf, client agrees to assume these risks.

10. **DISCOVERY OF UNANTICIPATED POLLUTANTS:** The discovery of certain pollutants may make it necessary for BURLE to take immediate measures to protect health and safety. Client agrees to reimburse reasonable cost of implementing such measures under the circumstances. BURLE agrees to notify client as soon as practically possible should such pollutants be suspected or discovered.

11. **SOIL AND SAMPLE DISPOSAL:** Unless otherwise agreed in writing, soils known at the time to be contaminated will be placed in containers, labeled and left on the site for proper disposition by client. Samples removed by BURLE for laboratory testing will, upon completion of testing, be disposed by the laboratory in an approved manner or returned to the site for disposal by others.

12. **STANDARD OF CARE:** BURLE's work will be performed, its findings obtained and its reports prepared in accordance with this agreement and with generally accepted principles and practices. In performing its professional services BURLE will use that degree of care and skill ordinarily exercised under similar circumstances by members of its profession in the community. THIS IS IN LIEU OF ALL WARRANTIES OTHER REPRESENTATIONS, EITHER EXPRESSED OR IMPLIED. STATEMENTS MADE IN BURLE REPORTS ARE OPINIONS BASED ON ENGINEERING JUDGEMENT AND ARE NOT TO BE CONSTRUED AS REPRESENTATIONS OF FACT.

13. **HOLD HARMLESS AND LIMITATION OF LIABILITY:** BURLE's commitments as set forth in this agreement are based on the expectation that all of the services described in this Agreement will be provided. In the event Client later elects to reduce BURLE's scope of services, Client hereby agrees to release, hold harmless, defend and indemnify BURLE from any and all claims, damages, losses or costs associated with or arising out of such reduction in services.

IF BURLE OR ANY OF ITS PROFESSIONAL EMPLOYEES IS FOUND TO HAVE BEEN NEGLIGENT IN THE PERFORMANCE OF ITS WORK, OR TO HAVE MADE AND BREACHED ANY EXPRESS OR IMPLIED WARRANTY, REPRESENTATION OR CONTRACT, CLIENT, ALL PARTIES CLAIMING THROUGH CLIENT AND ALL PARTIES CLAIMING TO HAVE IN ANY WAY RELIED UPON BURLE'S WORK AGREE THAT THE MAXIMUM AGGREGATE AMOUNT OF THE LIABILITY OF BURLE, ITS OFFICERS, EMPLOYEES AND AGENTS SHALL BE LIMITED TO \$50,000.00 OR THE TOTAL AMOUNT OF 300% OF THE FEE PAID TO BURLE FOR ITS WORK PERFORMED HEREUNDER, WHICHEVER AMOUNT IS GREATER.

CLIENT HEREBY RELEASES BURLE FROM ANY SUCH EXCESS LIABILITY, REGARDLESS OF BURLE'S FAULT, NEGLIGENCE, OR STRICT LIABILITY. NEITHER PARTY HERETO SHALL BE RESPONSIBLE OR HELD LIABLE TO THE OTHER FOR PUNITIVE, INDIRECT, INCIDENTAL OR CONSEQUENTIAL DAMAGES, INCLUDING WITHOUT LIMITATION, LIABILITY FOR LOSS OF USE OF ANY EXISTING PROPERTY, LOSS OF PROFITS, LOSS OF PRODUCT OR BUSINESS INTERRUPTION HOWEVER THE SAME MAY BE CAUSED, INCLUDING THE FAULT OR NEGLIGENCE OR STRICT LIABILITY OF EITHER PARTY. THE REMEDIES PROVIDED HEREIN ARE EXCLUSIVE AND ARE IN LIEU OF ALL OTHER REMEDIES WHICH MAY BE OR BECOME AVAILABLE TO EITHER PARTY TO THIS AGREEMENT AT LAW OR IN EQUITY.

14. **INDEMNITY:** Subject to the foregoing limitations, BURLE agrees to indemnify and hold client harmless from and against any and all claims, suits, costs and expenses including reasonable attorney's fees and court costs arising out of BURLE's negligence to the extent of BURLE's negligence. Client shall provide the same protection to the extent of its negligence. In the event that client or client's principal shall bring any suit, cause of action, claim or counterclaim against BURLE, the party initiating such action shall pay to BURLE the costs and expenses incurred by BURLE to investigate, answer and defend it, including reasonable attorney's and witness fees and court costs to the extent that BURLE shall prevail in such suit.

15. **PAYMENT:** Client shall be invoiced periodically for work performed during the preceding period. Client agrees to pay each invoice within thirty (30) days of its receipt. Client further agrees to pay interest on all amounts invoiced and not paid or objected to for valid cause in writing within said thirty (30) day period at the maximum interest rate permitted under applicable law, until paid. Client agrees to pay BURLE's cost of collection of all amounts due and unpaid after sixty (60) days, including court costs and reasonable attorney's fees. BURLE shall not be bound by any provision or agreement requiring or providing for arbitration of disputes or controversies arising out of this agreement, any provision wherein BURLE waives any rights to a mechanic's lien, or any provision conditioning BURLE's right to receive payment for its work upon payment to client by any third party. These general conditions are notice, where required, that BURLE shall file a lien whenever necessary to collect past due amounts. Failure to make payment within 30 days of invoice shall constitute a release of BURLE from any and all claims which client may have, either in tort or contract, and whether known or unknown at the time.

16. **TERMINATION:** This Agreement may be terminated by either party upon seven day's prior written notice. In the event of termination, BURLE shall be compensated by client for all work performed up to and including the termination date, including reimbursable expenses as per the BURLE Rate Schedule.

17. **WITNESS FEES:** BURLE employees shall not be retained as expert witnesses except by separate, written agreement. Client agrees to pay BURLE at a rate two times BURLE's then current fee schedule for any BURLE employee subpoenaed by any party as an occurrence witness as a result of BURLE's work.

18. **ENTIRE AGREEMENT, TITLES, AND CONTROLLING LAW:** This agreement contains the entire understanding between the parties. Client acknowledges that no representations, warranties, undertakings or promises have been made other than and except those expressly contained herein. This agreement may be amended, modified or terminated only by a written instrument signed by each of the parties hereto. In the event any of the provisions of these general conditions should be found to be unenforceable, it shall be stricken and the remaining provisions shall be enforceable. The titles or paragraph headings used in this agreement are for general reference only, are not part of the agreement, and shall not be construed as establishing or limiting the meaning of the provisions contained herein. This agreement shall be subject to the law and jurisdiction of the State of Mississippi, without application of principles of conflicts-of-laws. Venue shall be proper only in the courts of Washington County, Mississippi.

19. **MEDIATION:** In an effort to resolve any conflicts that arise during the design or construction of the project, or following the completion of the project, or in any regard to the work BURLE provides, the Client and BURLE agree that all disputes between them arising out of or relating to this Agreement shall be submitted to nonbinding mediation unless the parties mutually agree otherwise. The Client and BURLE further agree to include a similar mediation provision in all agreements with independent contractors and consultants retained for the project and to require all independent contractors and consultants also to include a similar mediation provision in all agreements with subcontractors, subconsultants, suppliers or fabricators so retained, thereby providing for mediation as the primary method for dispute resolution between the parties to those agreements.

20. **CERTIFICATION STATEMENTS:** Any "certification statement" as a result or conclusion of BURLE's services, as may be requested by the Client or third parties for legal, loan, real estate, and other purposes, will be provided upon request at additional charge at the sole discretion of BURLE, unless specifically agreed to otherwise in writing. In providing such a "certification", BURLE will state only what, in its professional opinion, is reasonably supported by available data and related analyses. When "certification statements" are provided by BURLE, standardized language (if requested to be used by the Client, its agents, or third parties) will be modified by BURLE as necessary, at its sole discretion. Refusal by BURLE to use certain standardized language, words, and phrases in "certification statements" shall neither constitute incomplete services by BURLE, nor relieve Client of its obligation to compensate BURLE in full for services provided hereunder.

21. **CONTINUITY OF SERVICES:** BURLE shall not be responsible for implementation of its geotechnical recommendations if not retained to adequately field verify same during construction.

August 22, 2006 - W. L. Burle, Engineers, P.A.

EXHIBIT B

AUTHORIZATION TO PROCEED
PROPOSAL/AGREEMENT NO. 20-017
GEOTECHNICAL INVESTIGATION AND ENGINEERING REPORT
ANIMAL SHELTER ADDITION
CLEVELAND, MISSISSIPPI

I have reviewed the W.L. Burle, Engineers, P.A. proposal for the referenced project dated April 22, 2020, agree to terms of the agreement and hereby authorize W.L. Burle, Engineers, P.A. to proceed with the outlined services.

5-6-2020
Date

Billy Nowell
Signature of Representative

Billy Nowell
Name (print or type)

Mayor
Title (print or type)

The City of Cleveland
Company (print or type)

PO BOX 1439
Address (print or type)

Cleveland, MS 38732
City/State/Zip Code

billynowelle.cableone.net
Email

662-846-1471
Phone

662-843-8029
Fax



ORDERED this May 5, 2020.

**ORDER TO ACCEPT ELEY-BARKLEY ENGINEERING PROPOSAL TO SERVE AS
CONSULTING ENGINEER FOR THE NORTH STREET DRAINAGE
IMPROVEMENT PROJECT**

After discussion, upon Motion by Alderman Smith, second by Alderman Sanders, and unanimously adopted, it is ordered to accept a proposal from Eley-Barkley Engineering to serve as Consulting Engineer for the North Street Drainage Improvement Project.

ORDERED this May 5, 2020.

**ORDER TO APPROVE MML SUPPORT RESOLUTION FOR THE FEDERAL
COVID-19 FUNDING**

After discussion, upon Motion by Alderman Janoush, second by Alderman Gainspoletti, and unanimously adopted, it is ordered to approve a MML Support Resolution for the direct release of Federal COVID-19 funding to Municipalities.

RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN THE CITY OF CLEVELAND, MISSISSIPPI, URGING THE UNITED STATES CONGRESS TO SUPPORT DIRECT FEDERAL FUNDING TO ALL MUNICIPALITIES IN MISSISSIPPI TO HELP FIGHT COVID-19 AND PROTECT LOCAL CITIZENS FROM THE EFFECTS OF THE NOVEL CORONAVIRUS.

WHEREAS, on January 31, 2020, the United States Department of Health and Human Services Secretary Alex Azar declared a public health emergency for COVID-19 beginning on January 27, 2020; on March 11, 2020, the World Health Organization characterized COVID-19 as a pandemic; and on March 13, 2020, the President of the United States declared a nationwide state of emergency due to the coronavirus COVID-19 pandemic; and

WHEREAS, on April 5, 2020, the President of the United States declared the State of Mississippi a "major disaster area," and on April 1, 2020, the Governor of the State of Mississippi declared a Shelter in Place Order pursuant to Executive Order No. 1466, which was extended on April 17, 2020 via Executive Order No. 1473; and

WHEREAS, on March 27, 2020 the President of the United States signed into law the Coronavirus Aid, Relief, and Economic Security Act (the "CARES Act"), which created the Coronavirus Relief Fund; and

WHEREAS, only municipalities of more than 500,000 residents were eligible to receive direct funding from the Coronavirus Relief Fund, which represents only 0.5% of municipalities nationwide and only 14% of the country's total population; and

WHEREAS, only 36 of 19,000 American cities, towns and villages have populations over 500,000; and

WHEREAS, no Mississippi municipality qualified for direct funding from the Coronavirus Relief Fund, and the CARES Act did not mandate that state governments share their portion of the revenue received from the fund; and

WHEREAS, 96% of all municipalities nationwide report that budget shortfalls are the result of unanticipated revenue declines that will negatively impact the important services municipalities provided to their citizens, including fire and police protection; and

WHEREAS, municipal leaders are best positioned to make emergency management decisions related to allocation of resources because they understand the needs of their citizens; and

WHEREAS, Mississippi's municipal leaders need the flexibility to use any federal funding that might be provided to not only address unbudgeted expenses, but also losses in revenue.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF ALDERMEN OF THE CITY OF CLEVELAND, AS FOLLOWS:

1. That the United States Congress must act to ensure every municipality impacted by this pandemic – regardless of size – has direct access to federal emergency funding.
2. That the Board of Aldermen of the City, Mississippi, hereby respectfully requests that the United States Congress support direct federal funding to all municipalities in Mississippi to help us fight COVID-19 and to alleviate budget shortfall in order to protect local citizens from the effects of the coronavirus.

Following the reading of the foregoing resolution, Alderman Janoush made the motion for its adoption, followed by Alderman Gainspoletti seconding the motion for its adoption. The Mayor put the question to a vote, and the members voted unanimously to adopt the Resolution. The motion having received the unanimous affirmative vote of the Board of Aldermen of the City of Cleveland, Mississippi, the Mayor declared the motion carried and the resolution adopted, on this the 5th day of May, 2020.

52753342.v2

ORDERED this May 5, 2020.

ORDER FOR EXECUTIVE SESSION

After discussion, upon Motion by Alderman Povall, second by Alderman Gainspoletti, and unanimously adopted, it is ordered that the Board go into closed session to consider going into executive session to discuss personnel matters in the Public Works Departments, potential litigation, the Siemens litigation and the Jackson litigation.

ORDERED this May 5, 2020.

After discussion, upon Motion by Alderman Povall, second by Alderman Gainspoletti, and unanimously adopted, it is ordered that the Board go into executive session to discuss personnel matters in the Public Works Departments, potential litigation, the Siemens litigation and the Jackson litigation.

ORDERED this May 5, 2020.

EXECUTIVE SESSION

Discussions ensued concerning each topic addressed in the above motion. However, no board action was taken, unless as noted otherwise.

Upon motion by Alderman Gainspoletti, second by Alderman Povall, and unanimously adopted, it is ordered to table employee action recommendations detailing a termination and suspension in the Public Works Department until additional information is provided by the Human Resources Department.

Upon motion by Alderman Povall, second by Alderman Gainspoletti, and unanimously adopted, it is ordered that the Board come out of executive session and re-enter open session

ORDERED this May 5, 2020.

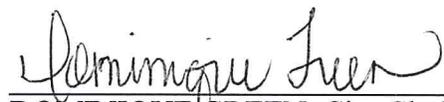
ORDER TO ADJOURN

With there being no further business of the Board that needs attention, upon motion duly made by Alderman Povall, second by Alderman Campbell, and unanimously adopted, it is ordered that the Regular Board Meeting of May 5, 2020 be adjourned.

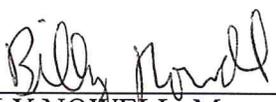
ORDERED this May 5, 2020.


BILLY NOWELL, Mayor

Attest:


DOMINIQUE GREEN, City Clerk

Minutes approved this 2nd day of June, 2020.


BILLY NOWELL, Mayor

Attest

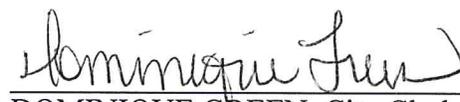

DOMINIQUE GREEN, City Clerk

EXHIBIT A

Upon presentation and examination of the minutes of the April 7th regular meeting and the special called meetings on April 3rd, April 5th, April 17th and April 24th, it is ordered that the minutes of said meetings are approved as a part of the consent agenda.

BE IT RESOLVED AND ORDERED BY THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF CLEVELAND, MISSISSIPPI that the transfers and claims detailed on the Municipal Claims Docket of said City for the month immediately preceding the month of this meeting, aggregating \$588,631.35 and all hereby approved for payment to the fund and claimant in the amount and from the particular fund as set forth in each of said transfers and claims on said docket, and said amount is hereby appropriated for the immediate payment of each and all of said transfers and claims from the respective funds as shown on said docket to be payable as aforesaid. RESOLVED AND ORDERED as a part of the consent agenda.

ORDERED, ADJUDICATED, AND FOUND, and unanimously adopted as a part of the consent agenda, that said premises hereinafter set forth, and as designated on the current tax rolls of this City, in the conditions reported as aforesaid, and at the time of this hearing, are each a menace to the public health and safety of this community, and that this City shall send notices as provided by said Section 21-19-11 as follows:

**Request to Send Properties For MCA 21-19-11
May 5, 2020**

Site Address	Parcel #	Legal	Owner Name	Owner Address	Owner City	Complaint
1708 Juanita Circle	33-28-698-00-01800	Lot 18 Taylor 3rd Addition	Varrian Hall	866 Bowie Drive	Lavon, TX 75166	Overgrown grass
820 Church Street	33-21-495-00-02002	E 1/2 of Lot 20 Nowell & Ross 2nd Addition	Willie P. Lee	820 Church Avenue	Cleveland, MS 38732	Overgrown grass, trash, junk, & limbs
807 Church Avenue	33-21-485-00-01201	W 1/2 of Lot 12 Jack Nowell's Addition	United Baptist Church	1101 Dr. Martin Luther King Drive	Cleveland, MS 38732	Overgrown grass
206 Roosevelt Street	33-21-900-00-03200	TR IV a Lot in SW 1/4 of NE 1/4 S21 T22 R5 Less Alley Cleveland Not Platted	Southern Development of MS Inc.	P O Box 1207	Purvis, MS 39475	Overgrowth, trash, junk, & limbs
1300 W. Sunflower Road	33-17-900-00-02300	Lot in SW 1/4 of SW 1/4 South of Hwy 8 S17 T22 R5 Cleveland Not Platted	Bruce E. Filgo	1209 W. Sunflower Rd.	Cleveland, MS 38732	Overgrown grass
610 S. Leflore Avenue	33-21-415-00-03500	Lot 35 Nance 2nd Addition	Dinesh Chawla	523 Frederick	Cleveland, MS 38732	Overgrown grass
606 S. Leflore Avenue	33-21-415-00-03600	Lots 36 & 37 Nance 2nd Addition	Gloria Daves Klauder	606 S. Leflore Avenue	Cleveland, MS 38732	Overgrown grass & trash
702 Avery Street	33-20-735-00-00500	Lot 5 The Virden Addition	Magnolia Rentals	P. O. Box 972	Cleveland,	Overgrown grass
505 Avery Street	33-20-515-01-01200	East 42' of Lot 12 & all of Lot 13 Blk 1 Oasis Addition	Bradham Rental Properties	306 2nd Street; P O Box 346	Cleveland, MS 38732	Broken tree, overgrowth, & junk in carport
806 S. Fifth Avenue	33-20-330-00-00100	N 60 Ft of Lot 1 Lynnhurst Addition	Alexandria Rowe	806 S. Fifth Avenue	Cleveland, MS 38732	Overgrown grass & limbs
604 S. Fifth Avenue	33-20-100-00-02402	E 150 of N1/2 of Lot 24 Church Brothers First Addition	Olivier Cordier	604 S. Fifth Avenue	Cleveland, MS 38732	Overgrown grass

1703 College Street	33-19-360-00-00800	Lot 8 Manor Heights 3rd Addition	Mary J Ruth	1703 College Street	Cleveland, MS 38732	Dilapidated fence & Overgrown grass in rear
602 N. Bayou Avenue	33-16-085-00-03901	North 70' of Lot 39 Carpenter & Walker 3rd Subdivision	Statesman Properties, LLC	218 N. Bolivar Avenue	Cleveland, MS 38732	Broken tree & Overgrown grass
311 W. Carpenter Street	33-16-080-00-02900	Lot 29 Carpenter & Walker 2nd Subdivision	Acme Investment Co.	P. O. Box 1737	Cleveland, MS 38732	Overgrown grass & limbs

Unanimously adopted as part of the consent agenda, it is ordered to approve the tow of nuisance vehicles as listed.

**Car Tows
May 5, 2020**

Case Date	Site Address	Complaint	Description
4/6/2020	207 N. Davis Avenue	Abandoned inoperable vehicle	White Cadillac DTS No tag
4/6/2020	207 N. Davis Avenue	Abandoned inoperable vehicle	Gold Nissan Pathfinder LE Tag #: BVG 464 Exp. 2-19
4/6/2020	702 N. Davis Avenue	Abandoned vehicle	White Ford F-550 XL 6.7 Diesel Truck Tag #: B26 2467 Exp. 3-20

Unanimously adopted as part of the consent agenda, it is ordered to accept a legal advertising proposal from The Bolivar Bullet.

**City of Cleveland, Mississippi
Legal Advertising
Bid Form**

Name of Bidding Entity The Bolivar Bullet

Cents per word bid/1st publication .12 (weighted 75% in low bid tabulation)

Cents per word bid/2nd publication .22 (weighted 20% in low bid tabulation)

Cents per word bid/3rd publication .32 (weighted 5% in low bid tabulation)


Authorized Representative of Bidding Entity

4/15/20
Date

* Note: this form should be completed and delivered to Dominique Green electronically with the subject line listed as "Legal Advertising Bid" no later than 9:00 am on Monday, April 27th, 2020.

EXHIBIT B

RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF CLEVELAND, MISSISSIPPI, AUTHORIZING AND DIRECTING THE ISSUANCE OF GENERAL OBLIGATION UTILITY BONDS, SERIES 2020, OF THE CITY OF CLEVELAND, MISSISSIPPI, IN THE PRINCIPAL AMOUNT OF TWO MILLION DOLLARS (\$2,000,000) TO PROVIDE FUNDS FOR THE PURPOSE OF ERECTING OR PURCHASING WATERWORKS, GAS, ELECTRIC AND OTHER PUBLIC UTILITY PLANTS OR DISTRIBUTION SYSTEMS OR FRANCHISES, AND REPAIRING, IMPROVING AND EXTENDING THE SAME; ESTABLISHING SANITARY, STORM, DRAINAGE OR SEWERAGE SYSTEMS, AND REPAIRING, IMPROVING AND EXTENDING THE SAME; CONSTRUCTING, IMPROVING OR PAVING STREETS, SIDEWALKS, DRIVEWAYS, PARKWAYS, WALKWAYS OR PUBLIC PARKING FACILITIES, AND PURCHASING LAND THEREFOR; CONSTRUCTING BRIDGES AND CULVERTS; ALTERING OR CHANGING THE CHANNELS OF STREAMS AND WATER COURSES TO CONTROL, DEFLECT OR GUIDE THE CURRENT THEREOF; AND, PURCHASING MACHINERY AND HEAVY EQUIPMENT WHICH WILL HAVE AN EXPECTED USEFUL LIFE IN EXCESS OF TEN (10) YEARS FOR THE USE OF THE PUBLIC WORKS DEPARTMENT, BUT SPECIFICALLY NOT INCLUDING ANY MOTOR VEHICLES WEIGHING LESS THAN TWELVE THOUSAND (12,000) POUNDS; PRESCRIBING THE FORM AND INCIDENTS OF THE BONDS; PROVIDING FOR THE LEVY OF TAXES FOR THE PAYMENT OF THE BONDS; PROVIDING FOR THE SALE OF THE BONDS; MAKING PROVISION FOR MAINTAINING THE TAX-EXEMPT STATUS OF THE BONDS; APPROVING AND AUTHORIZING THE DISTRIBUTION OF A PRELIMINARY OFFICIAL STATEMENT; AUTHORIZING THE EXECUTION AND DISTRIBUTION OF AN OFFICIAL STATEMENT PERTAINING TO THE SALE OF THE BONDS; AUTHORIZING THE EXECUTION OF A CONTINUING DISCLOSURE AGREEMENT PERTAINING TO THE BONDS; ACKNOWLEDGING AND AUTHORIZING THE EXECUTION OF POST ISSUANCE COMPLIANCE PROCEDURES; AND FOR RELATED PURPOSES.

WHEREAS, the Mayor and Board of Aldermen of the City of Cleveland, Mississippi (the "Governing Body" of the "Municipality"), acting for and on behalf of the Municipality hereby finds, determines, adjudicates and declares as follows:

1. (a) Definitions. In addition to any words and terms elsewhere defined herein, the following words and terms will have the following meanings, unless some other meaning is plainly intended:

"Act" shall mean Sections 21-33-301 *et seq.*, Mississippi Code of 1972, as amended.

"Authorized Purpose" shall mean erecting or purchasing waterworks, gas, electric and other public utility plants or distribution systems or franchises, and repairing, improving and

extending the same; establishing sanitary, storm, drainage or sewerage systems, and repairing, improving and extending the same; constructing, improving or paving streets, sidewalks, driveways, parkways, walkways or public parking facilities, and purchasing land therefor; constructing bridges and culverts; altering or changing the channels of streams and water courses to control, deflect or guide the current thereof; and, purchasing machinery and heavy equipment which will have an expected useful life in excess of ten (10) years for the use of the public works department, but specifically not including any motor vehicles weighing less than twelve thousand (12,000) pounds.

"Bond" or "Bonds" shall mean the General Obligation Utility Bonds, Series 2020, of the Municipality, in the principal amount of Two Million Dollars (\$2,000,000), authorized and directed to be issued in this Bond Resolution for the Authorized Purpose.

"Bond Counsel" shall mean Jones Walker LLP, Jackson, Mississippi.

"Bond Fund" shall mean the fund of the Municipality provided for in Section 12 hereof for the payment of the principal of and interest on the Bonds, and the payment of fees in connection with the issuance of the Bonds.

"Bond Insurance Policy" shall mean a municipal bond insurance policy, if any, issued by the Bond Insurer, if any, guaranteeing the scheduled payment of the principal of and interest on the Bonds when due.

"Bond Insurer" shall mean a municipal bond insurance company, if any, guaranteeing the guaranteeing the scheduled payment of the principal of and interest on the Bonds when due.

"Bond Resolution" shall mean this resolution authorizing and directing the issuance of the Bonds adopted May 5, 2020, by the Governing Body of the Municipality.

"Bondholder" or "Holder" shall mean the Registered Owner or Owners of any Bond issued pursuant to this Bond Resolution.

"Business Day" shall mean a day of the year on which banks located in the city in which the principal office of the Paying Agent is located are not required or authorized to remain closed.

"City Clerk" shall mean the City Clerk of the Municipality.

"Code" shall mean the Internal Revenue Code of 1986, as amended, supplemented or superseded.

"Continuing Disclosure Agreement" shall mean the Continuing Disclosure Agreement to be executed by the Municipality and dated the date of issuance and delivery of the Bonds, as originally executed and as it may be amended from time to time in accordance with the terms thereof.

"DTC" shall mean The Depository Trust Company, New York, New York.

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"Event of Default" shall mean an event of default as described in Section 17 of this Bond Resolution.

"Governing Body" shall mean the Mayor and Board of Aldermen of the Municipality.

"Improvement Fund" shall mean the Improvement Fund of the Municipality provided for in Section 13 hereof for the payment of the costs, fees, and expenses incurred by the Municipality in connection with the Authorized Purpose and with the authorization, issuance, sale, validation, and delivery of the Bonds.

"Mayor" shall mean the Mayor of the Municipality.

"Municipality" shall mean the City of Cleveland, Mississippi.

"Notice" shall mean the Notice of Bond Sale set out in Section 22 hereof.

"Paying Agent" shall mean any bank, trust company, or other institution designated, whether herein or hereafter, by the Governing Body to make payments of the principal of and interest on the Bonds, to serve as registrar and transfer agent for the registration of owners of the Bonds, and for the performance of other duties as may be herein or hereafter specified by the Governing Body.

"Person" shall mean an individual, partnership, corporation, trust or unincorporated organization or government or any agency or political subdivision thereof.

"Procedures" shall mean the Post Issuance Compliance Procedures in substantially the form attached hereto as **Attachment A**.

"Purchaser" shall mean the successful bidder for the Bonds, to be hereafter designated by the Governing Body.

"Record Date" shall mean, as to interest payments, the fifteenth (15th) day of the month preceding the dates set for payment of interest on the Bonds and, as to payments of principal, the fifteenth (15th) day of the month preceding the date on which such principal will be due and payable, whether at maturity or upon redemption prior to maturity.

"Record Date Registered Owner" shall mean the Registered Owner as of the Record Date.

"Registered Owner" shall mean the Person whose name will appear in the registration records of the Municipality maintained by the Paying Agent.

"Representation Letter" shall mean the blanket representation letter to DTC pertaining to book-entry obligations of the Municipality.

"Subsection 148(f)" shall mean Subsection 148(f) of the Code.

"Subsection 148(f) Regulations" shall mean any regulations promulgated from time to time pursuant to Subsection 148(f).

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"System" shall mean the Combined Water and Sewer System of the Municipality.

(b) Number and Gender; Interpretation. Words of the masculine gender will be deemed and construed to include correlative words of the feminine and neuter genders. Unless the context will otherwise indicate, words and terms herein defined will be equally applicable to the plural as well as the singular form of any of such words and terms.

2. Heretofore, on April 7, 2020, the Governing Body adopted a resolution entitled "RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF CLEVELAND, MISSISSIPPI, DECLARING THE INTENTION TO ISSUE GENERAL OBLIGATION UTILITY BONDS OF SAID MUNICIPALITY IN THE MAXIMUM PRINCIPAL AMOUNT OF TWO MILLION DOLLARS (\$2,000,000) TO RAISE MONEY FOR THE PURPOSE OF ERECTING OR PURCHASING WATERWORKS, GAS, ELECTRIC AND OTHER PUBLIC UTILITY PLANTS OR DISTRIBUTION SYSTEMS OR FRANCHISES, AND REPAIRING, IMPROVING AND EXTENDING THE SAME; ESTABLISHING SANITARY, STORM, DRAINAGE OR SEWERAGE SYSTEMS, AND REPAIRING, IMPROVING AND EXTENDING THE SAME; CONSTRUCTING, IMPROVING OR PAVING STREETS, SIDEWALKS, DRIVEWAYS, PARKWAYS, WALKWAYS OR PUBLIC PARKING FACILITIES, AND PURCHASING LAND THEREFOR; CONSTRUCTING BRIDGES AND CULVERTS; ALTERING OR CHANGING THE CHANNELS OF STREAMS AND WATER COURSES TO CONTROL, DEFLECT OR GUIDE THE CURRENT THEREOF; AND, PURCHASING MACHINERY AND HEAVY EQUIPMENT WHICH WILL HAVE AN EXPECTED USEFUL LIFE IN EXCESS OF TEN (10) YEARS FOR THE USE OF THE PUBLIC WORKS DEPARTMENT, BUT SPECIFICALLY NOT INCLUDING ANY MOTOR VEHICLES WEIGHING LESS THAN TWELVE THOUSAND (12,000) POUNDS; DIRECTING PUBLICATION OF NOTICE OF SUCH INTENTION; AND FOR RELATED PURPOSES" (the "Resolution of Intent"), wherein the Governing Body found, determined, and adjudicated that it is necessary that the Bonds of the Municipality be issued in the amount and for the Authorized Purpose, declared its intention to issue the Bonds, and fixed 6:30 p.m. on May 5, 2020, as the date and hour on which it proposed to authorize the issuance of the Bonds, on or prior to which date and hour any protests to be made against the issuance of such Bonds were required to be filed.

3. As required by law and as directed by the Resolution of Intent, the Resolution of Intent was published once a week for at least three (3) consecutive weeks in *The Bolivar Commercial*, a newspaper published in and having a general circulation in the Municipality, and qualified under the provisions of Section 13-3-31, Mississippi Code of 1972, as amended, the first (1st) publication having been made not less than twenty-one (21) days prior to April 7, 2020, and the last publication having been made not more than seven (7) days prior to such date, the Resolution of Intent having been published in *The Bolivar Commercial* on April 15, 2020, April 22, 2020, and April 29, 2020, as evidenced by the publisher's affidavit, attached hereto as **Attachment B**.

4. The Governing Body hereby finds, determines, and adjudicates that on or prior to May 5, 2020 at 6:30 pm, no written protest or other objection of any kind or character against the

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issuance of the Bonds described in the Resolution of Intent, had been filed or presented by qualified electors of the Municipality.

5. The Governing Body is now authorized and empowered by the provisions of the Act to issue the Bonds without an election on the question of the issuance thereof and is authorized to issue bonds registered as to principal and interest in the form and manner hereinafter provided for by Sections 31-21-1 *et seq.*, Mississippi Code of 1972, as amended.

6. The assessed value of all property within the Municipality, according to the last completed assessment for taxation, is One Hundred Ten Million Four Hundred Twenty-Six Thousand Seven Hundred Thirty-Eight Dollars (\$110,426,738); the Municipality has outstanding bonded indebtedness subject to the fifteen percent (15%) debt limit prescribed by the Act, in the amount of Ten Million One Hundred Fifty Thousand Dollars (\$10,150,000), and outstanding bonded and floating indebtedness subject to the twenty percent (20%) debt limit prescribed by the Act (which amount includes the sum set forth above subject to the fifteen percent (15%) debt limit), in the amount of Ten Million One Hundred Fifty Thousand Dollars (\$10,150,000); the issuance of the Bonds hereinafter proposed to be issued, when added to the outstanding bonded indebtedness of the Municipality, will not result in bonded indebtedness, exclusive of indebtedness not subject to the aforesaid fifteen percent (15%) debt limit, of more than fifteen percent (15%) of the assessed value of taxable property within the Municipality, and will not result in indebtedness, both bonded and floating, exclusive of indebtedness not subject to the aforesaid twenty percent (20%) debt limit, in excess of twenty percent (20%) of the assessed value of taxable property within the Municipality and will not exceed any constitutional or statutory limitation upon indebtedness which may be incurred by the Municipality.

7. The machinery and equipment will not include any motor vehicle weighing less than twelve thousand (12,000) pounds, and the life of the Bonds will not exceed the expected useful life of machinery and equipment financed with the proceeds of the Bonds.

8. It is advisable and in the public interest to authorize the Mayor of the Municipality to arrange for a Bond Insurance Policy in the event that the Mayor determines that obtaining any such Bond Insurance Policy is in the best interests of the Municipality. The Governing Body of the Municipality should authorize the obtaining of such Bond Insurance Policy and the distribution or execution of any legal or financial documents necessary or appropriate for such purpose pertaining to any such Bond Insurance Policy by the Mayor if such officer or officer determines any such Bond Insurance Policy to be in the best interest of the Municipality. It is understood that the Bond Insurance Policy will be purchased at the expense of the prospective bidders for the Bonds and the Purchaser for the Bonds, to be hereafter designated by the Governing Body.

9. The Code provides that noncompliance with the provisions thereof may cause interest on obligations to become taxable retroactive to the initial date of issuance, and provides that the tax-exempt status of interest on obligations such as the Bonds is contingent on a number of future actions by the Municipality. It is necessary to make certain covenants pertaining to the exemption of the interest on the Bonds from federal income taxes since such exemption may depend, in part, upon continuing compliance by the Municipality with certain requirements of the Code.

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10. The Bonds are not private activity bonds as such term is defined in Section 141 of the Code and the Governing Body does not reasonably anticipate that the Municipality or any other subordinate entities thereof will issue more than Ten Million Dollars (\$10,000,000) of tax-exempt obligations (other than private activity bonds) in calendar year 2020. It is necessary to designate the Bonds as qualified tax-exempt obligations within the meaning of Section 265(b)(3) of the Code.

11. The Municipality is a governmental unit with general taxing powers; no obligation which is a part of the issue of the Bonds is a private activity bond; ninety-five percent (95%) or more of the net proceeds of the Bonds are to be used for local governmental activities of the Municipality.

12. The Municipality reasonably expects that not less than eighty-five percent (85%) of the spendable proceeds of the Bonds will be used to carry out the governmental purposes of the Bonds within a three-year period beginning on the date of issuance of the Bonds.

13. It is now necessary to direct the issuance of and offer for sale the Bonds, in the principal amount of Two Million Dollars (\$2,000,000) out of the authorized maximum principal amount of Two Million Dollars (\$2,000,000).

14. It has now become necessary to make provision for the preparation, execution, issuance, and sale of the Bonds.

15. The Preliminary Official Statement pertaining to the sale of the Bonds should be approved by the Governing Body of the Municipality, and copies thereof distributed to prospective purchasers of the Bonds, in substantially the form attached hereto as **Attachment C**.

16. The execution and distribution of the Official Statement pertaining to the sale of the Bonds should be approved by the Governing Body, and it is necessary and appropriate for the Governing Body to authorize the execution and distribution thereof.

17. It is necessary and appropriate for this Governing Body to approve the Continuing Disclosure Agreement attached to the Preliminary Official Statement and to authorize the execution thereof.

18. The Governing Body desires to approve and adopt the Post Issuance Compliance Procedures, in substantially the form attached hereto as **Attachment A**.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY, ACTING FOR AND ON BEHALF OF THE MUNICIPALITY, AS FOLLOWS:

SECTION 1. Bond Resolution as Contract. In consideration of the purchase and acceptance of any and all of the Bonds by the Registered Owners thereof, this Bond Resolution will constitute a contract between the Municipality and the Registered Owners from time to time of the Bonds. The pledges made herein and the covenants and agreements herein set forth to be performed on behalf of the Municipality will be for the equal benefit, protection, and security of the Registered Owners of any and all of the Bonds, all of which, regardless of the time or times of

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their authentication, delivery, or maturity, will be of equal rank without preference, priority, or distinction.

SECTION 2. Amount; Purpose. The Bonds are hereby authorized and ordered to be prepared and issued in the principal amount of Two Million Dollars (\$2,000,000) to provide funds for the Authorized Purpose as authorized by the Act.

SECTION 3. (a) Payments. Payments of interest on the Bonds will be made to the Record Date Registered Owner, and payments of principal will be made upon presentation and surrender thereof at the principal office of the Paying Agent to the Record Date Registered Owner in lawful money of the United States of America. Interest will be paid on the principal amount of each Bond from the date of such Bond or from the most recent interest payment date to which interest has been paid at the rate of interest per annum set forth therein.

(b) **Bond Details.** The Bonds will be registered as to both principal and interest; will be dated July 1, 2020; will be issued in the denomination of Five Thousand Dollars (\$5,000) each, or integral multiples thereof up to the amount of a single maturity; will be numbered from one (1) upward in the order of issuance; will bear interest from the date thereof at the rate or rates specified by further order of the Governing Body, payable on July 1, 2021, and semiannually thereafter on January 1 and July 1 of each year; and will mature and become due and payable, with option of prior payment, on July 1 in the years and in the principal amounts as follows:

YEAR	AMOUNT
2021	\$175,000
2022	\$180,000
2023	\$185,000
2024	\$190,000
2025	\$195,000
2026	\$200,000
2027	\$210,000
2028	\$215,000
2029	\$220,000
2030	\$230,000

(c) **Prior Redemption.** Bonds maturing after July 1, 2025, are subject to redemption prior to their respective maturities at the election of the Municipality on and after July 1, 2025, either in whole or in part on any date, with the maturities and principal amounts thereof to be determined by the Municipality, at the principal amount thereof together with accrued interest to the date fixed for redemption. Notice of each such redemption shall be mailed, postage prepaid, not less than thirty (30) days prior to the redemption date, to all Registered Owners of the Bonds to be redeemed at their addresses as they appear on the registration books of the Municipality kept by the Paying Agent.

SECTION 4. (a) Bonds Registered as Obligations; Registration and Validation Certificate. When the Bonds will have been validated and executed as herein provided, they will be registered as an obligation of the Municipality in the office of the City Clerk in a book

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maintained for that purpose, and the City Clerk will cause to be imprinted upon or accompany each of the Bonds, over his manual or facsimile signature and manual or facsimile seal, the certificate in substantially the form set out in Section 6 hereof.

(b) Execution. The Bonds will be executed by the manual or facsimile signature of the Mayor and countersigned by the manual or facsimile signature of the City Clerk, with the seal of the Municipality imprinted or affixed thereto; provided, however, all signatures and seals appearing on the Bonds, other than the signature of an authorized signatory of the Paying Agent hereafter provided for, may be facsimile and will have the same force and effect as if manually signed or impressed. In case any official of the Municipality whose signature or a facsimile of whose signature will appear on the Bonds will cease to be such official before the delivery or reissuance thereof, such signature or such facsimile will nevertheless be valid and sufficient for all purposes, the same as if such official had remained in office until delivery or reissuance.

(c) Delivery; Bond Transcript; Legal Opinion. The Bonds will be delivered to the Purchaser upon payment of the purchase price therefor in accordance with the terms and conditions of their sale and award, together with a complete certified transcript of the proceedings had and done in the matter of the authorization, issuance, sale, and validation of the Bonds, and the final, unqualified approving opinion of Bond Counsel.

(d) Items Filed with Paying Agent. Prior to or simultaneously with the delivery by the Paying Agent of any of the Bonds, the Municipality will file with the Paying Agent:

(1) a copy, certified by the City Clerk, of the transcript of proceedings of the Governing Body in connection with the authorization, issuance, sale, and validation of the Bonds; and

(2) an authorization to the Paying Agent, signed by the Mayor and/or the City Clerk, to authenticate and deliver the Bonds to the Purchaser.

(e) Authentication. The Paying Agent acting through its officers, employees, or agents, will authenticate the Bonds and deliver them to the Purchaser thereof upon payment of the purchase price of the Bonds to the Municipality.

(f) Bond Certificates. Certificates, blank as to denomination, rate of interest, date of maturity, and CUSIP number (if any), and sufficient in quantity in the judgment of the Municipality to meet the reasonable transfer and reissuance needs for the Bonds, may be printed and delivered to the Paying Agent in generally-accepted format, and held by the Paying Agent until needed for transfer or reissuance, whereupon the Paying Agent will imprint the appropriate information as to denomination, rate of interest, date of maturity, and CUSIP number (if any) prior to the registration, authentication and delivery thereof to the transferee holder. The Paying Agent is hereby authorized upon the approval of the Governing Body to have printed from time to time as necessary additional certificates bearing the manual or facsimile seal of the Municipality and manual or facsimile signatures of the persons who were the officials of the Governing Body as of the date of original issue of the Bonds.

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SECTION 5. (a) Designation of Paying Agent. A Paying Agent for the Bonds, which shall serve as paying agent, registrar, and transfer agent, shall be designated by further resolution of the Governing Body, authorizing the Mayor and/or the City Clerk to approve the engagement thereof.

(b) Paying Agent as Transfer Agent. So long as any of the Bonds will remain outstanding, the Municipality will maintain with the Paying Agent records for the registration and transfer of the Bonds. The Paying Agent is hereby appointed registrar for the Bonds, in which capacity the Paying Agent will register in such records and permit to be transferred thereon, under such reasonable regulations as may be prescribed, any Bond entitled to registration or transfer.

(c) Fees and Expenses of Paying Agent. The Municipality will pay or reimburse the Paying Agent for reasonable fees for the performance of the services normally rendered and the incurring of normal expenses reasonably and necessarily paid as are customarily paid to paying agents, transfer agents and bond registrars, subject to agreement between the Municipality and the Paying Agent. Fees and reimbursements for extraordinary services and expenses, so long as not occasioned by the negligence, misconduct or willful default of the Paying Agent, will be made by the Municipality on a case-by-case basis, subject, where not prevented by emergency or other exigent circumstances, to the prior written approval of the Governing Body.

(d) Change of Paying Agent. (1) A Paying Agent may at any time resign and be discharged of its duties and obligations as Paying Agent by giving written notice to the Municipality at least sixty (60) days in advance, and may be removed as Paying Agent at any time by resolution of the Governing Body delivered to the Paying Agent. The resolution will specify the date on which such removal will take effect and the name and address of the successor Paying Agent, and will be transmitted to the Paying Agent being removed within a reasonable time prior to the effective date thereof. Provided, however, that no resignation or removal of a Paying Agent will become effective until a successor Paying Agent has been appointed pursuant to this Bond Resolution.

(2) Upon receiving notice of the resignation of a Paying Agent, the Municipality will promptly appoint a successor Paying Agent by resolution of the Governing Body. Any appointment of a successor Paying Agent will become effective on the effective date of the resignation or removal of the predecessor Paying Agent upon acceptance of appointment by the successor Paying Agent. If no successor Paying Agent will have been so appointed and have accepted appointment within thirty (30) days after the notice of resignation, the resigning Paying Agent may petition any court of competent jurisdiction for the appointment of a successor Paying Agent, which court may thereupon, after such notice as it may deem appropriate, appoint a successor Paying Agent.

(3) In the event of a change of Paying Agents, the predecessor Paying Agent will cease to be custodian of any funds held pursuant to this Bond Resolution in connection with its role as such Paying Agent, and the successor Paying Agent will become such custodian; provided, however, that before any such delivery is required to be made, all fees, advances and expenses of the retiring or removed Paying Agent will be fully paid. Every predecessor Paying Agent will deliver to its successor Paying Agent all records of account, registration records, lists

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of Registered Owners and all other records, documents and instruments relating to its duties as such Paying Agent.

(4) Any successor Paying Agent appointed under the provisions hereof will be a bank, trust company or national banking association having Federal Deposit Insurance Corporation insurance of its accounts, duly authorized to exercise corporate trust powers and subject to examination by and in good standing with the federal and/or state regulatory authorities under the jurisdiction of which it falls.

(5) Every successor Paying Agent appointed hereunder will execute, acknowledge and deliver to its predecessor Paying Agent and to the Municipality an instrument in writing accepting such appointment hereunder, and thereupon such successor Paying Agent, without any further act, will become fully vested with all the rights, immunities and powers, and subject to all the duties and obligations, of its predecessor.

(6) Should any transfer, assignment, or instrument in writing be required by any successor Paying Agent from the Municipality to more fully and certainly vest in such successor Paying Agent the estates, rights, powers, and duties hereby vested or intended to be vested in the predecessor Paying Agent, any such transfer, assignment and written instruments will, on request, be executed, acknowledged, and delivered by the Municipality.

(7) The Municipality will provide any successor Paying Agent with certified copies of all resolutions, orders, and other proceedings adopted by the Governing Body relating to the Bonds.

(8) All duties and obligations imposed hereby on a Paying Agent or successor Paying Agent will terminate upon the accomplishment of all duties, obligations, and responsibilities imposed by law or required to be performed by this Bond Resolution.

(c) Successor Corporation or Association as Paying Agent. Any corporation or association into which a Paying Agent may be converted or merged, or with which it may be consolidated, or to which it may sell or transfer its assets as a whole or substantially as a whole, or any corporation or association resulting from any such conversion, sale, merger, consolidation or transfer to which it is a party, will be and become successor Paying Agent hereunder and vested with all the powers, discretions, immunities, privileges, and all other matters as was its predecessor, without the execution or filing of any instrument or any further act, deed, or conveyance on the part of either the Municipality or the successor Paying Agent, anything herein to the contrary notwithstanding, provided only that such successor Paying Agent will be satisfactory to the Municipality and eligible under the provisions of this Section.

SECTION 6. Bond Form. The Bonds will be in substantially the following form, with such appropriate variations, omissions, and insertions as are permitted or required by this Bond Resolution:

UNITED STATES OF AMERICA
STATE OF MISSISSIPPI

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CITY OF CLEVELAND, MISSISSIPPI
GENERAL OBLIGATION PUBLIC IMPROVEMENT BOND, SERIES 2020

No. R-__ \$ _____

<u>Rate of Interest</u>	<u>Maturity</u>	<u>Dated Date</u>	<u>CUSIP</u>
___ %	_____, 20__	_____, 20__	

Registered Owner:

Principal Amount: _____ DOLLARS

The Mayor and Board of Aldermen of the City of Cleveland, Mississippi (the "Governing Body" of the "Municipality"), a body politic existing under the Constitution and laws of the State of Mississippi, acknowledges itself to owe and for value received, promises to pay in lawful money of the United States of America to the Registered Owner identified above, on the maturity date stated above, upon the presentation and surrender of this bond, at the principal office of _____, or its successor, as paying agent (the "Paying Agent") for the General Obligation Utility Bonds, Series 2020, of the Municipality (the "Bonds"), on the maturity date identified above, the principal amount identified above. Payment of the principal amount of this Bond will be made to the Registered Owner hereof whose name will appear in the registration records of the Municipality maintained by the Paying Agent, which will also serve as registrar and transfer agent for the Bonds, as of the fifteenth (15th) day of the calendar month preceding the maturity date hereof.

The Municipality further promises to pay interest on such principal amount from the date of this Bond or from the most recent interest payment date to which interest has been paid at the rate of interest per annum set forth above payable on July 1, 2021, and semiannually thereafter on July 1 and January 1 of each year, until the principal sum is paid, to the Registered Owner hereof whose name will appear in the registration records of the Municipality maintained by the Paying Agent as of the fifteenth (15th) day of the calendar month preceding the applicable interest payment date.

All capitalized terms not otherwise defined herein will have the meaning set forth in the resolution authorizing and directing the issuance of the Bonds, adopted May 5, 2020 (the "Bond Resolution").

Payments of principal of and interest on this Bond will be made by check or draft delivered directly to or mailed on the date on which interest or principal and interest will be due and payable (or, with respect to principal, such later date on which any Bond will be presented and surrendered for payment as provided herein) to such Registered Owner at his address as it appears on such registration records. The Registered Owner hereof may change such address by written notice to the Paying Agent by certified mail, return receipt requested, or such other method as may be subsequently prescribed by the Paying Agent, such notice to be received by the Paying Agent not later than the fifteenth (15th) day of the calendar month preceding the applicable principal or interest payment date.

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Bonds maturing after July 1, 2025, are subject to redemption prior to their respective maturities at the election of the Municipality on and after July 1, 2025, either in whole or in part on any date, with the maturities and principal amounts thereof to be determined by the Municipality, at the principal amount thereof together with accrued interest to the date fixed for redemption. Notice of each such redemption shall be mailed, postage prepaid, not less than thirty (30) days prior to the redemption date, to all Registered Owners of the Bonds to be redeemed at their addresses as they appear on the registration books of the Municipality kept by the Paying Agent.

This Bond is one of a series of Bonds of like date of original issue, tenor and effect, except as to denomination, number, rate of interest and date of maturity, issued in the aggregate authorized principal amount of Two Million Dollars (\$2,000,000), out of an authorized amount of Two Million Dollars (\$2,000,000), to provide funds for the purpose of erecting or purchasing waterworks, gas, electric and other public utility plants or distribution systems or franchises, and repairing, improving and extending the same; establishing sanitary, storm, drainage or sewerage systems, and repairing, improving and extending the same; constructing, improving or paving streets, sidewalks, driveways, parkways, walkways or public parking facilities, and purchasing land therefor; constructing bridges and culverts; altering or changing the channels of streams and water courses to control, deflect or guide the current thereof; and, purchasing machinery and heavy equipment which will have an expected useful life in excess of ten (10) years for the use of the public works department, but specifically not including any motor vehicles weighing less than twelve thousand (12,000) pounds (the "Authorized Purpose").

This Bond is issued under the authority of the Constitution and statutes of the State of Mississippi, including Sections 21-33-301 *et seq.*, Mississippi Code of 1972, as amended (the "Act"), and by the further authority of proceedings duly had by the Mayor and Board of Aldermen of the Municipality, including the Bond Resolution.

The Bonds are registered as to both principal and interest and are to be issued or reissued in the denomination of Five Thousand Dollars (\$5,000) each, or integral multiples thereof up to the amount of a single maturity.

This Bond may be transferred or exchanged by the Registered Owner hereof in person or by his attorney duly authorized in writing at the principal office of the Paying Agent, but only in the manner provided by and subject to the limitations in the Bond Resolution, and upon surrender and cancellation of this Bond. Upon such transfer or exchange, a new Bond or Bonds of like aggregate principal amount in authorized denominations of the same maturity will be issued.

The Municipality and the Paying Agent may deem and treat the Registered Owner hereof as the absolute owner for the purpose of receiving payment of or on account of principal hereof and interest due hereon and for all other purposes and neither the Municipality nor the Paying Agent will be affected by any notice to the contrary.

The Bonds are general obligations of the Municipality payable as to principal and interest out of legally available revenues of the Municipality, including revenues of the System, and secured by an irrevocable pledge of the avails of a tax to be levied annually, if and to the extent

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necessary, upon all the taxable property within the geographical limits of the Municipality, which tax, together with any other moneys available for such purpose, including revenues of the Combined Water and Sewer System of the Municipality, shall be sufficient to provide for the payment of the principal of and the interest on the Bonds.

This Bond will not be valid or become obligatory for any purpose or be entitled to any benefit or security under the Bond Resolution until the "Certificate of Registration and Authentication" hereon will have been signed by the Paying Agent, acting through its officers, employees, or agents.

IT IS HEREBY CERTIFIED, RECITED, AND REPRESENTED that all conditions, acts, and things required by law to exist, to have happened, and to have been performed precedent to and in the issuance of the Bonds, in order to make the same legal and binding general obligations of the Municipality, according to the terms thereof, do exist, have happened and have been performed in regular and due time, form, and manner as required by law. For the performance in apt time and manner of every official act herein required, and for the prompt payment of this Bond, both principal and interest, the full faith and credit of the Municipality are hereby irrevocably pledged.

IN WITNESS WHEREOF, the Municipality has caused this Bond to be executed in its name by the manual or facsimile signature of the Mayor of the Municipality, countersigned by the manual or facsimile signature of the City Clerk of the Municipality, under the manual or facsimile seal of the Municipality, which facsimile signatures of the officials adopt as and for their own proper signatures, all as of July 1, 2020.

City of Cleveland, Mississippi

Mayor

Countersigned:

City Clerk

(seal)

Certificate of Registration and Authentication

This Bond is one of the Bonds described in the within mentioned Bond Resolution and is one of the General Obligation Utility Bonds, Series 2020, of the City of Cleveland, Mississippi.

as Paying Agent

Authorized Signatory

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Date of Registration and Authentication: _____

Registration and Validation Certificate

I, the undersigned City Clerk of the City of Cleveland, Mississippi, do hereby certify that the within Bond has been duly registered by me as an obligation of the Municipality pursuant to law in a book kept in my office for that purpose, and has been validated and confirmed by Validation Judgment of the Chancery Court of Bolivar County, Second Judicial District, Mississippi, rendered on _____, 20__.

(seal)

City Clerk

Assignment

FOR VALUE RECEIVED, the undersigned sells, assigns and transfers unto _____

(Name and Address of Assignee)

the within Bond and does hereby irrevocably constitute and appoint _____ as Paying Agent to transfer the Bond on the records kept for registration thereof with full power of substitution in the premises.

Signature guaranteed:

(Bank, Trust Company or Paying Agent)

NOTICE: The signature to this Assignment must correspond with the Registered Owner as it appears upon the face of the within Bond in every particular, without alteration or enlargement or any change whatsoever.

(Authorized Signatory)

NOTICE: Signature(s) must be guaranteed by an institution that is a participant in a Securities Transfer Association recognized signature guarantee program.

Date of Assignment: _____

Insert Social Security Number or Other Tax Identification Number of Assignee: _____

SECTION 7. Replacement of Bond Certificates. In case any Bond will become mutilated or be stolen, destroyed, or lost, the Municipality will, if not then prohibited by law, cause to be authenticated and delivered a new Bond of like date, number, maturity, and tenor in exchange and substitution for and upon cancellation of such mutilated Bond, or in lieu of and in substitution for

such Bond stolen, destroyed, or lost, upon the Registered Owner's paying the reasonable expenses and charges of the Municipality in connection therewith, and in case of a Bond stolen, destroyed, or lost, his filing with the Municipality or Paying Agent evidence satisfactory to them that such Bond was stolen, destroyed, or lost, and of his ownership thereof, and furnishing the Municipality or Paying Agent with such security or indemnity as may be required by law or by them to save each of them harmless from all risks, however remote.

SECTION 8. Security for Payment. The Bonds will be general obligations of the Municipality payable as to principal and interest out of legally available revenues of the Municipality, including revenues of the System, and secured by an irrevocable pledge of the avails of a tax to be levied annually, if and to the extent necessary, upon all the taxable property within the geographical limits of the Municipality, which tax, together with any other moneys available for such purpose, including revenues of the System, shall be sufficient to provide for the payment of the principal of and the interest on the Bonds, according to the terms thereof, as the same falls due, after allowance will have been made for the expenses of collection and delinquencies in the payment of taxes, and taking into account any other moneys available for such purpose, to produce sums required for the payment of the principal of and the interest on the Bonds. The tax will be extended upon the tax rolls and collected in the same manner and at the same time as other taxes of the Municipality are collected, and the rate of tax which will be so extended will be sufficient in each year fully to produce the sums required as aforesaid, without limitation as to rate or amount. The avails of the tax are hereby irrevocably pledged for the payment of the principal of and interest on the Bonds as the same will respectively mature and accrue. Should there be a failure in any year to comply with the requirements of this Section, such failure will not impair the right of the Registered Owners of any of the Bonds in any subsequent year to have adequate taxes levied and collected to meet the obligations of the Bonds, both as to principal and interest.

SECTION 9. Certificate of Registration and Authentication. Only such of the Bonds as will have endorsed thereon a "Certificate of Registration and Authentication" in substantially the form hereinabove set forth, duly executed by the Paying Agent, will be entitled to the rights, benefits, and security of this Bond Resolution. No Bond will be valid or obligatory for any purpose unless and until such "Certificate of Registration and Authentication" will have been duly executed by the Paying Agent, which executed certificate will be conclusive evidence of registration, authentication, and delivery under this Bond Resolution. The Paying Agent's "Certificate of Registration and Authentication" on any Bond will be deemed to have been duly executed if signed by an authorized signatory of the Paying Agent, but it will not be necessary that the same signatory sign the certificate on all of the Bonds that may be issued hereunder at any one time.

SECTION 10. (a) Initial Registration. In the event the Purchaser will fail to designate the names, addresses, and social security or tax identification numbers of the Registered Owners of the Bonds within thirty (30) days of the date of sale, or at such other later date as may be designated by the Municipality, one (1) Bond registered in the name of the Purchaser may be issued in the full amount for each maturity. Ownership of the Bonds will be in the Purchaser until the initial Registered Owner has made timely payment and, upon request of the Purchaser within a reasonable time of the initial delivery of the Bonds, the Paying Agent will re-register any such Bond upon its records in the name of the Registered Owner to be designated by the Purchaser in the event timely payment has not been made by the initial Registered Owner.

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(b) Registered Owner as Owner. Except as hereinabove provided, the Person in whose name any Bond will be registered in the records of the Municipality maintained by the Paying Agent may be deemed the absolute owner thereof for all purposes, and payment of or on account of the principal of or interest on any Bond will be made only to or upon the order of the Registered Owner thereof, or his legal representative, but such registration may be changed as hereinafter provided. All such payments will be valid and effectual to satisfy and discharge the liability upon such Bond to the extent of the sum or sums so paid.

SECTION 11. (a) Transfers. Each Bond will be transferable only in the records of the Municipality, upon surrender thereof at the office of the Paying Agent, together with a written instrument of transfer satisfactory to the Paying Agent duly executed by the Registered Owner or his attorney duly authorized in writing. Upon the transfer of any Bond, the Municipality, acting through its Paying Agent, will issue in the name of the transferee a new Bond or Bonds of the same aggregate principal amount and maturity and rate of interest as the surrendered Bond or Bonds.

(b) Paying Agent to Transfer in Accordance with Bond Resolution. In all cases in which the privilege of transferring Bonds is exercised, the Paying Agent, acting through its officers, employees, or agents, will authenticate and deliver Bonds in accordance with the provisions of this Bond Resolution.

(c) Expenses of Transfer. The Municipality or the Paying Agent may require payment by the Registered Owner of a sum sufficient to cover any tax or other governmental charge that may be imposed in connection with any transfer of Bonds. All other expenses incurred by the Municipality or the Paying Agent in connection with any transfer of Bonds will be paid by the Municipality.

SECTION 12. (a) Bond Fund. The Municipality will maintain with a qualified depository thereof the "Bond Fund," hereby authorized to be created, in its name for the payment of the principal of and interest on the Bonds, and the payment of Paying Agents' fees in connection therewith. There will be deposited into the Bond Fund as and when received:

- (1) The accrued interest, if any, received upon delivery of the Bonds;
- (2) The avails of any of the ad valorem taxes levied and collected pursuant to Section 8 hereof;
- (3) Any income received from investment of moneys in the Bond Fund;

and

(4) Any other funds available to the Municipality which may be lawfully used for payment of the principal of and interest on the Bonds, including revenues of the System, and which the Governing Body, in its discretion, may direct to be deposited into the Bond Fund.

(b) Payments by City Clerk. As long as any principal of and interest on the Bonds remains outstanding, the City Clerk is hereby irrevocably authorized and directed to withdraw from the Bond Fund sufficient moneys to make the payments herein provided for and to transfer same to the account of the Paying Agent in time to reach the Paying Agent prior to the

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date on which the interest or principal and interest shall become due, and in accordance with any statutory requirements.

(c) Bond Fund Options. Notwithstanding anything herein to the contrary, the Municipality at its option, may maintain one (1) "Bond Fund" for all general obligation bonds of the Municipality, or as many as it will deem to be appropriate.

SECTION 13. Improvement Fund. The principal proceeds, and premium, if any, received upon the sale of the Bonds will be deposited with a qualified depository of the Municipality in a special public improvement fund, the "Improvement Fund," hereby authorized to be created, in the name of the Municipality. From the Improvement Fund there will be first paid the costs, fees, and expenses incurred by the Municipality in connection with the authorization, issuance, sale, validation, and delivery of the Bonds. The balance thereof will be held and disbursed for the Authorized Purpose, as authorized by the Act. Any proceeds of the Bonds remaining in the Improvement Fund after the completion of the projects to be financed within the Authorized Purpose shall be transferred to the Bond Fund.

SECTION 14. (a) Payments of Principal. Payment of principal on the Bonds will be made, upon presentation and surrender of the Bonds at the principal office of the Paying Agent, to the Record Date Registered Owner thereof whose name will appear in the registration records of the Municipality maintained by the Paying Agent as of the Record Date.

(b) Payments of Interest. Payment of each installment of interest on the Bonds will be made to the Record Date Registered Owner thereof. Interest will be payable in the aforesaid manner irrespective of any transfer or exchange of such Bond subsequent to the Record Date and prior to the due date of the interest.

(c) Method of Payment; Change of Address. Principal of and interest on the Bonds will be paid by check or draft delivered directly to or mailed on the date on which interest or principal and interest will be due and payable (or, with respect to principal, such later date on which any Bond will be presented and surrendered for payment as provided herein) or such other method as may be mutually satisfactory to the Paying Agent and Bond Holders, to the Registered Owners at the addresses appearing in the registration records of the Paying Agent. Any such address may be changed by written notice from the Registered Owner to the Paying Agent by certified mail, return receipt requested, or such other method as may be subsequently prescribed by the Paying Agent, such notice to be received by the Paying Agent not later than the fifteenth (15th) day of the calendar month preceding the applicable principal or interest payment date to be effective as of such date.

SECTION 15. Validation. The Bonds will be submitted to validation as provided by Chapter 13, Title 31, Mississippi Code of 1972, as amended, and to that end the City Clerk is hereby directed to make up a transcript of all legal papers and proceedings relating to the Bonds and to certify and forward the same to the State Bond Attorney for the institution of validation proceedings.

SECTION 16. Validation of Certain Amendments, Revisions, or Supplements. It is specifically provided, notwithstanding the dates set out in this Bond Resolution for the date of the

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Bonds and the payment dates for principal and interest, that in the event the delivery of the Bonds is delayed by a contest of the validation of the Bonds or otherwise, and the initial Purchaser will decline to take delivery of the Bonds, then the Bonds may be reoffered for sale. In such event, all principal maturities may be adjusted so that such maturities will fall due in the same amounts and intervals as herein provided, but beginning the July 1st next following the issuance of the Bonds as provided by the subsequent resolution directing the offer for sale thereof, and continuing through the tenth (10th) annual payment. The interest payments may also be adjusted accordingly, with interest payments due semiannually, commencing on the next January 1 or July 1 whichever occurs first) following the date of the Bonds. After the validation of the Bonds, no amendment, revision or supplement contemplated by this Section will be cause for the re-submission of the proceedings for the issuance of the Bonds, as amended, revised or supplemented, to any further validation proceedings, it being the intent of this Bond Resolution that any such amendments, revisions or supplements be covered by the initial validation proceeding.

SECTION 17. Events of Default; Remedies. An "Event of Default" as used in this Resolution shall mean any of the following: (a) failure to pay the principal of, premium, if any, or interest on any of the Bonds when such payments will become due, (b) failure to comply with any other of the covenants of the Municipality set out in this Bond Resolution and the continuation thereof for thirty (30) days after written notice specifying such failure will have been given to the Municipality by any Bondholder or (c) filing by the Municipality of a petition under federal bankruptcy laws or a petition seeking composition of indebtedness under any other applicable federal or state laws. Notwithstanding the foregoing, the Municipality's noncompliance with its obligations under Section 20 hereof and the Continuing Disclosure Agreement will not constitute an Event of Default within the meaning of this Section.

The Holders of not less than twenty-five percent (25%) of the aggregate principal amount of the outstanding Bonds may, upon an Event of Default, by suit, action, mandamus or other proceedings at law or in equity take action to enforce and compel performance by the appropriate official or officials of the Municipality of any or all of the acts or duties to be performed by the Municipality under the provisions of the Act and this Bond Resolution. The Holders of not less than fifty-one percent (51%) in aggregate principal amount of the Bonds then outstanding may appoint a trustee for the Holders of all outstanding Bonds issued under this Bond Resolution with authority to represent such Bondholders in any legal proceedings for the enforcement and protection of the rights of such Bondholders under this Bond Resolution.

Nothing in this Bond Resolution will, however, affect or impair the right of any Bondholder to enforce the payment of the principal of and interest on any Bond at and after the maturity thereof, or the obligation of the Municipality to pay the principal of and interest on each of the Bonds issued hereunder to the respective Bondholders thereof at the time and place and in the manner in expressed in the Bonds.

SECTION 18. Preliminary Official Statement. The Governing Body hereby approves the Preliminary Official Statement pertaining to the sale of the Bonds, and the distribution of the Preliminary Official Statement is hereby authorized in substantially the form attached hereto, as **Attachment C.**

SECTION 19. Official Statement.

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(a) The Governing Body hereby approves and adopts the Official Statement pertaining to the sale of the Bonds in substantially the form of the Preliminary Official Statement with such completions, changes, insertions, and modifications as shall be approved by the officers of the Municipality executing and delivering the same, the execution thereof by such officers to be conclusive evidence of such approval.

(b) The Governing Body hereby approves the execution by the Mayor and the City Clerk of the Official Statement for and on behalf of this Governing Body, and the distribution of such Official Statement pertaining to the sale of the Bonds is hereby approved.

SECTION 20. Continuing Disclosure Agreement. The Governing Body hereby approves and adopts the Continuing Disclosure Agreement attached to the Preliminary Official Statement, and approves and authorizes the execution of the Continuing Disclosure Agreement by the City Clerk of the Municipality for and on behalf of the Municipality in substantially the form attached to the Preliminary Official Statement, with such completions, changes, insertions, and modifications as shall be approved by the officer of the Municipality executing and delivering the same, the execution thereof to be conclusive evidence of such approval.

SECTION 21. (a) Offer for Sale as Provided in Notice. The Bonds will be offered for sale on sealed bids at a meeting of the Governing Body to be held at the place, on the date, and at the hour specified and upon the terms and conditions set out in the Notice in Section 22 hereof. On or before the date and hour, such sealed bids must be filed with the City Clerk at the place specified in the Notice. The Governing Body reserves the right to reject any and all bids submitted, and if all bids are rejected, to sell the Bonds at a private sale at any time within sixty (60) days after the date advertised for the receipt of bids, at a price not less than the highest bid which will have been received at the advertised sale.

(b) Interest Rate Limit; Requirements of Act. In no event will the Bonds be issued at a rate of interest in excess of that allowed in the Notice, and the Bonds will in all other respects comply with the requirements of the Act.

SECTION 22. Notice of Bond Sale; Publication and Form. As required by Section 31-19-25, Mississippi Code of 1972, as amended, the City Clerk is hereby authorized and directed to give the Notice by publishing an advertisement at least two (2) times in a newspaper having a general circulation in the Municipality, the first publication thereof to be made at least ten (10) days preceding the date fixed herein for the receipt of bids. The Notice will be in substantially the following form:

NOTICE OF BOND SALE

**\$2,000,000 GENERAL OBLIGATION UTILITY BONDS, SERIES 2020
CITY OF CLEVELAND, MISSISSIPPI**

NOTICE IS HEREBY GIVEN that the Mayor and Board of Aldermen of the City of Cleveland, Mississippi (the "Governing Body" of the "Municipality") will receive sealed bids for the purchase in its entirety, at not less than par and accrued interest to the date of delivery thereof, of an issue of Two Million Dollars (\$2,000,000) General Obligation Utility Bonds, Series 2020,

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of the Municipality (the "Bonds") on June 2, 2020, until the hour of 4:00 p.m., and such bids should be delivered to the City Clerk at her office in the City Hall of the Municipality located 100 North Street. The City Clerk will act on behalf of the Governing Body to receive bids at the aforesaid date, time, and place. Immediately following said time on said date, said bids will be publicly opened and read, for consideration by the Governing Body at their regular meeting at 6:30 p.m. on said date. All bids will remain firm for four (4) hours after the time specified for the opening of bids, and an award of the Bonds, or rejection of bids, will be made by the Governing Body within said period of time.

THE BONDS: The Bonds will be registered as to both principal and interest; will be dated and bear interest from July 1, 2020; will be delivered in definitive form as registered bonds; will be issued in the denomination of Five Thousand Dollars (\$5,000) each, or integral multiples thereof up to the amount of a single maturity; will be numbered from one (1) upward in the order of issuance; will be payable as to principal at a bank or trust company to be named by the Governing Body in the manner hereinafter provided; and will bear interest from the date thereof, payable on July 1, 2021, and semiannually thereafter on January 1 and July 1 of each year, at the rate or rates offered by the successful bidder in its bid in accordance with this Notice of Bond Sale (the "Notice").

MATURITIES: The Bonds will mature serially, with option of prior payment, on July 1 in each of the years and amounts as follows:

YEAR	AMOUNT
2021	\$175,000
2022	\$180,000
2023	\$185,000
2024	\$190,000
2025	\$195,000
2026	\$200,000
2027	\$210,000
2028	\$215,000
2029	\$220,000
2030	\$230,000

REDEMPTION: Bonds maturing after July 1, 2025, are subject to redemption prior to their respective maturities at the election of the Municipality on and after July 1, 2025, either in whole or in part on any date, with the maturities and principal amounts thereof to be determined by the Municipality, at the principal amount thereof together with accrued interest to the date fixed for redemption. Notice of each such redemption shall be mailed, postage prepaid, not less than thirty (30) days prior to the redemption date, to all Registered Owners of the Bonds to be redeemed at their addresses as they appear on the registration books of the Municipality kept by the Paying Agent.

AUTHORITY AND SECURITY: The Bonds will be issued pursuant to the provisions of Sections 21-33-301 *et seq.*, Mississippi Code of 1972, as amended (the "Act"), and the resolution authorizing and directing the issuance of the Bonds adopted by the Governing Body of the

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Municipality on May 5, 2020 (the "Bond Resolution"), and will be general obligations of the Municipality payable as to principal and interest out of and secured by an irrevocable pledge of the avails of a direct and continuing tax to be levied annually to the extent necessary, without limitation as to rate or amount upon the taxable property within the geographical limits of the Municipality. To the extent other moneys are not available, the Municipality will levy annually a direct and continuing tax upon all taxable property within the geographical limits of the Municipality, which tax, together with any other moneys available for such purpose, including revenues of the Combined Water and Sewer System (the "System") of the Municipality, will be adequate and sufficient to provide for the payment of the principal of and the interest on the Bonds as the same falls due.

PURPOSE: The Bonds are being issued to provide funds for the purpose of erecting or purchasing waterworks, gas, electric and other public utility plants or distribution systems or franchises, and repairing, improving and extending the same; establishing sanitary, storm, drainage or sewerage systems, and repairing, improving and extending the same; constructing, improving or paving streets, sidewalks, driveways, parkways, walkways or public parking facilities, and purchasing land therefor; constructing bridges and culverts; altering or changing the channels of streams and water courses to control, deflect or guide the current thereof; and, purchasing machinery and heavy equipment which will have an expected useful life in excess of ten (10) years for the use of the public works department, but specifically not including any motor vehicles weighing less than twelve thousand (12,000) pounds (the "Authorized Purpose").

FORM OF BIDS: Bids should be addressed to the Mayor and Board of Aldermen and should be plainly marked "Bid for General Obligation Utility Bonds, Series 2020, of the City of Cleveland, Mississippi," and should be filed with the City Clerk of the Municipality on or prior to 4:00 pm on June 2, 2020, in the City Hall of the Municipality located at 100 North Street. All bids should be submitted substantially in the form prepared by the Municipality. A copy of the Preliminary Official Statement and the Official Bid Form may be obtained from Brad C. Davis, Jones Walker LLP, Jackson, Mississippi, at telephone number (601) 949-4623 or by email at bdavis@joneswalker.com.

INTEREST RATE AND BID RESTRICTIONS: The Bonds will not bear a greater overall maximum interest rate to maturity than eleven percent (11%) per annum, nor will the interest rate for any one maturity exceed eleven percent (11%) per annum. No Bond will bear more than one (1) rate of interest; each Bond will bear interest from its date to its stated maturity date at the interest rate specified in the bid; all Bonds of the same maturity will bear the same rate of interest from date to maturity; and the lowest interest rate specified will not be less than seventy percent (70%) of the highest interest rate specified. Each interest rate specified in any bid must be a multiple of one-eighth of one percent ($1/8^{\text{th}}$ of 1%) or one-tenth of one percent ($1/10^{\text{th}}$ of 1%) and a zero percent (0%) rate of interest cannot be named.

GOOD FAITH DEPOSIT: Each bid must be accompanied by a cashier's check, certified check, or exchange, issued or certified by a bank located in the State of Mississippi, payable to the "Mayor and Board of Aldermen of the City of Cleveland, Mississippi," in the amount of Forty Thousand Dollars (\$40,000) as a guaranty that the bidder will carry out its contract and purchase the Bonds if its bid be accepted. All checks of unsuccessful bidders will be returned immediately on award of the Bonds. If the successful bidder fails to purchase the Bonds pursuant to its bid and

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contract, then the amount of such good faith check will be retained by the Municipality as liquidated damages for such failure. No interest will be allowed on the amount of the good faith deposit.

DTC BOOK-ENTRY: Unless specifically declined by the purchaser, the Bonds are being initially offered as registered in the name of Cede & Co., as Registered Owner and nominee for The Depository Trust Company, New York, New York ("DTC") under DTC's book-entry system of registration. Purchasers of interests in the Bonds (the "Beneficial Owners") will not receive physical delivery of bond certificates and ownership by the Beneficial Owners of the Bonds will be evidenced by book-entry. As long as Cede & Co. is the Registered Owner of the Bonds as nominee of DTC, payments of principal and interest will be made directly to such Registered Owner which will in turn remit such payments to the DTC participants for subsequent disbursement to the Beneficial Owners.

AWARD OF BONDS: The award, if any, will be made to the bidder complying with the terms of sale and offering to purchase the Bonds at the lowest net interest cost to the Municipality, which will be determined by computing the aggregate interest on the Bonds over the life of the issue at the rate or rates of interest specified by the bidder, less premium offered, if any. It is requested that each bid be accompanied by a statement of the net interest cost (computed to six (6) decimal places), but such statement will not be considered a part of the bid. All bids will remain firm for four (4) hours after the time specified for the opening of bids, and an award of the Bonds, or rejection of bids, will be made by the Governing Body within said period of time.

RIGHT OF REJECTION, CANCELLATION: The Governing Body reserves the right to reject any or all bids submitted, as well as to waive any irregularity or informality in any bid. The successful bidder will have the right, at its option, to cancel its agreement to purchase the Bonds if the Bonds are not tendered for delivery within sixty (60) days from the date of sale thereof, and in such event the Governing Body will return to said bidder its good faith deposit. The Governing Body will have the right, at its option, to cancel its agreement to sell the Bonds if within five (5) days after the tender of the Bonds for delivery the successful bidder will not have accepted delivery of and paid for the Bonds, and in such event the Governing Body will retain the successful bidder's good faith deposit as liquidated damages as hereinabove provided.

PAYING AGENT, TRANSFER AGENT, AND REGISTRAR: The successful bidder may designate a bank or trust company located within the State of Mississippi to serve as paying agent (the "Paying Agent") for the Bonds within forty-eight (48) hours of the date of sale of the Bonds, subject to the approval of the Governing Body. The Governing Body's approval of the Paying Agent shall be contingent on a determination as to the willingness and ability of the Paying Agent to perform the duties of registrar and transfer agent and on the satisfactory negotiation of service fees. The Paying Agent shall be subject to change by order of the Governing Body under the conditions and in the manner provided in the Bond Resolution under which the Bonds are issued. Both principal of and interest on the Bonds will be payable by check or draft mailed to Registered Owners of the Bonds as of the fifteenth (15th) day of the month preceding the maturity date for such principal or interest payment at the addresses appearing in the registration records of the Municipality maintained by the Paying Agent. The Bonds will be transferable only upon the books of the Paying Agent, and payment of principal at maturity shall be conditioned on the proper presentation and surrender of the Bonds to the Paying Agent.

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DELIVERY: The successful bidder must designate within thirty (30) days of the date of sale, or at such other later date as may be designated by the Governing Body, the names and addresses of the Registered Owners of the Bonds and the denominations in which the Bonds of each maturity are to be issued. If the successful bidder fails to submit such information within the required time, one Bond may be issued for each maturity in the full amount maturing on that date registered in the name of the successful bidder. The Bonds will be delivered at a place to be designated by the purchaser and without cost to the purchaser, and payment therefor will be made in immediately available funds.

CUSIP NUMBERS: Unless specifically declined by the purchaser, it is anticipated that CUSIP identification numbers will be printed on the Bonds, but neither the failure to print such number on any bond nor any error with respect thereto will constitute cause for a failure or refusal by the purchaser thereof to accept delivery of and pay for the Bonds in accordance with the terms of the purchase contract. All expenses in relation to the printing of CUSIP numbers on the Bonds will be paid by the Municipality; the CUSIP Service Bureau charge for the assignment of said numbers will be the responsibility of and will be paid for by the purchaser.

LEGAL OPINION; CLOSING DOCUMENTS: The Bonds are offered subject to the unqualified approval of the legality thereof by Jones Walker LLP, Jackson, Mississippi ("Bond Counsel"). In the opinion of Bond Counsel, interest on the Bonds is exempt from federal and Mississippi income taxes under existing laws, regulations, rulings, and judicial decisions with such exceptions as will be described in the Official Statement for the Bonds. A copy of the opinion of Bond Counsel, together with the usual closing papers, including a no-litigation certificate dated the date of delivery of the Bonds, evidencing that no litigation is pending in any way affecting the legality of the Bonds or the taxes to be levied for the payment of the principal thereof and interest thereon, and a transcript of the proceedings relating to the Bonds will be delivered to the successful bidder without charge. The Municipality will pay for all legal fees and will pay for the printing and validation of the Bonds.

BONDS AS QUALIFIED TAX-EXEMPT OBLIGATIONS: The Municipality has designated the Bonds as qualified tax-exempt obligations within the meaning and for purposes of Section 265(b)(3) of the Code.

INFORMATION FROM PURCHASER: The successful bidder shall assist the Municipality in establishing the issue price of the Bonds and shall execute and deliver to the Municipality at the closing for the Bonds an "issue price" or similar certificate setting forth the reasonably expected initial offering price to the public or the sales price or prices of the Bonds, together with the supporting pricing wires or equivalent communications, in a form reasonably required by the Municipality and Bond Counsel. The Municipality intends that the provisions of Treasury Regulation Section 1.148-1(f)(3)(i) (defining "competitive sale" for purposes of establishing the issue price of the Bonds) will apply to the initial sale of the Bonds (the "competitive sale requirements") because: (a) the Municipality shall disseminate this Notice to potential underwriters in a manner that is reasonably designed to reach potential underwriters; (b) all bidders shall have an equal opportunity to bid; (c) the Municipality may receive bids from at least three underwriters of municipal bonds who have established industry reputations for underwriting new issuances of municipal bonds; and (d) the Municipality anticipates awarding the sale of the Bonds to the bidder who submits a firm offer to purchase the Bonds at the highest

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price (or lowest interest cost), as set forth in this Notice. Any bid submitted pursuant to this Notice shall be considered a firm offer for the purchase of the Bonds, as specified in the bid. In the event that the competitive sale requirements are not satisfied, the Municipality shall so advise the winning bidder. The Municipality shall treat the first price at which 10% of a maturity of the Bonds (the "10% test") is sold to the public as the issue price on that maturity applied on a maturity-by-maturity basis (and if different interest rates apply within a maturity, to each separate CUSIP number within that maturity). The winning bidder shall advise the Municipality if any maturity of the Bonds satisfies the 10% test as of the date and time of the award of the Bonds. The Municipality will not require bidders to comply with the "hold-the-offering-price rule" and therefore does not intend to use the initial offering price to the public as of the sale date of any maturity of the Bonds as the issue price of that maturity. Bids will not be subject to cancellation in the event that the competitive sale requirements are not satisfied. Bidders should prepare their bids on the assumption that all of the maturities of the Bonds will be subject to the 10% test in order to establish the issue price of the Bonds. If the competitive sale requirements are not satisfied, then until the 10% test has been satisfied as to each maturity of the Bonds, the winning bidder agrees to promptly report to the Municipality the prices at which the unsold Bonds of that maturity have been sold to the public. That reporting obligation shall continue, whether or not the closing of the Bonds has occurred, until the 10% test has been satisfied as to the Bonds of that maturity or until all Bonds of that maturity have been sold. By submitting a bid, each bidder confirms that: (i) any agreement among underwriters, any selling group agreement and each retail distribution agreement (to which the bidder is a party) relating to the initial sale of the Bonds to the public, together with the related pricing wires, contains or will contain language obligating each underwriter, each dealer who is a member of the selling group, and each broker-dealer that is a party to such retail distribution agreement, as applicable, to report the prices at which it sells to the public the unsold Bonds of each maturity allotted to it until it is notified by the winning bidder that either the 10% test has been satisfied as to the Bonds of that maturity or all Bonds of that maturity have been sold to the public, if and for so long as directed by the winning bidder and as set forth in the related pricing wires, and (ii) any agreement among underwriters relating to the initial sale of the Bonds to the public, together with the related pricing wires, contains or will contain language obligating each underwriter that is a party to a retail distribution agreement to be employed in connection with the initial sale of the Bonds to the public to require each broker-dealer that is a party to such retail distribution agreement to report the prices at which it sells to the public the unsold Bonds of each maturity allotted to it until it is notified by the winning bidder or such underwriter that either the 10% test has been satisfied as to the Bonds of that maturity or all Bonds of that maturity have been sold to the public, if and for so long as directed by the winning bidder or such underwriter and as set forth in the related pricing wires. Sales of any Bonds to any person that is a related party to an underwriter shall not constitute sales to the public for purposes of this Notice. Further, for purposes of this Notice: (a) "public" means any person other than an underwriter or a related party, (b) "underwriter" means (A) any person that agrees pursuant to a written contract with the Municipality (or with the lead underwriter to form an underwriting syndicate) to participate in the initial sale of the Bonds to the public and (B) any person that agrees pursuant to a written contract directly or indirectly with a person described in clause (A) to participate in the initial sale of the Bonds to the public (including a member of a selling group or a party to a retail distribution agreement participating in the initial sale of the Bonds to the public), (c) a purchaser of any of the Bonds is a "related party" to an underwriter if the underwriter and the purchaser are subject, directly or indirectly,

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to (i) at least 50% common ownership of the voting power or the total value of their stock, if both entities are corporations (including direct ownership by one corporation of another), more than 50% common ownership of their capital interests or profits interests, if both entities are partnerships (including direct ownership by one partnership of another), or more than 50% common ownership of the value of the outstanding stock of the corporation or the capital interests or profit interests of the partnership, as applicable, if one entity is a corporation and the other entity is a partnership (including direct ownership of the applicable stock or interests by one entity of the other), and (d) "sale date" means the date that the Bonds are awarded by the Municipality to the winning bidder.

FURTHER INFORMATION: The Municipality has prepared a Preliminary Official Statement which it deems, for purposes of S.E.C. Rule 15(c)2-12, to be final and complete as of its date except for the omission of the offering prices, interest rates, and any other terms of the Bonds depending on such matters, and the identity of the underwriters, subject to revision, amendment and completion in a final Official Statement. By submission of its bid, the successful bidder will be deemed to have certified that it has obtained and reviewed the Preliminary Official Statement. Upon the award of the Bonds, the Municipality will publish an Official Statement in substantially the same form as the Preliminary Official Statement, subject to minor additions, deletions and revisions as required to complete the Preliminary Official Statement.

CONTINUING DISCLOSURE: In order to assist bidders in complying with S.E.C. Rule 15(c)2-12(b)(5), the Municipality will undertake, pursuant to the Bond Resolution and a Continuing Disclosure Agreement, to provide annual reports and notices of certain events. A description of this undertaking is set forth in the Preliminary Official Statement and will also be set forth in the Official Statement. Failure of the Municipality to deliver the Continuing Disclosure Agreement at the time of issuance and delivery of the Bonds will relieve the successful bidder from its obligation to purchase the Bonds.

MUNICIPAL BOND INSURANCE: Pursuant to the Bond Resolution, the Governing Body has authorized prospective bidders, at their sole expense, to obtain municipal bond insurance to guarantee the payments of the principal of and interest on the Bonds.

By order of the Mayor and Board of Aldermen of the City of Cleveland, Mississippi, on May 5, 2020.

/s/ Dominique Green
City Clerk

Publication Requirements:

_____, 20____, and _____, 20____

SECTION 23. Proof of Publication. The City Clerk will obtain from the publisher of the aforesaid newspaper the customary publisher's affidavit proving publication of the Notice for the times and in the manner required by law, and such proof of publication will be filed in the City Clerk's office and exhibited before the Governing Body at the hour and date aforesaid.

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SECTION 24. Continuing Disclosure. The Municipality hereby covenants and agrees that it will comply with and carry out all of the provisions of the Continuing Disclosure Agreement. Notwithstanding any other provision of this Bond Resolution, failure of the Municipality to comply with the Continuing Disclosure Agreement will not be considered an Event of Default pursuant to Section 17 hereof; however, any Bondholder may take such actions as may be necessary and appropriate, including seeking mandamus or specific performance by court order, to cause the Municipality to comply with its obligations under this Section.

SECTION 25. Book-Entry System. Notwithstanding anything herein to the contrary, the Bonds will be initially issued in the form of a separate, single and fully registered Bond for each of the maturities thereof. In such case, upon initial issuance, the ownership of each such Bond will be registered in the Bond Register in the name of Cede & Co., as nominee of DTC, and except as provided in Section 26 hereof, all of the outstanding Bonds will be registered in the Bond Register in the name of Cede & Co., as nominee of DTC.

With respect to Bonds registered in the Bond Register in the name of Cede & Co., as nominee of DTC, the Municipality and the Paying Agent will have no responsibility or obligation to any participant for whom DTC is a security depository nominee ("DTC participants") or to any Person on behalf of whom such a DTC participant holds an interest in the Bonds. Without limiting the immediately preceding sentence, the Municipality and the Paying Agent will have no responsibility or obligation with respect to (a) the accuracy of the records of DTC, Cede & Co. or any DTC participant with respect to any ownership interest in the Bonds, (b) the delivery to any DTC participant or any other Person, other than a Registered Owner, as shown in the Bond Register, of any notice with respect to the Bonds, including any notice of redemption, or (c) the payment to any DTC participant or any other Person, other than a Registered Owner, as shown in the Bond Register, of any amount with respect to principal of, premium, if any, or interest on the Bonds. Notwithstanding any other provision of this Bond Resolution to the contrary, the Municipality and the Paying Agent will be entitled to treat and consider the Person in whose name each Bond is registered in the Bond Register as the absolute owner of such Bond for the purpose of payment of principal, premium, if any, and interest with respect to such Bond, for the purpose of giving notices of redemption and other matters with respect to such Bond, for the purpose of registering transfers with respect to such Bond, and for all other purposes whatsoever. The Paying Agent, will pay all principal of, premium, if any, and interest on the Bonds only to or upon the order of the respective Registered Owners, as shown in the Bond Register as provided in this Bond Resolution, or their respective attorneys duly authorized in writing, and all such payments will be valid and effective to fully satisfy and discharge the Municipality's obligations with respect to payment of principal of, premium, if any, and interest on the Bonds to the extent of the sum or sums so paid. No person other than a Registered Owner, as shown in the Bond Register, will receive a Bond certificate evidencing the obligation of the Municipality to make payments of principal, premium, if any, and interest pursuant to this Bond Resolution. Upon delivery by DTC to the Paying Agent of written notice to the effect that DTC has determined to substitute a new nominee in place of Cede & Co., and subject to the provisions in this Bond Resolution with respect to interest checks or drafts being mailed to the Registered Owner at the close of business on the Record Date, the words — "Cede & Co." in this Bond Resolution will refer to such new nominees of DTC.

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SECTION 26. Successor Securities Depository; Transfers Outside Book-Entry System. In the event that the Municipality and the Paying Agent determine that DTC is incapable of discharging its responsibilities described herein and in the Representation Letter or that it is in the best interest of the beneficial owners of the Bonds that they be able to obtain certificated Bonds, the Municipality and the Paying Agent will (a) appoint a successor securities depository, qualified to act as such under Section 17(a) of the Securities and Exchange Act of 1934, as amended, notify DTC and DTC participants of the appointment of such successor securities depository and transfer one or more separate Bond certificates to such successor securities depository or (b) notify DTC and DTC participants of the availability through DTC of Bond certificates and transfer one or more separate Bond certificates to DTC participants having Bonds credited to their DTC accounts. In such event, the Bonds will no longer be restricted to being registered in the Bond Register in the name of Cede & Co., as nominee of DTC, but may be registered in the name of the successor securities depository, or its nominee, or in whatever name or names Registered Owners transferring or exchanging Bonds will designate, in accordance with the provisions of this Bond Resolution.

SECTION 27. Payments and Notices to Cede & Co. Notwithstanding any other provision of this Bond Resolution to the contrary, so long as any of the Bonds is registered in the name of Cede & Co., as nominee of DTC, all payments with respect to principal of, premium, if any, and interest on such Bond and all notices with respect to such Bond will be made and given, respectively, in the manner provided in the Representation Letter.

SECTION 28. Non-Arbitrage Bond Covenants; Non-Arbitrage and Federal Tax Certificate. (a) The Municipality covenants and certifies to and for the benefit of the owners of the Bonds that it will neither take any action nor omit to take any action nor make any investment or use of the proceeds from the issue and sale of the Bonds, including amounts treated as proceeds, if any, which will cause the Bonds to be classified as arbitrage bonds within the meaning of Section 148 of the Code, and any regulations thereunder as such may be applicable to the Bonds, at the time of such action, investment, or use.

(b) (1) The Governing Body has made findings indicating that no rebate relating to the Bonds will be required to be made under the Code. However, in the event it is subsequently determined for any reason that rebates should be made on the Bonds, then the Municipality will take all actions necessary in order to comply with the requirements of paragraphs (2) and (3) of Subsection 148(f) in order that none of the Bonds will be treated as an arbitrage bond pursuant to paragraph (1) of Subsection 148(f), including payment of all amounts, if any, required to be paid to the United States of America in accordance with and within the time limits prescribed in Subsection 148(f) and the Subsection 148(f) Regulations, the making of any and all calculations, computations, and filings required pursuant to Subsection 148(f) and the Subsection 148(f) Regulations, and the maintenance of all such records as may be required pursuant to Subsection 148(f) and the Subsection 148(f) Regulations.

(2) In order to effectuate the foregoing covenants, the Municipality hereby covenants and certifies that: (A) prior to delivery of the Bonds, it will have received written instructions from nationally-recognized bond counsel with respect to specific actions which will, under Subsection 148(f) and such regulations as may have been promulgated prior to delivery of the Bonds, assure compliance with such covenants; and (B) the Municipality will comply with

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such instructions until the Municipality will have received from nationally-recognized bond counsel written advice that continued compliance with such instructions is not necessary in order to avoid adversely affecting the tax-exempt status of the Bonds or alternative written instructions with respect to certain actions which will assure compliance with the covenants set forth above, in which event the Municipality will thereafter comply with all such alternative instructions.

(c) The Municipality will not intentionally use any portion of the proceeds (within the meaning of Subsection 148(a) of the Code and any regulations promulgated pursuant thereto) of the Bonds to acquire higher yielding investments (as defined in Subsection 148(a) of the Code and all regulations promulgated pursuant thereto) or to replace funds which were used directly or indirectly to acquire higher yielding investments, except to the extent specifically permitted pursuant to Section 148 of the Code and any regulations promulgated thereunder.

(d) The Municipality will not purchase or acquire any investment property with proceeds (within the meaning of Section 148 of the Code) of the Bonds in a manner or for a price which would cause any of the Bonds to be or become an arbitrage bond within the meaning of Section 148 of the Code and all regulations promulgated thereunder, including, without limitation, to the extent prescribed by applicable regulations, investments (regardless of yield) which do not comply with the provisions of any regulations intended to assure that obligations are acquired at their "market price" or "fair market value."

(e) The Mayor and/or the City Clerk are hereby authorized to execute a "non-arbitrage and federal tax certificate" in connection with the sale and delivery of the Bonds, setting forth the reasonable expectations of the Municipality with respect to the investment and use of proceeds of the Bonds and also setting forth certain covenants, stipulations, and certifications with respect to the investment and expenditures of the proceeds of the Bonds, and the Municipality will comply with all certifications, stipulations, and covenants set forth in such certificate. In addition, such officials are authorized to make such elections on behalf of the Municipality as are necessary or appropriate under the Code or the Subsection 148(f) Regulations.

SECTION 29. Private Activity Bond Covenants; Tax Covenants. (a) The Municipality will take such actions as may be necessary in order to assure that the Bonds are not private activity bonds within the meaning of Section 141 of the Code.

(b) No more than ten percent (10%) of the Bond proceeds will be used, directly or indirectly, in a trade or business carried on by any person other than a governmental unit.

(c) No more than ten percent (10%) of any property with respect to which all or any part of the Bond proceeds will be used, directly or indirectly, in a trade or business carried on by any person other than a governmental unit.

(d) None of the Bond proceeds will be used for any private business use (within the meaning of Section 141 of the Code) which is not related to the governmental use (within the meaning of Section 141 of the Code) of such Bond proceeds.

(e) The amount of Bond proceeds used with respect to any private business use which is related to a governmental use of such Bond proceeds will not exceed the amount of Bond proceeds which are used for the governmental use to which such private business use relates.

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(f) None of the proceeds of the Bonds will be used to make or finance loans for persons other than governmental units.

(g) In no event will the payment of the principal of or the interest on more than ten percent (10%) of the proceeds of the Bonds be (under the terms of the Bond or any underlying arrangement) directly or indirectly secured (within the meaning of Section 141 of the Code) by any interest in property used or to be used in a private business use or payments in respect to such property or to be derived from payments (whether or not to the Municipality) in respect of property or borrowed money used or to be used for a private business use.

(h) The Municipality covenants and certifies that there are no other obligations heretofore issued or to be issued by or on behalf of any state, territory, or possession of the United States of America, or political subdivision of any of the foregoing, or of the District of Columbia, by or for the benefit of the Municipality, which (1) were or are to be sold at substantially the same time as the Bonds, (2) were or are to be sold pursuant to the same plan of financing as the financing plan for the Bonds and (3) are payable directly or indirectly by the Municipality or from the source from which the Bonds are payable. The Municipality covenants and certifies that there are no additional facts or circumstances which may further evidence that the Bonds are part of any other issue of obligations.

(i) The Municipality covenants and certifies that no payment of principal of or interest on the Bonds is or will be guaranteed (in whole or in part, directly or indirectly) by the United States of America, or any agency or instrumentality thereof or any entity with statutory authority to borrow from the United States of America. The Municipality represents, warrants and covenants that none of the bond proceeds will be: (1) used to make loans, the payment of principal of or interest on which is or will be guaranteed (in whole or in part, directly or indirectly) by the United States of America or any agency or instrumentality thereof or any entity with statutory authority to borrow from the United States of America; or (2) invested (directly or indirectly) in any deposit or account which is insured under federal law by the Federal Deposit Insurance Corporation, the National Credit Union Administration, or any similar federally chartered corporation other than: (A) the investment of the bond proceeds for an initial temporary period (within the meaning of subparagraph 3(B) of Subsection 149(b) of the Code) until such proceeds are needed for the purpose for which the Bonds are being issued; (B) investments of a bona fide debt service fund (within the meaning of Subparagraph 3(B) of Subsection 149(b) of the Code); (C) investments of a reserve which meets the requirements of Subsection 148(d) of the Code; (D) investments in bonds issued by the Department of the Treasury of the United States of America; or (E) other investments permitted under regulations promulgated by the Internal Revenue Service pursuant to Subsection 149(b) of the Code.

(j) The Municipality covenants and certifies that, notwithstanding any provision of this Bond Resolution or the rights of the Municipality hereunder, the Municipality will not take or permit to be taken on its behalf any action which would impair the exclusion of interest on the Bonds from gross income for purposes of federal income taxation, and it will take such reasonable action as may be necessary to continue such exclusion, including, without limitation, the preparation and filing of any statements required to be filed by it in order to maintain such exclusion.

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SECTION 30. When Computations, Deposits or Rebate Payments Are Not Required. In the event it is determined the Bonds do not meet the requirements of paragraph (4) of Subsection 148(f), but in the event the Municipality receives an opinion of nationally-recognized bond counsel to the effect that any of the computations, deposits, or payments referenced herein are not required to be made in order to maintain the tax-exempt status of interest on the Bonds, the Municipality need not make such computations, deposits, or payments.

SECTION 31. Bonds as Qualified Tax-Exempt Obligations. The Bonds are hereby designated as a portion of the Ten Million Dollars (\$10,000,000) of qualified tax-exempt obligations for calendar year 2020 within the meaning and for the purposes of Section 265(b)(3) of the Code.

SECTION 32. Covenant Regarding Hedge Bonds. The Municipality reasonably expects that not less than eighty-five percent (85%) of the spendable proceeds of the Bonds will be used to carry out the governmental purposes of the Bonds within a three-year period beginning on the date of issuance of the Bonds. No more than fifty percent (50%) of the proceeds of the Bonds will be invested in non-purpose investments (as defined in Section 148(f)(6)(A) of the Code) having a substantially guaranteed yield for four years or more.

SECTION 33. Modification or Amendment. (a) No material modification or amendment of this Bond Resolution or of any resolution amendatory hereof or supplemental hereto, may be made without the consent in writing of the Holders of two-thirds (2/3^{rds}) or more in principal amount of the Bonds then outstanding; provided, however, that no modification or amendment will permit a change in the maturity of the Bonds or a reduction in the rate of interest thereon, or affect the unconditional promise of the Municipality to levy taxes in an amount sufficient to pay the interest and principal on the Bonds, as the same mature and become due, or reduce such percentage of Holders of the Bonds required above for such modification or amendment without the consent of the Holders of all of the Bonds.

(b) The foregoing will not be construed to prohibit supplemental amendments of this Bond Resolution without the consent of Bondholders for the following purposes:

(1) to add to the covenants and agreements of the Municipality herein contained other covenants and agreements thereafter to be observed and performed by the Municipality, provided that such other covenants and agreements will not either expressly or implicitly limit or restrict any of the obligations of the Municipality contained in this Bond Resolution;

(2) to cure any ambiguity or to cure, correct or supplement any defect or inconsistent provision contained in this Bond Resolution or in any supplemental resolution or to make any provisions with respect to matters arising under this Bond Resolution or any supplemental resolution for any other purpose if such provisions are necessary or desirable and are not inconsistent with the provisions of this Bond Resolution or any supplemental resolution and do not adversely affect the interests of the Holders of the Bonds; or

(3) to subject to the pledge herein contained additional revenues or receipts.

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(c) Notwithstanding any provision herein to the contrary, this Bond Resolution may be amended by resolution of the Municipality prior to the delivery of any of the Bonds with the consent of the Purchaser.

SECTION 34. Payments Due on Days Other Than Business Days. In any case where the date of maturity of interest on or principal of the Bonds or the date fixed for redemption of any Bonds, or the date on which any funds are required to be deposited into a fund pursuant hereto, will be in the city in which the principal office of the Paying Agent is located a day other than a Business Day, then payment of interest or principal, and premium, if any, or deposit into the funds pursuant hereto, need not be made on such date but will be made on the next succeeding Business Day with the same force and effect as if made on the date of maturity or the date fixed for redemption, or the date fixed for deposit into a fund, and no interest will accrue for the period after such date.

SECTION 35. Severability; Ministerial Changes. (a) If any section, paragraph, clause, or provision of this Bond Resolution shall be held invalid, the invalidity of such section, paragraph, clause, or provision shall not affect any other provision hereof.

(b) In the event the Bonds are delivered in a year other than is shown as the year identifying the series of the Bonds, then the year identifying the series of the Bonds shall be changed to the year of delivery thereof.

SECTION 36. Post Issuance Compliance Procedures. The Municipality hereby approves and adopts the Post Issuance Compliance Procedures in substantially the form set out in **Attachment A** hereto.

SECTION 37. Bond Insurance. The Mayor of the Municipality is hereby authorized within his discretion to arrange for an "Insurance Policy Commitment" from a Bond Insurer for a Bond Insurance Policy. The fees and expenses of the Insurance Policy Commitment and Bond Insurance Policy shall be paid for by prospective bidders for the Bonds and the Purchaser of the Bonds. The Mayor is further authorized to execute and deliver the Insurance Policy Commitment for the provision of the Bond Insurance Policy and any additional documents and certificates which are required by the Bond Insurer to provide credit enhancement in connection with the issuance of the Bonds. Any reasonable changes, insertions, and omissions, as may be required by the Bond Insurer as conditions to the issuance of its Bond Insurance Policy, to any documents are to be approved by the Mayor, such approval being hereby authorized and the execution of the Insurance Policy Commitment for the Bond Insurance Policy being conclusive evidence of such approval. In anticipation of the issuance of the Insurance Policy Commitment by the Bond Insurer for its Bond Insurance Policy, the Municipality hereby approves (1) the engagement of the Bond Insurer and (2) the references to the Bond Insurer, the bond insurance policy, and the documents related to the issuance of the Bonds in all documents associated therewith and the deletion of the references if the Bond Insurer should not provide the Insurance Policy Commitment for its Bond Insurance Policy.

SECTION 38. Repealer; Effective Date. All orders, resolutions or proceedings of the Governing Body in conflict with any provision hereof will be, and the same are hereby repealed,

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rescinded and set aside, but only to the extent of such conflict. For cause, this Bond Resolution will become effective upon the adoption hereof.

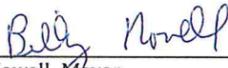
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Following the reading of the foregoing resolution and discussion thereof, Alderman Gainspoletti moved and Alderman Janoush seconded the motion to adopt the foregoing resolution, and the question being put to a roll call vote, the result was as follows:

Alderman Danny Abraham	voted: AYE
Alderman Theodore R. "Ted" Campbell	voted: AYE
Alderman Gary Gainspoletti	voted: AYE
Alderman Paul Janoush	voted: AYE
Alderman J. Kirkham Povall	voted: AYE
Alderman Robert Sanders, Jr.	voted: AYE
Alderman Maurice Smith	voted: AYE

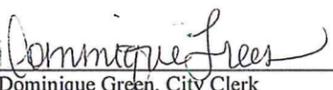
The motion having received the affirmative vote of a majority of the members present, the Mayor declared the motion carried and the resolution adopted this day, May 5, 2020.

City of Cleveland, Mississippi



Billy Nowell, Mayor

ATTEST:



Dominique Green, City Clerk



Attachment A

Post Issuance Compliance Procedures

(JX420243-4)

Attachment B

Proof of Publication

The Bolivar Commercial

April 15, 2020; April 22, 2020; and April 29, 2020

(JX420243.4)

Attachment C
Preliminary Official Statement

(JX-120243.4)