

**CHANCERY COURT OF HARRISON COUNTY, MISSISSIPPI  
FIRST JUDICIAL DISTRICT**

**IN THE MATTER OF:**

**LONG BEACH WATER MANAGEMENT DISTRICT**

**NO. 24CH1:01-cv-82283-55**

**PETITION TO FILE LONG BEACH WATER MANAGEMENT DISTRICT'S  
UPDATED ASSESSMENT ROLL AND TO SET HEARING FOR SAME**

COMES NOW the Long Beach Water Management District by and through its attorneys, Dukes, Dukes, Keating & Faneca, P.A., pursuant to Miss. Code. Ann. § 51-29-1, *et seq.*, (1972 as amended) and files this its Petition to File Up-Dated Assessment Roll and to Set Hearing for Same and would show unto the Court the following:

1. On July 28, 1983, a Judgment was entered by the Chancery Court of Harrison County, Mississippi reactivating the Long Beach Water Management District, a copy of this Judgment is attached hereto as **Exhibit "1"**.
2. On September 27, 1983, a Modified Judgment was entered by the Chancery Court of Harrison County establishing the boundaries of the Long Beach Water Management District and the parcels which were subject to assessment by the Long Beach Water Management District, a copy of this Modified Judgment is attached hereto and incorporated herein as **Exhibit "2"**.
3. On December 21, 1993, the Chancery Court of Harrison County entered an Order Modifying and Confirming the Long Beach Water Management District Assessment Roll, a copy of this Order is attached hereto and incorporated herein as **Exhibit "3"**.
4. Petitioner, pursuant to Miss. Code Ann. §§ 51-29-29 and 51-29-33 (1972, as amended) finds that it is necessary to update the December 21, 1993 Long Beach Water

Management District Assessment Roll to ensure that all property within the District is being assessed in proportion to the benefits received and to raise funds to complete Canal No. 1 improvements and to preserve and maintain other improvements of the District. A copy of said up-dated assessment roll is attached hereto and incorporated herein as **Exhibit "4"**. Said up-dated assessment roll was prepared in accordance with Miss. Code Ann. § 51-29-29 (1972, as amended).

5. Petitioner, Long Beach Water Management District has prepared an Annual Budget estimate for operating and maintenance costs associated with Canal No. 1 and Canal No. 2/3. A copy of said Budget estimate is attached hereto as **Exhibit "5"**.

6. On October 20, 2016, the Commissioners for the Long Beach Water Management District adopted the Up-dated Assessment Roll and directed Counsel to take the appropriate steps to file the up-dated assessment roll and have the appropriate notices issued. A copy of said Resolution is attached hereto as **Exhibit "6"**.

7. Pursuant to Miss. Code Ann. §§ 51-29-31 and 51-29-33 (1972, as amended), the Long Beach Water Management District petitions the Chancery Court, or the Chancellor in vacation, to enter an Order directing the Chancery Clerk of Harrison County, Mississippi, to give notice by publication for two (2) weeks by two (2) insertions in some newspaper published and having general circulation in Harrison County, the County in which the lands comprising the Long Beach Water Management District lie, stating that the owners of lands assessed for drainage purposes in said District, if they desire, may appear before the Chancery Court, or Chancellor in vacation, on the date and time and place fixed by said order, which date shall not be less than ten (10) days after the last publication of said notice, and present complaints, if any,

they have against the assessment of land in the District. A copy of the proposed notice, prepared in compliance with Miss. Code Ann. § 51-29-31 (1972, as amended), is attached hereto and incorporated herein as **Exhibit "7"**.

WHEREFORE, PREMISES CONSIDERED, the Long Beach Water Management District petitions this Court to enter an order directing the Clerk of the Chancery Court to issue the aforesaid notice by publication for two (2) weeks by two (2) insertions in the Sun Herald, a newspaper published and having general circulation in Harrison County. Said Notice to be in the form and content attached hereto and incorporated herein as Exhibit "7".

In addition, the Long Beach Water Management District petitions the Court, or Chancellor in vacation, to set this matter for a hearing not less than ten (10) days after the last publication of said notice, at which time the Court, or Chancellor in vacation, shall consider any complaints or objections to the proposed assessment roll, and enter findings thereon, either confirming such assessments or increasing or diminishing said assessments and to also approve the up-dated Long Beach Water Management District Assessment Roll.

RESPECTFULLY SUBMITTED on this the 1<sup>st</sup> day of March, 2017.

LONG BEACH WATER MANAGEMENT  
DISTRICT, PETITIONER

BY: DUKES, DUKES, KEATING & FANCA, P.A.,  
ITS ATTORNEYS

BY: /s/Bobby R. Long  
BOBBY R. LONG, MSB #1400

**PREPARED BY:**

Bobby R. Long, MS Bar No. 1400

**DUKES, DUKES, KEATING AND FANECA, P.A.**

2909 Thirteenth Street, Sixth Floor

P. O. Drawer W

Gulfport, Mississippi 39502

**Telephone:** (228) 868-1111

**Facsimile:** (228) 863-2886

[brlong@ddkf.com](mailto:brlong@ddkf.com)