

LAW OFFICES OF

# DUKES, DUKES, KEATING & FANCA, P.A.

2909 13<sup>th</sup> Street, Sixth Floor  
Gulfport, Mississippi 39501  
Telephone: 228-868-1111  
Facsimile: 228-863-2886  
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WILLIAM F. DUKES  
(1927 - 2003)

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Walter W. Dukes  
Hugh D. Keating  
Cy Fanca  
Phillip W. Jarrell \*  
W. Edward Hatten, Jr.  
Trace D. McRaney  
Bobby R. Long  
Je'Neil B. Blum \*\*  
Haley N. Broom

Matthew M. Williams  
Walter J. Eades  
Shannon A. Ladner  
Robin E. Blair  
Drury S. Holland \*\*\*

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\*\*also licensed in CA  
\*\*\*licensed in AL only

Hattiesburg Office:  
100 Dudley W. Conner Street  
Hattiesburg, Mississippi 39401  
Telephone: 601-583-0999  
Facsimile: 601-583-0997

November 15, 2012

John McAdams, Chancery Clerk  
Attn: Henrietta or Angela  
Gulfport Courthouse  
1801 23<sup>rd</sup> Avenue  
Gulfport, Mississippi 39501

Re: Docket of Claims for November, 2012  
Long Beach Water Management District  
Our File No. 817.103

Dear John:

Enclosed is the original Docket of Claims which was approved by the Commissioners in attendance at the Long Beach Water Management District at their regular meeting on November 15, 2012. Please note that the Docket has been signed as approved. We request that payment be processed.

Please advise should you have any questions or need further information.

Sincerely,



Bobby R. Long

BRL/sas  
Enclosures

**LONG BEACH WATER MANAGEMENT DISTRICT DOCKET OF CLAIMS  
NOVEMBER 15, 2012 MEETING OF COMMISSIONERS**

We, the Commissioners of the Long Beach Water Management District have reviewed the items as listed on this Docket of Claims and have approved same for payment by the Chancery Clerk of Harrison County on this the 15<sup>th</sup> day of November, 2012.

CLAIM NO.	NAME OF CLAIMANT	NATURE OF CLAIM	AMOUNT	WARRANT #	PAID
	Mary Ladner	Regular Meeting 11/15/12	\$40.00		
	Brett Mallette	Regular Meeting 11/15/12; Meeting re: hearing 11/05/12	\$80.00		
	Dave Marshall	Regular Meeting 11/15/12	\$40.00		
	Dukes, Dukes, Keating and Faneca, P.A.	Trust Account for Easement Purchase on Canal No. 1 - Parcel No. 11 - Whitney	\$1,600.00		
	Dukes, Dukes, Keating and Faneca, P.A.	Trust Account for Easement Purchase on Canal No. 1 - Parcel No. 52 - Littlefield	\$1,500.00		
	Dukes, Dukes, Keating and Faneca, P.A.	Trust Account for Easement Purchase on Canal No. 1 - Parcel No. 56 - Fell	\$11,700.00		

Dukes, Dukes, Keating and Faneca, P.A.	Trust Account for Easement Purchase on Canal No. 1 - Parcel No. 54 - Ladner	\$1,900.00	
Dukes, Dukes, Keating and Faneca, P.A.	Trust Account for Easement Purchase on Canal No. 1 - Parcel No. 51 - Bell	\$1,500.00	
Ladner Appraisal Group, Inc.	Waiver Valuations for Parcel Nos. 40, 43, 44 and 45	\$800.00	
Dukes, Dukes, Keating & Faneca, P.A.	Attorney Fees	\$4,780.72	

*Brett Mallette* 11-15-12  
 Brett Mallette, Commissioner Date

*David W. Marshall* 11-15-12  
 David W. Marshall, Commissioner Date

*Absent*  
 Mary Ladner, Commissioner Date

CHANCERY COURT OF HARRISON COUNTY, MISSISSIPPI  
FIRST JUDICIAL DISTRICT

**F I L E D**  
OCT 31 2012  
JOHN McADAMS, CHANCERY CLERK  
BY Wanda Brand D.C.  
NO. 82,283

IN THE MATTER OF:

LONG BEACH WATER MANAGEMENT DISTRICT

**ORDER TO PAY ATTORNEY FEES AND EXPENSES**

This cause was heard on this date on Motion Ore Tenus of Long Beach Water Management District and the Court having heard and considered the same does find as follows:

I.

On April 16, 1993, this Court entered its Order authorizing and directing the law firm of Dukes, Dukes, Keating and Faneca, P.A. to perform legal services for the Long Beach Water Management District and said Order being modified by Order being entered on May 4, 2001.

II.

By Resolution adopted on the 18<sup>th</sup> of October, 2012, the Long Beach Water Management District petitioned the Chancery Court to authorize and confirm the payment of the fees from September 20, 2012 through October 16, 2012 in the total amount of \$4,780.72, a copy of said Resolution and statement being attached hereto and incorporated herein as **Exhibit "1"**.

III.

That pursuant to the authority granted by Miss. CODE ANN. § 51-29-37 (1972), this Court hereby approves and confirms said payment and directs the Chancery Clerk to pay unto the law firm of Dukes, Dukes, Keating and Faneca, P.A. the sum of \$4,780.72 out of the funds set aside for the operation of the Long Beach Water Management District. It is therefore

ORDERED, ADJUDGED AND DECREED, that the Chancery Clerk be and hereby is

directed to pay unto the law firm of Dukes, Dukes, Keating and Faneca, P.A. the sum of \$4,780.72 in payment of services performed from September 20, 2012 through October 16, 2012 out of the funds set aside for the operation of the Long Beach Water Management District.

SO ORDERED, ADJUDGED AND DECREED, this the 31<sup>st</sup> day of Oct., 2012.

  
\_\_\_\_\_  
CHANCERY JUDGE SANFORD R. STECKLER

**ORDER PREPARED BY:**

Cy T. Faneca, MS Bar No. 5128

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

*rec. mailed*

**RESOLUTION PETITIONING CHANCERY COURT TO PAY THE FEES AND EXPENSES OF THE LAW FIRM OF DUKES, DUKES, KEATING AND FANECA, P.A.**

**WHEREAS**, the Chancery Court authorized and approved the hiring of the law firm of Dukes, Dukes, Keating and Faneca, P.A. to provide legal services for the Long Beach Water Management District by Order of the Court dated April 16, 1993, and modified by Order entered on May 4, 2001; and

**WHEREAS**, the law firm of Dukes, Dukes, Keating and Faneca, P.A. has submitted a statement for fees and expenses for the period September 20, 2012 through October 16, 2012 in the total amount of \$4,780.72, a copy of the statement is attached as **Exhibit "A"**; and

**WHEREAS**, the Long Beach Water Management District finds that the fees and expenses as reflected in **Exhibit "A"** are reasonable and necessary and approves same;

**NOW, THEREFORE, BE IT RESOLVED** by the Commissioners of the Long Beach Water Management District as follows:

**Section 1**

The Commissioners of the Long Beach Water Management District petition the Chancery Court of the First Judicial District of Harrison County, Mississippi, to authorize, approve, and direct the Chancery Clerk of Harrison County, Mississippi, to pay the legal fees and expenses of Dukes, Dukes, Keating and Faneca, P.A. for the period beginning September 20, 2012 through October 16, 2012, in the total amount of \$ 4,780.72 comprised of \$4,672.00 in fees and \$108.72 in expenses. A copy of the statement to be paid is attached hereto and incorporated herein as **Exhibit "A"**.

" | "

**RESOLVED** on this the 18<sup>th</sup> day of October, 2012.

The above and foregoing Resolution was introduced by Commissioner Marshall, who moved the adoption of same. Said motion was seconded by Commissioner Ladner. Upon being put to a roll call vote, the results were as follows:

Commissioner Mallette voted	<u>Yea</u>
Commissioner Marshall voted	<u>Yea</u>
Commissioner Ladner voted	<u>Yea</u>

WHEREUPON, Chairman Mallette declared the motion carried and the Resolution adopted on this the 18<sup>th</sup> day of October, 2012.

Brett Mallette  
BRETT MALLETTÉ, Commissioner

David W. Marshall  
DAVID W. MARSHALL, Commissioner

Mary Ladner  
MARY LADNER, Commissioner

ATTEST:

Bobby Long

Exhibit "A"

DUKES, DUKES, KEATING & FANCA, P.A.  
 Post Office Drawer W  
 Gulfport, MS 39502  
 Telephone: 228/868-1111 Fax: 228/863-2886  
 TAX ID NO: 64-0720495

Long Beach Water Management District  
 P. O. Box 748  
 Long Beach MS 39560

Page: 1  
 October 17, 2012  
 Account No: 817-0103  
 Statement No: 89109

Attn: Brett Mallette

Billing File

Fees

	Hours	
09/20/2012 Review and revise Resolution Authorizing Acquisition and Just Compensation for Parcel No. 48.	0.50	65.00
Review and revise Resolution for Acquisition and Just Compensation for Parcel No. 51.	0.50	65.00
Review and revise Resolution for Acquisition and Just Compensation for Parcel No. 52.	0.50	65.00
Review and revise Resolution for Acquisition and Just Compensation for Parcel No. 53.	0.50	65.00
Review and revise Resolution for Acquisition and Just Compensation for Parcel No. 54.	0.50	65.00
Attend monthly meeting.	1.00	130.00
Attend monthly meeting.	1.00	50.00
09/21/2012 Draft letter to Chancery Clerk transmitting Docket of Claims for September.	0.20	10.00
Draft letter to Judge Steckler transmitting Order for Attorney fees.	0.20	10.00
Draft Order for Attorney fees.	0.20	10.00
09/24/2012 Review draft Supplemental Environmental Impact Statement.	1.00	130.00
Telephone call to Billy Wessler regarding Subordination Agreement for Susan Quillen.	0.40	52.00
09/25/2012 Review MS Coastal Improvement Project.	0.60	78.00
Review and revise letter and Subordination Agreement for Parcel No. 49 (Depner).	0.80	104.00
Draft letter to Attorney for Acceptance Mortgage and revise Subordination Agreement for Quillen parcel.	0.30	15.00
09/26/2012 Telephone call from Jan Depner regarding Parcel No. 49.	0.30	39.00
Review file for Parcel No. 49.	0.80	104.00



Long Beach Water Management District

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 October 17, 2012  
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Billing File

	Hours	
Draft letter to Jan Depner Parcel No. 49.	0.70	91.00
Telephone call from Larry Ramsey Parcel No. 58.	0.40	52.00
Review file for Parcel No. 58.	0.50	65.00
09/27/2012 Meeting and walk Canal 2/3.	4.00	520.00
09/28/2012 Review information relating to Canal No. 1.	1.70	221.00
10/01/2012 FEMA application process.	1.40	182.00
10/02/2012 Prepare package regarding BP Recovery Funds.	1.40	182.00
10/03/2012 Continue preparing package/ BP Recovery funds.	2.60	338.00
10/04/2012 Easement closing S 6022.	1.00	130.00
Review and revise package for BP funding.	1.40	182.00
10/05/2012 Review e-mail from Tom Smith regarding Herbicide.	0.30	39.00
Continue revising Canal No. 1 Improvement Package to BP.	0.40	52.00
Prepare for hearing on Whitney Parcel.	0.50	65.00
10/08/2012 Letter of transmittal to property owner (Stonecypher) regarding payment for easement.	0.20	10.00
Prepare Subordination Agreement and letter to lender for Parcel No. 53.	0.60	30.00
E-mail to Henry Dick to follow up on easement execution for Eastridge I, LLC easements.	0.20	10.00
E-mail to Bill Wessler to follow up on Subordination Agreement for property owner (Quillen).	0.20	10.00
10/09/2012 Review Maintenance Specs.	2.80	364.00
10/10/2012 Draft Re-notice of hearing in Whitney litigation and file with the court.	0.40	20.00
Draft transmittal letter to Defendant regarding Re-Notice of Hearing.	0.20	10.00
Draft Subordination Agreement and transmittal letter for Parcel No. 55.	0.60	30.00
Draft Subordination Agreement and transmittal letter for Parcel No. 48.	0.60	30.00
Coordinate with Court Administrator and witnesses for reschedule date and email Re-Notice of Hearing to witnesses.	0.40	20.00
10/11/2012 Telephone call from Mike Williams / Property owner Canal No. 1.	0.30	39.00
Telephone call to Bernard Cousins regarding		

Long Beach Water Management District

Page: 3  
 October 17, 2012  
 Account No: 817-0103  
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Billing File

	Hours	
easement.	0.20	10.00
Draft letter to Acceptance Mortgage transmitting payment on Quillen property.	0.20	10.00
10/15/2012 Review status of easements.	1.40	182.00
Prepare and post Notice of Meeting for October.	0.20	10.00
Prepare sign in sheet for meeting.	0.20	10.00
Draft Docket of Claims for October.	0.40	20.00
10/16/2012 Draft Agenda for October meeting.	0.40	20.00
Draft Minutes from Special Meeting.	0.50	25.00
Draft Minutes from September regular meeting.	1.00	50.00
Prepare for meeting (review documents).	1.20	156.00
Review Summary Appraisal Report - Parcel No. 36 (Cart).	0.80	104.00
Review Summary Appraisal Report (Fell) Parcel No. 56.	0.80	104.00
Review status of Easements.	1.40	182.00
Email to Jim Wilkerson regarding SEIS status.	0.20	10.00
Draft Resolution authorizing Acquisition and Determining Just Compensation for Parcel 56.	0.60	30.00
	-----	-----
For Current Services Rendered	41.60	4,672.00

Recapitulation

Hours	Rate	Total
9.20	\$50.00	\$460.00
32.40	130.00	4,212.00

Expenses

Postage	1.35
Copies	67.10
Court costs/filing fees	36.00
Reproductions	4.27
	-----
Total Expenses	108.72
Total Current Work	4,780.72

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\*also licensed in TX  
\*\*also licensed in CA

**F I L E D**  
OCT 31 2012

JOHN McADAMS, CHANCERY CLERK

BY \_\_\_\_\_ D.C.

October 18, 2012

The Honorable Sanford R. Steckler  
Chancery Court Judge  
Post Office Box 659  
Gulfport, Mississippi 39502

Re: Long Beach Water Management District  
Order to Pay Attorney Fees  
Our File No. 817.103

Dear Judge Steckler:

Please find enclosed, for your consideration, the Order Approving Attorney Fees and Expenses as well as the Resolution of the Long Beach Water Management District approving same. If the same meets with your approval, please execute and have filed with the clerk. I have enclosed, for the clerk's convenience, a stamped self-addressed envelope and request that they forward to me an executed copy.

If you have any questions please let me know.

Sincerely,

~~DUKES, DUKES, KEATING & FANCA, P.A.~~

  
Bobby R. Long

BRL/sas  
Enclosures

Ladner Appraisal Group, Inc.  
 945 Vision Oaks Boulevard, Suite 1  
 Gulfport, MS 39507

# INVOICE

Everette E. Ladner III, MAI, SRA  
 Licensed Certified R. E. Appraiser GA-567

## Appraisal Services Rendered

**Bill To:**

Mr. Bobby R. Long, Esquire  
 Long Beach Wastewater Mgmt.  
 P. O. Drawer W  
 Gulfport, MS 39502

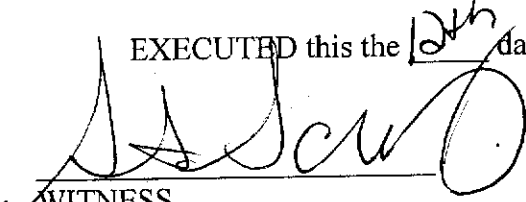
Invoice Number	Invoice Date
173-12	November 1, 2012
For Appraisal Services	

Description	Total
<b>Restricted-Use Appraisal Reports</b>	
<i>Long Beach Wastewater Management District</i>	
<i>Canal No. 1 Improvement Project 2011</i>	
<b>Property Owner</b>	<b>Parcel #</b>
	<b>Easement #</b>
Peter & Patty Savage	0512G-02-009.000 40 \$200.00
Brita Devine & Robert Wren	0512B-01-059.000 43 \$200.00
Edgar Williams	0512B-01-043.000 44 \$200.00
Wayne Ulrich Sr.	0512B-01-044.000 45 <u>\$200.00</u>
<b>Federal Tax ID No. 64-0902554</b>	<b>Balance Due \$800.00</b>

**II. PURCHASE**

The undersigned acknowledge the receipt of the above Notice and is/are willing to convey the above referenced easement to the Long Beach Water Management District for the Canal No. 1 Improvement Project for the total compensation of \$1,600.00.

EXECUTED this the 12<sup>th</sup> day of November, 2011.

  
\_\_\_\_\_  
WITNESS

  
\_\_\_\_\_  
PROPERTY OWNER (PRINT)

\_\_\_\_\_  
PROPERTY OWNER (SIGNATURE)

\_\_\_\_\_  
WITNESS

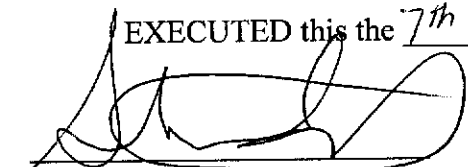
\_\_\_\_\_  
PROPERTY OWNER (PRINT)

\_\_\_\_\_  
PROPERTY OWNER (SIGNATURE)

**II. PURCHASE**

The undersigned acknowledge the receipt of the above Notice and is/are willing to convey the above referenced easement to the Long Beach Water Management District for the Canal No. 1 Improvement Project for the total compensation of \$11,700.00.

EXECUTED this the 7<sup>th</sup> day of November, 2012.

  
WITNESS

Bronwen Fell  
PROPERTY OWNER (PRINT)

Bronwen Fell  
PROPERTY OWNER (SIGNATURE)

\_\_\_\_\_  
WITNESS

\_\_\_\_\_  
PROPERTY OWNER (PRINT)

\_\_\_\_\_  
PROPERTY OWNER (SIGNATURE)

**II. PURCHASE**

The undersigned acknowledge the receipt of the above Notice and is/are willing to convey the above referenced easement to the Long Beach Water Management District for the Canal No. 1 Improvement Project for the total compensation of \$1,500.00.

EXECUTED this the 26 day of Oct., 2012.

*Cirna Gais*  
WITNESS

*Julius Garcia*  
WITNESS

James E. Littlefield Jr.  
PROPERTY OWNER (PRINT)

*James Littlefield Jr. / P.O.A.*  
PROPERTY OWNER (SIGNATURE)

Lily P. Littlefield  
PROPERTY OWNER (PRINT)

*Lily Littlefield*  
PROPERTY OWNER (SIGNATURE)

**II. PURCHASE**

The undersigned acknowledge the receipt of the above Notice and is/are willing to convey the above referenced easement to the Long Beach Water Management District for the Canal No. 1 Improvement Project for the total compensation of \$1,900.00.

EXECUTED this the 24 day of October, 2012.

Kindra Snuffer  
WITNESS  
Kindra Snuffer

Corey Lacoste  
WITNESS  
Corey Lacoste

Bryan Ladner  
PROPERTY OWNER (PRINT)

Bryan Ladner  
PROPERTY OWNER (SIGNATURE)

LAURA LADNER  
PROPERTY OWNER (PRINT)

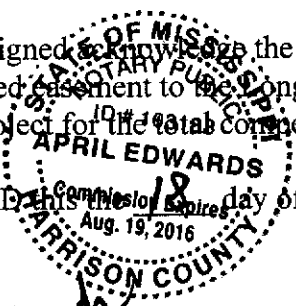
Laura Ladner  
PROPERTY OWNER (SIGNATURE)



**II. PURCHASE**

The undersigned hereby acknowledge the receipt of the above Notice and is/are willing to convey the above referenced easement to the Long Beach Water Management District for the Canal No. 1 Improvement Project for the total compensation of \$1,500.00.

EXECUTED this 18 day of October, 2012.



April Edwards  
WITNESS

Christa A. Heald  
PROPERTY OWNER (PRINT)

Christa A. Heald  
PROPERTY OWNER (SIGNATURE)

\_\_\_\_\_  
WITNESS

\_\_\_\_\_  
PROPERTY OWNER (PRINT)

\_\_\_\_\_  
PROPERTY OWNER (SIGNATURE)