

Sub-part 7501 - Maintenance

Chapter 09014 Waiver of Deed Restrictions Against On-Premise Advertising

Purpose

- 100 To establish a policy regarding waiver of the advertising sign 150 foot set-back provisions of warranty deeds conveying land to the Mississippi Transportation Commission.
- 101 This rule establishes a policy for the processing of requests for the waiver of the advertising sign 150 foot set-back provisions of warranty deeds conveying land to the Mississippi Transportation Commission.

Instructions for Processing the Waiver of Warranty Deed Restrictions

- 200 The property owner and/or lease holder sends a request for a waiver along with supporting documents to the District Engineer.
- 201 The District Engineer reviews the documents and sends the deeds and supporting documents to the State Maintenance Engineer. Upon receipt of these documents, the State Maintenance Engineer prepares the waiver of warranty deed restriction.
1. It is very important that the Grantor and the Grantee names are correctly input into the waiver and that the restriction language quoted on the waiver matches that used in the original deed.
 2. An example of the waiver to be used is attached.
- 202 The State Maintenance Engineer sends the documents to the Legal Division for review who upon completion returns all documents to the State Maintenance Engineer.
- 203 The State Maintenance Engineer sends the waiver and all associated support documents to the Executive Director by memorandum for review and approval who then sends it to the Secretary to the Commission for acknowledgement. The Secretary to the Commission will forward the executed waiver and warranty deeds to the State Maintenance Engineer.
1. An example of the memorandum to be used is attached.
- 204 The State Maintenance Engineer sends the executed copies of the waiver to the requestor by letter which explains the directions and procedure to record the transactions in the applicable Chancery Clerk office. Upon completion, the requestor is to return the book and page number of the recording of the waiver to the State Maintenance Engineer.
1. An example of the letter to be used is attached.

205 The State Maintenance Engineer will send a conformed copy of the waiver of warranty deed restriction to the Right-of-Way Division for inclusion in its files and for adjustment of its property inventory.

1. An example of the memorandum to be used is attached:

REFERENCES (All references herein to other materials are as to the most current version of that particular document.)

300 Mississippi Transportation Commission Order, Waiver of Warranty Deed Restrictions, Dated May 22, 1979, Recorded in Minute Book 101, Pages 1197 and 1198.

301 MDOT specific rules, forms, publications, SOPs, and other support documentation are available for review at MDOT