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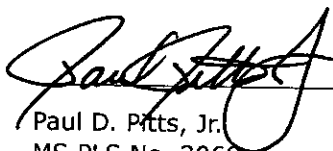
PROPERTY DESCRIPTION
East Recreation Facility


Being a 9.9838 acre tract of land situated in Diamondhead, Unit 5, Phase 2, as recorded in Plat Book 4 Page 37, Plat Records, Hancock County, Mississippi, as shown on survey by Paul D. Pitts, Jr., dated January 6, 2026, whose basis of bearings is the Mississippi State Plane Coordinate System, East Zone (2301), NAD 83 (2011 Epoch 2010.00), Geoid 18, grid values, using a scale factor of 0.999981893 and a convergence angle of NEG 00 degrees 15 minutes 49.28 seconds as determined specifically for this project using GPS methods from a base station located at N300,836.3630, E828,874.6140 obtained from a USM Network, and being more particularly described as follows:

Being all of Lots 3 through 8, all of Lot 14 less and except the southeasterly 5.00 feet, all of Lots 15 through 31, Lot 32 less and except the easterly 10 feet, all of Lots 40 through 50, including the roads, Aolani Place, Anuaea Court and a portion of Anuaea Street less and except that portion lying adjacent to Lots 33 through 39, Block 9 of Diamondhead, Unit 5, Phase 2, as recorded in Plat Book 4 Page 37, Plat Records, Hancock County, Mississippi.

(A plat of even survey date herewith accompanies this description.)

The undersigned, Professional Licensed Surveyor, hereby certifies that the foregoing description and accompanying survey was made on the ground under my direct supervision and meet or exceed the requirements of the Standards of Practice for Surveyors in Mississippi as adopted by the Mississippi Board of Licensure for Professional Engineers and Surveyors.


Paul D. Pitts, Jr.
MS PLS No. 3069



RESOLUTION AUTHORIZING THE MAYOR AND CITY COUNCIL (THE "GOVERNING BODY") OF THE CITY OF DIAMONDHEAD, MISSISSIPPI (THE "CITY"), TO ACQUIRE, BY DONATION FROM DIAMONDHEAD COUNTRY CLUB & PROPERTY OWNERS ASSOCIATION, INC., CERTAIN REAL PROPERTY LOCATED WITHIN THE CITY FOR DRAINAGE AND GREENSPACE PURPOSES AND FOR PUBLIC AMENITIES FOR THE USE AND BENEFIT OF RESIDENTS AND VISITORS OF DIAMONDHEAD

WHEREAS, the City Council (the "Governing Body") of the City of Diamondhead, Mississippi (the "City"), acting for and on behalf of the City, hereby finds and determines as follows:

1. The City is in need of acquiring certain real property for drainage and greenspace purposes and for use as public amenities for the use and benefit of residents and visitors of Diamondhead that are currently owned by Diamondhead Country Club & Property Owners Association, Inc.
2. The City is authorized to acquire real property pursuant to Miss. Code Ann. §21-17-1.
3. The City of Diamondhead, Diamondhead County Club & Property Owners Association, Inc. and Purcell Co., Inc. have previously agreed to and executed a Memorandum of Understanding with respect to the donation of properties.
4. Diamondhead Country Club & Property Owners Association, Inc. has expressed a willingness to donate the properties legally described in the Deed of Dedication and attached hereto as Exhibit "A" to this resolution.
5. Purcell Co., Inc. has agreed to execute a Waiver of Right of First Refusal with respect to the donation of the aforementioned properties.
6. The City is willing to accept the donation of the aforementioned properties.
7. Specifically, the parties previously agreed to the dedication of the property known as the Playgrounds, Fields and Parking at East Recreation Area and the deed was recorded in the Land Records of the Chancery Clerk of Hancock County. The legal description of said property has since been corrected by amendment and therefore requires a re-dedication and acceptance so that the corrected legal description can be recorded.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY, AS FOLLOWS:

SECTION 1. That the Governing Body of the City will accept the donation of the aforementioned properties.

SECTION 2. That the Governing Body of the City does hereby authorize the City Attorney to prepare any and all documentation related to the acquisition of the aforementioned properties by donation, for the City Manager to execute any necessary documentation to effectuate the donation of the subject properties and to execute the Dedication Deeds on behalf of the City attached collectively hereto as Exhibit "A."

The above and foregoing resolution, after having been first reduced to writing, was introduced by Councilmember _____, seconded by Councilmember _____ and the question being put to a roll call vote, the result was as follows:

	Aye	Nay	Absent
Councilmember Finley	_____	_____	_____
Councilmember Sheppard	_____	_____	_____
Councilmember Harwood	_____	_____	_____
Councilmember Clark	_____	_____	_____
Councilmember Maher	_____	_____	_____
Mayor Liese	_____	_____	_____

The motion having received the affirmative vote of a majority of all of the members of the Governing Body, the Mayor declared the motion carried and the resolution adopted, this the _____ day of _____, 2026.

MAYOR

ATTEST:

CITY CLERK

(SEAL)

PREPARED BY & RETURN TO:
DEREK R. CUSICK (MS BAR#10653)
CUSICK & WILLIAMS, PLLC
Post Office Box 4008
GULFPORT, MS 39502
(228) 206-3819

INDEXING INSTRUCTIONS:

A Tract of land in Diamondhead, Unit
5, Phase 2, DIAMONDHEAD,
HANCOCK COUNTY, MISSISSIPPI

GRANTORS ADDRESS:
DIAMONDHEAD COUNTRY CLUB &
PROPERTY OWNERS ASSOCIATION, INC.
7610 COUNTRY CLUB CIRCLE
DIAMONDHEAD, MS 39525
(228) 255-1900

GRANTEE'S ADDRESS:
CITY OF DIAMONDHEAD, MS
5000 DIAMONDHEAD CIRCLE
DIAMONDHEAD MS 39525
(228) 222-4626

STATE OF MISSISSIPPI
COUNTY OF HANCOCK

REVISED DEED OF DEDICATION

This DEED OF DEDICATION ("Deed") is made this ____ day of _____,
20256 by and between DIAMONDHEAD COUNTRY CLUB & PROPERTY OWNERS
ASSOCIATION, INC, GRANTOR, and THE CITY OF DIAMONDHEAD, a municipality
created and existing under the State of Mississippi ("City"), GRANTEE.

****WITNESSETH****

WHEREAS, DIAMONDHEAD COUNTRY CLUB & PROPERTY OWNERS ASSOCIATION, INC. wishes to dedicate, grant and convey the following property to the City and be relieved of the cost and responsibilities associated with maintaining same; and

WHEREAS, the City wishes to acquire the property and assume the cost and responsibilities for maintaining same; and

WHEREAS, on _____, 2026, the Diamondhead Country Club & Property Owners Association, Inc. Board of Directors passed a resolution to revise the legal description of the previously dedicated property conveyed herein, a copy of which is attached hereto as **Exhibit "A;"** and

WHEREAS, on _____, 2026 the Diamondhead City Council passed a resolution and order accepting the revised legal description of the dedicated property conveyed herein and agreeing to the terms contained herein, copy of which is attached hereto as **Exhibit "B;"** and

NOW, THEREFORE, in consideration of the recitals and the mutual benefits, covenants and terms herein contained, and for other good and valuable consideration, the receipt of which is hereby acknowledged, DIAMONDHEAD COUNTRY CLUB & PROPERTY OWNERS ASSOCIATION, INC. hereby dedicates, grants, conveys, covenants and agrees as follows:

**DEDICATION OF THE PLAYGROUNDS, FIELDS AND
PARKING AT EAST RECREATION AREA**

For and in consideration of the City accepting the property and maintaining the property as a public amenity for the use and benefit of the residents and visitors of Diamondhead, DIAMONDHEAD COUNTRY CLUB & PROPERTY OWNERS ASSOCIATION, INC., being the sole owner of, and the only party having any interest in, the property, does hereby dedicate, grant and convey unto the City, its successors and assigns, in fee simple, for the use of the general public as further set forth herein below, the property described herein below and improvements thereon and appurtenances thereto, if any. This dedication of the property is made without warranties of any kind.

The City specifically accepts the dedication of the property without warranty and subject to the following conditions:

The conveyance herein is made on condition that the amenities and parking shall remain available to the public.

The conveyance herein is made subject to the City maintaining the property in the same or similar purpose as its current use in perpetuity.

The conveyance herein is made subject to the City maintaining the property to at least the same standard as it is presently maintained.

The conveyance herein is made subject to any and all easements located on, over and across the property, or filed in the land records of the Office of the Chancery Clerk of Hancock County, Mississippi.

The conveyance herein is made subject to any and all rights-of-way and/or easements for public utilities in, on and under the property.

The conveyance herein is made such that the use restrictions contained herein shall run with the land and shall be binding upon Grantee and its successors and assigns in perpetuity.

The Association shall retain the right to enforce the covenants set forth herein by an action for injunctive or declaratory relief in the event of a material breach, provided that no such enforcement shall require the Association to assume operational or maintenance responsibility for the Property.

Legal Description of the Property:

See Exhibit "C"

Together with all improvements situated thereon, and the perpetual right of ingress and egress over and upon all streets, roads, avenues and boulevards shown on said survey.

That Purcell Co., Inc. has previously executed a waiver of Its Right of First Refusal with respect to the donation of the property. **See Exhibit "D"**

IT IS FURTHER UNDERSTOOD AND AGREED that this instrument constitutes the entire agreement between Grantor and Grantee, there being no other oral agreements or representations of any kind or nature whatsoever.

EXECUTED, this the ____ day of _____, 2026.

GRANTOR:

**DIAMONDHEAD COUNTRY CLUB &
PROPERTY OWNERS ASSOCIATION, INC.**

BY: _____

STATE OF MISSISSIPPI
COUNTY OF HANCOCK

Personally appeared before me, the undersigned Notary Public, the within named _____, who acknowledged that she is the President of the Board of the Diamondhead Country Club & Property Owners Association, Inc. and that she signed and delivered this instrument on the day and year herein mentioned, after first having been duly authorized to do so.

GIVEN UNDER MY HAND AND SEAL this the ____ day of _____, 2026.

NOTARY PUBLIC

My Commission Expires:

GRANTEE:

CITY OF DIAMONDHEAD, MISSISSIPPI

BY:

CITY MANAGER

STATE OF MISSISSIPPI
COUNTY OF HANCOCK

Personally appeared before me, the undersigned Notary Public, the within named _____, who acknowledged that he is City Manager of the City of Diamondhead, Mississippi, and that in said representative capacity he signed and delivered this instrument on the day and year herein mentioned, after first having been duly authorized to do so.

GIVEN UNDER MY HAND AND SEAL this the ____ day of _____, 2026.

NOTARY PUBLIC

My Commission Expires:
