



ELLIOTT HOMES

Elliott Homes
1402 Pass Rd
Gulfport, MS 39501

Request for Abandonment of Easement

Site: 001-DH-21106024
Lot Number(s): Lots 24 and 25
Parcel: 068J-1-41-234.000
Address: 842 Kaleki Court

I am requesting the 5 ft utility abandonment of easement between lot 24 and 25 on Kaleki Court block 6 Phase 2 Unit 11 so that we can build a house on the combined lots.

Thank you

Angela Hayes | *Starts Coordinator*

Angela@myelliotthome.com | 1402 Pass Road, Gulfport, MS 39501

Cell [228-273-5991](tel:228-273-5991) | [1-844-BUY-ELLIOTT](tel:1-844-BUY-ELLIOTT) | [1-844-289-3554](tel:1-844-289-3554)

www.MyElliottHome.com

**SITE PLAN ON LOTS 24 AND 25, BLOCK 6,
DIAMONDHEAD, PHASE 2, UNIT 11, CITY OF
DIAMONDHEAD, HANCOCK COUNTY, MS**



**DRIVEWAY AND LEAD
SIDEWALK= 589.37
SQ.FT.**

**PERVIOUS SURFACE=
11,192 SQ.FT.**

CROSBY SURVEYING
PROFESSIONAL LAND SURVEYING

716 LIVE OAK DRIVE
BILOXI, MISSISSIPPI 39532
PHONE: 228-234-1649

EMAIL: cliffordcrosby@cableone.net



DH21106025



Prepared by & return to:
Schwartz, Orgler & Jordan, PLLC
12206 Highway 49
Gulfport, MS. 39503
228-832-8550
Our File: 202840

Indexing: Lot 58, Block 6, Unit 7, Phase 2,
Diamondhead & Lot 12, Block 3, Unit 5, PH2
Diamondhead, & Lot 29, Block 2, Unit 7, PH2
Diamondhead, & Lot 24, Block 4, Unit 7, PH1
Diamondhead & Lot 25, Block 6, Unit 11 PH1
Diamondhead

STATE OF MISSISSIPPI
COUNTY OF HANCOCK

WARRANTY DEED

FOR AND IN CONSIDERATION of the sum of Ten Dollars (\$10.00), cash in hand paid,
and other good and valuable consideration, the receipt and sufficiency of all of which is hereby
acknowledged, the undersigned,

**Diamondhead Country Club and Property Owners Association, Inc.,
A Mississippi Corporation
5300 Diamondhead Circle
Diamondhead, MS 39525
(228) 255-1900**

do hereby sell, convey and warrant unto

**Elliott Homes, LLC
A Mississippi Limited Liability Company
1402 Pass Road
Gulfport, MS 39501
(228) 257-9914**

the following described land and property being located in the Hancock County, Mississippi, being
more particularly described as follows, to-wit:

SEE ATTACHED EXHIBIT " A "

THIS CONVEYANCE is subject to any and all recorded restrictive covenants, rights-of-way
and easements applicable to subject property, and subject to any and all prior recorded reservations,
conveyances and leases of oil, gas and minerals by previous owners.

TAXES for the current year have been pro-rated as of this date and are hereby assumed by the Grantee herein.

IN WITNESS WHEREOF, Diamondhead Country Club and Property Owners Association, Inc. has caused this conveyance to be executed by its duly authorized officer, having first been duly authorized to do so, on this the 24th day of January, 2021.

Diamondhead Country Club and
Property Owners Association, Inc.

BY: Ernie Knobloch
Ernie Knobloch, President

STATE OF MISSISSIPPI

COUNTY OF Hancock

THIS DAY PERSONALLY CAME AND APPEARED BEFORE ME, the undersigned authority in and for the jurisdiction aforesaid, Ernie Knobloch, who acknowledge that he is the President of Diamondhead Country Club and Property Owners Association, Inc., and as its act and deed, signed, sealed and delivered the above and foregoing instrument of writing on the day and in the year therein mentioned after having been first duly authorized to do so.

GIVEN UNDER MY HAND AND OFFICIAL SEAL OF OFFICE, this the 24th day of January, 2021.

Veronica Varnadore
NOTARY PUBLIC

My Commission Expires:

May 3, 2021



EXHIBIT "A"

Lot Fifty Eight (58), Block Six (6), Unit Seven (7), Diamondhead Phase 2, according to the map or plat thereof on file and record in the office Chancery Clerk of Hancock County, Mississippi.

AND

Lot Twelve (12), Block Three (3), Unit Five (5), Diamondhead Phase 2, according to the map or plat thereof on file and record in the office Chancery Clerk of Hancock County, Mississippi.

AND

Lot Twenty Nine (29), Block Two (2), Unit Seven (7), Diamondhead Phase 2, according to the map or plat thereof on file and record in the office Chancery Clerk of Hancock County, Mississippi.

AND

Lot Twenty Four (24) Block Four (4), Unit Seven (7), Diamondhead Phase 1, according to the map or plat thereof on file and record in the office Chancery Clerk of Hancock County, Mississippi.

AND

Lot Twenty Five (25) Block Six (6), Unit Eleven (11), Diamondhead Phase 2, according to the map or plat thereof on file and record in the office Chancery Clerk of Hancock County, Mississippi.

Return to:
Schwartz, Orgler & Jordan, PLLC
12206 Highway 49
Gulfport, Ms. 39503
228-832-8550
Our File: 202840

DECLARATION OF ACCEPTANCE

PROPERTY ADDRESS: Five Vacant Lots/Parcels Diamondhead , MS 39525

Lot Fifty Eight (58), Block Six (6), Unit Seven (7), Diamondhead Phase 2, according to the map or plat thereof on file and record in the office Chancery Clerk of Hancock County, Mississippi.

AND

Lot Twelve (12), Block Three (3), Unit Five (5), Diamondhead Phase 2, according to the map or plat thereof on file and record in the office Chancery Clerk of Hancock County, Mississippi.

AND

Lot Twenty Nine (29), Block Two (2), Unit Seven (7), Diamondhead Phase 2, according to the map or plat thereof on file and record in the office Chancery Clerk of Hancock County, Mississippi.

AND

Lot Twenty Four (24) Block Four (4), Unit Seven (7), Diamondhead Phase 1, according to the map or plat thereof on file and record in the office Chancery Clerk of Hancock County, Mississippi.

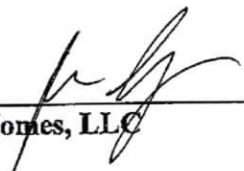
AND

Lot Twenty Five (25) Block Six (6), Unit Eleven (11), Diamondhead Phase 2, according to the map or plat thereof on file and record in the office Chancery Clerk of Hancock County, Mississippi.

I/We, the undersigned, do hereby declare that I/we have inspected the vacant land at the above reference address and/or location as of this date, and that without any reservations, I/we hereby accept the property as to its "as is" condition and have satisfied myself/ourselves that:

- (a) the property can be used for its intended use;
- (b) I/we have made all inquiries that I/we deem reasonable and necessary regarding permits, wetlands, tidelands and use of the property;
- (c) I/we do hereby accept that property in its "as is, where is" condition;
- (d) I/we have been given the property survey to verify acreage and access to the property and am/are satisfied;
- (e) I/we are ready to proceed with the final closing of this transaction;
- (f) I/we hereby release the Seller(s) from any further obligation.

DATE: January 25, 2021



Elliott Homes, LLC

RESOLUTION AUTHORIZING THE MAYOR AND CITY COUNCIL (THE "GOVERNING BODY") OF THE CITY OF DIAMONDHEAD, MISSISSIPPI (THE CITY), TO VACATE AND/OR ABANDON A 5' DRAINAGE/UTILITY EASEMENT ON EACH SIDE OF THE COMMON PROPERTY LINE BETWEEN LOTS 24 and 25, DIAMONDHEAD PHASE 2, UNIT 11, BLOCK 6, HANCOCK COUNTY LOCATED WITHIN THE CITY

WHEREAS, the Mayor and 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 currently has a 5' drainage/utility easement on each side of the common property line between Lots 24 and 25, Diamondhead Phase 2, Unit 11, Block 6 (see attached survey from Crosby Surveying as Exhibit A).
2. Elliott Homes, LLC is the owner of Lots 24 and 25, Diamondhead Phase 2, Unit 11, Block 6. The parcel number is 068J-1-41-234.000. The physical street address is 848 Kaleki Court.
3. Further, the City hereby abandons and/or vacates the drainage/utility easements for the full width and length as petitioned except for the front and rear drainage and utility easement. These drainage/utility easements are 5' drainage and utility easements on each side of the common property line between Lots 24 and 25, Diamondhead Phase 2, Unit 11, Block 6.

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

SECTION 1. That the Governing Body of the City will hereby abandon the selected drainage/utility easements with respect to Lots 24 and 25 described in bullet #3. The Diamondhead Public Works, Diamondhead Water & Sewer and CEPA do not have any objections.

SECTION 2. It is agreed and understood that Elliott Homes, LLC will be responsible for the filing of all necessary documents with the Chancery Clerk of Hancock County, Mississippi.

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:

Resolution
Agenda Item

	Aye	Nay	Absent
Councilmember Finley	___	___	___
Councilmember Moran	___	___	___
Councilmember Morgan	___	___	___
Councilmember Clarke	___	___	___
Councilmember L'Ecuyer	___	___	___
Mayor Depreo	___	___	___

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 _____, 2021.

MAYOR

ATTEST:

CITY CLERK

(SEAL)

Prepared By and Return To:
Schwartz, Orgler & Jordan, PLLC
12206 Hwy 49
Gulfport, MS 39503
(228) 832-8550

Indexing Instructions: Lot 24 Block 6
Unit 11 Phase 2 Diamondhead

File# 210536

**STATE OF MISSISSIPPI
COUNTY OF HARRISON**

WARRANTY DEED

THAT FOR AND IN CONSIDERATION of the sum of Ten and no/100 Dollars (\$10.00), cash in hand paid, and other good and valuable consideration, the receipt and sufficiency of all of which is hereby acknowledged,

**Adam Brown, IV
5311 Driftwood Ct
Ocean Springs, MS 39564
(228) 860-8014**

does hereby grant, bargain, sell, convey and warrant, unto

**ELLIOTT HOMES, LLC,
A Mississippi Limited Liability Company
1402 PASS RD.
GULFPORT, MS 39501
228-257-9914**

the following described property, together with the improvements, hereditaments and appurtenances thereunto situated and located in the County of Hancock, State of Mississippi, and more particularly described as follows, to-wit:

Lot 24 Block 6 Unit 11 Diamondhead, Phase 2, according to the official map or plat thereof on file and of record in the office of the Chancery Clerk of Hancock County, Mississippi.


THIS CONVEYANCE is subject to any and all recorded restrictive covenants, rights-of-way and easements applicable to subject property, and any prior recorded reservations, conveyances and leases of oil, gas and minerals by previous owners of subject property.

Estimated county ad valorem taxes have been prorated between the parties as a part of the consideration for this conveyance. In the event the estimates upon which such proration is based prove to be inaccurate for any reason, the Grantee agrees to refund any excess, and the Grantor

agrees to pay any deficiency, upon receipt of a copy of the tax statement for the current year and a computation of the true amount due, based on a 365 day year.

THIS CONVEYANCE is also subject to Zoning and/or other land use regulations promulgated by federal, state or local governments affecting the use or occupancy of the subject property.


WITNESS THE SIGNATURE of the Grantor on this the 19th day of March, 2021.


Adam Brown, IV

**STATE OF MISSISSIPPI
COUNTY OF HARRISON**

THIS DAY personally appeared before me, the undersigned authority in and for the jurisdiction aforesaid, Adam Brown, IV, who acknowledged that he signed, executed and delivered the above and foregoing instrument as a voluntary act and deed on the day and year therein mentioned.

GIVEN under my hand and official seal on this the 19th day of March, 2021.


NOTARY PUBLIC

(SEAL)

My Commission Expires:



DECLARATION OF ACCEPTANCE

PROPERTY ADDRESS: Lot 24 Block 6 Unit 11 Phase 2
 Diamondhead, MS 39525
 Hancock County

I/We, the undersigned, do hereby declare that I/we have inspected the vacant land at the above reference address and/or location as of this date, and that without any reservations, I/we hereby accept the property as to its "as is" condition and have satisfied myself/ourselves that:

- (a) the property can be used for its intended use;
- (b) I/we have made all inquiries that I/we deem reasonable and necessary regarding permits, wetlands, tidelands and use of the property;
- (c) I/we do hereby accept that property in its "as is, where is" condition;
- (d) I/we have been given the property survey to verify acreage and access to the property and am/are satisfied;
- (e) I/we are ready to proceed with the final closing of this transaction;
- (f) I/we hereby release the Seller(s) from any further obligation.

DATE: 03/19/2021



ELLIOTT HOMES, LLC



Headquarters
18020 Highway 603
Kiln, MS 39556
PO Box 2430
Bay St. Louis, MS 39521
228-363-7000
1-877-769-2372

www.coastepa.com

Abandonment of Easement Request

Pat,

I have reviewed the request to abandon the easement off of Kaleki Ct (between lots 24 & 25) at proposed address 848 Kaleki Ct. Coast Electric agrees to abandon the easement between lots 24 & 25.

If you have any questions, please give me a call.

Thanks,

Kendall Ladner 

Director of System Engineering

(228) 216-8889

Harrison County District Office
14082 Highway 49
Post Office Box 3302
Gulfport, MS 39505-3302

Biloxi Branch Office
920 Cedar Lake Rd., Suite S
Biloxi, MS 39532

Bay St. Louis Branch Office
1005 Highway 90
Bay St. Louis, MS 39520

Pearl River County District Office
6375 Highway 11 North
Picayune, MS 39466

Poplarville Branch Office
4679 Highway 53 South
Post Office Box 551
Poplarville, MS 39470

Request for abandonment of drainage easement

Date 5/12/2021

Lots 24 & 25

Parcel 068J-1-234.000

Address 842 Kaleki Court

ELLIOT HOMES

No drain ditch was made between lot 24&25 for water flow. But water will need to get from back of property's to front street on Kaleki Court.

Public Work

Butch Walton

[Handwritten signature]
LB - note highlighted note