

PREPARED BY & RETURN TO:
DEREK R. CUSICK (MS BAR#10653)
LAW OFFICES OF DEREK R. CUSICK, PLLC
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GULFPORT, MS 39502
(228) 206-3819

INDEXING INSTRUCTIONS:

PARTS OF UNIT 1,
DIAMONDHEAD, PHASE 2 and
UNIT 9, DIAMONDHEAD PHASE 1,
CITY OF DIAMONDHEAD,
HANCOCK COUNTY, MISSISSIPPI

GRANTOR'S ADDRESS:
PURCELL CO., INC.
4401 EAST ALOHA DRIVE
DIAMONDHEAD, MS 39525
(228) 255-9130

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

STATE OF MISSISSIPPI

COUNTY OF HANCOCK

DEED OF DEDICATION

This DEED OF DEDICATION ("Deed") is made this ____ day of _____, 2021, by and between PURCELL CO., INC. (formerly Diamondhead Properties, Inc., and Diamondhead Corporation) GRANTOR, and THE CITY OF DIAMONDHEAD, a municipality created and existing under the State of Mississippi ("CITY"), GRANTEE.

****WITNESSETH****

WHEREAS, PURCELL CO., INC. wishes to dedicate, grant and convey the following property to the CITY; and

WHEREAS, the CITY wishes to acquire the property along with the cost and responsibilities for maintaining same; and

WHEREAS, PURCELL CO., INC. has passed a corporate resolution(s) authorizing the dedication of the property conveyed herein and agreeing to the terms contained herein, a certified copy dated February 22, 2021 being attached hereto as Exhibit "B"; and

WHEREAS, on _____, the Diamondhead City Council passed a resolution and order accepting the dedication of the property conveyed herein and agreeing to the terms contained herein, copy of which is attached hereto as Exhibit "C"; 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, PURCELL CO., INC. hereby dedicates, grants, conveys, covenants and agrees as follows:

**DEDICATION OF CERTAIN WATERWAYS AND CANALS, TOGETHER WITH
PERPETUAL, NON-EXCLUSIVE EASEMENTS FOR INGRESS AND EGRESS AND
DRAINAGE MAINTENANCE**

For and in consideration of the CITY's accepting the property and maintaining the property as waterways, PURCELL CO., INC. being the sole owner of, and the only party having any interest in the property, does hereby dedicate, grant and convey in fee simple the property and easements, improvements thereon and appurtenances thereto, if any, described herein in attached Exhibit "A", unto the CITY, its successors and assigns, for the use of the general public as waterways. 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 subject to a reservation of all oil, gas and mineral rights.

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 subject to the CITY maintaining the property as waterways.

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

EXECUTED, this the ____ day of _____, 2021.

GRANTOR:

PURCELL CO., INC. (formerly Diamondhead Properties, Inc., and Diamondhead Corporation)

BY: _____
Artis E. James, Jr., Vice President

STATE OF MISSISSIPPI

COUNTY OF HANCOCK

Personally appeared before me, the undersigned Notary Public, the within named Artis E. James, Jr., who acknowledged that he is Vice President of PURCELL CO., INC., 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 _____, 2021.

NOTARY PUBLIC

My Commission Expires:

GRANTEE:

CITY OF DIAMONDHEAD, MISSISSIPPI

BY: _____
Nancy Depreo, Mayor

STATE OF MISSISSIPPI

COUNTY OF HANCOCK

Personally appeared before me, the undersigned Notary Public, the within named Nancy Depreo, who acknowledged that she is Mayor of the City of Diamondhead, Mississippi, and that in said representative capacity 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 _____, 2021.

NOTARY PUBLIC

My Commission Expires:
