RESOLUTION AUTHORIZING THE CITY COUNCIL (THE "GOVERNING BODY") OF THE CITY OF DIAMONDHEAD, MISSISSIPPI (THE "CITY), TO ACQUIRE, BY DONATION FROM HANCOCK COUNTY, MISSISSIPPI (THE "COUNTY"), CERTAIN REAL PROPERTY LOCATED WITHIN THE CITY FOR A PUBLIC STREET AND RIGHT-OF-WAY

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 County recently constructed and owns a public street and right-of-way within the City Limits of the City and wishes to be relieved of the cost of maintaining same.
- 2. The City is authorized to acquire real property pursuant to Miss. Code Ann. §21-17-1.
- 3. The City is willing to accept the public street and right-of-way legally described in the Deed of Dedication and attached hereto as Exhibit "A" to this Resolution.
- 4. The City is willing to accept the donation of the aforementioned property by the County and to assume the cost of maintaining same and in agreement with all terms and conditions set forth in the Deed of Dedication attached hereto as Exhibit "A" to this Resolution.

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 property.

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 property by donation, for the City Manager and Mayor to execute any necessary documentation to effectuate the donation of the subject property and to execute the Dedication Deed on behalf of the City attached hereto as Exhibit "A."

| Th | e above | and | foregoing | resolution, | after | having | been | first | reduced | to | writing, | was |
|--|-----------|-------|-----------|-------------|-------|---------|-------|-------|---------|----|----------|-----|
| introduced | l by Cour | ncilm | ember | | , sec | onded b | y Cou | ncilm | nember_ | | | |
| and the question being put to a roll call vote, the result was as follows: | | | | | | | | | | | | |

| | Aye | Nay | Absent |
|---|-------|-----|--------|
| Councilmember Finley | | | |
| Councilmember Liese | | | |
| Councilmember Cumberland | _ | _ | |
| Councilmember Clark | | | |
| Councilmember Maher | | _ | |
| Mayor Depreo | - | _ | |
| The motion having received the affirmative Governing Body, the Mayor declared the motion of day of, 2024. | | | |
| | MAYOR | | |
| ATTEST: | | | |
| CITY CLERK | | | |
| (SEAL) | | | |

STATE OF MISSISSIPPI COUNTY OF HANCOCK

DEED OF DEDICATION

GRANTOR: HANCOCK COUNTY, MISSISSIPPI,

ACTING BY AND THROUGH ITS

BOARD OF SUPERVISORS 854 Highway 90, Suite A

Bay St. Louis, MS 39520 Telephone: (228) 467-0172

GRANTEE: CITY OF DIAMONDHEAD, MISSISSIPPI

5000 Diamondhead Circle Diamondhead, MS 39525 Telephone: (228) 222-4626

INDEXING INSTRUCTIONS: Part of Section 13, T8S, R14W, John D. Ladner Claim,

Hancock County, MS

INSTRUMENT PREPARED

BY AND RETURN TO:

MARK E. BOND

MS STATE BAR #103992

BALCH & BINGHAM LLP

1310 25th Avenue Gulfport, MS 39501

Telephone: (228) 864-9900

STATE OF MISSISSIPPI COUNTY OF HANCOCK

DEED OF DEDICATION

| This DEED OF DEDICATION is made this day of, |
|---|
| 2024, by and between HANCOCK COUNTY, MISSISSIPPI, ACTING BY AND THROUGH |
| ITS BOARD OF SUPERVISORS ("Hancock County" or "Grantor"), and CITY OF |
| DIAMONDHEAD, MISSISSIPPI, a municipality created and existing under the State of |
| Mississippi (the "City" or "Grantee"). |
| WHEREAS, Hancock County wishes to dedicate, grant, and convey the following |
| property to the City and be relieved of the cost and responsibilities associated with maintaining |
| the same; and |
| WHEREAS, the City wishes to acquire the public street and assume the cost and |
| responsibilities for maintaining the same; and |
| WHEREAS, on, 2024, 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 "A" and fully |
| incorporated herein by this reference; and |
| WHEREAS, on, 2024, the Board of Supervisors of |
| Hancock County passed a resolution authorizing the dedication of the property herein and |
| agreeing to the terms contained herein, as certified by the Secretary of the Board of Supervisors |
| on Exhibit "B", attached hereto and fully incorporated herein by this reference. |
| NOW, THEREFORE, in consideration of the recitals and the mutual benefits, covenants, |

and terms herein contained, and for other good and valuable consideration, including the City

accepting the property and maintaining a public street, the receipt and sufficiency of which are hereby acknowledged, Hancock County hereby dedicates, grants, and conveys unto the City, its successors and assigns, in fee simple, for the use of the general public as a public street and right-of-way, that certain real property situated and being in Hancock County, Mississippi, being one and the same as that depicted on the survey prepared by Paul D. Pitts, Jr., PLS No. 3069, of Covington Civil and Environmental, dated June 4, 2024, Project No. 16556.13, which survey legal description and survey drawing are attached hereto as Exhibit "C" and fully incorporated herein by this reference, and any improvements thereon and appurtenances thereto.

Hancock County hereby makes, and the City specifically accepts, this dedication of the property in its "AS IS, WHERE IS" condition without representations or warranties of any kind and specifically subject to: (a) such valid mineral reservations and/or conveyances, if any, as may have been heretofore made on the property, or filed in the land records of the Office of the Chancery Clerk of Hancock County, Mississippi; (b) any and all easements located on, over, under, and across the property, or filed in the land records of the Office of the Chancery Clerk of Hancock County, Mississippi; and (c) any and all rights-of-way and/or easements for public utilities in, on, over, under, and across the property.

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

[This space left blank intentionally. Signature page(s) to follow.]

WITNESS THE SIGNATURES of the duly authorized representatives of Grantor effective as of the date set forth above, although actually executed on the date set forth in the notary acknowledgement below.

| GR | AN | T | OF | ₹ : |
|----|----|---|----|------------|
| | | | | |

HANCOCK COUNTY, MISSISSIPPI, ACTING BY AND THROUGH ITS BOARD OF SUPERVISORS

| | BY: |
|--|---|
| | BY: |
| | BY: |
| STATE OF MISSISSIPPI | |
| COUNTY OF HANCOCK | |
| on this the day of Scotty Adam and Tiffany Le Chancery Clerk, respectively representative capacities, the | 2024, within my jurisdiction, the within named e Cowman, who acknowledged to me that they are the President and y, of the Hancock County Board of Supervisors, and that in said y executed the above and foregoing instrument for and on behalf of been duly authorized so to do. |
| | NOTARY PUBLIC |
| | Printed Name: |
| [AFFIX SEAL] | |
| | My Commission Expires: |

WITNESS THE SIGNATURE of the duly authorized representative of Grantee effective as of the date set forth above, although actually executed on the date set forth in the notary acknowledgement below.

| acknowledgement below. | amough actually executed on the date set form in the notary |
|---|---|
| | GRANTEE: |
| | CITY OF DIAMONDHEAD, MISSISSIPPI |
| | BY: |
| STATE OF MISSISSIPPI | |
| COUNTY OF HANCOCK | |
| on this the day of Nancy Depreo, who acknowleds Mississippi, and that in said rep | , 2024, within my jurisdiction, the within named ged that she is the Mayor of the City of Diamondhead resentative capacity, she executed the above and foregoing d entity after first having been duly authorized so to do. |
| | NOTARY PUBLIC |
| | Printed Name: |
| [AFFIX SEAL] | |
| | My Commission Expires: |
| | |

EXHIBIT "A"

Diamondhead City Council Resolution

[See attached.]

EXHIBIT "B"

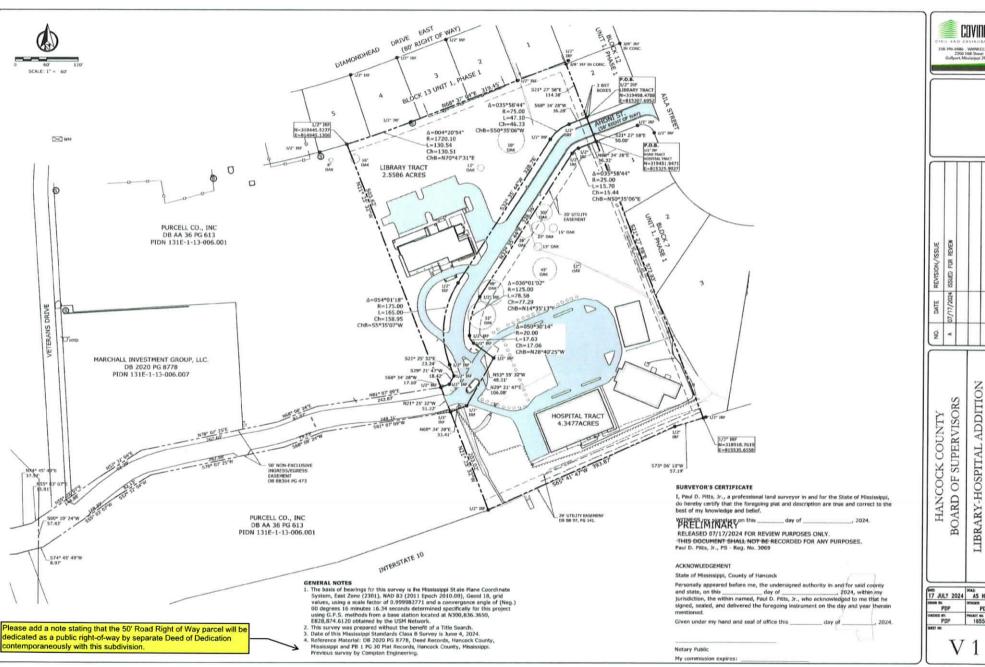
Board of Supervisors of Hancock County Resolution

[See attached.]

EXHIBIT "C"

Legal Description and Survey

[See attached.]



COVINGTOR 228-394-0484 - WWW.CCELLC.US 2300 14th Street Gullport Minissippi 29301



SUBDIVISION PLAT

17 JULY 2024 AS NOTED POP 16556.13

PROPERTY DESCRIPTION

Being a 2.5986 acre tract of land situated in the John D. Ladner Claim and within Section 13, Township 8 South, Range 14 West, Hancock County, Mississippi, and being a parties of that tract of land conveyed to Hancock County by and through its Board of Supervisors, as recorded in Deed Book 2017, Page 11419, Deed Records, Hancock County, Mississippi, and being more particularly described as follows:

Beginning at a 1/2 inch iron rod found at the southwest corner of Lot 2, Block 12, Diamondhead Subdivision, Phase 1, Unit 1 having Mississippi State Plane Coordinates of N319,498,4788, EBIS,307,6952:

Thence, South 68 degrees 34 minutes 28 seconds West a distance of 36,28 feet, to a 1/2 inch iron rod found for the point of curvature of a curve to the left, having a central angle of 35 degrees 58 minutes 44 seconds, a radius of 75,00 feet, and a chord of 46,33 feet which bears South 50 degrees 35 minutes 06 seconds West:

Thence, along said curve to the left for an arc length of 47.10 feet, to a 1/2 inchiron rod found for corner:

Thence, South 32 degrees 35 minutes 44 seconds West a distance of 328.76 feet, to a 1/2 inch iron rod found for the point of curvature of a curve to the left, having a central angle of 54 degrees 01 minutes 18 seconds, a radius of 175.00 feet, and a chord of 158.95 feet which bears South 05 degrees 35 minutes 02 seconds West:

Thence, along said curve to the left for an arc length of 165.00 feet, to a 1/2 inch iron and found for corner:

Thence, South 21 degrees 25 minutes 32 seconds East a distance of 23.24 feet, to a 1/2 inch iron rod found for corner;

Thence, South 29 degrees 21 minutes 47 seconds West a distance of 18.42 feet, to a 1/2 inch iron rod found for corner:

Thence, South 68 degrees 34 minutes 28 seconds West a distance of 17.10 feet, to a 1/2 inch iron rod found for corner on the west line of the aforementioned Hancock County Medical Center tract;

Thence, along the west line of said Medical Center tract, North 21 degrees 25 minutes 32 seconds West a distance of 503.62 feet, to a 1/2 inch iron rod found on the south line of Olamondnesd Suddersions, 1960ct 13, Phase 1, Unit 1, having Mississippi State Plane Coordinates of N319,445.5237, E814,845.1305; and being the point of curvature of a non-tangent curve to the left, having a central angle of 04 degrees 20 minutes 54 seconds, a radius of 1,720.10 feet, and a chord of 130.51 feet which bears Kenth 70 degrees 47 minutes 31 seconds East;

Thence, along said curve to the left for an arc length of 130.54 feet, to a 1/2 inch iron rod found for corner;

Thence, North 68 degrees 37 minutes 04 seconds East a distance of 319.45 feet, to a 1/2 inch iron rod found for corner on the west line of Diamondhead Subdivision, Block 12, Phase 1, Unit 1.

Thence, along said west line, South 21 degrees 27 minutes 58 seconds East a distance of 114.38 feet, to the Point of Beginning and containing 2.5586 acres of land.

OWNER'S CERTIFICATE AND DEDICATION

This is to certify that the undersigned is the owner of record of the land shown on this plat and occlares this to be a corner plat of the subdivision of LIBRARY-HOSPITAL ADDITION and that said owner hereby dedicates the easoments unto the City of Diamondhead and the Diamondhead Water and Sewer District, as their interest may appear for public utility, drainage, and roadway porrosses.

| witness my signature on this | aay or | , 2024. | |
|---|------------------------------|-------------------------|---------------------------|
| (Signature) | By: Hancock Co Supervisor | | |
| ACKNOWLEDGEMENT | | | |
| State of Mississippi, County of | Hancock | | |
| Personally appeared before m | | | |
| and state, on this jurisdiction, the within named me that they are the owner. | | , 2024, v , who ackn | within my nowledged to |
| Given under my hand and sea | l of office this | day of | , 2024. |

PROPERTY DESCRIPTION

Being a 33,316 square feet tract of land situated in the John D. Ladiner Claim and within Section 13, Township 8 South, Ranga 14 West, Hanocck County, Missiagi, and being a portion of that tract of land conveyed to Hancock County by and through its Board of Supervisions, ar recorded in Deed Book 2017, Page 11419, Deed Records, Huncock County, Rississippi, and being more particularly described as follows:

Beginning at a 1/2 inch iron rod found at the northwest corner of Lot 1, Block 7, Diamondhead Suddivision, Phase 1, Unit 1 having Mississippi State Plane Coordinates of N319.451.9471. EBIS.325.9927.

Thence, South 68 degrees 34 minutes 28 seconds West a distance of 36,32 feet, to a 1/2 inch iron rod found for the point of curvature of a curve to the left, having a central angle of 35 degrees 58 minutes 44 seconds, a radius of 25,00 feet, and a chord of 15.44 feet which bears South 50 degrees 35 minutes 66 seconds West:

Thence, along said curve to the left for an arc length of 15.70 feet, to a 1/2 inchiton and found for corner:

Thence, South 32 degrees 35 minutes 44 seconds West a distance of 328.76 feet, to a 1/2 inch iron rod found for the point of curvature of a curve to the left, having a central angle of 36 degrees 01 minutes 02 seconds, a radius of 125.00 feet, and a chord of 77.29 feet which bears South 14 degrees 35 minutes 13 seconds West:

Thence, along said curve to the left for an arc length of 78.58 feet, to a 1/2 inchiron rod found for the point of compound curve of a curve to the left, having a central angle of 50 degrees 30 minutes 14 seconds, a radius of 20.00 feet, and a chord of 17.06 feet which bears South 28 degrees 40 minutes 25 seconds East;

Thence, along said curve to the left for an arc length of 17.63 feet, to a 1/2 inch iron rod found for corner:

Thence, South 53 degrees 55 minutes 32 seconds East a distance of 48.31 feet, to a 1/2 inch iron rod found for corner:

Thence, South 29 degrees 21 minutes 47 seconds West a distance of 106.08 feet, to a 1/2 inch iron rod found for corner:

Thence, South 68 degrees 34 minutes 28 seconds West a distance of 33.41 feet, to a 1/2 inch iron rod found on the west line of the aforementioned Hancock County

Thence, along said west line, North 21 degrees 25 minutes 32 seconds West a distance of \$1.22 feet, to a 1/2 inch iron rod found for corner:

Thence, North 68 degrees 34 minutes 28 seconds East a distance of 17.10 feet, to a 1/2 inch iron red found for corner:

Thence, North 29 degrees 21 minutes $4\prime$ seconds East a distance of 18.42 feet, to a 1/2 inch iron rod found for corner;

Thence, North 21 degrees 25 minutes 32 seconds West a distance of 23.24 feet, to a 1/2 inch iron rad found for the point of curvature of a curve to the right, having a central angle of 54 degrees 01 minutes 16 seconds, a radius of 175.00 feet, and a chord of 150.95 feet which bears North 05 degrees 35 minutes 07 seconds East;

Thence, along said curve to the right for an arc length of 165.00 feet, to a 1/2 inch iron rod found for corner;

Thence, North 32 degrees 35 minutes 44 seconds East a distance of 328.76 feet, to a 1/2 linch iron rod found for the point of curvature of a curve to the right, having a central angle of 35 degrees 58 minutes 44 seconds, a radius of 75.00 feet, and a chord of 46.33 feet which bears North 50 degrees 35 minutes 06 seconds East;

Thence, along said curve to the right for an arc length of 47.10 feet, to a 1/2 inch

Thence, North 68 degrees 34 minutes 28 seconds East a distance of 36.28 feet, to a 1/2 linch iron rod found for the southwest corner of Lot 2, Block 12, Diamondhead Subdivision, Phase 1, Unit 1 having State Plane Coordinates of N319,498.4788, EB15,307.6952;

Thence, along the west line of said subdivision, South 21 degrees 27 minutes 56 seconds East a distance of 50.00 feet, to the Point of Beginning and containing 33,316 square feet of land.

CERTIFICATE OF APPROVAL AND ACCEPTANCE

This subdivision plat has been submitted to and approved by the Mayor and City Council of the City of Diamondhead, by order duly adopted on ______, 2024, and entered in the official minutes of the City of Diamondhead in Minute Book ______, Page(s)

City of Diamondhead

By: _____City Clerk

Please change the Owner to "Hancock County, Mississippi, acting by and through its Board of Supervisors" and use the signature block and notary acknowledgment from the draft Deed of Dedication provided. Please add the Certificate of Comparison and the Recording Certificate from the sample subdivision plat provided.

PROPERTY DESCRIPTION

Being a 4.3477 acre tract of land situated in the John D. Ladner Claim and within Section 13, Township 8 South, Range 14 West, Hancock County, Hississippi, and being a portion of that tract of land conveyed to Hancock County by and through its Board of Supervisors, as recorded in Deed Book 2017, Page 11419, Deed Records, Hancock County, Mississippi, and being more particularly described as follows:

Beginning at a 1/2 inch iron rod found at the northwest corner of Lot 1, Block 7, Diamondhead Suddivision, Phase 1, Unit 1 having Mississippi State Plane Coordinates of N319,451,9471, E815,325,997.

Thence, along the west line of said subdivision, South 21 degrees 27 minutes 58 seconds East a distance of 572.93 feet, to a 1/2 inch iron rod found on the north right of way line of Interstate Highway 10 having Mississippi State Plane Coordinates of N318.918.7619. ENLS 35.6558.

Thence, along the north right of way line of said 1-10, South 73 degrees 06 minutes 10 seconds West a distance of 57.19 feet, to a 1/2 inch iron rod found for corner;

Thence, continuing along the north right of way line of said 1-10, South 65 degrees 41 minutes 47 seconds West a distance of 393.87 feet, to a 1/2 inch iron rod found for the southwest corner of the aforementioned Hancock County Medical Center tract.

Thence, along the west line of said Medical Center tract, North 21 degrees 25 minutes 32 seconds West a distance of 203.02 feet, to a 1/2 inch iron rod found for corner.

Thence, North 68 degrees 34 minutes 28 seconds East a distance of 33.41 feet, to a 1/2 inch iron rod found for corner;

Thence, North 29 degrees 21 minutes 47 seconds East a distance of 106.08 feet, to a 1/2 inch iron rod found for corner;

Thence, North 53 degrees 55 minutes 32 seconds West a distance of 48.31 feet, to a 1/2 inch fron rad found for the point of curvature of a curve to the right, having a central angle of 50 degrees 30 minutes 14 seconds, a radius of 20.00 feet, and a chord of 17.06 feet which bears North 28 degrees 40 minutes 25 seconds West:

Thence, along said curve to the right for an arc length of 17.63 feet, to a 1/2 inch iron rod found for the point of compound curve of a curve to the right, having a central angle of 36 degrees 0.7 minutes 02 seconds, a radius of 125.00 feet, and a chord of 77.29 feet which bears North 14 degrees 35 minutes 13 seconds East;

Thence, along said curve to the right for an arc length of 78.58 feet, to a 1/2 inchiron rod found for corner;

Thence, North 32 degrees 35 minutes 44 seconds East a distance of 328.76 feet, to a 1/2 Inch fron rod found for the point of curvature of a curve to the right, having a central angle of 35 degrees 58 minutes 44 seconds, a radius of 25.00 feet, and a chord of 15.44 feet which bears North 50 degrees 35 minutes 66 seconds feast:

Thence, along said curve to the right for an arc length of 15.70 feet, to a 1/2 inch iron rod found for corner:

Thence, North 68 degrees 34 minutes 28 seconds East a distance of 36.32 feet, to the Point of Beginning and containing 4,3477 acres of land.

CERTIFICATE OF FINAL SUBDIVISION PLAT APPROVAL

All requirements of the City of Diamondhead Subdivision rules and regulations relative to the preparation and submission of a subdivision plat having been fulfilled, approval of the plat is hereby granted, subject to further provisions of the said rules and regulations.

City of Diamondlead Building Official

Please add "City of Diamondhead" above the Mayor's signature line.

PRELIMINARY

RELEASED 06/04/2024 FOR REVIEW PURPOSES ONLY.
THIS DOCUMENT SHALL NOT BE RECORDED FOR ANY PURPOSES.





HANCOCK COUNTY
BOARD OF SUPERVISORS
LIBRARY-HOSPITAL ADDITION
SUBDIVISION PLAT

| SATE | 17 JULY 2024 | AS NOTED | 18 NOTED

 V_2