

PREPARED BY & RETURN TO:
DEREK R. CUSICK (MS BAR#10653)
LAW OFFICES OF DEREK R. CUSICK, PLLC
1325 25TH AVENUE
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GULFPORT, MS 39502
(228) 206-3819

INDEXING INSTRUCTIONS:

PART OF LOTS 4, 5, 6, AND 7,
BLOCK 2, DIAMONDHEAD
SUBDIVISION PHASE 3, UNIT 1,
HANCOCK COUNTY, MISSISSIPPI

GRANTEE'S ADDRESS
STRUCTURES OF DIAMONDHEAD, INC.
758 AUGUSTA WAY
DIAMONDHEAD, MS 39525
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GRANTOR'S ADDRESS
CITY OF DIAMONDHEAD, MS
5000 DIAMONDHEAD CIRCLE
DIAMONDHEAD MS 39525
(228) 222-4626

STATE OF MISSISSIPPI
COUNTY OF HANCOCK

QUITCLAIM DEED

This QUITCLAIM DEED ("Deed") is made this ____ day of _____, 2021,
by and between THE CITY OF DIAMONDHEAD, a municipality created and existing
under the State of Mississippi ("City"), GRANTOR, and STRUCTURES OF
DIAMONDHEAD, INC. ("STRUCTURES"), GRANTEE.

****WITNESSETH****

WHEREAS, City wishes to quitclaim, grant and convey the following surplus and non-necessary property for use by the public to STRUCTURES and be relieved of the cost and responsibilities associated with maintaining same in exchange for STRUCTURES dedicating, granting and conveying property to City for Right-of-Way use of equal or greater value; and

WHEREAS, STRUCTURES wishes to acquire the property in exchange for its dedicating, granting and conveying land to City for a public street and assuming the cost and responsibilities for maintaining same; and

WHEREAS, on _____, STRUCTURES passed a resolution accepting the quitclaim of the property conveyed herein and agreeing to the terms contained herein, copy of which is attached hereto as Exhibit "B"; and

WHEREAS, on _____, the Diamondhead City Council passed a resolution authorizing the quitclaim of the property herein upon finding that said property is surplus and not needed for public use and had previously been dedicated to the City by STRUCTURES for a public street; however, said portion of the property is now not necessary for same 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, the City hereby dedicates, grants, conveys, covenants and agrees as follows:

**QUITCLAIM OF PROPERTY IN EXCHANGE FOR PROPERTY
FOR PUBLIC RIGHT OF WAY**

For and in consideration of STRUCTURES accepting the property and maintaining same, the City, being the sole owner of, and the only party having any interest in said property does hereby quitclaim, grant and convey unto STRUCTURES, its successors and assigns, in fee simple, the property described herein below and improvements thereon and appurtenances thereto. This quitclaim of the property is made without warranties of any kind.

STRUCTURES specifically accepts the quitclaim of the property without warranty and subject to the following conditions:

The conveyance herein is made subject to 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.

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.

Legal Description of the Property:

See attached Exhibit "A"- Legal Description and Survey adopted herein by reference.

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 _____, 2022.

GRANTOR:

CITY OF DIAMONDHEAD, MISSISSIPPI

BY: _____

STATE OF MISSISSIPPI
COUNTY OF HANCOCK

Personally appeared before me, the undersigned Notary Public, the within named _____ who acknowledged that s/he is _____ of the City of Diamondhead, Mississippi, and that in said representative capacity s/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 _____, 2022.

NOTARY PUBLIC

My Commission Expires:

GRANTEE:

STRUCTURES OF DIAMONDHEAD, INC.

BY: _____

STATE OF MISSISSIPPI
COUNTY OF HANCOCK

Personally appeared before me, the undersigned Notary Public, the within named _____, who acknowledged that he is _____ of the STRUCTURES OF DIAMONDHEAD, INC., and that in said 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 _____, 2022.

NOTARY PUBLIC

My Commission Expires:
