

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

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 that is 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. Diamondhead Country Club & Property Owners Association, Inc. has expressed a willingness to donate the property legally described in the Deed of Dedication and attached hereto as Exhibit "A" to this resolution; and
4. Diamondhead Country Club & Property Owners Association, Inc. has expressed a willingness to donate the property legally described in the Deed of Dedication and attached hereto as Exhibit "B" to this resolution.
5. The City is willing to accept the donation of the aforementioned properties.

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 Deeds of Dedication on behalf of the City attached collectively hereto as Exhibit "A", and Exhibit "B".

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 Liese      | —   | —   | —      |
| Councilmember Cumberland | —   | —   | —      |
| Councilmember Clark      | —   | —   | —      |
| Councilmember Maher      | —   | —   | —      |
| 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 \_\_\_\_\_, 2024.

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
CITY CLERK

(SEAL)

EXHIBIT

A

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:

Part of an unplotted section of  
Diamondhead Subdivision, Section  
13, Township 8 South, Range 14  
West, 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

**DEED OF DEDICATION**

This DEED OF DEDICATION ("Deed") is made this \_\_\_\_ day of \_\_\_\_\_,  
2024, 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 \_\_\_\_\_, 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

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 ONE UNDEVELOPED TRACT

For and in consideration of the City accepting the property and maintaining the property as greenspace and drainage, 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 a greenspace and for drainage, 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 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.

The conveyance herein is made subject to the City maintaining the property as greenspace and for drainage and said property is not to be developed.

Legal Description of the Undeveloped Tract:

See Exhibit "A"

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 subdivision plat.

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

EXECUTED, this the \_\_\_\_ day of \_\_\_\_\_, 2024.

**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 he is the President of the Board of the Diamondhead Country Club & Property Owners Association, Inc. and that 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 \_\_\_\_\_, 2024.

\_\_\_\_\_  
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.

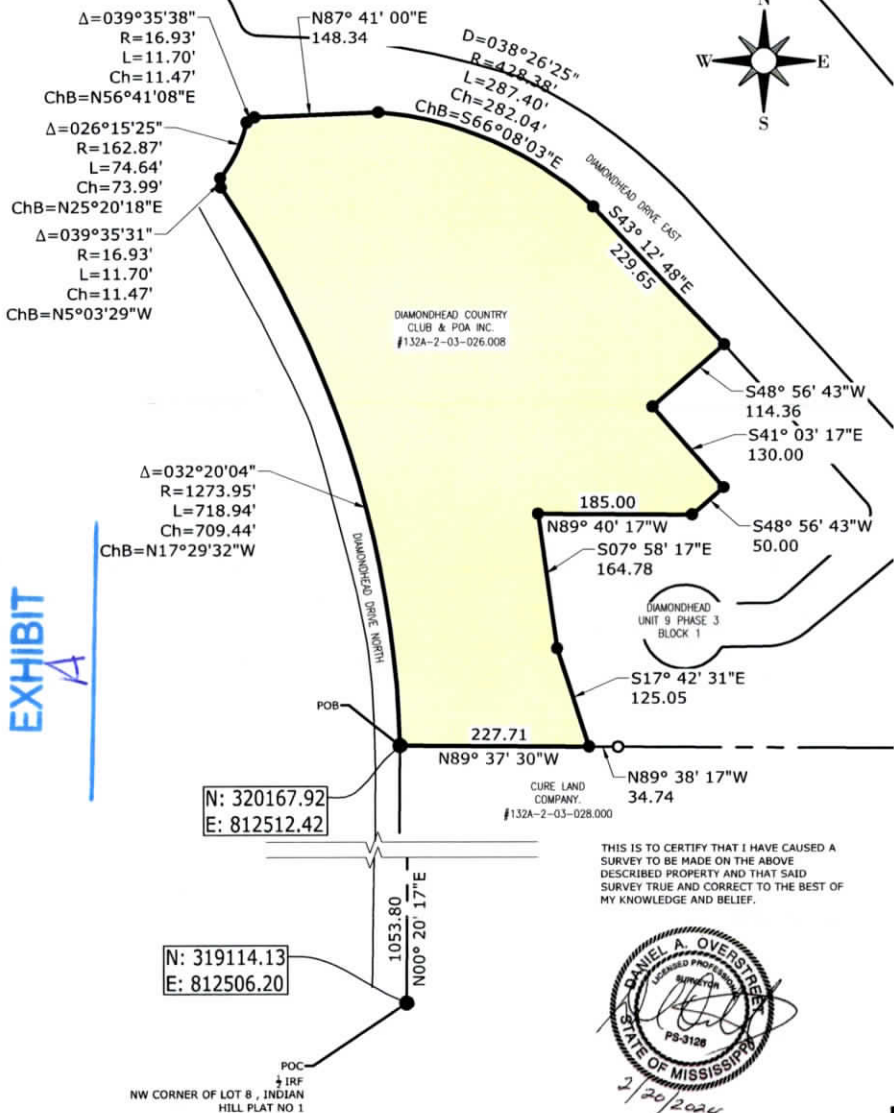
GIVEN UNDER MY HAND AND SEAL this the \_\_\_\_ day of \_\_\_\_\_, 2024.

\_\_\_\_\_  
NOTARY PUBLIC

My Commission Expires:

\_\_\_\_\_

EXHIBIT  
A



**LEGAL DESCRIPTION (Tax Parcel 132A-2-03-026.008)**

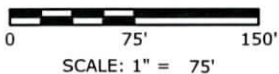
A parcel of land situated an unplotted section DIAMONDHEAD SUBDIVISION, (A PART OF THE John B. Ladner CLAIM) SECTION 13, TOWNSHIP 8 SOUTH, RANGE 14 WEST, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

Commencing from a 1/2 Iron rod found at the Northwest corner of Lot 8, Indian Hill Plat No.1;Thence North  $00^{\circ}20'17''$  East a distance of 1053.80 feet to an iron rod found for the Point of Beginning; THENCE northerly along a curve to the left on the east margin of Diamondhead Drive North right of way having a central angle of  $32^{\circ}20'04''$ , an arc distance of 718.94 feet, a radius of 1273.95 feet, chord bearing and distance of North  $17^{\circ}29'32''$  West,709.44 feet to a capped rod set; THENCE northerly along said curve through a central angle of  $39^{\circ}35'31''$  an arc distance of 11.70 feet, a radius of 16.93 feet, chord bearing and distance of North  $5^{\circ}03'29''$  West,11.47 feet to a capped rod set; THENCE northeasterly along said curve through a central angle of  $26^{\circ}15'25''$  an arc distance of 74.64 feet, a radius of 162.87 feet, chord bearing and distance of North  $25^{\circ}20'18''$  East,73.99 feet to a capped rod set; THENCE northeasterly along said curve through a central angle of  $39^{\circ}35'38''$  an arc distance of 11.70 feet, a radius of 16.93 feet, chord bearing and distance of North  $56^{\circ}41'08''$  East,11.47 feet to a capped rod set at the south line of Diamondhead DRIVE East right of way; THENCE along said right of way North  $87^{\circ}41'00''$  East a distance of 148.34 feet to a capped rod set; THENCE southeasterly along said curve of said right of way through a central angle of  $38^{\circ}26'25''$  an arc distance of 287.40, a radius of 428.38 feet, chord bearing and distance of South  $66^{\circ}08'03''$  East,282.04 feet to a capped rod set; THENCE South  $43^{\circ}12'48''$  East a distance of 229.65 feet to a capped rod set; THENCE South  $48^{\circ}56'43''$  West a distance of 114.36 feet to a capped rod set; THENCE South  $41^{\circ}03'17''$  East a distance of 130.00 feet to a capped rod set; THENCE South  $48^{\circ}56'43''$  West a distance of 50.00 feet to a capped rod set; THENCE North  $89^{\circ}40'17''$  West a distance of 185.00 feet to a capped rod set; THENCE South  $7^{\circ}58'17''$  East a distance of 164.78 feet to a capped rod set; THENCE South  $17^{\circ}42'31''$  East a distance of 125.05 feet to a capped rod set; THENCE North  $89^{\circ}37'30''$  West a distance of 227.71 feet to the point of beginning;

Said Parcel Contains 259,787.43 square feet or 5.96 acres, more or less.

**GENERAL NOTES:**

1. The basis of bearings for this survey is the Mississippi State Plane Coordinate System, East Zone (2301), NAD 83, grid values, using a scale factor of 0.999950000 and a convergence angle of 00 degrees 00 minutes 00 seconds determined specifically for this project using G.P.S. methods from a base station located at N 19595.913, E 813140.499 obtained by an OPUS solution.
2. This survey was prepared without the benefit of a Title Search.
3. Date of this Mississippi Standards Class B Survey February 15, 2024.
4. A Property Description of even date herewith accompanies this Plat of Survey.
5. Reference material: all those deeds referenced hereon and recorded in the deed records, Hancock County, Mississippi.
6. ○ - IRON ROD FOUND  
● - IRON ROD SET



THIS IS TO CERTIFY THAT I HAVE CAUSED A SURVEY TO BE MADE ON THE ABOVE DESCRIBED PROPERTY AND THAT SAID SURVEY TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.



DANIEL A. OVERSTREET  
MISSISSIPPI P.S. - 3126  
DATE OF FIELD SURVEY: 2-15-2023



2300 14TH STREET  
GULFPORT, MISSISSIPPI 39501  
Office: (228)396-0486

5.96 AC. BOUNDARY SURVEY  
LOCATED IN SECTION 13  
TOWNSHIP 8 SOUTH, RANGE 14 WEST  
HANCOCK COUNTY, MISSISSIPPI

DRAWN: --- CHECK: --- DATE: --- SHEET: --- SCALE: 1" = --- PROJ #: ---

EXHIBIT

B

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:

Part of an unplotted section of  
Diamondhead Subdivision, Section 2,  
Township 8 South, Range 14 West,  
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

**DEED OF DEDICATION**

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2024, 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 \_\_\_\_\_, 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" less and except a portion described in 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 ONE UNDEVELOPED TRACT**

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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.

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Legal Description of the Undeveloped Tract:

See Exhibit "A" and Exhibit "B"

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

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 \_\_\_\_\_, 2024.

**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 he is the President of the Board of the Diamondhead Country Club & Property Owners Association, Inc. and that 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 \_\_\_\_\_, 2024.

\_\_\_\_\_  
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 \_\_\_\_\_, 2024.

\_\_\_\_\_  
NOTARY PUBLIC

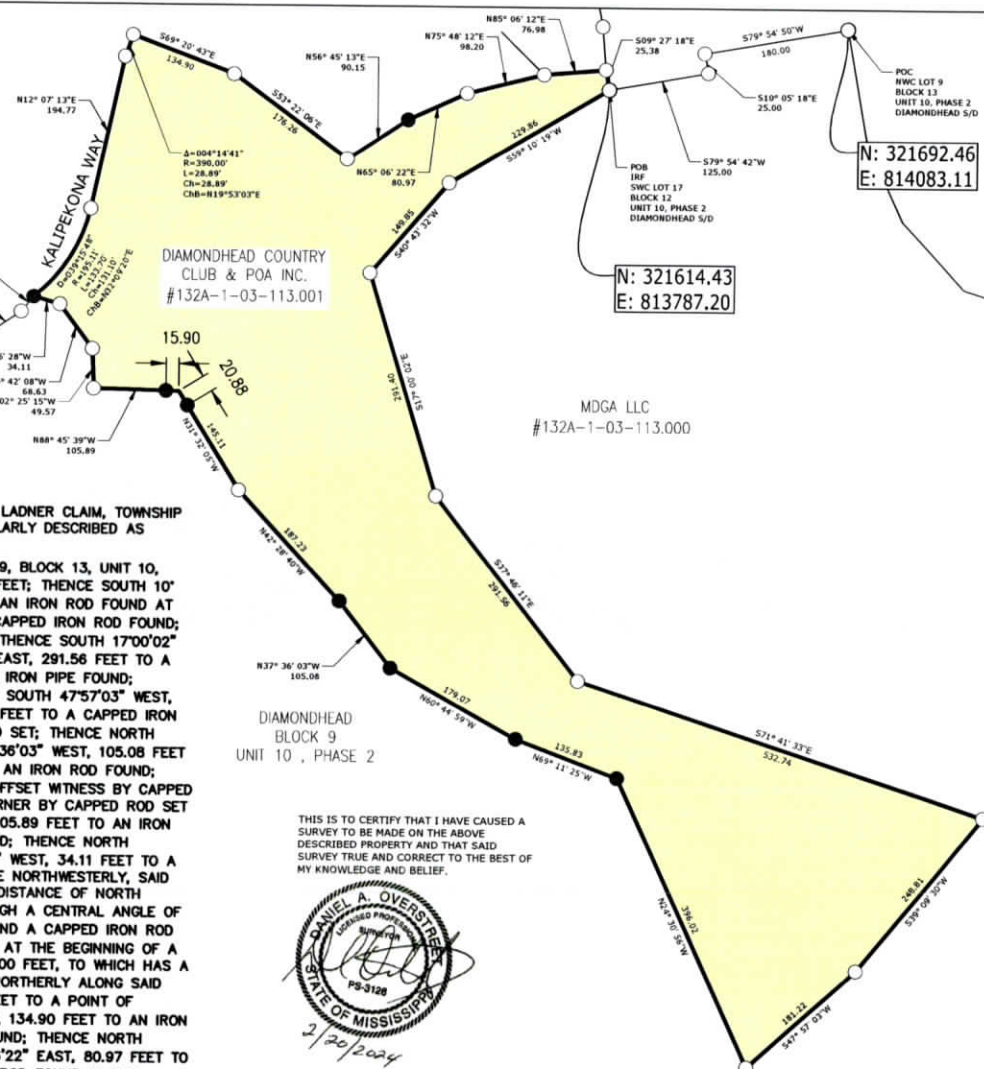
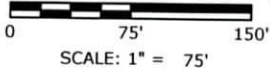
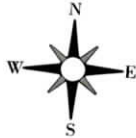
My Commission Expires:

\_\_\_\_\_

EXHIBIT A

**GENERAL NOTES:**

- The basis of bearings for this survey is the Mississippi State Plane Coordinate System, East Zone (2301), NAD 83, grid values, using a scale factor of 0.999950000 and a convergence angle of 00 degrees 00 minutes 00 seconds determined specifically for this project using G.P.S. methods from a base station located at N 19595.913, E 813140.499 obtained by an OPUS solution.
- This survey was prepared without the benefit of a Title Search.
- Date of this Mississippi Standards Class B Survey February 19, 2024.
- A Property Description of even date herewith accompanies this Plat of Survey.
- Reference material: all those deeds referenced hereon and recorded in the deed records, Hancock County, Mississippi.
- IRON ROD FOUND
  - IRON ROD SET



**LEGAL DESCRIPTION (TAX PARCEL NO 132A-1-03-113.001)**

A PARCEL OF LAND SITUATED IN DIAMONDHEAD, SECTION 2, AND THE JOHN B. LADNER CLAIM, TOWNSHIP 8 SOUTH RANGE 14 WEST, HANCOCK COUNTY, MISSISSIPPI, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING FROM AN IRON PIPE FOUND AT THE NORTHWEST CORNER OF LOT 9, BLOCK 13, UNIT 10, PHASE 2, DIAMONDHEAD SUBDIVISION; THENCE SOUTH 79° 54' 50" WEST, 180.00 FEET; THENCE SOUTH 10° 05' 18" EAST, 25.00 FEET; THENCE SOUTH 79° 54' 42" WEST, 125.00 FEET TO AN IRON ROD FOUND AT THE POINT OF BEGINNING; THENCE SOUTH 59° 10' 19" WEST, 229.86 FEET TO A CAPPED IRON ROD FOUND; THENCE SOUTH 40° 43' 32" WEST, 149.85 FEET TO A CAPPED IRON ROD FOUND; THENCE SOUTH 17° 00' 02" EAST, 291.40 FEET TO A CAPPED IRON ROD FOUND; THENCE SOUTH 37° 46' 11" EAST, 291.56 FEET TO A CAPPED IRON ROD FOUND; THENCE SOUTH 71° 41' 33" EAST, 532.74 FEET TO AN IRON PIPE FOUND; THENCE SOUTH 39° 09' 30" WEST, 248.81 FEET TO AN IRON ROD FOUND; THENCE SOUTH 47° 57' 03" WEST, 181.22 FEET TO AN IRON ROD FOUND; THENCE NORTH 24° 30' 56" WEST, 396.02 FEET TO A CAPPED IRON ROD SET; THENCE NORTH 69° 11' 25" WEST, 135.83 FEET TO A CAPPED IRON ROD SET; THENCE NORTH 60° 44' 59" WEST, 179.07 FEET TO A CAPPED IRON ROD SET; THENCE NORTH 37° 36' 03" WEST, 105.08 FEET TO A CAPPED IRON ROD SET; THENCE NORTH 42° 28' 40" WEST, 187.23 FEET TO AN IRON ROD FOUND; THENCE NORTH 31° 32' 05" WEST, 145.11 FEET TO A PROPERTY CORNER POINT (OFFSET WITNESS BY CAPPED ROD SET 20.88 FEET BEFORE THE CORNER ON LINE AND ANOTHER WITNESS CORNER BY CAPPED ROD SET BEARING NORTH 88° 45' 39" WEST, 15.90 FEET); THENCE NORTH 88° 45' 39" WEST, 105.89 FEET TO AN IRON ROD FOUND; THENCE NORTH 2° 25' 15" WEST, 49.57 FEET TO AN IRON ROD FOUND; THENCE NORTH 36° 42' 08" WEST, 88.83 FEET TO A CAPPED IRON ROD SET AT THE BEGINNING OF A NON-TANGENT CURVE CONCAVE NORTHWESTERLY, SAID CURVE HAS A RADIUS OF 195.11 FEET, TO WHICH HAS A CHORD BEARING AND DISTANCE OF NORTH 32° 09' 20" EAST, 131.10 FEET; THENCE NORTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 39° 15' 48" AN ARC DISTANCE OF 133.70 FEET TO A POINT OF NON-TANGENCY AND A CAPPED IRON ROD SET; THENCE NORTH 12° 07' 13" EAST, 194.77 FEET TO A CAPPED IRON ROD SET AT THE BEGINNING OF A NON-TANGENT CURVE CONCAVE EASTERLY, SAID CURVE HAS A RADIUS OF 390.00 FEET, TO WHICH HAS A CHORD BEARING AND DISTANCE OF NORTH 19° 53' 03" EAST, 28.89 FEET; THENCE NORTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 4° 14' 41" AN ARC DISTANCE OF 28.89 FEET TO A POINT OF NON-TANGENCY AND A CAPPED IRON ROD SET; THENCE SOUTH 69° 20' 43" EAST, 134.90 FEET TO AN IRON ROD FOUND; THENCE SOUTH 53° 22' 06" EAST, 176.26 FEET TO AN IRON ROD FOUND; THENCE NORTH 56° 45' 13" EAST, 90.15 FEET TO A CAPPED IRON ROD SET; THENCE NORTH 65° 06' 22" EAST, 80.97 FEET TO AN IRON ROD FOUND; THENCE NORTH 75° 48' 12" EAST, 98.20 FEET TO AN IRON ROD FOUND IN PVC; THENCE NORTH 85° 06' 12" EAST, 78.98 FEET TO AN IRON ROD FOUND; THENCE SOUTH 92° 18' EAST, 25.38 FEET TO THE POINT OF BEGINNING;

SAID PARCEL AREA CONTAINS 370,948.27 SQUARE FEET OR 8.51 ACRES, MORE OR LESS.

THIS IS TO CERTIFY THAT I HAVE CAUSED A SURVEY TO BE MADE ON THE ABOVE DESCRIBED PROPERTY AND THAT SAID SURVEY TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.



DANIEL A. OVERSTREET  
MISSISSIPPI P.S. - 3128  
DATE OF FIELD SURVEY: 2-19-2024



2300 14TH STREET  
GULFPORT, MISSISSIPPI 39501  
Office: (228)396-0486

8.51 ACRE BOUNDARY SURVEY  
LOCATED IN SECTION 2/ JOHN B. LADNER CLAIM  
TOWNSHIP 8 SOUTH, RANGE 14 WEST  
HANCOCK COUNTY, MISSISSIPPI

|                 |            |           |            |             |
|-----------------|------------|-----------|------------|-------------|
| DRAWN: ---      | CHECK: --- | DATE: --- | SHEET: --- | PROJ #: --- |
| SCALE: 1" = --- |            |           |            |             |

## EXHIBIT "B"

LEGAL DESCRIPTION (TAX PARCEL NO 132A-1-03-113.001) A PARCEL OF LAND SITUATED IN DIAMONDHEAD, SECTION 2, AND THE JOHN B. LADNER CLAIM, TOWNSHIP 8 SOUTH RANGE 14 WEST, HANCOCK COUNTY, MISSISSIPPI, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING FROM AN IRON PIPE FOUND AT THE NORTHWEST CORNER OF LOT 9, BLOCK 13, UNIT 10, PHASE 2, DIAMONDHEAD SUBDIVISION; THENCE SOUTH 79° 54' 50" WEST, 180.00 FEET; THENCE SOUTH 10° WEST, 180.00 FEET; THENCE SOUTH 10° 05' 18" EAST, 25.00 FEET; THENCE SOUTH 79° 54' 42" WEST, 125.00 FEET TO AN IRON ROD FOUND AT EAST, 25.00 FEET; THENCE SOUTH 79° 54' 42" WEST, 125.00 FEET TO AN IRON ROD FOUND AT WEST, 125.00 FEET TO AN IRON ROD FOUND AT THE POINT OF BEGINNING; THENCE SOUTH 59°10'19" WEST, 229.86 FEET TO A CAPPED IRON ROD FOUND; POINT OF BEGINNING; THENCE SOUTH 59°10'19" WEST, 229.86 FEET TO A CAPPED IRON ROD FOUND; ; THENCE SOUTH 59°10'19" WEST, 229.86 FEET TO A CAPPED IRON ROD FOUND; THENCE SOUTH 40°43'32" WEST, 149.85 FEET TO A CAPPED IRON ROD FOUND; THENCE SOUTH 17°00'02" EAST, 291.40 FEET TO A CAPPED IRON ROD FOUND; THENCE SOUTH 37°46'11" EAST, 291.56 FEET TO A CAPPED IRON ROD FOUND; THENCE SOUTH 71°41'33" EAST, 532.74 FEET TO AN IRON PIPE FOUND; THENCE SOUTH 39°09'30" WEST, 248.81 FEET TO AN IRON ROD FOUND; THENCE SOUTH 47°57'03" WEST, 181.22 FEET TO AN IRON ROD FOUND; THENCE NORTH 24°30'56" WEST, 396.02 FEET TO A CAPPED IRON ROD SET; THENCE NORTH 69°11'25" WEST, 135.83 FEET TO A CAPPED IRON ROD SET; THENCE NORTH 60°44'59" WEST, 179.07 FEET TO A CAPPED IRON ROD SET; THENCE NORTH 37°36'03" WEST, 105.08 FEET TO A CAPPED IRON ROD SET; THENCE NORTH 42°28'40" WEST, 187.23 FEET TO AN IRON ROD FOUND; THENCE NORTH 31°32'05" WEST, 145.11 FEET TO A PROPERTY CORNER POINT (OFFSET WITNESS BY CAPPED ROD SET 20.88 FEET BEFORE THE CORNER ON LINE AND ANOTHER WITNESS CORNER BY CAPPED ROD SET BEARING NORTH 88°45'39" WEST, 15.90 FEET); THENCE NORTH 88°45'39" WEST, 105.89 FEET TO AN IRON WEST, 15.90 FEET); THENCE NORTH 88°45'39" WEST, 105.89 FEET TO AN IRON ROD FOUND; THENCE NORTH 2°25'15" WEST, 49.57 FEET TO AN IRON ROD FOUND; THENCE NORTH 36°42'08" WEST, 68.63 FEET TO AN IRON ROD FOUND; THENCE NORTH 74°16'28" WEST, 34.11 FEET TO A CAPPED IRON ROD SET AT THE BEGINNING OF A NON-TANGENT CURVE CONCAVE NORTHWESTERLY, SAID CURVE HAS A RADIUS OF 195.11 FEET, TO WHICH HAS A CHORD BEARING AND DISTANCE OF NORTH 32°09'20" EAST, 131.10 FEET; THENCE NORTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 39°15'48" AN ARC DISTANCE OF 133.70 FEET TO A POINT OF NON-TANGENCY AND A CAPPED IRON ROD SET; THENCE NORTH 12°07'13" EAST, 194.77 FEET TO A CAPPED IRON ROD SET AT THE BEGINNING OF A NON-TANGENT CURVE CONCAVE EASTERLY, SAID CURVE HAS A RADIUS OF 390.00 FEET, TO WHICH HAS A CHORD BEARING AND DISTANCE OF NORTH 19°53'03" EAST, 28.89 FEET; THENCE NORTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 4°14'41" AN ARC DISTANCE OF 28.89 FEET TO A POINT OF NON-TANGENCY AND A CAPPED IRON ROD SET; THENCE SOUTH 69°20'43" EAST, 134.90 FEET TO AN IRON ROD FOUND; THENCE SOUTH 53°22'06" EAST, 176.26 FEET TO

AN IRON ROD FOUND; THENCE NORTH 56°45'13" EAST, 90.15 FEET TO A CAPPED IRON ROD SET; THENCE NORTH 65°06'22" EAST, 80.97 FEET TO AN IRON ROD FOUND; THENCE NORTH 75°48'12" EAST, 98.20 FEET TO AN IRON ROD FOUND IN PVC; THENCE NORTH 85°06'12" EAST, 76.98 FEET TO AN IRON ROD FOUND; THENCE SOUTH 9°27'18" EAST, 25.38 FEET TO THE POINT OF BEGINNING; SAID PARCEL AREA CONTAINS 370,948.27 SQUARE FEET OR 8.51 ACRES, MORE OR LESS.

LESS AND EXCEPT :

A parcel of land situated and being located in a part of Section 2, and the John B. Ladner Claim, Township 8 South, Range 14 West, City of Diamondhead, Hancock County, Mississippi and being more particularly described as follows, to-wit:

COMMENCING at a 3/4-inch iron rod marking the northeast corner of Lot 1, Block 10, DIAMONDHEAD, Unit 10, Phase 2, said point being on the southerly margin of Hoaka Lane; thence run North 24 degrees 23 minutes 14 seconds West along the easterly end of Hoaka Lane a distance of 35.07 feet to a 1/2-inch iron rod at the POINT OF BEGINNING of the parcel herein described;

Thence continue from said POINT OF BEGINNING, North 24 degrees 23 minutes 14 seconds West along the easterly end of Hoaka Lane a distance of 14.93 feet to a 3/4-inch iron rod at the southeast corner of Lot 26, Block 9, DIAMONDHEAD, Unit 10, Phase 2, said point being on the northerly margin of Hoaka Lane; thence run North 65 degrees 50 minutes 17 seconds East a distance of 46.77 feet to a 3/4-inch iron rod; thence run South 48 degrees 06 minutes 52 seconds West a distance of 49.03 feet to the POINT OF BEGINNING.

Said parcel contains 349 square feet, more or less.