

PREPARED BY & RETURN TO:
DEREK R. CUSICK (MS BAR#10653)
SEAN J. TINDELL (MS BAR #100320)
TINDELL LAW FIRM, PLLC
1720 23RD AVENUE
GULFPORT, MS 39501
(228) 896-8962
(228) 205-4457 facsimile

INDEXING INSTRUCTIONS:

SEC 13, TOWNSHIP 8 S, RANGE
14 W, CITY OF DIAMONDHEAD,
HANCOCK COUNTY, MISSISSIPPI

GRANTOR'S ADDRESS
PURCELL CO., INC.
4401 E. ALOHA DRIVE
DIAMONDHEAD, MS 39525
(228) 255-7773

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 2ND day of JUNE,
2016, by and between PURCELL CO., INC. ("Purcell"), GRANTOR, and THE CITY OF
DIAMONDHEAD, a municipality created and existing under the State of Mississippi
("City"), GRANTEE.

****WITNESSETH****

WHEREAS, Purcell 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 agrees to construct a public street and assume the cost and responsibilities for maintaining same; and

WHEREAS, on or about MAY 17, 2016, 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 "B"; and

WHEREAS, on MAY 24, 2016, the Board of Directors of Purcell 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 Directors on Exhibit "C",

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 hereby dedicates, grants, conveys, covenants and agrees as follows:

DEDICATION OF RIGHT-OF-WAY

For and in consideration of the City accepting the property and constructing a public street, Purcell, being the sole owner of, and the only party having any interest in, the street, 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 public street and right-of-way, the property described herein below and improvements thereon and appurtenances thereto. 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.

It is specifically understood that a roadway exists on the conveyance and that said roadway does not meet the standards of the City for public streets. It is further understood and agreed that the City hereby agrees that within three (3) years of the date of this conveyance the City will improve the existing roadway to meet the City's construction standards for public streets.

Legal Description of Right-of-Way:

Commencing at the southwesterly corner of Lot 22, Block 13, Unit 1, Phase 1, Diamondhead Subdivision as recorded in Plat Book 4 at Page 1; thence S 00°09'39" W 312.85 feet to a point; thence S 52°54'59" E 405.11 feet to a ½" rebar found; thence S 64°12'50" E 188.15 feet to a ½" rebar found; thence S 64°10'56" E 328.12 feet to a ½" rebar found; thence S 44°06'09" E 297.33 feet to a ½" rebar found; thence S 44°12'34" E 212.74 feet to a ½" rebar found; thence S 00°12'32" W 76.59 feet to a ½" rebar found and being the Point of Beginning; thence N 55°05'27" E 145.00 feet to a ½" rebar found; thence N 57°29'07" E 92.13 feet to a ½" rebar found; thence N 78°07'51" E 267.67 feet to a ½" rebar found; thence N 68°07'10" E 81.07 feet to a ½" rebar found; thence N 81°07'26" E 242.85 feet to a ½" rebar found; thence S 21°27'01" E 51.28 feet to a ½" rebar found; thence S 81°07'50" W 248.33 feet to a ½" rebar found; thence S 68°10'27" W 79.78 feet to a ½" rebar found; thence S 78°08'06" W 262.84 feet to a ½" rebar found; thence S 57°30'35" W 82.18 feet to a ½" rebar found; thence S 55°03'36" W 168.40 feet to a ½" rebar found; thence S 74°45'49" W 8.97 feet to a ½" rebar found; thence N 00°12'32" E 57.43 feet to the Point of Beginning. Said parcel of land contains 0.96 acre, more or less.

See attached Exhibit "A"-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 2ND day of JUNE, 2016.

GRANTOR:

PURCELL CO., INC.

BY: Artis E. James, Jr.

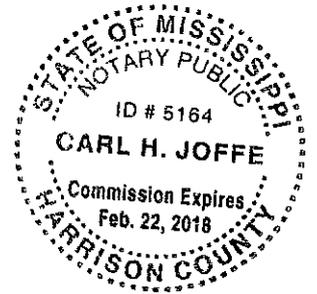
STATE OF MISSISSIPPI
COUNTY OF HANCOCK

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 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 2ND day of JUNE, 2016.

Carl H. Joffe
NOTARY PUBLIC

My Commission Expires:
2-22-2018



GRANTEE:

CITY OF DIAMONDHEAD, MISSISSIPPI

BY: Thomas Schafer, IV
THOMAS SCHAFER, IV, MAYOR

STATE OF MISSISSIPPI
COUNTY OF HANCOCK

Personally appeared before me, the undersigned Notary Public, the within named Thomas Schafer, IV, who acknowledged that he is Mayor 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 9th day of June, 2016.

Jeannie S. Klein
NOTARY PUBLIC

My Commission Expires:
ID # 32075
JEANNIE S. KLEIN
Commission Expires
March 9, 2019



EXHIBIT "B"
To
DEED OF DEDICATION

Resolution # 2016-021
Agenda Item 2016-086

RESOLUTION AUTHORIZING THE MAYOR AND CITY COUNCIL (THE "GOVERNING BODY") OF THE CITY OF DIAMONDHEAD, MISSISSIPPI (THE "CITY"), TO ACQUIRE, BY DONATION, CERTAIN REAL PROPERTY LOCATED WITHIN THE CITY FROM DONOR, PURCELL COMPANY, INC.

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 is in need of acquiring certain real property for roadway purposes that is currently owned by Purcell Company, Inc.
2. The City is authorized to acquire real property pursuant to Miss. Code Ann §21-17-1.
3. Purcell Company, Inc., has expressed a willingness to donate the property legally described in two surveys completed by Seymour Engineering and attached hereto as Exhibit "A" and Exhibit "B" to this resolution
4. The City is willing to accept the donation of the aforementioned property.

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

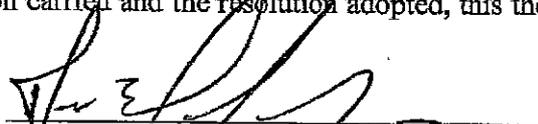
SECTION 1. That the Governing Body of the City will accept the donation of the aforementioned property.

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 to execute any necessary documentation to effectuate the donation of the subject property and, for the Mayor to execute the two Dedication Deeds on behalf of the City attached collectively hereto as Exhibit "C."

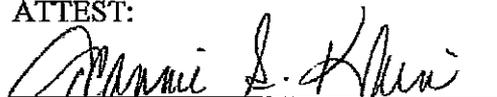
The above and foregoing resolution, after having been first reduced to writing, was introduced by Councilmember Rech, seconded by Councilmember Knobloch and the question being put to a roll call vote, the result was as follows:

	Aye	Nay	Absent
Councilmember Knobloch	✓	—	—
Councilmember Woolbright	✓	—	—
Councilmember Lopez	—	—	✓
Councilmember Rech	✓	—	—
Councilmember Sislow	✓	—	—
Mayor Schafer	✓	—	—

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 17th day of May, 2016.


THOMAS E. SCHAFFER, IV, MAYOR

ATTEST:


JEANNIE S. KLEIN, CITY CLERK



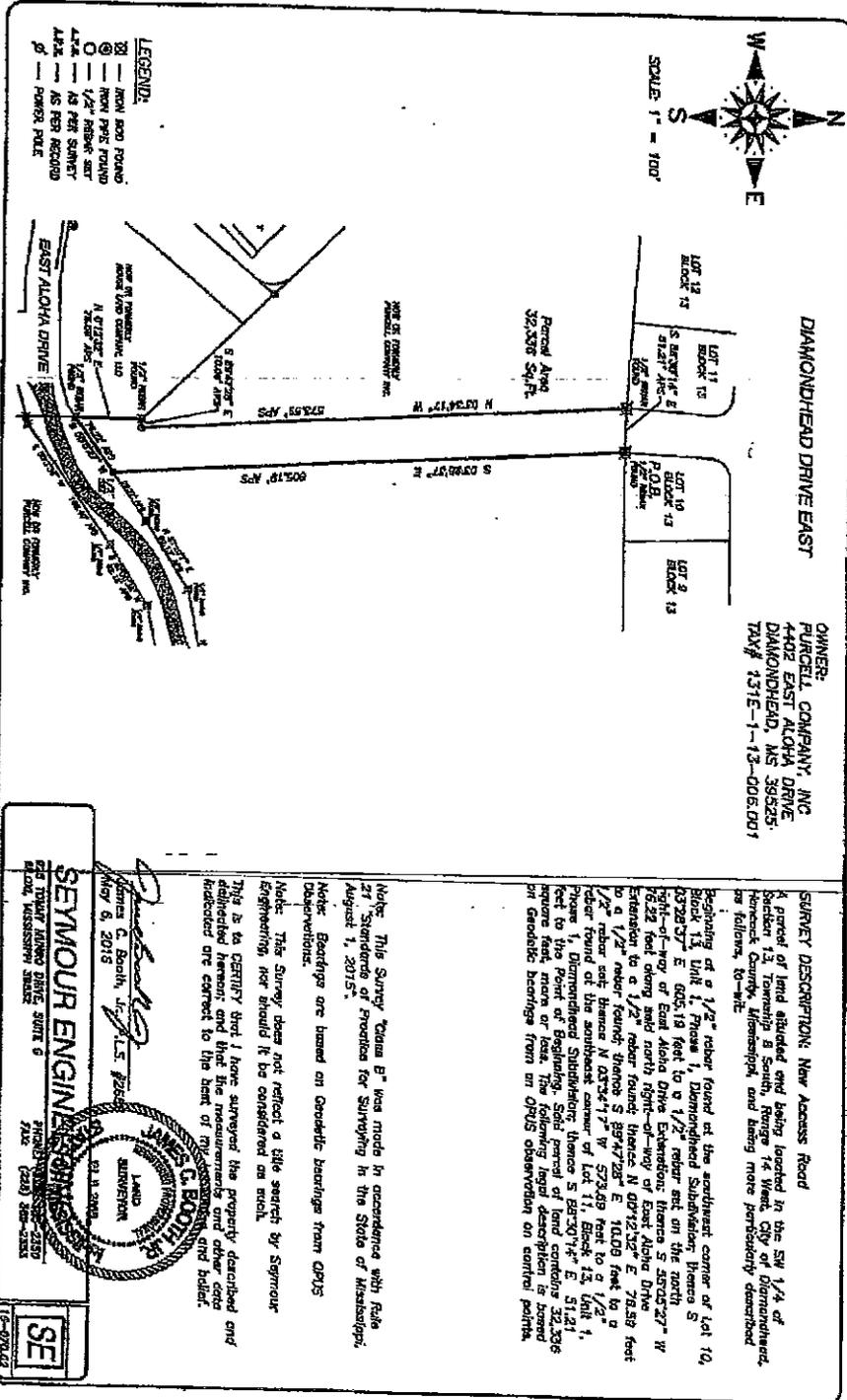


EXHIBIT "C"
To
CITY RESOLUTION

PREPARED BY & RETURN TO:

DEREK R. CUSICK (MS BAR#10653)
SEAN J. TINDELL (MS BAR #100320)
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WHEREAS, the City wishes to acquire the property and agrees to construct a public street and assume the cost and responsibilities for maintaining same; and

WHEREAS, on or about _____, 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 "B"; and

WHEREAS, on _____, the Board of Directors of Purcell 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 Directors on Exhibit "C",

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EXECUTED, this the _____ day of _____, 2016.

GRANTOR:

PURCELL CO., 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 Purcell Co., 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 _____, 2016.

NOTARY PUBLIC

My Commission Expires:

GRANTEE:

CITY OF DIAMONDHEAD, MISSISSIPPI

BY: _____
THOMAS SCHAFER, IV, MAYOR

STATE OF MISSISSIPPI
COUNTY OF HANCOCK

Personally appeared before me, the undersigned Notary Public, the within named Thomas Schafer, IV, who acknowledged that he is Mayor 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.

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NOTARY PUBLIC

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("City"), GRANTEE.

Legal Description of Right-of-Way:

Beginning at a 1/2" rebar found at the southwest corner of Lot 10, Block 13, Unit 1, Phase 1, Diamondhead Subdivision; thence S 03°28'37" E 605.19 feet to a 1/2" rebar set on the north right-of-way of East Aloha Drive Extension; thence S 55°05'27" W 76.22 feet along said right-of-way of East Aloha Drive Extension to a 1/2" rebar found; thence N 00°12'32" E 76.59 feet to a 1/2" rebar found; thence S 89°47'28" E 10.06 feet to a 1/2" rebar set; thence N 03°34'17" W 573.59 feet to a 1/2" rebar found at the southeast corner of Lot 11, Block 13, Unit 1, Phase 1, Diamondhead Subdivision; thence S 88°30'14" E 51.21 feet to the Point of Beginning. Said parcel of land contains 32,336 square feet, more or less. The following legal description is based on geodetic bearings from an OPUS observation on control points.

See attached Exhibit "A"-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.

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GRANTOR:

PURCELL CO., 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 Purcell Co., 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 _____, 2016.

NOTARY PUBLIC

My Commission Expires:

GRANTEE:

CITY OF DIAMONDHEAD, MISSISSIPPI

**BY: _____
THOMAS SCHAFFER, IV, MAYOR**

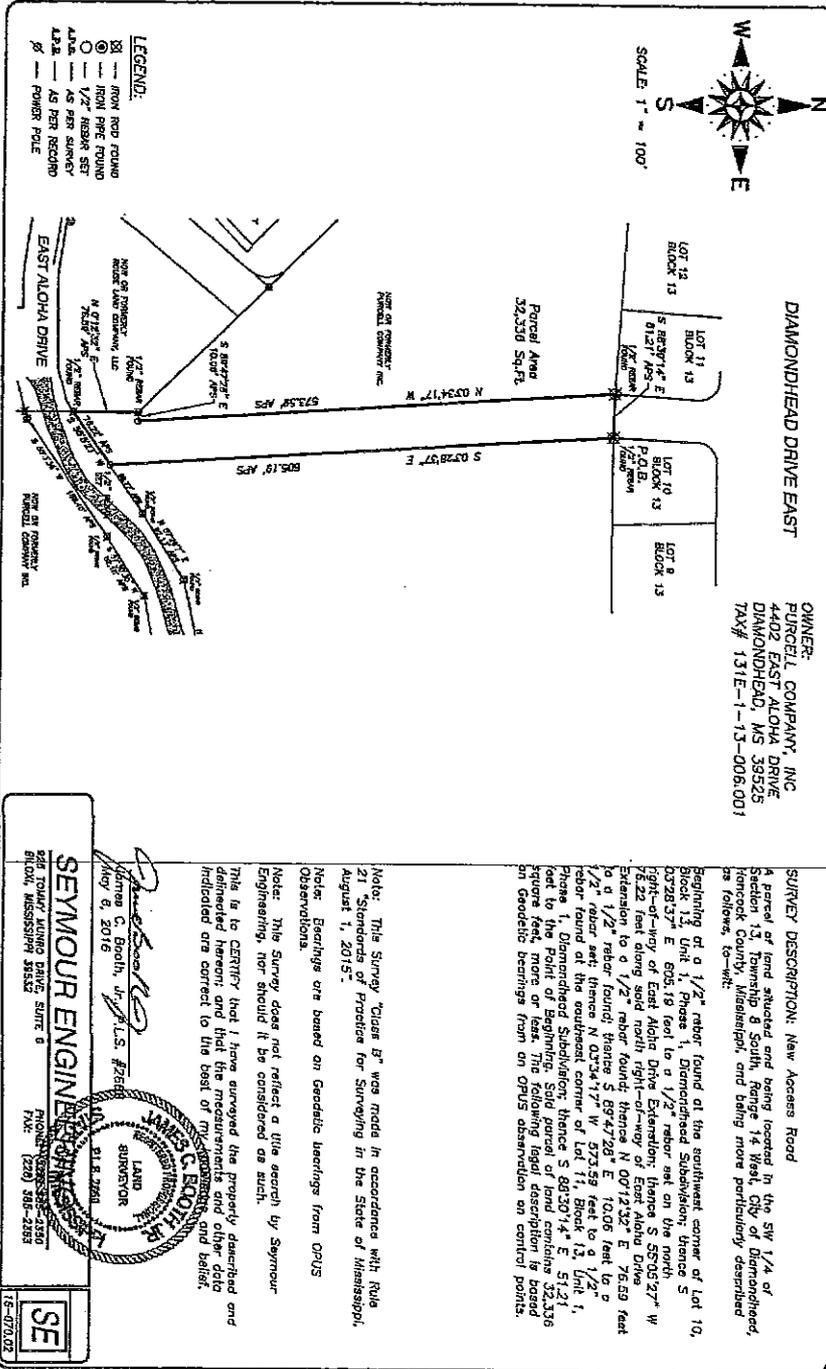
STATE OF MISSISSIPPI
COUNTY OF HANCOCK

Personally appeared before me, the undersigned Notary Public, the within named Thomas Schaffer, IV, who acknowledged that he is Mayor 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 _____, 2016.

NOTARY PUBLIC

My Commission Expires:



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 EXHIBIT
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PAGE 18 of 23

EXHIBIT "C"
To
DEED OF DEDICATION

**ACTION BY UNANIMOUS WRITTEN CONSENT
OF THE BOARD OF DIRECTORS OF
PURCELL CO, INC.**

The undersigned, being all of the members of the Board of Directors of Purcell Co., Inc., a Delaware Corporation (the "Corporation"), hereby waive any and all requirements of the holding of a meeting of the Board of Directors of the Corporation, and pursuant to the provisions of Section 141(f) of the General Corporation Law of the State of Delaware, hereby adopt, by this unanimous written consent, the following Resolutions, with the same force and effect as if it had been unanimously adopted at a duly convened meeting of the Board of Directors of the Corporation at which a quorum was present and acting throughout.

RESOLVED that the Corporation does hereby approve the conveyance of those certain tracts of real property owned by the Corporation to the City of Diamondhead for the construction of public roadways as more particularly described on the attached Exhibits "A" and "B", and otherwise upon such terms as may be determined by the President or any Vice President of this Corporation, as either of them in their sole discretion may deem necessary, appropriate or desirable in order to carry out the transactions contemplated herein.

RESOLVED FURTHER that the said President or any Vice President are hereby authorized to execute any and all documents as are necessary or requested to consummate the transactions contemplated herein, in the name of and on behalf of the Corporation, and to take from time to time any other actions which either of such parties shall, in their sole discretion, determine to be appropriate to effectuate and the transactions, upon such terms and conditions as either shall determine to be appropriate.

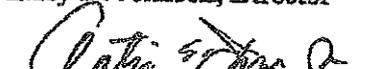
RESOLVED FURTHER that any and all other actions heretofore taken by the said President or any Vice President, in the name of and on behalf of the Corporation, to consummate the transactions authorized by the foregoing resolutions, or to take any of the actions authorized by the foregoing resolutions, are hereby approved, ratified, and confirmed in all respects.

RESOLVED FURTHER that any third party receiving a duly executed copy or facsimile of this consent may rely on the resolutions set forth herein, and that revocation or termination of the resolutions set forth herein shall not be effective as to such third party unless and until actual notice or knowledge of such revocation shall have been received by such third party.

RESOLVED FURTHER that this Consent of Directors may be signed in duplicate originals, which taken together, shall be treated as a true original.

DATED as of the 24th day of May, 2016.


Larry D. Johnson, Director


Artis E. James, Jr., Director


R. Tom Powers, Director

Exhibit "A"

Legal Description of Right-of-Way:

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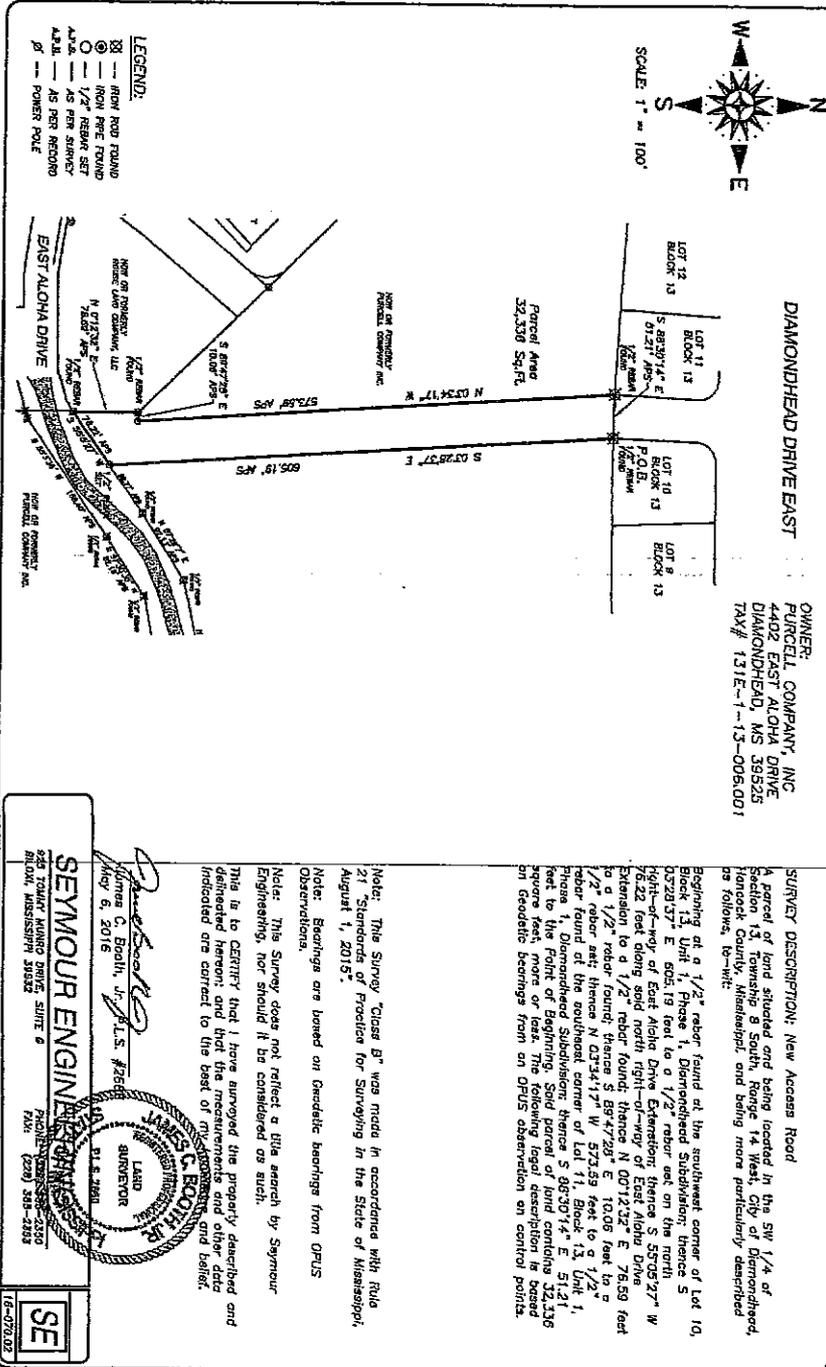


EXHIBIT
"A"

PAGE 21 OF 23

Exhibit "B"

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2016 6732
Recorded in the Above
Deed Book & Page
06-09-2016 11:46:27 AM
Timothy A Keller
Hancock County

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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 Right-of-Way:

Beginning at a 1/2" rebar found at the southwest corner of Lot 10, Block 13, Unit 1, Phase 1, Diamondhead Subdivision; thence S 03°28'37" E 605.19 feet to a 1/2" rebar set on the north right-of-way of East Aloha Drive Extension; thence S 55°05'27" W 76.22 feet along said right-of-way of East Aloha Drive Extension to a 1/2" rebar found; thence N 00°12'32" E 76.59 feet to a 1/2" rebar found; thence S 89°47'28" E 10.06 feet to a 1/2" rebar set; thence N 03°34'17" W 573.59 feet to a 1/2" rebar found at the southeast corner of Lot 11, Block 13, Unit 1, Phase 1, Diamondhead Subdivision; thence S 88°30'14" E 51.21 feet to the Point of Beginning. Said parcel of land contains 32,336 square feet, more or less. The following legal description is based on geodetic bearings from an OPUS observation on control points.

See attached Exhibit "A"-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 2ND day of JUNE, 2016.

GRANTOR:

PURCELL CO., INC.

BY: *Artis E. James Jr*

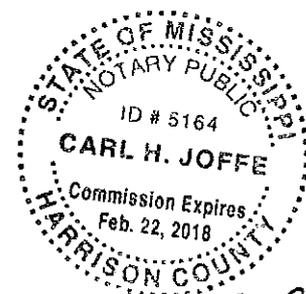
STATE OF MISSISSIPPI
COUNTY OF HANCOCK

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 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 2ND day of JUNE, 2016.

Carl H. Joffe
NOTARY PUBLIC

My Commission Expires:
2-22-2016



GRANTEE:

CITY OF DIAMONDHEAD, MISSISSIPPI

BY: *Thomas Schafer, IV*
THOMAS SCHAFER, IV, MAYOR

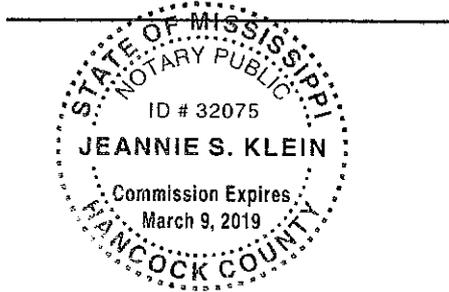
STATE OF MISSISSIPPI
COUNTY OF HANCOCK

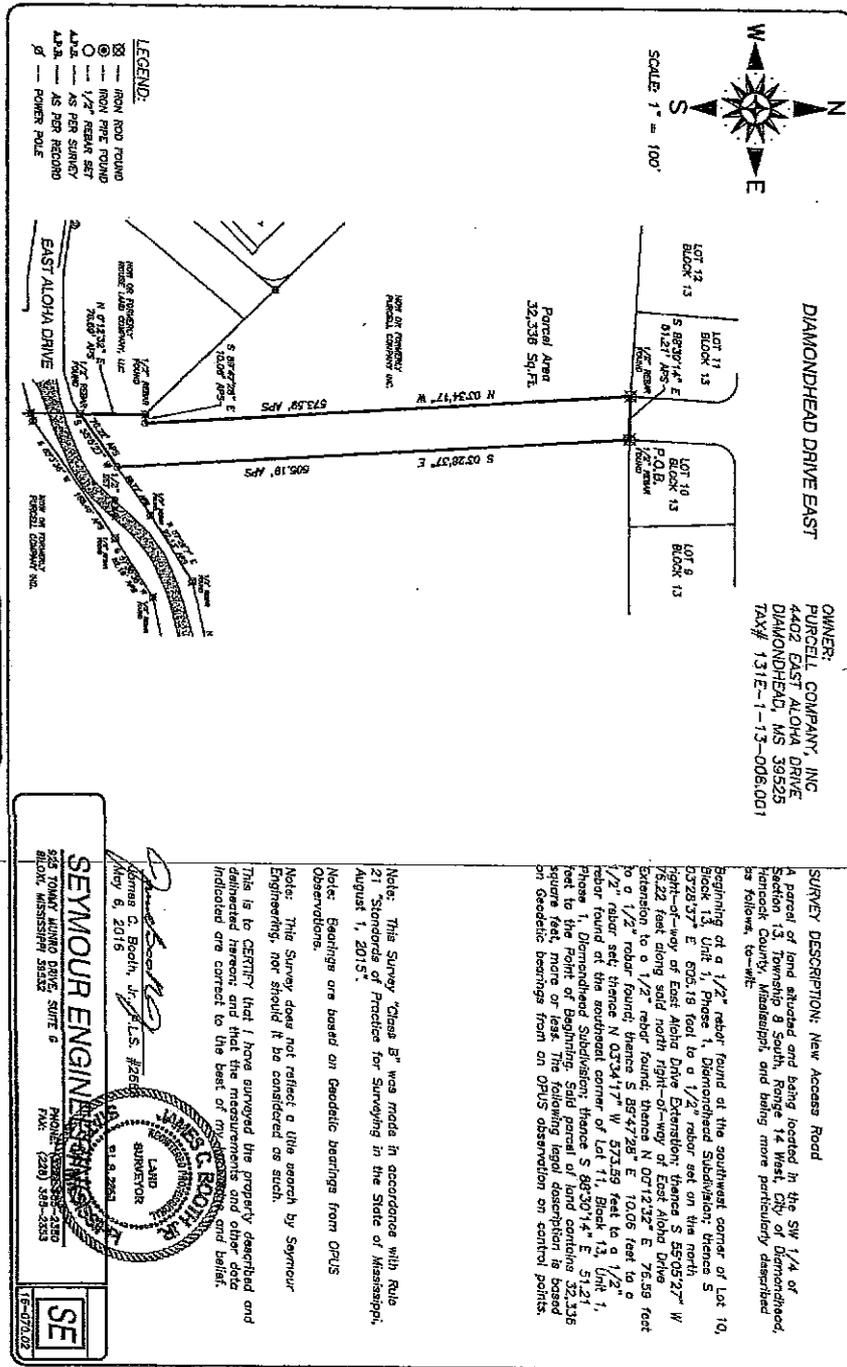
Personally appeared before me, the undersigned Notary Public, the within named Thomas Schafer, IV, who acknowledged that he is Mayor of the City of Diamondhead, Mississippi, and that in said representative capacity he signed and delivered this instrument on the day and year herein mentioned, after first having been duly authorized to do so.

GIVEN UNDER MY HAND AND SEAL this the *9th* day of *June*, 2016.

Jeannie S. Klein
NOTARY PUBLIC

My Commission Expires:





OWNER:
PURCELL COMPANY, INC.
4402 EAST ALOHA DRIVE
DIAMONDHEAD, MS 39325
TAX# 131E-1-13-006.001

SURVEY DESCRIPTION: New Access Road
A parcel of land situated and being located in the SW 1/4 of Section 13, Township 8 South, Range 14 West, City of Diamondhead, Hancock County, Mississippi, and being more particularly described as follows, to-wit:

Beginning at a 1/2" rebar found at the southwest corner of Lot 10, Block 13, Unit 1, Phase 1, Diamondhead Subdivision; thence S 03°25'37" E 605.18 feet to a 1/2" rebar set on the north right-of-way of East Aloha Drive Extension; thence S 55°05'27" W 76.22 feet along said north right-of-way of East Aloha Drive Extension to a 1/2" rebar found; thence N 00°12'32" E 76.59 feet to a 1/2" rebar found; thence S 89°47'28" E 10.06 feet to a 1/2" rebar found at the southeast corner of Lot 11, Block 13, Unit 1, Phase 1, Diamondhead Subdivision; thence S 88°30'14" E 51.21 feet to the Point of Beginning; said parcel of land contains 32,336 square feet, more or less. The following legal description is based on geodetic bearings from an OPUS observation on control points.

Note: This Survey "Class B" was made in accordance with Rule 21 Standards of Practice for Surveying in the State of Mississippi, August 1, 2015.

Note: Bearings are based on Geodetic bearings from OPUS Observations.

Note: This Survey does not reflect a title search by Seymour Engineering, nor should it be considered as such.
This is to CERTIFY that I have surveyed the property described and delineated hereon; and that the measurements and other data included are correct to the best of my knowledge and belief.

Seymour Engineering
James C. Booth, Jr. S.L.S. #268
May 6, 2016
SEYMOUR ENGINEERING
555 TOWN LINDO DRIVE, SUITE 6
BILOXI, MISSISSIPPI 39312
PHONE: (601) 358-2350
FAX: (228) 358-2353
15-071.02

tabbles
EXHIBIT
"A"

EXHIBIT "B"
To
DEED OF DEDICATION

Resolution # 2016-021
Agenda Item 2016-086

RESOLUTION AUTHORIZING THE MAYOR AND CITY COUNCIL (THE "GOVERNING BODY") OF THE CITY OF DIAMONDHEAD, MISSISSIPPI (THE "CITY"), TO ACQUIRE, BY DONATION, CERTAIN REAL PROPERTY LOCATED WITHIN THE CITY FROM DONOR, PURCELL COMPANY, INC.

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 is in need of acquiring certain real property for roadway purposes that is currently owned by Purcell Company, Inc.
2. The City is authorized to acquire real property pursuant to Miss. Code Ann §21-17-1.
3. Purcell Company, Inc., has expressed a willingness to donate the property legally described in two surveys completed by Seymour Engineering and attached hereto as Exhibit "A" and Exhibit "B" to this resolution
4. The City is willing to accept the donation of the aforementioned property.

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

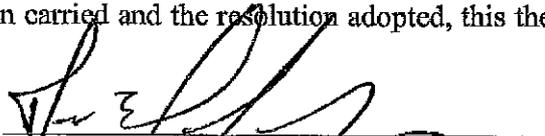
SECTION 1. That the Governing Body of the City will accept the donation of the aforementioned property.

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 to execute any necessary documentation to effectuate the donation of the subject property and, for the Mayor to execute the two Dedication Deeds on behalf of the City attached collectively hereto as Exhibit "C."

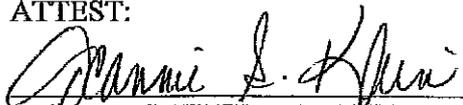
The above and foregoing resolution, after having been first reduced to writing, was introduced by Councilmember Rech, seconded by Councilmember Knobloch and the question being put to a roll call vote, the result was as follows:

	Aye	Nay	Absent
Councilmember Knobloch	✓	___	___
Councilmember Woolbright	✓	___	___
Councilmember Lopez	___	___	✓
Councilmember Rech	✓	___	___
Councilmember Sislow	✓	___	___
Mayor Schafer	✓	___	___

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 17th day of May, 2016.


THOMAS E. SCHAFFER, IV, MAYOR

ATTEST:


JEANNIE S. KLEIN, CITY CLERK



Resolution # 2016-021
Agenda Item 2016-086

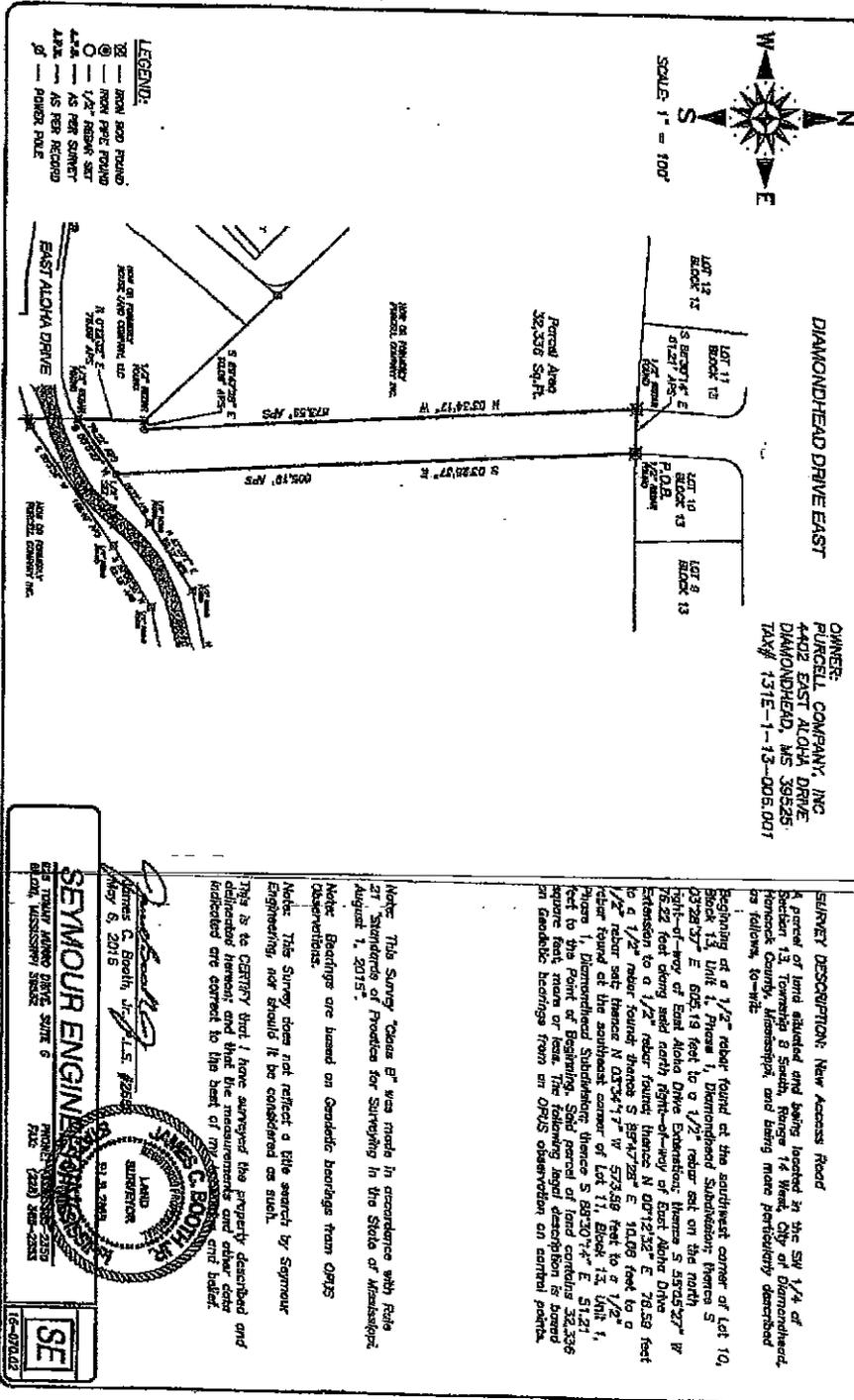


EXHIBIT
"A"

EXHIBIT "C"
To
CITY RESOLUTION

PREPARED BY & RETURN TO:
DEREK R. CUSICK (MS BAR#10653)
SEAN J. TINDELL (MS BAR #100320)
TINDELL LAW FIRM, PLLC
1720 23RD AVENUE
GULFPORT, MS 39501
(228) 896-8962
(228) 205-4457 facsimile

INDEXING INSTRUCTIONS:

SEC 13, TOWNSHIP 8 S, RANGE
14 W, CITY OF DIAMONDHEAD,
HANCOCK COUNTY, MISSISSIPPI

GRANTOR'S ADDRESS
PURCELL CO., INC.
4401 E. ALOHA DRIVE
DIAMONDHEAD, MS 39525
(228) 255-7773

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 _____,
2016, by and between PURCELL CO., INC. ("Purcell"), GRANTOR, and THE CITY OF
DIAMONDHEAD, a municipality created and existing under the State of Mississippi
("City"), GRANTEE.

****WITNESSETH****

WHEREAS, Purcell 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 agrees to construct a public street and assume the cost and responsibilities for maintaining same; and

WHEREAS, on or about _____, 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 "B"; and

WHEREAS, on _____, the Board of Directors of Purcell 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 Directors on Exhibit "C";

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 hereby dedicates, grants, conveys, covenants and agrees as follows:

DEDICATION OF RIGHT-OF-WAY

For and in consideration of the City accepting the property and constructing a public street, Purcell, being the sole owner of, and the only party having any interest in, the street, 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 public street and right-of-way, the property described herein below and improvements thereon and appurtenances thereto. 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.

It is specifically understood that a roadway exists on the conveyance and that said roadway does not meet the standards of the City for public streets. It is further understood and agreed that the City hereby agrees that within three (3) years of the date of this conveyance the City will improve the existing roadway to meet the City's construction standards for public streets.

Legal Description of Right-of-Way:

Commencing at the southwesterly corner of Lot 22, Block 13, Unit 1, Phase 1, Diamondhead Subdivision as recorded in Plat Book 4 at Page 1; thence S 00°09'39" W 312.85 feet to a point; thence S 52°54'59" E 405.11 feet to a ½" rebar found; thence S 64°12'50" E 188.15 feet to a ½" rebar found; thence S 64°10'56" E 328.12 feet to a ½" rebar found; thence S 44°06'09" E 297.33 feet to a ½" rebar found; thence S 44°12'34" E 212.74 feet to a ½" rebar found; thence S 00°12'32" W 76.59 feet to a ½" rebar found and being the Point of Beginning; thence N 55°05'27" E 145.00 feet to a ½" rebar found; thence N 57°29'07" E 92.13 feet to a ½" rebar found; thence N 78°07'51" E 267.67 feet to a ½" rebar found; thence N 68°07'10" E 81.07 feet to a ½" rebar found; thence N 81°07'26" E 242.85 feet to a ½" rebar found; thence S 21°27'01" E 51.28 feet to a ½" rebar found; thence S 81°07'50" W 248.33 feet to a ½" rebar found; thence S 68°10'27" W 79.78 feet to a ½" rebar found; thence S 78°08'06" W 262.84 feet to a ½" rebar found; thence S 57°30'35" W 82.18 feet to a ½" rebar found; thence S 55°03'36" W 168.40 feet to a ½" rebar found; thence S 74°45'49" W 8.97 feet to a ½" rebar found; thence N 00°12'32" E 57.43 feet to the Point of Beginning. Said parcel of land contains 0.96 acre, more or less.

See attached Exhibit "A"-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 _____, 2016.

GRANTOR:

PURCELL CO., 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 Purcell Co., 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 _____, 2016.

NOTARY PUBLIC

My Commission Expires:

GRANTEE:

CITY OF DIAMONDHEAD, MISSISSIPPI

BY: _____
THOMAS SCHAFFER, IV, MAYOR

STATE OF MISSISSIPPI
COUNTY OF HANCOCK

Personally appeared before me, the undersigned Notary Public, the within named Thomas Schaffer, IV, who acknowledged that he is Mayor 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 _____, 2016.

NOTARY PUBLIC

My Commission Expires:

PREPARED BY & RETURN TO:
DEREK R. CUSICK (MS BAR#10653)
SEAN J. TINDELL (MS BAR #100320)
TINDELL LAW FIRM, PLLC
1720 23RD AVENUE
GULFPORT, MS 39501
(228) 896-8962
(228) 205-4457 facsimile

INDEXING INSTRUCTIONS:

SEC 13, TOWNSHIP 8 S, RANGE
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HANCOCK COUNTY, MISSISSIPPI

GRANTOR'S ADDRESS
PURCELL CO., INC.
4401 E. ALOHA DRIVE
DIAMONDHEAD, MS 39525
(228) 255-7773

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 _____, 2016, by and between PURCELL CO., INC. ("Purcell"), GRANTOR, and THE CITY OF DIAMONDHEAD, a municipality created and existing under the State of Mississippi ("City"), GRANTEE.

Legal Description of Right-of-Way:

Beginning at a 1/2" rebar found at the southwest corner of Lot 10, Block 13, Unit 1, Phase 1, Diamondhead Subdivision; thence S 03°28'37" E 605.19 feet to a 1/2" rebar set on the north right-of-way of East Aloha Drive Extension; thence S 55°05'27" W 76.22 feet along said right-of-way of East Aloha Drive Extension to a 1/2" rebar found; thence N 00°12'32" E 76.59 feet to a 1/2" rebar found; thence S 89°47'28" E 10.06 feet to a 1/2" rebar set; thence N 03°34'17" W 573.59 feet to a 1/2" rebar found at the southeast corner of Lot 11, Block 13, Unit 1, Phase 1, Diamondhead Subdivision; thence S 88°30'14" E 51.21 feet to the Point of Beginning. Said parcel of land contains 32,336 square feet, more or less. The following legal description is based on geodetic bearings from an OPUS observation on control points.

See attached Exhibit "A"-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 _____, 2016.

GRANTOR:
PURCELL CO., 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 Purcell Co., 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 _____, 2016.

NOTARY PUBLIC

My Commission Expires:

GRANTEE:

CITY OF DIAMONDHEAD, MISSISSIPPI

BY: _____
THOMAS SCHAFFER, IV, MAYOR

STATE OF MISSISSIPPI
COUNTY OF HANCOCK

Personally appeared before me, the undersigned Notary Public, the within named Thomas Schaffer, IV, who acknowledged that he is Mayor 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 _____, 2016.

NOTARY PUBLIC

My Commission Expires:

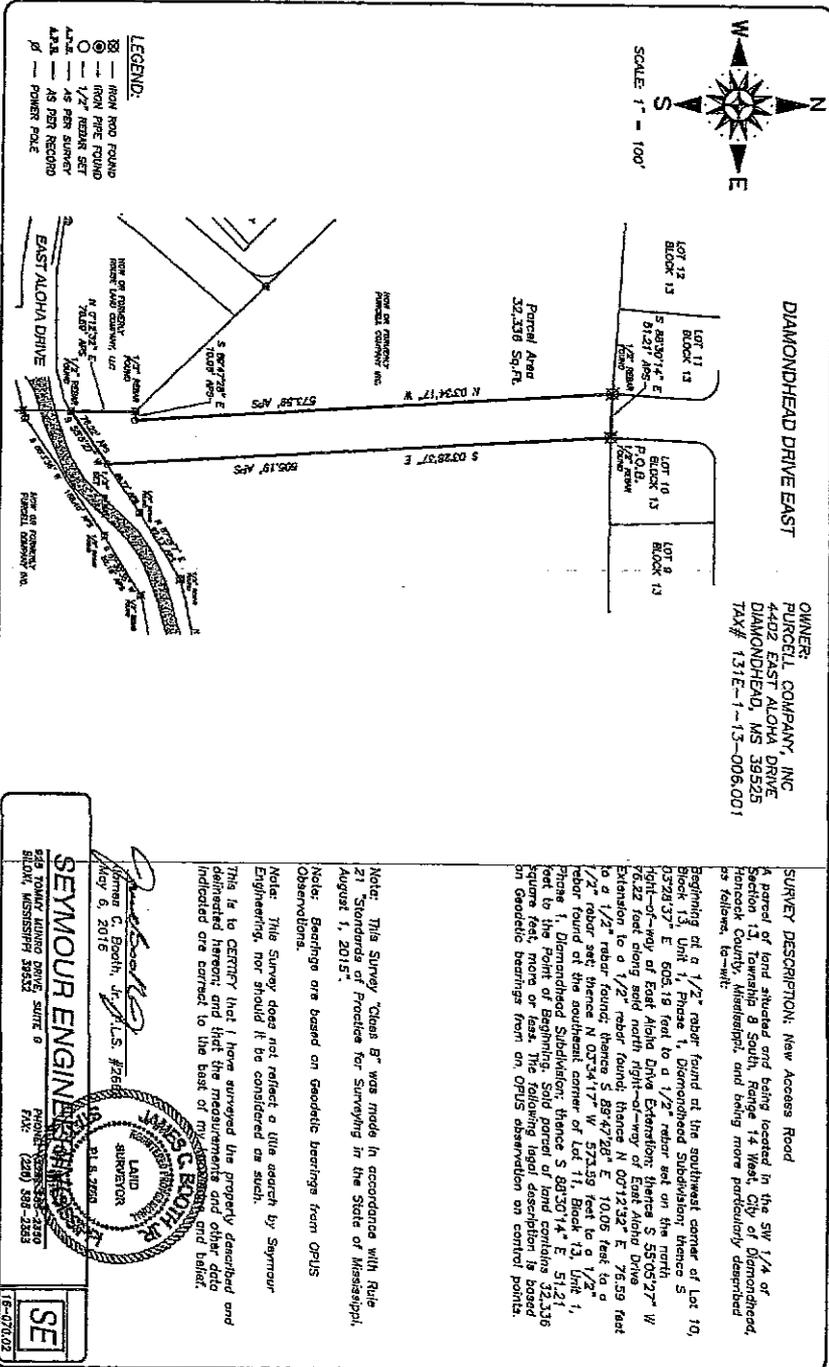


EXHIBIT "C"
To
DEED OF DEDICATION

**ACTION BY UNANIMOUS WRITTEN CONSENT
OF THE BOARD OF DIRECTORS OF
PURCELL CO, INC.**

The undersigned, being all of the members of the Board of Directors of Purcell Co., Inc., a Delaware Corporation (the "Corporation"), hereby waive any and all requirements of the holding of a meeting of the Board of Directors of the Corporation, and pursuant to the provisions of Section 141(f) of the General Corporation Law of the State of Delaware, hereby adopt, by this unanimous written consent, the following Resolutions, with the same force and effect as if it had been unanimously adopted at a duly convened meeting of the Board of Directors of the Corporation at which a quorum was present and acting throughout:

RESOLVED that the Corporation does hereby approve the conveyance of those certain tracts of real property owned by the Corporation to the City of Diamondhead for the construction of public roadways as more particularly described on the attached Exhibits "A" and "B", and otherwise upon such terms as may be determined by the President or any Vice President of this Corporation, as either of them in their sole discretion may deem necessary, appropriate or desirable in order to carry out the transactions contemplated herein.

RESOLVED FURTHER that the said President or any Vice President are hereby authorized to execute any and all documents as are necessary or requested to consummate the transactions contemplated herein, in the name of and on behalf of the Corporation, and to take from time to time any other actions which either of such parties shall, in their sole discretion, determine to be appropriate to effectuate and the transactions, upon such terms and conditions as either shall determine to be appropriate.

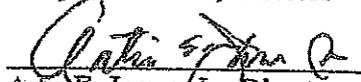
RESOLVED FURTHER that any and all other actions heretofore taken by the said President or any Vice President, in the name of and on behalf of the Corporation, to consummate the transactions authorized by the foregoing resolutions, or to take any of the actions authorized by the foregoing resolutions, are hereby approved, ratified, and confirmed in all respects.

RESOLVED FURTHER that any third party receiving a duly executed copy or facsimile of this consent may rely on the resolutions set forth herein, and that revocation or termination of the resolutions set forth herein shall not be effective as to such third party unless and until actual notice or knowledge of such revocation shall have been received by such third party.

RESOLVED FURTHER that this Consent of Directors may be signed in duplicate originals, which taken together, shall be treated as a true original.

DATED as of the 24th day of May, 2016.


Larry D. Johnson, Director


Artis E. James, Jr., Director

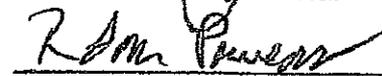
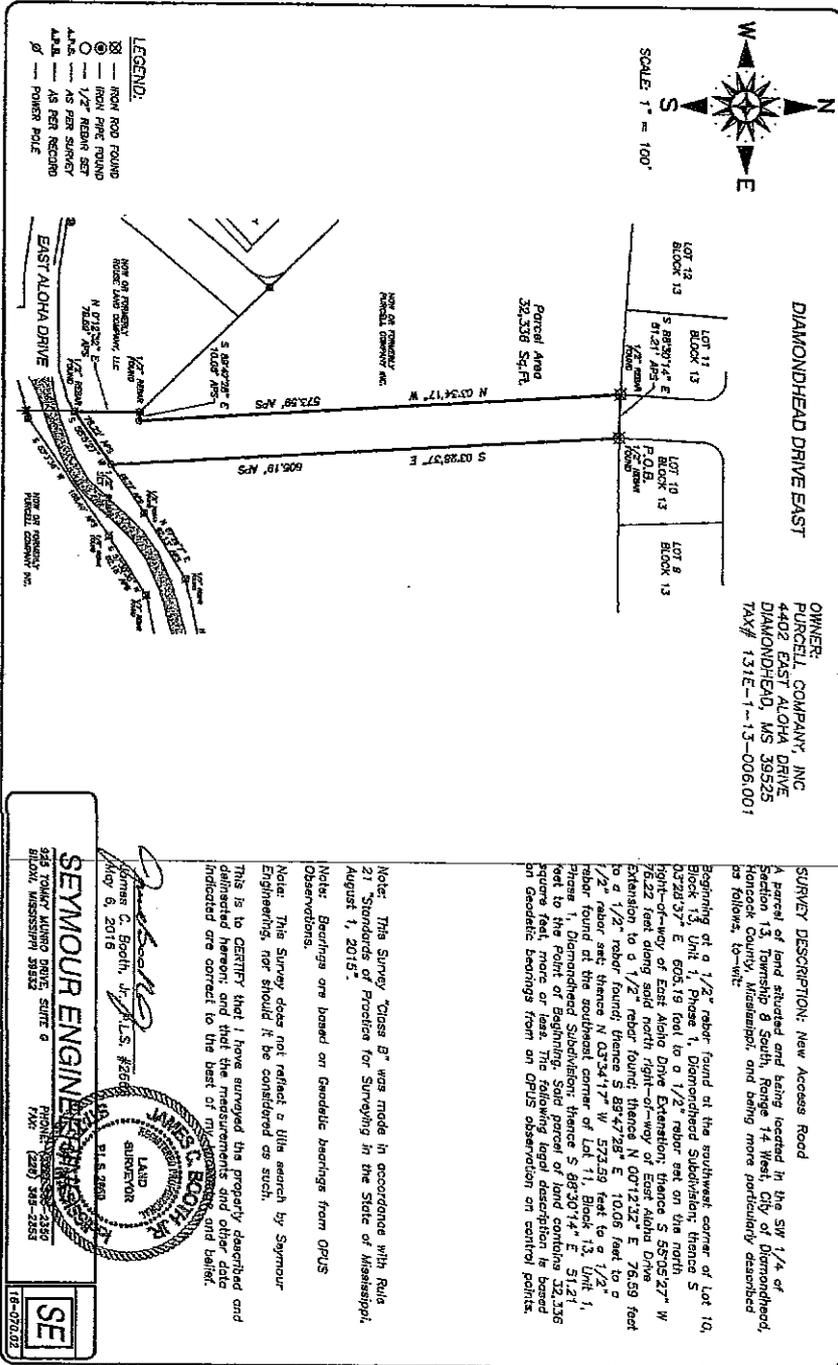

R. Tom Powers, Director

Exhibit "A"

Legal Description of Right-of-Way:

Beginning at a ½" rebar found at the southwest corner of Lot 10, Block 13, Unit 1, Phase 1, Diamondhead Subdivision; thence S 03°28'37" E 605.19 feet to a ½" rebar set on the north right-of-way of East Aloha Drive Extension; thence S 55°05'27" W 76.22 feet along said right-of-way of East Aloha Drive Extension to a ½" rebar found; thence N 00°12'32" E 76.59 feet to a ½" rebar found; thence S 89°47'28" E 10.06 feet to a ½" rebar set; thence N 03°34'17" W 573.59 feet to a ½" rebar found at the southeast corner of Lot 11, Block 13, Unit 1, Phase 1, Diamondhead Subdivision; thence S 88°30'14" E 51.21 feet to the Point of Beginning. Said parcel of land contains 32,336 square feet, more or less. The following legal description is based on geodetic bearings from an OPUS observation on control points.

See attached Survey adopted herein by reference.



tabbies
EXHIBIT
"A"

SURVEY DESCRIPTION: New Access Road

A parcel of land situated and being located in the SW 1/4 of Section 13, Township 8 South, Range 14 West, City of Diamondhead, County of Hinds, Mississippi, and being more particularly described as follows, to-wit:

Beginning at a 1/2" rebar found at the southwest corner of Lot 10, Block 13, Unit 1, Phase 1, Diamondhead Subdivision; thence S 03°28'37" E 605.19 feet to a 1/2" rebar set on the north right-of-way of East Aloha Drive Extension; thence S 89°47'28" W 76.59 feet along said north right-of-way of East Aloha Drive Extension to a 1/2" rebar found; thence N 00°12'12" E 76.59 feet to a 1/2" rebar found; thence S 89°47'28" E 10.06 feet to a 1/2" rebar set; thence N 03°34'17" W 573.59 feet to a 1/2" rebar found at the southeast corner of Lot 11, Block 13, Unit 1, Phase 1, Diamondhead Subdivision; thence S 89°47'28" E 51.21 feet to the point of beginning. Said parcel of land contains 52,336 square feet, more or less. The surveying legal description is based on standard bearings from an OPUS observation on control points.

Note: This Survey "Circs B" was made in accordance with Rule 21 Standards of Practice for Surveying in the State of Mississippi, August 1, 2015.

Note: Bearings are based on Geodetic bearings from OPUS Observations.

Note: This Survey does not reflect a title search by Seymour Engineering, nor should it be considered as such.

This is to CERTIFY that I have surveyed the property described and delineated hereon and that the measurements and other data indicated are correct to the best of my knowledge, skill and belief.

James C. Booth, Jr.
James C. Booth, Jr., R.L.S. #266
May 6, 2016

SEYMOUR ENGINEERING
455 TOLKEY ALABAMA DRIVE, SUITE 0
BILOXI, MISSISSIPPI 39532
PHONE: (601) 333-2330
FAX: (601) 393-2333
18-0702

LAND SURVEYOR
JAMES C. BOOTH, JR.
No. 266

PAGE 21 of 22

Exhibit "B"

Legal Description of Right-of-Way:

Commencing at the southwesterly corner of Lot 22, Block 13, Unit 1, Phase 1, Diamondhead Subdivision as recorded in Plat Book 4 at Page 1; thence S 00°09'39" W 312.85 feet to a point; thence S 52°54'59" E 405.11 feet to a ½" rebar found; thence S 64°12'50" E 188.15 feet to a ½" rebar found; thence S 64°10'56" E 328.12 feet to a ½" rebar found; thence S 44°06'09" E 297.33 feet to a ½" rebar found; thence S 44°12'34" E 212.74 feet to a ½" rebar found; thence S 00°12'32" W 76.59 feet to a ½" rebar found and being the Point of Beginning; thence N 55°05'27" E 145.00 feet to a ½" rebar found; thence N 57°29'07" E 92.13 feet to a ½" rebar found; thence N 78°07'51" E 267.67 feet to a ½" rebar found; thence N 68°07'10" E 81.07 feet to a ½" rebar found; thence N 81°07'26" E 242.85 feet to a ½" rebar found; thence S 21°27'01" E 51.28 feet to a ½" rebar found; thence S 81°07'50" W 248.33 feet to a ½" rebar found; thence S 68°10'27" W 79.78 feet to a ½" rebar found; thence S 78°08'06" W 262.84 feet to a ½" rebar found; thence S 57°30'35" W 82.18 feet to a ½" rebar found; thence S 55°03'36" W 168.40 feet to a ½" rebar found; thence S 74°45'49" W 8.97 feet to a ½" rebar found; thence N 00°12'32" E 57.43 feet to the Point of Beginning. Said parcel of land contains 0.96 acre, more or less.

See attached Survey adopted herein by reference.

