

**RESOLUTION OF THE MAYOR AND CITY COUNCIL OF  
THE CITY OF DIAMONDHEAD, MISSISSIPPI AUTHORIZING THE ACCEPTANCE  
OF A DEED OF DEDICATION AND FOR RELATED PURPOSES**

WHEREAS, the Mayor and Council hereby acknowledge receipt of the Deed of Dedication executed by GBC Lands, LLC, attached hereto as Exhibit "A";

WHEREAS, the subject property is located within the corporate limits of the City of Diamondhead and has been utilized by the general public as a road for many years;

WHEREAS, it is in the best interests of the citizens of the City of Diamondhead that the functions of ownership and maintenance of the property be conveyed to the City of Diamondhead; and

WHEREAS, the Mayor and Council desire the Deed of Dedication be filed for record in the Land Deed Records of Hancock County, Mississippi.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF DIAMONDHEAD, MISSISSIPPI, AS FOLLOWS:

I. The findings, conclusions and statements of fact contained in the foregoing Preamble are hereby adopted, ratified and incorporated in this Resolution.

II. The Deed of Dedication executed by GBC Lands, LLC, attached hereto as Exhibit A, is hereby accepted and the Mayor and Council authorizes the same to be filed for record in the Land Deed Records of Hancock County, Mississippi.

III. A certified copy of this Resolution shall be spread upon the official minutes of the City of Diamondhead, Mississippi.

RESOLVED, ADOPTED AND APPROVED by the Mayor and City Council of the City of Diamondhead, Hancock County, Mississippi at its regular meeting held on the 16<sup>th</sup> day of December 2014.

MOTION made to adopt the foregoing Resolutin was made by Council Member LaFontaine and SECONDED by Council Member Knobloch and the foregoing having first been reduced to writing, was submitted to a Roll Call Vote, the result was as follows:

	Aye	Nay	Absent
Councilmember Lopez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Councilmember LaFontaine	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Councilmember Sislow	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Councilmember Rech	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Councilmember Knobloch	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Schafer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Whereupon, the Mayor declared the motion carried and therefore Resolved.

The foregoing Resolution is approved this the 16<sup>th</sup> day of December, 2014.



CITY OF DIAMONDHEAD, MISSISSIPPI

BY:

Thomas E. Schafer, IV  
 THOMAS E. SCHAFER, IV  
 MAYOR

ATTEST:

Kristin Ventura  
 KRISTIN VENTURA  
 CITY CLERK



SEYmour ENGINEERING  
 PHONE: 228-358-2350 FAX: 228-358-2353  
 925 TOMMY MUNRO DRIVE, SUITE C  
 BLOXIE, MISSISSIPPI 39532

Project Name: Proposed Gex Road  
 Location: Diamondhead, Hancock County, Mississippi  
 Sheet No: 1

Symbol	Description
--- (dashed line)	IRON ROD FOUND
--- (dotted line)	IRON PIPE FOUND
--- (dash-dot line)	CONCRETE MONUMENT FOUND
--- (long-dashed line)	POWER POLE
--- (short-dashed line)	AS PER SURVEY
--- (dash-dot-dot line)	AS PER RECORD



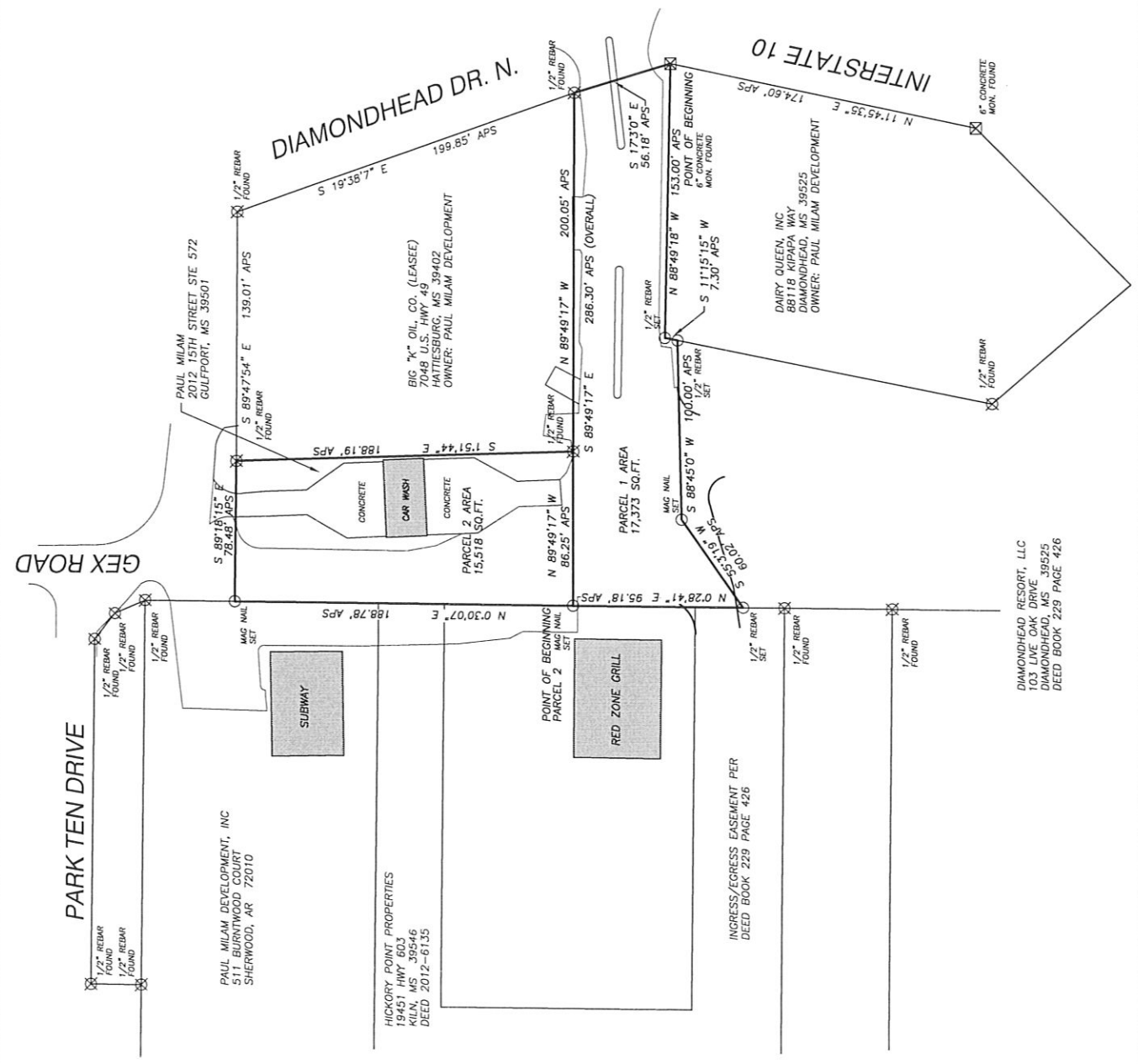
**SURVEY DESCRIPTION: PARCEL 1**  
 Survey of a parcel of land situated and being located in a part of the John B. Ladrner Claim of Section 13, Township 8 South, Range 14 West, Hancock County, Mississippi, and being more particularly described as follows:  
 Beginning at a 6" concrete monument found at the intersection of right-of-way of Interstate Highway 10 with the west right-of-way of Diamondhead Drive North, said monument being the northeast corner of parcel leased to Diamondhead Dairy Queen, Inc., as per Deed Book BB59 at Page 655; thence N 88°49'18" W 153.00 feet to a 1/2" rebar set; thence S 11°15'15" W 7.30 feet to a 1/2" rebar set; thence S 88°45'00" W 100.00 feet to a mag nail set; thence S 55°03'19" W 60.02 feet to a 1/2" rebar set on the east line of said John B. Ladrner Claim of Section 13; thence N 00°28'41" E 95.18 feet to a mag nail set; thence S 89°49'17" E 286.30 feet to a 1/2" rebar found on the west right-of-way of Diamondhead Drive North; thence S 17°03'00" E 56.18 feet along said Diamondhead Drive North to the Point of Beginning. Said parcel of land contains 17,373 square feet, more or less.

**SURVEY DESCRIPTION: PARCEL 2**  
 Survey of a parcel of land situated and being located in a part of the John B. Ladrner Claim of Section 13, Township 8 South, Range 14 West, Hancock County, Mississippi, and being more particularly described as follows:  
 Commencing at a 6" concrete monument found at the intersection of the west right-of-way of Interstate Highway 10 with the west right-of-way of Diamondhead Drive North, said monument also being the northeast corner of parcel leased to Diamondhead Dairy Queen, Inc., as per Deed Book BB59, at Page 655; thence N 88°49'18" W 153.00 feet to a 1/2" rebar set; thence S 11°15'15" W 7.30 feet to a 1/2" rebar set; thence S 88°45'00" W 100.00 feet to a mag nail set; thence S 55°03'19" W 60.02 feet to a 1/2" rebar set on the east line of said John B. Ladrner Claim of Section 13; thence N 00°28'41" E 95.18 feet to a mag nail set; thence S 89°49'17" E 286.30 feet to a 1/2" rebar found on the west right-of-way of Diamondhead Drive North; thence S 17°03'00" E 56.18 feet along said Diamondhead Drive North to the Point of Beginning. Said parcel of land contains 17,373 square feet, more or less.

Note: This Survey "Class B" was made in accordance with the "Standards of Practice for Surveying in the State of Mississippi, July, 2005".  
 Note: Bearings are based on Opus observation on control points.  
 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 skill, judgment and belief.



James C. Booth, Jr., L.L.S. #2666  
 March 31, 2014  
 September 26, 2014 revised legals



**HICKORY POINT PROPERTIES**  
 19451 HWY 603  
 KILN, MS 39546  
 DEED 2012-6135

**PAUL MILAM DEVELOPMENT, INC.**  
 511 BURNTWOOD COURT  
 SHERWOOD, AR 72010

**DIAMONDHEAD RESORT, LLC**  
 103 LIVE OAK DRIVE  
 DIAMONDHEAD, MS 39525  
 DEED BOOK 229 PAGE 426

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

INDEXING INSTRUCTIONS:

SEC 13 AND THE J.B LANDER  
CLAIM, TOWNSHIP 8S RANGE  
14W

GRANTOR'S ADDRESS  
GBC LANDS, LLC  
4370 LEISURE TIME DR  
DIAMONDHEAD, MS 39532  
(404) 216 4569

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**

IN CONSIDERATION OF THE SUM OF Ten Dollars (\$10.00) and other good and valuable considerations, the receipt and sufficiency of which is hereby acknowledged, the undersigned does hereby dedicate, grant, bargain, sell and convey unto CITY OF DIAMONDHEAD, MISSISSIPPI, a body politic created under the laws of the State of Mississippi, Grantor's interest in the following real property situated in a part of the John B. Ladner Claim of Section 13, Township 8 South, Range 14 West, Hancock County, Mississippi as depicted as Parcels 1 and 2 on Exhibit "A" adopted herein by reference and as more particularly described as follows:

Beginning at a 6" concrete monument found at the intersection of the west right-of-way of Interstate Highway 10 with the west right-of-way of Diamondhead Drive North, said monument also being the northeast corner of parcel leased to Diamondhead Dairy Queen, Inc., as per Deed Book BB59 at Page 655; thence N 88°49'18" W 153.00 feet to a 1/2" rebar set; thence S 11°15'15" W 7.30 feet to a 1/2" rebar set; thence S

88°45'00" W 100.00 feet to a mag nail set; thence S 55°03'19" W 60.02 feet to a 1/2" rebar set on the east line of said John B. Ladner Claim of Section 13; thence N 00°28'41" E 95.18 feet to a mag nail set; thence S 89°49'17" E 286.30 feet to a 1/2" rebar found on the west right-of-way of Diamondhead Drive North; thence S 17°03'00" E 56.18 feet along said Diamondhead Drive North to the Point of Beginning. Said parcel of land contains 17,373 square feet, more or less.

**AND**

Commencing at a 6" concrete monument found at the intersection of the west right-of-way of Interstate Highway 10 with the west right-of-way of Diamondhead Drive North, said monument also being the northeast corner of parcel leased to Diamondhead Dairy Queen, Inc., as per Deed Book BB59 at Page 655; thence N 88°49'18" W 153.00 feet to a 1/2" rebar set; thence S 11°15'15" W 7.30 feet to a 1/2" rebar set; thence S 88°45'00" W 100.00 feet to a mag nail set; thence S 55°03'19" W 60.02 feet to a 1/2" rebar set on the east line of said John B. Ladner Claim of Section 13; thence N 00°28'41" E 95.18 feet to a mag nail set and being the Point of Beginning; thence N 00°18'15" E 28.30 feet to a mag nail set; thence S 00°13'53" W 147.54 feet to a mag nail set; thence 48.51 feet along a curve to the left having a radius of 49.00 feet and also having a chord bearing and distance of S 28°07'57" E 46.56 feet to a mag nail set; thence N 89°47'17" W 51.31 feet to the Point of Beginning. Said parcel of land contains 5,691 square feet, more or less.

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

IT IS FURTHER UNDERSTOOD AND AGREED that t a perpetual easement for purposes of ingress and egress is retained by the Grantors for access by the Grantor's, it's successors in interest, and any guest and/or invitee, to the Grantor's adjacent property.

IT IS FURTHER UNDERSTOOD AND AGREED that any existing structures upon the Grantor's adjacent property shall be provided a designation of pre-existing nonconforming use exception to the Grantee's Ordinances if said non-conformance is the result of this transfer.

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 16<sup>th</sup> day of December, 2014.

GRANTOR

  
\_\_\_\_\_  
GBC LANDS, LLC

STATE OF GEORGIA

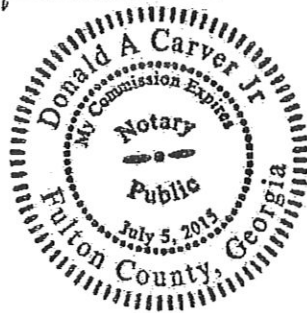
COUNTY OF FULTON

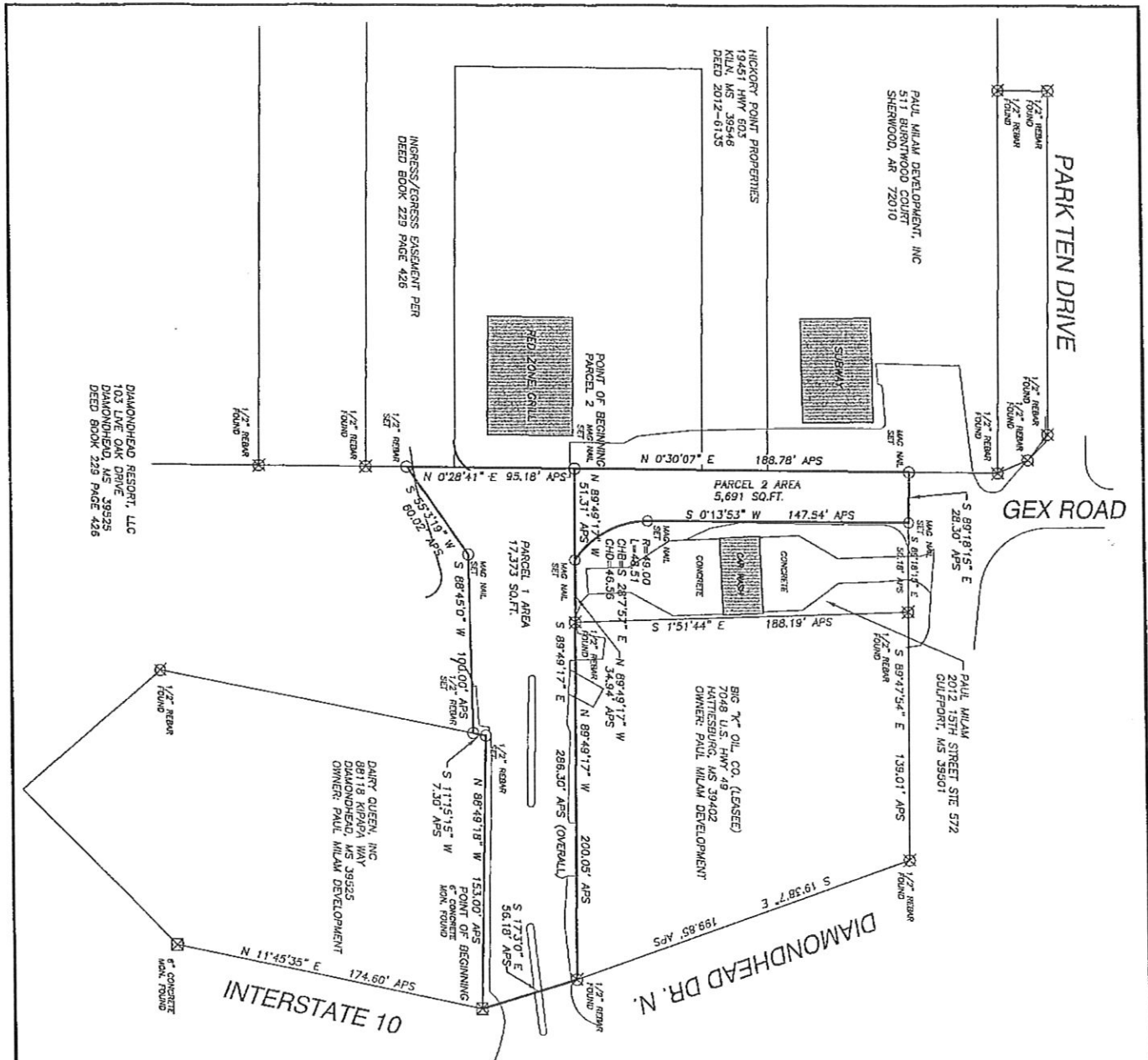
Personally appeared before me, the undersigned Notary Public, the within named Rachel G. Farmer, who acknowledged that She signed and delivered this instrument on the day and year herein mentioned.

GIVEN UNDER MY HAND AND SEAL this the 16<sup>th</sup> day of December, 2014.

Donald A. Carver Jr.  
NOTARY PUBLIC

My Commission Expires:  
7/5/15





**LEGEND:**

- IRON ROD FOUND
- IRON PIPE FOUND
- IRON ROD SET
- CONCRETE MONUMENT FOUND
- POWER POLE
- AS PER SURVEY
- AS PER RECORD

SCALE: 1" = 40'

**SURVEY DESCRIPTION: PARCEL 1**

Survey of a parcel of land situated and being located in a part of the John B. Lederer Claim of Section 13, Township 8 South, Range 14 West, Hancock County, Mississippi, and being more particularly described as follows: Horizontal monument found of beginning set, a bearing of  $174.60^\circ$  and distance of  $174.60'$  from the right-of-way of Interstate Highway 10 with the west boundary line of the  $174.60'$  distance being the north-south corner of parcel leased to Dairy Queen, Inc., as per Deed Book 8859 at Page 655; thence N  $88.4918^\circ$  W  $7.30'$  feet to a 1/2" rebar set; thence S  $89.45^\circ 00'$  W  $100.00'$  feet to a mag nail set; thence S  $55.0319^\circ$  E  $60.02'$  feet to a 1/2" rebar set on the east line of said John B. Lederer Claim of Section 13; thence N  $00.2841^\circ$  E  $95.18'$  feet to a mag nail set; thence S  $89.4917^\circ$  E  $285.30'$  feet to a 1/2" rebar set on the west right-of-way of Diamondhead Drive North; thence S  $17.0300^\circ$  E  $56.18'$  feet along said Diamondhead Drive North to the Point of Beginning. Said parcel of land contains  $17,375$  square feet, more or less.

**SURVEY DESCRIPTION: PARCEL 2**

Survey of a parcel of land situated and being located in a part of the John B. Lederer Claim of Section 13, Township 8 South, Range 14 West, Hancock County, Mississippi, and being more particularly described as follows: Horizontal monument found of beginning set, a bearing of  $174.60^\circ$  and distance of  $174.60'$  from the right-of-way of Interstate Highway 10 with the west boundary line of the  $174.60'$  distance being the north-south corner of parcel leased to Dairy Queen, Inc., as per Deed Book 8859 at Page 655; thence N  $88.4918^\circ$  W  $7.30'$  feet to a 1/2" rebar set; thence S  $89.45^\circ 00'$  W  $100.00'$  feet to a mag nail set; thence S  $55.0319^\circ$  E  $60.02'$  feet to a 1/2" rebar set on the east line of said John B. Lederer Claim of Section 13; thence N  $00.2841^\circ$  E  $95.18'$  feet to a mag nail set and being the Point of Beginning; thence N  $00.3007^\circ$  E  $188.78'$  feet to a mag nail set; thence S  $89.18^\circ 15'$  E  $28.30'$  feet to a mag nail set; thence S  $00.1353^\circ$  W  $147.54'$  feet to a mag nail set; thence  $48.51^\circ$  east along a curve to the left having a radius of  $49.00'$  feet, and also having a chord bearing and distance of  $S\ 20.07^\circ 57'\ E\ 46.56'$  feet to a mag nail set; thence N  $89.4717^\circ$  W  $51.31'$  feet to the Point of Beginning. Said parcel of land contains  $5,691$  square feet, more or less.

**Note:** This Survey "Class B" was made in accordance with the Standards of Practice for Surveying in the State of Mississippi, July, 2005".

**Note:** Bearings are based on Opus observation on control points.

**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 and belief.

*James C. Booth, Jr., P.L.S., #2686*  
Lands Surveyor  
P.L.S. 2686  
March 31, 2014  
September 26, 2014 revised layout

<p>SEYmour ENGINEERING PHONE: 228-285-2330 925 TOMMY MUMBO DRIVE, SUITE G BILOXI, MISSISSIPPI 39532 FAX: 228-332-2333</p>	<p>Project Name <b>Proposed Gex Road</b></p> <p>Location <b>Diamondhead, Hancock County, Mississippi</b></p>	<p>Sheet Title <b>Boundary Survey</b></p>
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