AGENDA

GULFPORT CITY PLANNING COMMISSION MEETING

CITY HALL COUNCIL CHAMBERS

THURSDAY, FEBRUARY 22, 2024 AT 4:30 PM

A. Prayer

B. Pledge of Allegiance

C. Call to Order

D. Determination of a Quorum

E. Confirmation of Agenda

F. Adoption of Minutes

F1. <u>Planning Commission Meeting - January 25, 2024</u>

G. Announcements

G1. <u>If you are aggrieved by a vote of the Planning Commission, see below.</u>

DECISION ITEMS: Except as noted below, items listed on this agenda as "Decision Items" may be appealed to the Gulfport City Council as follows: Any person or any officer, department or agency of the City aggrieved by a decision of the Planning Commission may, within fifteen (15) days thereafter, appeal therefore to the Gulfport City Council by submitting to the Planning Commission (Department of Urban Development – Planning Division) a written notice of appeal specifying the decision from which the appeal is taken. In the case of such appeal, the Planning Commission shall cause a transcript of the proceedings in the case to be certified to the City Council, and the matter will be heard on said transcripts. The filing fee for an appeal is based on the actual cost of the required official transcript and any related miscellaneous charges.

Exception: The disapproval of a general subdivision plan may be appealed by the subdivider by submitting to the Planning Commission and the Mayor and City Council a written notice of appeal. Upon receipt of notice of appeal, the planning commission shall transmit to the City Council a certified copy of the proceedings upon which the appeal is taken. The City Council may overrule such disapproval by a recorded vote of not less than 2/3 of its entire membership. No other right of appeal exists as to action taken by the Planning Commission on a general subdivision plan. The City Council hearing is not limited to the record created before the Planning Commission.

RECOMMENDATION ITEMS: As to items listed on this agenda as "Recommendation

Items", the recommendation of the Planning Commission, whether to approve (with or without condition) or disapprove, will automatically be submitted to the City Council by the Department of Urban Development – Planning Division, and the item (except recommendations on Final Plats which are not so limited) will be considered by the City Council on the record created before the Planning Commission. It is not necessary to file anything with the Planning Commission in order to have the matter heard by the City Council.

G2. Anyone speaking today is asked to complete a "Speaker's Card".

Please provide the completed card at the time you speak to the Planning Commission. City staff personnel can assist in any questions you may have or in completing the card. This public meeting is open to all for comment.

H. Hearing of Cases

H1. Planning Commission Decision

1. Planning Commission Approval 2312PC147:(Deferred to February meeting)

Planning Commission Approval 2312PC147, by agent Deberah Couvillion, seeking approval for a mobile home use, at Tax Parcel 0810E-03-048.000, Ohio Ave, Zoned R-1-5 (Single-family), Ward 3

2. Planning Commission Approval 2402PC010: (Withdrawn by Planning Staff)

Planning Commission Approval 2402PC010, by agent Damien Pardoe, seeking approval for a medical cannabis processing facility, Tax Parcel 0809A-02-009.000, 14092 Fastway Lane, Zoning I-2 (Heavy Industry), Ward 5

3. Planning Commission Approval 2402PC011: (Deferred to March Meeting Date)

Planning Commission Approval 2402PC011, by agent M2 Enterprises, Inc., seeking approval for auto sales of less than fifty vehicles, Tax Parcel 0910M-03-058.000, 941 Pass Rd, Zoned B-2 (General Business), Ward 3

4. Special Exception 2402SE013:

Special Exception 2402SE013, by owner Riaan LLC, seeking approval for liquor store use, Tax Parcel 1008M-01-007.000, 11268 Lorraine Rd, Zoned B-2 (General Business), Ward 6

5. General Plan 2402PC014: Postponed to March Meeting

General Plan 2402PC014, by agent Kenneth Jones, seeking approval for an 87-lot subdivision with five outparcels (Swan Landing Estates), Tax Parcel 0807G-01-001.000, South Swan Road, Zoned R-1-15 (Single-family), Ward 7

H2. Planning Commission Recommendation

1. Zoning Map Amendment 2402PC015:

Zoning Map Amendment 2402PC015, by owner Ben W. Childers, requesting to rezone to T4+ (General Urban Zone "Plus"), Tax Parcels 1010E-02-006.000, 1010E-02-007.000, 1123 Bridge Street & 1115 Bridge Street, Zoned T3 (Sub-Urban Zone), Ward 4

I. Reports

J. Unfinished Business

K. Other Business

L. Adjournment

MINUTES

GULFPORT CITY PLANNING COMMISSION

Thursday, January 25, 2024, 4:30 P.M.

City Hall Council Chambers

A. Prayer: The Planning Commission led a prayer.

B. **Pledge of Allegiance**: The Pledge of Allegiance was recited.

C. Call to Order: The meeting of the Planning Commission was called to order at **4:32 P.M. .**

D. Determination of a Quorum: A roll call was performed and a quorum was determined.

BOARD MEMBERS PRESENT:
KEITH WILLIAMS
WM. PRINCE JONES
CHARLIE HEWES
BRYAN JACOBS
VIRGINIA ADOLPH
CHRIS ROMANO
BILL WILLIAMS
HAROLD SPANN
DOUG HANCOCK

BOARD MEMBERS ABSENT:
BJ SELLERS
TIM DAIGLE JR

STAFF MEMBERS PRESENT:
SU-LIN FEATHERSTON
RHONDA GADDIS
BRYCE CLUGH

COURT REPORTER:
NORMA SOROE

E. Confirmation of Agenda:

F. Adoption of Minutes:

Motion by **Mr.Spann** and seconded by **Mr. Jones** to approve Minutes of the **December 21, 2023,** Planning Commission meeting was carried unanimously.

G. Hearing of Cases:

G1. The PUBLIC DECLARATION OF APPEAL PROCESS was read by the Chairperson: Any person or any officer, department or agency of the City aggrieved by any decision of the Planning Commission may within fifteen (15) days thereafter appeal there from to the mayor and City Council by filing with the Planning Commission a written notice of appeal specifying the decision from which the appeal is taken. In case of such appeal, the Planning Commission shall cause a transcript of the proceedings in the case to be certified to the mayor and City Council, and the matter will be heard on said transcripts. The filing fee for an appeal is based on the actual cost of the required official transcript and any related miscellaneous charges. Any appeal shall be in writing and submitted to the Department of Urban Development–Planning Division stating what decision is being appealed and detailing how you are aggrieved.

G2. The Chairperson asked for anyone speaking at the meeting to complete a Speaker's Card.

G3. <u>Routine Agenda</u>

H1. Planning Commission Decisions

1. <u>General Plan 2401PC007:</u>

General Plan 2401PC007, by agent Robert K. Riemann, seeking approval for phase 1 of a 104 lot subdivision (Summerfield Estates) with 7 out parcels, Tax Parcels 0907N-01-002.000, 0907M-01-002.000, 0907M-01-003.000, Holliman Rd, Zoned R-1-15 (Single-family) R-1-7.5 (Single-family), Ward 6

Speaking for the Petition: Rubert K. Rieman, Trilby Matthews

Speaking against the Petition: None

Speaking Other: Micheal Hildebrandt

Motion: Mr. Hewes- to approve the applicant's request

Second: Mrs. Adolph

KEITH WILLIAMS	**– Chairman**
VIRGINIA ADOLPH	– Yea
CHARLIE HEWES	– Yea
BJ SELLERS	– Absent
WM. PRINCE JONES	– Yea
DOUG HANCOCK	– Yea
BRYAN JACOBS	– Yea
TIM DAIGLE JR	– Absent
CHRIS ROMANO	– Yea
HAROLD SPANN	– Yea
BILL WILLIAMS	– Yea

Action: Motion carried unanimously

H2. Planning Commission Recomendation

1. **Zoning Text Amendment 2401PC006:**
   (Withdrawn by Applicant during meeting)

Zoning Text Amendment 2401PC006, by owners Byron and Ann Boyden, Amendments to the Comprehensive Zoning Ordinance, to amend Section III. District Regulations (K) Chart of Permitted Uses to allow Contractor's Office with limited indoor storage in B-1 zoning districts.

Speaking for the Petition: Byron Boyden

Speaking against the Petition: None

Motion:

Second:

KEITH WILLIAMS	**– Chairman**
VIRGINIA ADOLPH	–
CHARLIE HEWES	–
BJ SELLERS	– Absent
WM. PRINCE JONES	–
DOUG HANCOCK	–
BRYAN JACOBS	–
TIM DAIGLE JR	– Absent
CHRIS ROMANO	–
HAROLD SPANN	–
BILL WILLIAMS	– Recused

Action: Withdrawn by Applicant during meeting.

K. Other Business

1. **Final Plat Highland Lake Townhomes Phase II**

To discuss renumbering the lots to 165 and 166 for the proposed final plat for Highland Lake Townhomes Phase II.

Speaking for the Petition: Greg Holmes

Speaking against the Petition: None

Motion: Mr. Hancock-to approve the request

Second: **Mrs. Adolph**

KEITH WILLIAMS	**– Chairman**
VIRGINIA ADOLPH	– Yea
CHARLIE HEWES	– Yea
BJ SELLERS	– Absent
WM. PRINCE JONES	– Yea
DOUG HANCOCK	– Yea
BRYAN JACOBS	– Yea
TIM DAIGLE JR	– Absent
CHRIS ROMANO	– Yea
HAROLD SPANN	– Yea
BILL WILLIAMS	– Yea

Action: **Motion carried unanimously.**

I. Adjournment

There being no further business, a Motion was made by **Mrs. Adolph** to adjourn, seconded by **Mr. Hewes** and carried unanimously. The meeting adjourned at **5:02 P.M.** .

_____ Date: _____

William Prince Jones, Secretary

MEMORANDUM

To: City of Gulfport Planning Commission

From: Su-Lin Featherston, Planning Administrator
Urban Development Department

Date of Hearing: February 22, 2024

Re: Planning Commission Decision

MEMORANDUM

To: City of Gulfport Planning Commission

From: Su-Lin Featherston, Planning Administrator
Urban Development Department

Date of Hearing: February 22, 2024

Re: **Planning Commission Approval 2312PC147:(Deferred to February meeting)**

Planning Commission Approval 2312PC147, by agent Deberah Couvillion, seeking approval for a mobile home use, at Tax Parcel 0810E-03-048.000, Ohio Ave, Zoned R-1-5 (Single-family), Ward 3

Technical Report

PLANNING COMMISSION APPROVAL

GENERAL INFORMATION

Case File Number: 2312PC147

Hearing Date: February 22, 2023

Current Zoning/Use: R-1-5 / Vacant Lot

Legal: Planning Commission Approval 2312PC147, by agent Deberah Couvillion, seeking approval for a mobile home use in a R-1-5 zoning district, Tax Parcel 0810E-03-048.000, Ohio Ave, Zoned R-1-5 (Single-family), Ward 3

TECHNICAL DETAILS

The applicant is seeking Planning Commission approval for the placement of a 16'x 80' (1280 sq-ft) mobile home at the requested parcel. The lot is large enough such that the mobile home will adequately meet the required setbacks; as is pointed out on the site plan. Mobile homes are allowed with planning commission approval, per the City of Gulfport's Ordinances and the Chart of Permitted Uses.

EXECUTIVE SUMMARY

The applicant appears to meet all of the requirements for a mobile home dwelling in an R-1-5 zone. Per the Ordinance, off street parking for a mobile home requires parking for two (2) parking spaces. Upon review of the site plan submitted by the applicant, parking and all required setbacks have been met. If the request is approved, it would be in harmony with existing housing in the area.

Any approval should consider these conditions:

1. Mobile Homes must meet Wind Zone II requirements
2. Must comply with all rules by Planning and Zoning.
3. Must comply with all fire codes and permitting.
4. Approval allows for a mobile home use.

DEPARTMENTAL CONDITIONS

Engineering: No conditions. Memo dated 12/01/23.

Public Works: No conditions. Memo dated 11/30/32.

Traffic and Safety: No conditions. Memo dated 11/20/23.

Building Code Services: Mobile Homes must meet Wind Zone II requirements and minimum standards. Memo dated 11/20/23.

GIS: No conditions. Memo dated 12/01/23.

Technical Report

PLANNING COMMISSION APPROVAL

Police Department: No conditions. Memo dated 12/08/23.

Fire Department: Must comply with all fire codes and permitting. Memo dated 11/20/23.

City Arborist: No conditions. Memo dated 11/17/23.

DIRECTOR APPROVAL

This report has been reviewed and approved by:

Greg Holmes
Director of Urban Development Department

Technical Report

PLANNING COMMISSION APPROVAL

GENERAL INFORMATION

Case File Number: 2312PC147

Hearing Date: December 21, 2023

Current Zoning/Use: R-1-5 / Vacant Lot

Legal: Planning Commission Approval 2312PC147, by agent Deberah Couvillion, seeking approval for a mobile home use in a R-1-5 zoning district, Tax Parcel 0810E-03-048.000, Ohio Ave, Zoned R-1-5 (Single-family), Ward 3

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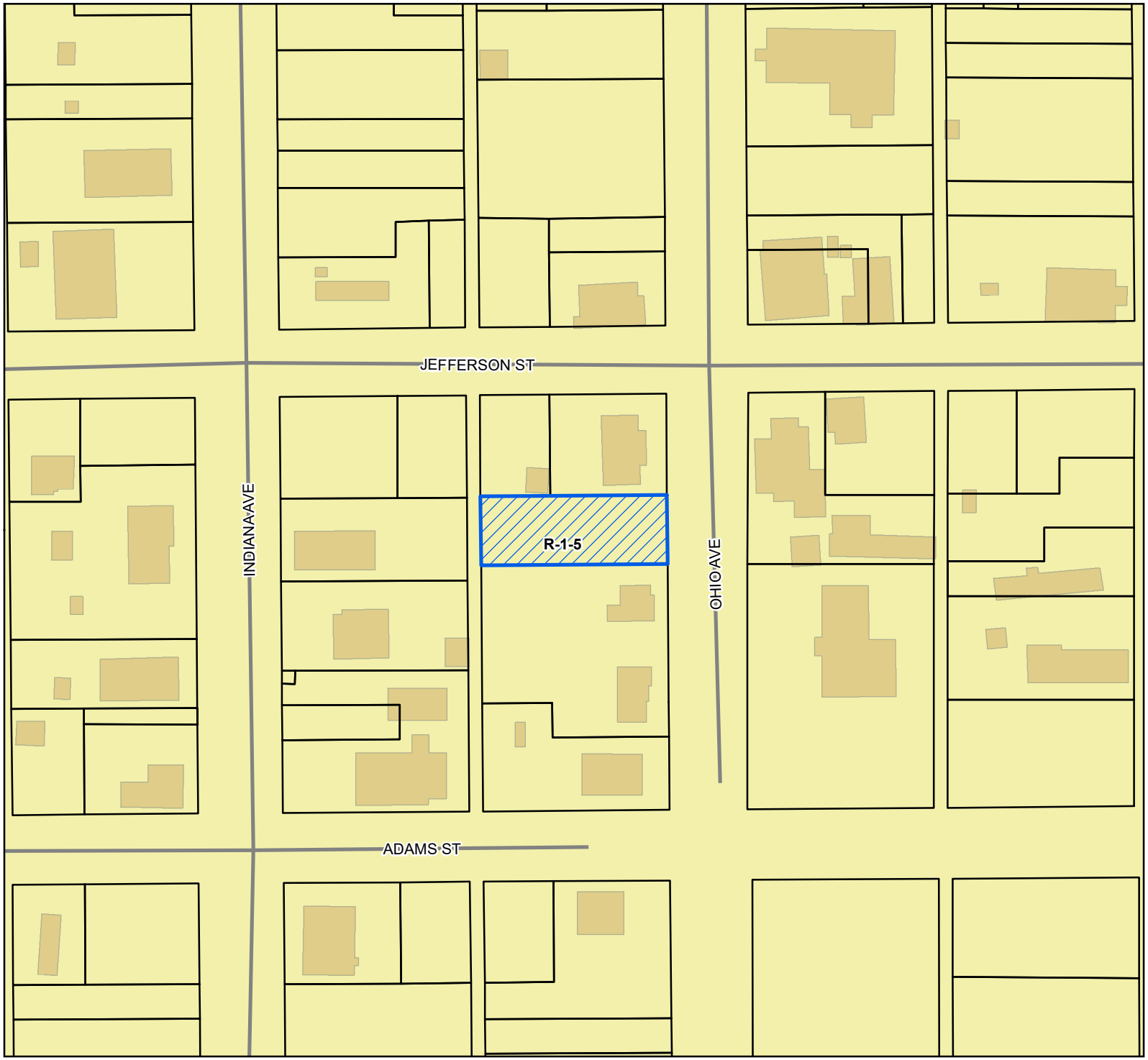
DIRECTOR APPROVAL

This report has been reviewed and approved by:

Greg Holmes
Director of Urban Development Department

2312PC147

Planning Commission Approval



Site
Street
Parcels
Buildings

Zoning

R-1-5 - Single Family Residence District (Medium Density)

Site Information

0810E-03-048.000
Zoning:R-1-5 (Single Family)
Size: 6749.96 sqft
Flood: X

0 10 20 30
Yards

1 inch = 100 feet

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DATA DISCLAIMER: All information that is provided on this map is believed to be correct. However, no liability is assumed by the City of Gulfport for errors in substance or form of any of the materials published on this map. The GIS Division, City of Gulfport, provides the information represented on this map as a service to the community and makes every effort possible to provide quality information. However, no claims, promises, or guarantees about the accuracy, completeness, or adequacy of the information contained on this map are expressed or implied.

CITY OF GULFPORT
Urban Development - Planning Division
1410 24th Avenue
Gulfport, MS 39501
(228) 868-5710

APPLICATION FOR PLANNING COMMISSION APPROVAL

For Staff Use Only

Case Number: 2312PC147

Date Received: 11/6/2023

Receipt Number:

Received By: LJ

Zoning: R-1-5

Ward: 3 Flood: X

Size: 6,749.96 sqft.

(If necessary, use separate sheet of paper)

Property Information

TAX PARCEL # 08 10E - 03 - 048.000

Address of Property Involved: 8089 Ohio Ave Gulfport Ms 39501

Lot(s) 10 & 11, Block(s) 371, Subdivision North Gulfport

General Location:

GENERAL DESCRIPTION OF REQUEST: Primary resident for Mobile home in R1 Five District Zone

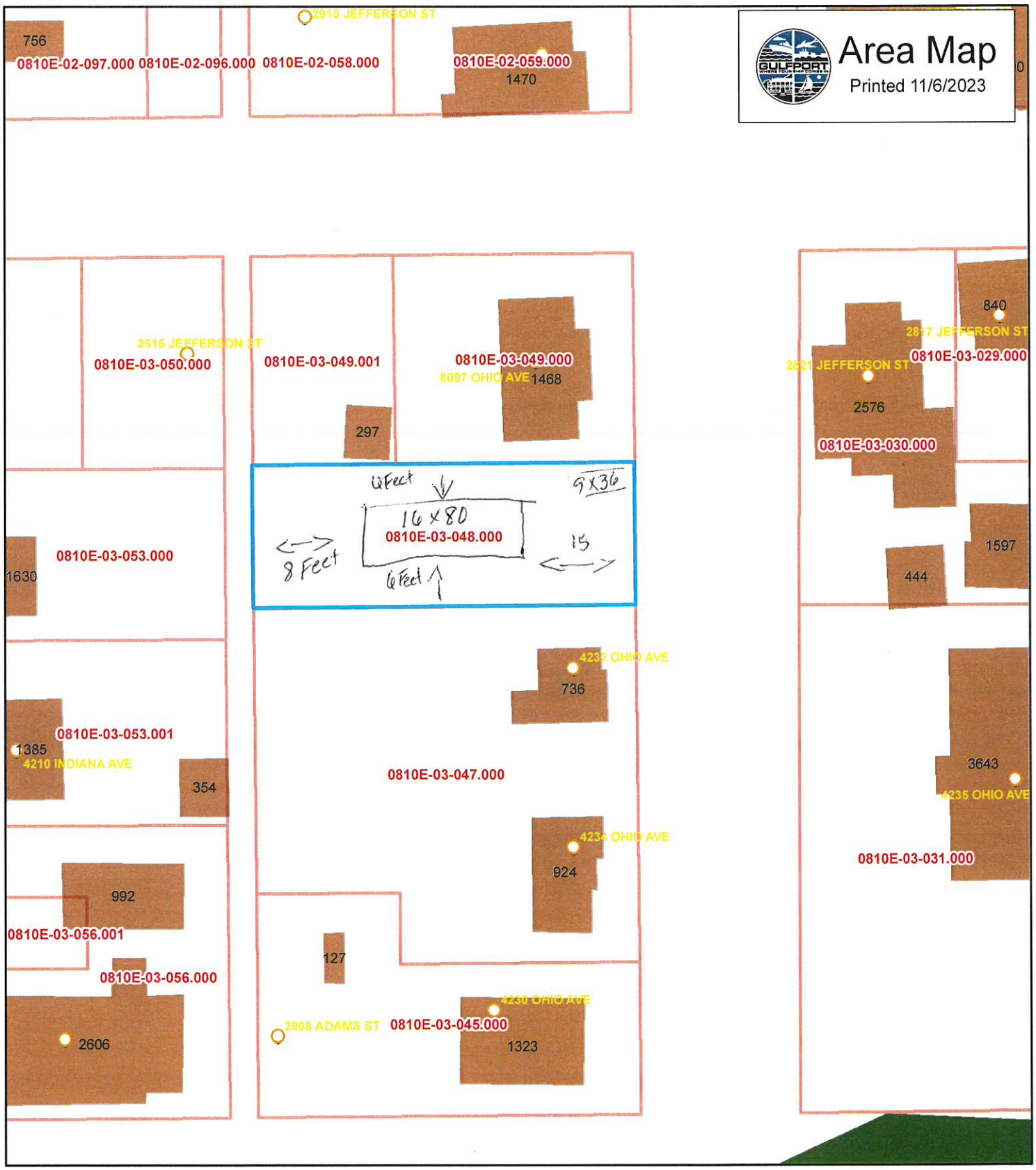
OWNERSHIP AND CERTIFICATION:

I hereby certify that I have read and understand this application and that all information and attachments are true and correct. I also certify that I agree to comply with all applicable city codes, ordinances and state laws. Finally, I certify that I am the owner of the property involved in this request or have authorization to act as the owner's agent for the herein described request.

OWNER	AGENT
x Beverly A. Watson	Deberah Couvillion
Printed Name of Owner	Printed Name of Agent
194 Cannon Mound Dr.	248 Debuys Rd 154
Mailing Address	Mailing Address
Columbus MS 39705	Biloxi MS 39531
City State Zip code	City State Zip code
— (520)559-2570	(228) 239 9438
Home Phone Work/Cell Phone	Home Phone Work Cell Phone
mrandmrslbwatson@gmail.com	deberahcouvillion72@gmail.
Email	Email
x Beverly A. Watson	
Signature of Owner	Signature of Agent

If the property or properties listed above have more than one owner, please check this box. In the case of multiple owners, reverse side must be completed. Each additional owner will need to complete and sign the reverse side of this application. We can only accept applications with original signatures. ☐

SECTIONS A. THROUGH G. MUST BE SUBMITTED FOR A COMPLETE APPLICATION.



Initial and date here:

Planner: _____

Owner: _____

Contractor: _____

N
W E
S

1 inch = 45 feet

Addresspoints Edits addresspoints
STRUCT_CLASS
Residential
Unclassified
Parcels

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Gulfport MISSISSIPPI

Designation of Agent

I, Beverly A. Watson, being property owner of 8089 Ohio Ave. Gulfport, MS 39501
PRINT NAME PRIMARY ADDRESS OR PARCEL
which is the subject of this application hereby authorize Deberah Cawthon to act as my
PRINT NAME
representative with the City of Gulfport's Zoning Board of Adjustment and Appeals, and/or Planning Commission, and/or City Council, and/or permitting and licensing, as required by the City.

Such representation shall be for all purposes concerning any manner, right, or obligation relating to this petition. This designation authorizes my agent to make verbal or written representations and/or declarations on my behalf, and I shall be legally bound by said verbal or written representations and/or declarations relating to this petition.

The petitioner understands and acknowledges that the City will rely upon the agent's representations in approval or denial of said petition.

Beverly A. Watson 11/4/23

Signature *Date*

STATE OF MISSISSIPPI | COUNTY OF HARRISON

Given under my hand and seal of office this the 4 day of November, 20 23

Anjanece F. Tatum

Notary Public *Commission Expiration*

ANJANECE F. TATUM
Commission Expires
08-03-2027
NOTARY PUBLIC
ID 368831
Lowndes County
STATE OF MISSISSIPPI

Gulfport MISSISSIPPI

ONE COAST

Covenant Affidavit

I, Deberah Cowvillion, being owner or agent of the property 0810E-03-048.000

PRINT NAME

PRIMARY ADDRESS OR PARCEL

which is the subject of this application, hereby state that this variance request is not in violation of any restrictive or protective covenants.

Deb Cowvillion

Signature

11/6/23

Date

STATE OF MISSISSIPPI | COUNTY OF HARRISON

Given under my hand and seal of office this the 6th day of November, 20 23

Samuel Sweeting

Notary Public

STATE OF MISSISSIPPI
SAMUEL SWEETING
ID NO. 358116
Commission Expires
05/22/2027
NOTARY PUBLIC
HARRISON COUNTY

05/22/27

Commission Expiration

(1) Transporation acces - City of Gulfport

I will not need any extra. -

(2). Water Supply - City of Gulfport

I will not need extra

(3). Waste Disposal - City Gulfport

Will not need extra.

(4). Fire & Police - city of Gulfport

I will not need any extra

(5) Will not be needing any other facilities

(6). They have other mobile home in the area

Ariana, please tell Ms. Watson how much we appreciate her signing this for us. She will sign on page 1 (designation of agent) and have it notarized. If I understood the staff at planning & zoning correctly, Ms. Watson is giving her blessing for Deberah to go and act as spokesperson as the future owner of 8089 Ohio Ave. I will be with her also.

After she signs and gets the first page notarized, she will fill out the portion of the 2nd page under "owner". This is under the OWNERSHIP AND CERTIFICATION" portion of the document. It will ask for her to print her name, give her mailing address, phone numbers and email if she has one. It will also ask that she signs immediately under this info but she doesn't have to have page two notarized. Deberah will fill the portion out under Agent.

Deberah will also be responsible for the site plan and other info required. Deberah will also pay the $75 for the application fee. All we really need is for Beverly to fill out the 2 small parts and have the one notarized.

Again, we thank you both for your cooperation and we look forward to meeting you both at the closing table!

Kim Alexander, REALTOR CENTURY 21 Busch Realty Group
601-723-0140
228-324-1715
1716 25th Ave Gulfport, MS 39501

1st Judicial District
Instrument 2005 11311 D -J1
Filed/Recorded 1 11 2005 9 12 A
Total Fees 13.00
1 Pages Recorded

No. 75015

FORFEITED TAX LAND PATENT

State of Mississippi

PURSUANT to Mississippi Code Annotated §29-1-1 et seq 1972 as amended, *providing for the sale of Forfeited Tax Lands of the State of Mississippi, and*

Excepting those portions held in public trust by the State of Mississippi, said lands are now held by the State and the patentee hereinafter named has complied with all requirements of the law in such cases made and provided;

The State of Mississippi, in consideration of the premises and the sum of ***$3,333.60****, being the amount required to purchase said lands, does hereby grant and convey to:*

Beverly A. Watson

the following described land, excepting those portions held in public trust by the State of Mississippi, to-wit:

Lots 10-11 Blk 371 North Gulfport Special Assessment per City of Gulfport
Parcel/PPIN: 0810E03048.000
Harrison County, Mississippi.

This the 1st *day of* November, *2004*

ERIC CLARK
SECRETARY OF STATE

ASSISTANT SECRETARY OF STATE

GOVERNOR

Attest: Eric Clark
SECRETARY OF STATE

SECRETARY OF STATE ★ STATE OF MISSISSIPPI ★ OFFICIAL

Grantor and Prepared By:
State of Mississippi
Post Office Box 136
Jackson, MS 39205
Tele: (601) 359-6373

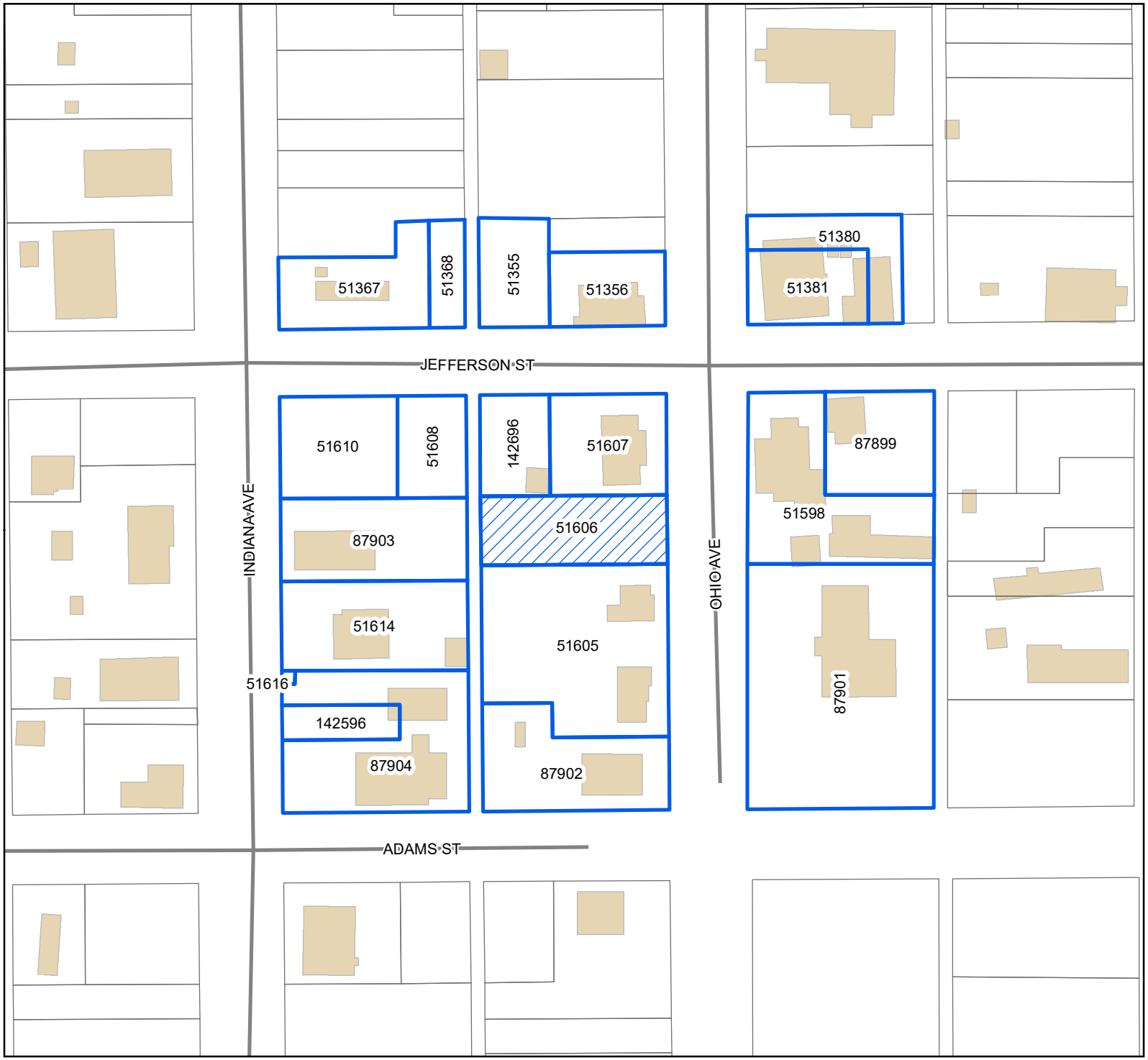
Grantee:
Beverly A. Watson
3252 Flamingo Way
Sierra Vista, AZ 85650
Tele: 520-378-2926

7/96-21

Mail	PPIN	Parcel ID	Name	Address	City	State	ZIP
Y			BERVERLY A WATSON (OWNER)	194 CONNON MOUND DRIVE	COLUMBUS	MS	39705
			DEBERAH COUVILLION (AGENT)	248 DEBUYS RD 154	BILOXI	MS	39531
			Adjacent Property Owners (2312PC147)				
	51380	0810E-02-056.000	MCINNIS LINDA S	2814 JEFFERSON AVE	GULFPORT	MS	39501
	51598	0810E-03-030.000	SMITH ROSALIND -ESTATE-	2821 JEFFERSON ST	GULFPORT	MS	39503
	51356	0810E-02-059.000	EVANS DENISE MARIE	4305 OHIO AVENUE	GULFPORT	MS	39501
	87899	0810E-03-029.000	FAIRLEY RACHEL -ESTATE-	8252 MISSISSIPPI AVE	GULFPORT	MS	39501
	51614	0810E-03-053.001	HOBSON BARBARA ANN	4210 INDIANA AVENUE	GULFPORT	MS	39501
	87901	0810E-03-031.000	HOLMES EVERTA -EST- & JOHNNY -EST-	4235 OHIO AVE	GULFPORT	MS	39501
	51607	0810E-03-049.000	REAVES RODNEY MICHEAL JR	8097 OHIO AVE	GULFPORT	MS	39501
	87903	0810E-03-053.000	MCLAURIN DANIEL SR & BONNIE L	4214 INDIANA AVE	GULFPORT	MS	39501
	51608	0810E-03-050.000	MAYS DONNER MARIE & KIMBERLY MICHEL	3934 RIVER TRACE DR	DIBERVILLE	MS	39540
	51610	0810E-03-052.000	ROACH SANDY L & SHIRLEY	4427 SOUTH OAKEWALD STREET	CHICAGO	IL	60653
	87902	0810E-03-045.000	MULLINS MARINE R & JERRY P	15031 MONROE ST	GULFPORT	MS	39501
	51355	0810E-02-058.000	BABIN TODD	617 CARMADELLE ST	MARRERO	LA	70072
	51381	0810E-02-057.000	JONES DORA L	4322 OHIO	GULFPORT	MS	39501
	51367	0810E-02-097.000	LADNER CELESTER QUENTIN JR	15376 JEFFERSON ST	GULFPORT	MS	39501
	51606	0810E-03-048.000	WATSON BEVERLY A	3252 FLAMINGO WAY	SIERRA VISTA	AZ	85650
	51605	0810E-03-047.000	JOHNSON LEON C JR & MARY E	4234 OHIO AVENUE	GULFPORT	MS	39501
	87904	0810E-03-056.000	BUTLER DENOIS ALVIN JR	13962 HUMMINGBIRD LANE	GULFPORT	MS	39501
	142596	0810E-03-056.001	BUTLER DENOIS ALVIN JR	4204 INDIANA AVE	GULFPORT	MS	39501
	142696	0810E-03-049.001	MAYS DONNER	1163 JUDGE SEKUL AVE APT 74	BILOXI	MS	39530

2312PC147

Planning Commission Approval



Legend

- Site
- Adjacent Properties
- Street
- Buildings

0 10 20 30
Yards

1 inch = 100 feet

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RE: Planning Commission Approval 2312PC147, by agent Deberah Couvillion, seeking approval for a mobile home use, at Tax Parcel 0810E-03-048.000, Ohio Ave, Zoned R-1-5 (Single-family), Ward 3

To Applicants and Adjacent Property Owners:

The City of Gulfport Planning Commission will hold a public hearing to consider the above application at 4:30 P.M. on **Thursday, December 21, 2023**, in the Council Chambers at the Gulfport City Hall located at 2309 15th Street.

For more information, visit http://www.gulfport-ms.gov/agendas/ then click the City of Gulfport Planning Commission for **Thursday, December 21, 2023.** A map showing the location of the property involved is located at this website. If you have any questions or comments, please contact this office at the phone number 228-868-5710 or email planners@gulfport-ms.gov. The application is available for viewing in the Planning Division office at 1410 24th Avenue.

RE: Planning Commission Approval 2312PC147, by agent Deberah Couvillion, seeking approval for a mobile home use, at Tax Parcel 0810E-03-048.000, Ohio Ave, Zoned R-1-5 (Single-family), Ward 3

To Applicants and Adjacent Property Owners:

The City of Gulfport Planning Commission will hold a public hearing to consider the above application at 4:30 P.M. on **Thursday, February 22, 2024**, in the Council Chambers at the Gulfport City Hall located at 2309 15th Street.

For more information, visit http://www.gulfport-ms.gov/agendas/ then click the City of Gulfport Planning Commission for **Thursday, February 22, 2024.** A map showing the location of the property involved is located at this website. If you have any questions or comments, please contact this office at the phone number 228-868-5710 or email planners@gulfport-ms.gov. The application is available for viewing in the Planning Division office at 1410 24th Avenue.

McClatchy

The Beaufort Gazette
The Belleville News-Democrat
Bellingham Herald
Centre Daily Times
Sun Herald
Idaho Statesman
Bradenton Herald
The Charlotte Observer
The State
Ledger-Enquirer
Durham | The Herald-Sun
Fort Worth Star-Telegram
The Fresno Bee
The Island Packet
The Kansas City Star
Lexington Herald-Leader
The Telegraph - Macon
Merced Sun-Star
Miami Herald
El Nuevo Herald
The Modesto Bee
The Sun News - Myrtle Beach
Raleigh News & Observer
Rock Hill | The Herald
The Sacramento Bee
San Luis Obispo Tribune
Tacoma | The News Tribune
Tri-City Herald
The Wichita Eagle
The Olympian

AFFIDAVIT OF PUBLICATION

Account #	Order Number	Identification	Order PO	Amount	Cols	Depth
36845	492381	Print Legal Ad-IPL01489300 - IPL0148930	210200 DecPC	$61.45	1	50 L

Attention: Matilda Welch
GULFPORT URBAN DEVELOPMENT
PO BOX 1780
GULFPORT, MS 39502

accountspayable@gulfport-ms.gov

LEGAL NOTICE
PUBLIC HEARING

In conformance with Section VIII of the Comprehensive Zoning Ordinance of the City of Gulfport, Mississippi, 1979 as amended, notice is hereby given advising that the Gulfport City Planning Commission will hold a public hearing in the City of Gulfport, Mississippi at 4:30 P.M., Thursday, December 21, 2023 in the Council Chambers of the Gulfport City Hall located at 2309 15th Street to consider the following requests. A copy of the requests will be available for public review at the office of the Department of Urban Development, Planning Division, located on first floor of the William H. Hardy Building, 1410 24th Avenue.

Planning Commission Approval 2312PC141, by owner Stevie Bush, seeking approval for a church use, at Tax Parcel 0908M-01-004.002, Stewart Road, Zoned B-2 (General Business), Ward 5

Planning Commission Approval 2312PC147, by agent Deberah Couvillion, seeking approval for a mobile home use, at Tax Parcel 0810E-03-048.000, Ohio Ave, Zoned R-1-5 (Single-family), Ward 3

General Plan 2312PC150, by agent Brown, Mitchell & Alexander, Inc., at Tax Parcel 0908E-01-001.001, Approval of a General Plan for 19 lots with 6 out parcels (Florence Gardens Phase 12), Preservation Drive, Zoned R-1-15 (Single-family) and T4+ (General Urban Zone "Plus"), Ward 6

Zoning Map Amendment 2312PC140, by owner Vernon Floyd, Requesting to rezone Tax Parcel 0911C-01-024.000 from B-2 (General-business) to R-2 (Single-family), Hewes Ave, Ward 3

This the 17th day of November 2023
Keith Williams, Chairman
City of Gulfport Planning Commission
IPL0148930
Dec 6 2023

STATE OF MISSISSIPPI
COUNTY OF HARRISON

Before me, the undersigned Notary of Dallas County, Texas personally appeared Stefani Beard, who, being by me first duly sworn, did depose and say that she is a clerk of The Sun Herald, a daily newspaper published in the city of Gulfport, in Harrison County, Mississippi and the publication of the notice, a copy of which is hereto attached, has been made in said paper in the issue(s) of:

1 insertion(s) published on:
12/06/23

Affidavit further states on oath that said newspaper has been established and published continuously in said county for a period of more than twelve months next prior to the first publication of said notice.

Stefani Beard

Sworn to and subscribed before me this 6th day of December in the year of 2023

Stephanie Hatcher

Notary Public

* The Sun Herald has been deemed eligible for publishing legal notices in Jackson County to meet the requirements of Miss. Code 1972 Section 13-3-31 and 13-3-32.

STEPHANIE HATCHER
My Notary ID # 133534406
Expires January 14, 2026

Extra charge for lost or duplicate affidavits.
Legal document please do not destroy!

McClatchy

The Beaufort Gazette
The Belleville News-Democrat
Bellingham Herald
Centre Daily Times
Sun Herald
Idaho Statesman
Bradenton Herald
The Charlotte Observer
The State
Ledger-Enquirer
Durham | The Herald-Sun
Fort Worth Star-Telegram
The Fresno Bee
The Island Packet
The Kansas City Star
Lexington Herald-Leader
The Telegraph - Macon
Merced Sun-Star
Miami Herald
El Nuevo Herald
The Modesto Bee
The Sun News - Myrtle Beach
Raleigh News & Observer
Rock Hill | The Herald
The Sacramento Bee
San Luis Obispo Tribune
Tacoma | The News Tribune
Tri-City Herald
The Wichita Eagle
The Olympian

AFFIDAVIT OF PUBLICATION

Account #	Order Number	Identification	Order PO	Amount	Cols	Depth
36845	513910	Print Legal Ad-IPL01569880 - IPL0156988		$70.45	2	42 L

Attention: Matilda Welch

GULFPORT URBAN DEVELOPMENT
PO BOX 1780
GULFPORT, MS 39502

accountspayable@gulfport-ms.gov

LEGAL NOTICE
PUBLIC HEARING

In conformance with Section VIII of the Comprehensive Zoning Ordinance of the City of Gulfport, Mississippi, 1979 as amended, notice is hereby given advising that the Gulfport City Planning Commission will hold a public hearing in the City of Gulfport, Mississippi at 4:30 P.M., Thursday, February 22, 2024 in the Council Chambers of the Gulfport City Hall located at 2309 15 th Street to consider the following requests. A copy of the requests will be available for public review at the office of the Department of Urban Development, Planning Division, located on first floor of the William H. Hardy Building, 1410 24 th Avenue.

Planning Commission Approval 2312PC147, by agent Deberah Couvillion, seeking approval for a mobile home use, at Tax Parcel 0810E-03-048.000, Ohio Ave, Zoned R-1-5 (Single-family), Ward 3

Planning Commission Approval 2402PC010, by agent Damien Pardoe, seeking approval for a medical cannabis processing facility, Tax Parcel 0809A-02-009.000, 14092 Fastway Lane, Zoning I-2 (Heavy Industry), Ward 5

Planning Commission Approval 2402PC011, by agent M2 Enterprises, Inc., seeking approval for auto sales of less than fifty vehicles, Tax Parcel 0910M-03-058.000, 941 Pass Rd, Zoned B-2 (General Business), Ward 3

Special Exception 2402SE013, by owner Riaan LLC, seeking approval for liquor store use, Tax Parcel 1008M-01-007.000, 11268 Lorraine Rd, Zoned B-2 (General Business), Ward 6

General Plan 2402PC014, by agent Kenneth Jones, seeking approval for an 87-lot subdivision with five outparcels (Swan Landing Estates), Tax Parcel 0807G-01-001.000, South Swan Road, Zoned R-1-15 (Single-family), Ward 7

Zoning Map Amendment 2402PC015, by owner Ben W. Childers, requesting to rezone to T4+ (General Urban Zone "Plus"), Tax Parcels 1010E-02-006.000, 1010E-02-007.000, 1123 Bridge Street & 1115 Bridge Street, Zoned T3 (Sub-Urban Zone), Ward 4

This the 24th day of January 2024

Keith Williams, Chairman
City of Gulfport Planning Commission
PO210200
IPL0156988
Feb 7 2024

STATE OF MISSISSIPPI
COUNTY OF HARRISON

Before me, the undersigned Notary of Dallas County, Texas personally appeared Stefani Beard, who, being by me first duly sworn, did depose and say that she is a clerk of The Sun Herald, a daily newspaper published in the city of Gulfport, in Harrison County, Mississippi and the publication of the notice, a copy of which is hereto attached, has been made in said paper in the issue(s) of:

1 insertion(s) published on:
02/07/24

Affidavit further states on oath that said newspaper has been established and published continuously in said county for a period of more than twelve months next prior to the first publication of said notice.

Stefani Beard

Sworn to and subscribed before me this 7th day of February in the year of 2024

Stephanie Hatcher

Notary Public
* The Sun Herald has been deemed eligible for publishing legal notices in Jackson County to meet the requirements of Miss. Code 1972 Section 13-3-31 and 13-3-32.

STEPHANIE HATCHER
My Notary ID # 133534406
Expires January 14, 2026

Extra charge for lost or duplicate affidavits.
Legal document please do not destroy!

MEMORANDUM

To: City of Gulfport Planning Commission

From: Su-Lin Featherston, Planning Administrator
Urban Development Department

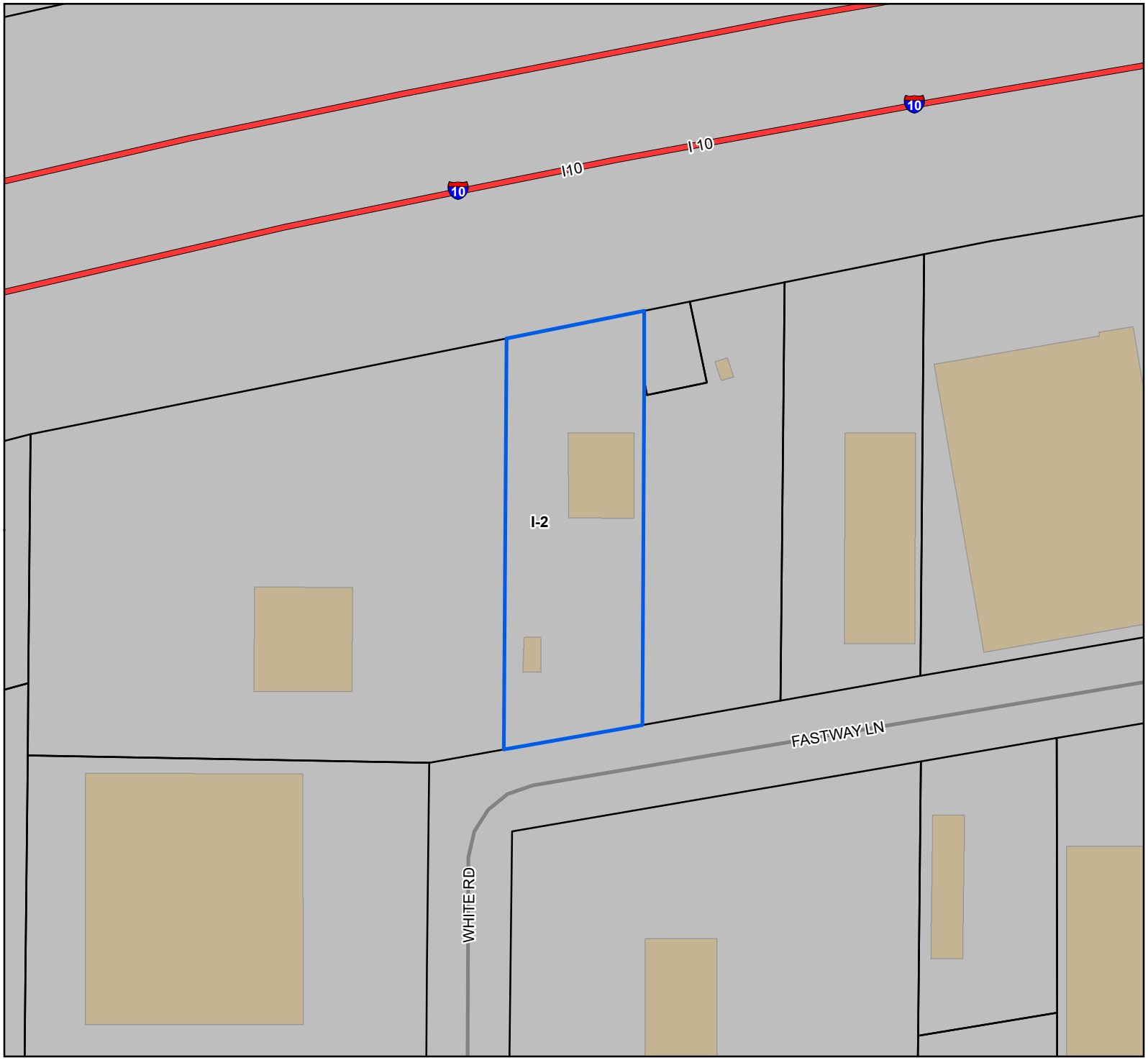
Date of Hearing: February 22, 2024

Re: **Planning Commission Approval 2402PC010: (Withdrawn by Planning Staff)**

Planning Commission Approval 2402PC010, by agent Damien Pardoe, seeking approval for a medical cannabis processing facility, Tax Parcel 0809A-02-009.000, 14092 Fastway Lane, Zoning I-2 (Heavy Industry), Ward 5

2402PC010

Planning Commission Approval



Interstate Highway

Street

Parcels

Buildings

Zoning

I-2 - Heavy Industry District

Site Information

0809A-02-009.000
Zoning: I-2 (Heavy Industry District)
Size:29936.44 sqft
Flood:X

0 10 20 30
Yards

1 inch = 100 feet

N
W E
S

DATA DISCLAIMER: All information that is provided on this map is believed to be correct. However, no liability is assumed by the City of Gulfport for errors in substance or form of any of the materials published on this map. The GIS Division, City of Gulfport, provides the information represented on this map as a service to the community and makes every effort possible to provide quality information. However, no claims, promises, or guarantees about the accuracy, completeness, or adequacy of the information contained on this map are expressed or implied.

CITY OF GULFPORT
Urban Development - Planning Division
1410 24th Avenue
Gulfport, MS 39501
(228) 868-5710

APPLICATION FOR PLANNING COMMISSION APPROVAL

For Staff Use Only

Case Number: 2402PC010
Date Received: 12/2/23
Receipt Number:
Received By: AA
Zoning: I-2
Ward: 5 Flood:
Size: 299.36, 4

Property Information

TAX PARCEL # 0 8 0 9 A - 0 2 - 0 0 9 . 0 0 0

(If necessary, use separate sheet of paper)

Address of Property Involved: 14092 Fastway Ln.

Lot(s)_____, Block(s)_____, Subdivision_____

General Location:

GENERAL DESCRIPTION OF REQUEST:
To open a Cannabis processing facility Micro Tier 2 In I-2 Zoning District

OWNERSHIP AND CERTIFICATION:

I hereby certify that I have read and understand this application and that all information and attachments are true and correct. I also certify that I agree to comply with all applicable city codes, ordinances and state laws. Finally, I certify that I am the owner of the property involved in this request or have authorization to act as the owner's agent for the herein described request.

OWNER	AGENT
Southland Capital Realty Group	Damien Pardoe
Printed Name of Owner	Printed Name of Agent
55 Midtown Park E	68 Fairwood Drive
Mailing Address	Mailing Address
Mobile AL 36606	Ocean Springs, MS 39564
City State Zip code	City State Zip code
251-445-8604 251-767-2440	228-424-7153
Home Phone Work/Cell Phone	Home Phone Work/Cell Phone
Tmartin@scrgllc.com	lionspawconcentratesllc@gmail.com
Email	Email
Signature of Owner	Signature of Agent

If the property or properties listed above have more than one owner, please check this box. In the case of multiple owners, reverse side must be completed. Each additional owner will need to complete and sign the reverse side of this application. We can only accept applications with original signatures. ☐

SECTIONS A. THROUGH G. MUST BE SUBMITTED FOR A COMPLETE APPLICATION.

This page must be completed if the property or properties involved have more than one owner. All persons listed as owners to the property or properties listed on page one must complete and sign this part of the application.

I hereby certify that I have read and understand this application and that all information and attachments are true and correct. I also certify that I agree to comply with all applicable city codes, ordinances and state laws. Finally, I certify that I am the owner of the property involved in this request or authorized to act as the owner's agent for herein described request.

NAME OF OWNER (PRINT) Lee B. Martin

ADDRESS (STREET, CITY, STATE, ZIP CODE) 55 Midtown Park E Mobile, AL 36606

PHONE # (H) 251-753-6782 (W) 251-662-1473

TAX PARCEL NUMBER(S) OWNED 0809A-02-009.000

SIGNATURE: Lee B. Martin

NAME OF OWNER (PRINT)

ADDRESS (STREET, CITY, STATE, ZIP CODE)

PHONE # (H) (W)

TAX PARCEL NUMBER(S) OWNED

SIGNATURE:

NAME OF OWNER (PRINT)

ADDRESS (STREET, CITY, STATE, ZIP CODE)

PHONE # (H) (W)

TAX PARCEL NUMBER(S) OWNED

SIGNATURE:

(Use additional forms as needed)

IN CASES OF MULTIPLE APPLICANTS, PLEASE IDENTIFY THE PERSON WHO WILL BE ACTING AS YOUR SPOKES PERSON/AGENT FOR YOU:

Gulfport MISSISSIPPI ONE COAST

Designation of Agent

I, T. Todd Martin, III (PRINT NAME), being property owner of 14092 Fastway Ln. (PRIMARY ADDRESS OR PARCEL) which is the subject of this application hereby authorize Damien Pardoe (PRINT NAME) to act as my representative with the City of Gulfport's Zoning Board of Adjustment and Appeals, and/or Planning Commission, and/or City Council, and/or permitting and licensing, as required by the City.

Such representation shall be for all purposes concerning any manner, right, or obligation relating to this petition. This designation authorizes my agent to make verbal or written representations and/or declarations on my behalf, and I shall be legally bound by said verbal or written representations and/or declarations relating to this petition.

The petitioner understands and acknowledges that the City will rely upon the agent's representations in approval or denial of said petition.

T. Todd Martin — 12/18/23

Signature — *Date*

STATE OF ~~MISSISSIPPI~~ Alabama | COUNTY OF ~~HARRISON~~ Mobile

Given under my hand and seal of office this the 18 day of December, 20 23

Martin M. Gunning — 3-18-25

Notary Public — *Commission Expiration*

F0108
Fee: $ 250

Michael Watson
SECRETARY OF STATE

2023330698

Business ID: 920511
Filed: 06/15/2023 11:14 AM
Michael Watson
Secretary of State

P.O. BOX 136
JACKSON, MS 39205-0136
TELEPHONE: (601) 359-1633

2023 LLC Annual Report

Business Information

Business ID: 920511

Business Name: Southland Capital Realty Group, LLC

State of Incorporation: AL

Business Email: lmartin@scrgllc.com

Phone: (***)***-****

FEIN: **-*******

Principal Address: 55 Midtown Park East
Mobile, AL 36606

Registered Agent

Name: REGISTERED AGENT SOLUTIONS, INC

Address: 8927 Lorraine Rd., Ste. 204-A
Gulfport, MS 39503

Managers and Members

Managers

Name:	***Address:***
T. Todd Martin III *Manager, President*	55 Midtown Park East Mobile, AL 36606
Lee B. Martin *Manager, Member, Vice President*	55 Midtown Park E. Mobile, AL 36606

Members

Name:	***Address:***
Lee B. Martin *Manager, Member, Vice President*	55 Midtown Park E. Mobile, AL 36606

Officers

Title/Name:	*Address:*	*Director:*
President: T. Todd Martin III	55 Midtown Park East Mobile, AL 36606	☐
Vice President: Lee B. Martin	55 Midtown Park E. Mobile, AL 36606	☐
Secretary:		☐
Treasurer:		☐

☑ This LLC has a written Operating Agreement.

NAICS Code/Nature of Business

561499 - All Other Business Support Services

531220 - Invalid NAICS Code

Signature

By entering my name in the space provided, I certify that I am authorized to file this document on behalf of this entity, have examined the document and, to the best of my knowledge and belief, it is true, correct and complete as of this day ***06/15/2023***.

Name:	*Address:*
Lee B Martin *Other*	55 Midtown Park E Mobile, AL 36606

Officers List

Name:	*Address:*
T. Todd Martin III *Manager, President*	55 Midtown Park East Mobile, AL 36606
Lee B. Martin *Manager, Member, Vice President*	55 Midtown Park E. Mobile, AL 36606

F. Provide a written statement addressing the following issues:

Explain how the site plan is appropriate with regard to:

- Transportation and access
  - No public transportation is needed. Limited access to employee(s) and vendors in private/commercial vehicles.
- Water Supply
  - Water needed will not exceed the limitations of existing plumbing and water supply. Toilet, bathroom/kitchen sinks, ice machine, and washing machine are the extent of water usage.
- Waste Disposal
  - Waste created from the manufacturing process is in the form of plant matter (no THC). This plant matter will be composted on site and donated to businesses and charities for farming/gardening.
- Fire and Police protection
  - Indoor and outdoor security systems, cypher locks on interior doors. No police or fire protection needed beyond emergency services.
- Other public facilities
  - None needed. Business is contained to leased building.
- Why the proposal will not cause undue traffic congestion or create a traffic hazard.
  - Limited deliveries and shipments throughout the month, fewer than 20, and one to two employees will create very little additional traffic in the area. Vehicles in and out will be small commercial or private vehicles, no semis. No foot traffic. No strain on existing access. No plans to expand within the five-year lease agreement.
- Why the proposal is in harmony with the orderly and appropriate development of the district in which the use is located.
  - Location is zoned as industrial which is consistent with business needs. State Licensure has been acquired and business plan has been deemed appropriate by the State of Mississippi.

SCHEDULE "A" LEGAL DESCRIPTION

LOT TWO (2), DEDEAUX INDUSTRIAL PARK, UNIT ONE (I), a subdivision according to the official map or plat thereof on file and of record in the Office of the Chancery Clerk of the First Judicial District, of Harrison County Mississippi, in Plat Book 30 at Page 5 thereof, reference to which is hereby made in aid of and as a part of this description.
Sometimes known and referenced as 14092 Fastway Lane (formerly White Road) Gulfport, MS.

Items Corresponding to Schedule B

(4) 50 foot easement along the Northern portion of subject property, as per recorded plat. PLOTTED AND SHOWN

(5) 10 foot drainage easement on Western side of lot, as per recorded plat. PLOTTED AND SHOWN--PLAT SHOWS 15 FOOT EASEMENT

Utility Notes

(UN1) The location of Utilities shown hereon is from observed evidence of above ground appurtenances only. The surveyor was not provided with underground plans to determine the location of any subterranean uses.

(UN2) From observed above ground appurtenances as shown hereon, electric, telephone, water, sewer and gas lines and/or service is available for the subject property within the public road right of way(s).

Statement of Encroachments

There are no encroachments to show.

Miscellaneous Notes

(MN1) Dimensions on this survey are expressed in feet and decimal parts thereof unless otherwise noted. Bearings are referred to an assumed meridian and are used to denote angles only. Monuments were found at points where indicated.

(MN2) The basis of bearings for this survey is S 80°03'00" W as the South property line, as evidenced by monuments found, and is the same bearing as shown in Deed Ref. 2005-0020587-D-J1 in the Office of the Chancery Clerk, Harrison County, Mississippi.

(MN3) There was no observable evidence of earth moving work, building construction, or building additions within recent months at the time of this survey.

(MN4) There was no observable evidence of recent street or sidewalk construction and/or repair at the time of this survey.

(MN5) There was no observable evidence of changes in street right-of-way lines or any proposed changes obtainable from the controlling jurisdiction at the time of this survey.

(MN6) There was no observable evidence of site use as a solid waste dump, sump or sanitary landfill at the time of this survey.

(MN7) Property is accessed from the South via Fastway Lane, which is a public road.

(MN8) There was no evidence of building or street numbers found in field.

(MN9) There was no evidence of cemetery or burial grounds located on property.

Zoning Information

STATUS	CURRENT, ZONING DATED 10/4/07		STATUS	I-2 Industrial
ITEM	REQUIRED	OBSERVED	ZONING AUTHORITY	City of Gulfport, MS
PERMITTED USE	Pest Control	Pest Control	ADDRESS	1410 24th Ave. Gulfport, MS 39501
MINIMUM LOT AREA	None	15,002.06 sq.ft	PERSON CONTACTED	Candace Payne
MINIMUM FRONTAGE	None	101.55'	DATE CONDUCTED	10/4/07
MINIMUM LOT WIDTH	None	100'	PHONE/FAX NUMBER	(228) 868-5710
MAX. BUILDING COVERAGE	75%	10.38%	EMAIL ADDRESS	
MINIMUM SETBACKS FRONT	25'	51.31'	NOTES: Parking Requirements - 1 Space per 300 sq.ft. of GFA	
MINIMUM SETBACKS SIDE	None	8.42'		
MINIMUM SETBACKS REAR	None	79.31'		
MAX. BUILDING HEIGHT	100'	14.17'		
PARKING REGULAR	3	27		
PARKING HANDICAP	1	1		
PARKING TOTAL	4	28		

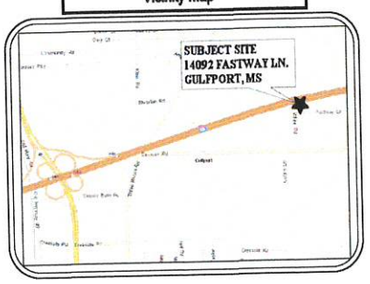
Legend of Symbols & Abbreviations

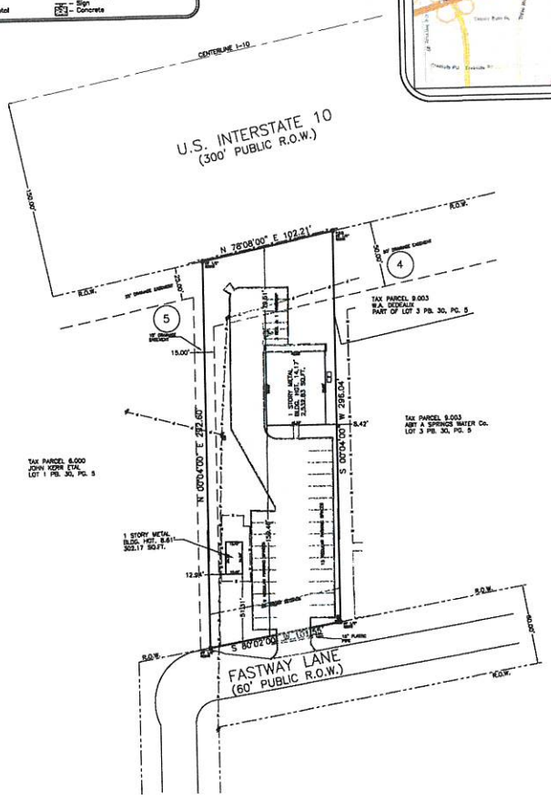
- Overhead Power
- Underground Power
- Overhead Telephone
- Underground Telephone
- Gas Line
- Sewer Line
- Water Line
- Chainlink Fence
- Guy Wires
- Canopy or Overhang
- Power Pole
- Light Pole
- Traffic Pole
- Primary Transformer
- Generator
- Electric Meter
- Gas Meter
- Gas Valve
- Water Meter
- Water Valve
- Fire Hydrant
- Telephone Pedestal
- Concrete Monument
- Iron Pin or PKNail Found
- Iron Pin or PKNail Set
- X in Concrete
- P.O.B. – Point of Beginning
- P.O.C. – Point of Commencement
- R.O.W. – Right of Way
- R.C.P. – Reinforced Concrete Pipe
- C.M.P. – Corrugated Metal Pipe
- Drain Inlet
- Guy Anchor
- Manhole
- Electric Manhole
- Telephone Manhole
- Storm Sewer Manhole
- Sanitary Sewer Cleanout
- Sanitary Sewer Manhole
- Monitoring Well
- Flagpole
- Guard Post
- Sign
- Concrete

SCALE : 1" = 40'

0' 20' 40' 80'

Vicinity Map





FLOOD NOTE:
BY GRAPHIC PLOTTING ONLY, THIS PROPERTY IS IN ZONE(S) "X", OF THE FLOOD INSURANCE RATE MAP, COMMUNITY PANEL No. 285253D370 , WHICH BEARS AN EFFECTIVE DATE OF October 4, 2007 AND IS NOT IN A SPECIAL FLOOD HAZARD AREA, BY CONTACT DATED September 27, 2007 TO THE NATIONAL FLOOD INSURANCE PROGRAM http://www.fema.gov/ WE HAVE LEARNED THIS COMMUNITY DOES CURRENTLY PARTICIPATE IN THE PROGRAM. NO FIELD SURVEYING WAS PERFORMED TO DETERMINE THIS ZONE AND AN ELEVATION CERTIFICATE MAY BE NEEDED TO VERIFY THIS DETERMINATION OR APPLY FOR A VARIANCE FROM THE FEDERAL EMERGENCY MANAGEMENT AGENCY.

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SURVEYORS LEGAL DESCRIPTION

I, Robert L. Taylor, a Registered Land Surveyor of Mississippi, hereby state that all parts of this survey and drawing have been completed in accordance with the requirements of the Standards of Practice for Surveying in the State of Mississippi to the best of my knowledge, information and belief, and is more particularly described as follows:

LOT TWO (2), DEDEAUX INDUSTRIAL PARK, UNIT ONE (I), a subdivision according to the official map or plat thereof on file and of record in the Office of the Chancery Clerk of the First Judicial District, of Harrison County Mississippi, in Plat Book 30 at Page 5 and being more particularly described as follows:

Beginning at an iron pin on the South right of way margin of Interstate Highway 10 at the Northeast corner of said Lot 2, said point being the TRUE POINT OF BEGINNING; thence run South 00°04'00" West for a distance of 296.04 feet to an iron pin on the North right of way margin of Fastway Lane; thence run South 80°03'00" West along said right of way margin for a distance of 101.55 feet to an iron pin; thence run North 00°04'00" East for a distance of 292.60 feet to an iron pin on the South right of way margin of Interstate Highway 10; thence run North 78°08'00" East along said right of way margin for a distance of 102.21 feet to an iron pin and back to the TRUE POINT OF BEGINNING.

Containing 15,002.06 sq.ft. or 0.34 acres more or less.

Notes:

All field measurements matched record dimensions as recorded in Deed 2005-0020587-D-J1 on file in the Office of the Chancery Clerk of Harrison County, Mississippi within the precision requirements of ALTA/ACSM specifications unless otherwise shown.

The property described hereon is the same property as described in Title Commitment No. 999070246 of Stewart Title Guaranty Company Title Commitment bearing an effective date of June 10, 2007.

ALTA/ACSM Land Title Survey

Terminix Project
B&C Project No. 20071528, 045
Gulfport
14092 Fastway Ln, Gulfport, MS 39503

Surveyor's Certification

To: Southeast Capital Realty Group, LLC; RBC Centura Bank; Stewart Title Guaranty Company and Bock & Clark Corporation.

The undersigned certifies that to the best of his professional knowledge, information and belief, this map or plat of survey on which it is based were made on the date shown below of the premises shown and described in Commitment No. 999070246 dated 6/13/2007 and was made: (1) in accordance with "Minimum Standard Detail Requirements for ALTA/ACSM Land Title Surveys," jointly established and adopted by ALTA and NSPS in 2005, (2) in accordance with the "Survey Regulations" of the jurisdiction or locality in which the land is located, and includes items 1, 2, 3, 4, 6, 7a, 7b1, 7c, 8, 9, 13, 14 and 17 of Table A thereof. The fieldwork was completed on 10/4/2007. To the best of my knowledge, information and belief, I state that to my professional opinion, as a land surveyor registered in the State of Mississippi, the Relative Positional Accuracy of this survey does not exceed that which is specified therein.

SURVEYOR PS-3041 STATE OF MISSISSIPPI

ROBERT L. TAYLOR REG. No. PS-3041

Robert L. Taylor
Registration No. PS-3041
in the State of Mississippi
Date of Survey: October 4, 2007
Date of Last Revision: October 24, 2007

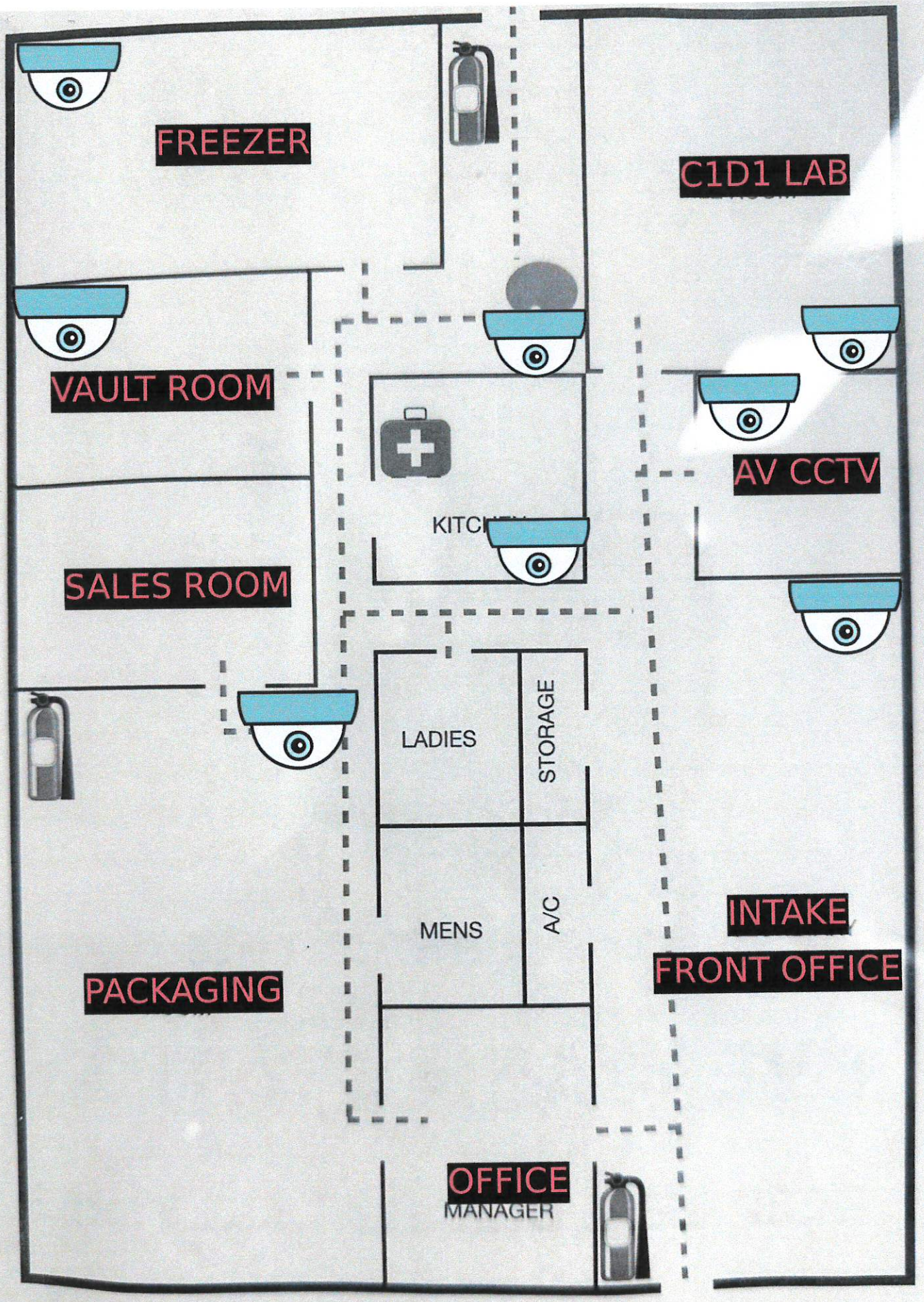
Bock & Clark NSN Project No.
20071528/Site 45

Survey Performed By:
Taylor, Rainwater & Associates, Inc.
557 North Brindley Mtn. Parkway
Anniston, AL 36116
Phone: 256-586-4591
Fax: 256-586-4584
Web: www.taylorrainwater.com

Sheet 1 of 1

Bock & Clark's National Surveyors Network
National Coordinators of ALTA/ACSM Land Title Surveys
537 North Cleveland-Massillon Road Akron, Ohio 44333
Phone: (800) Surveys, Fax: (330) 666-3608 www.1800surveys.com

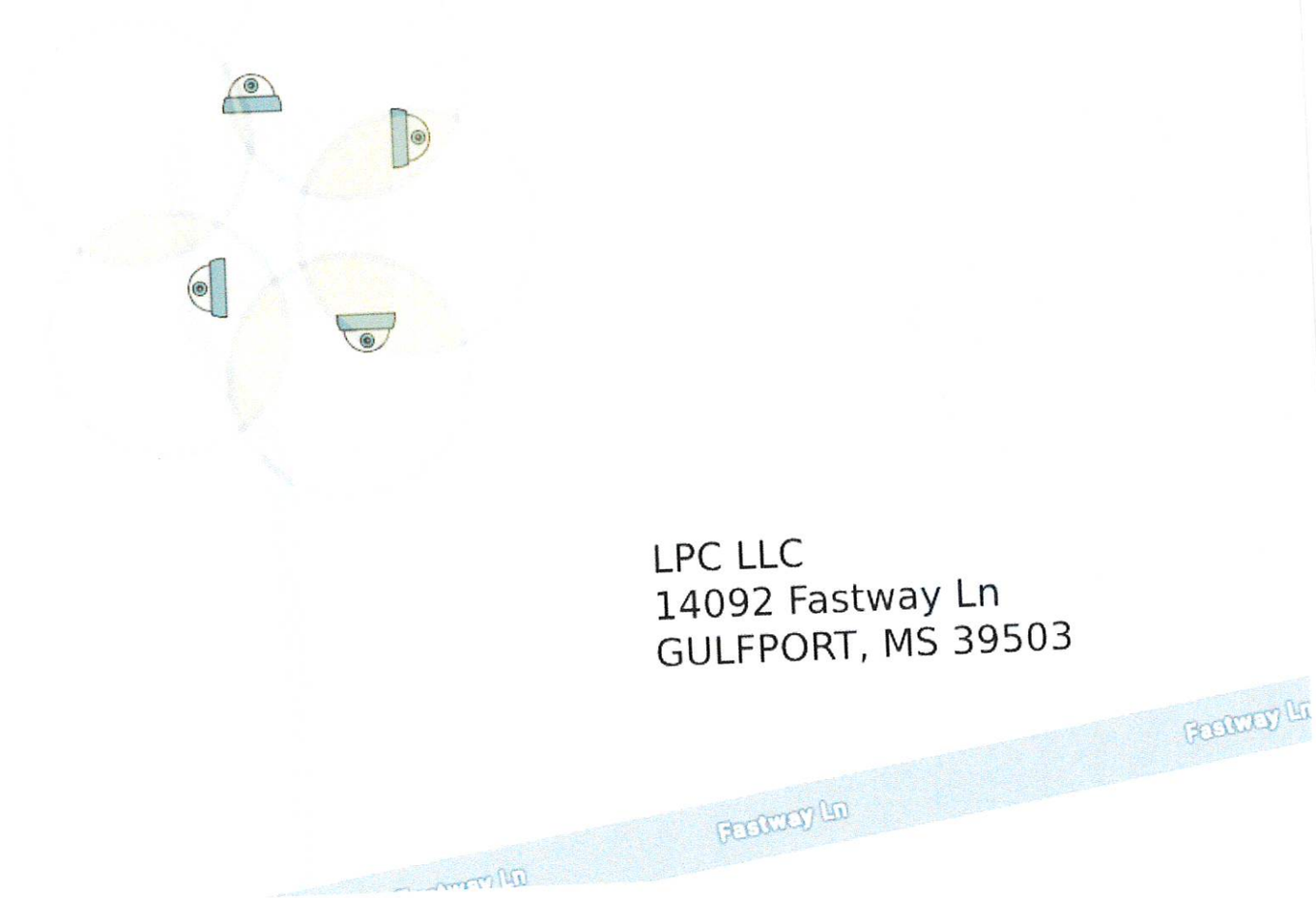
BOCK & CLARK 1-800-SURVEYS



FRONT OF BUILDING

outdoor lighting

outdoor camera



LPC LLC
14092 Fastway Ln
GULFPORT, MS 39503

14100

Lion's Paw Concentrates, LLC BUSINESS PLAN

Prepared by:

Damien Pardoe, Stephen Vaughn
14092 FASTWAY LN
GULFPORT, MS 39503
228.424.7153
lionspawconcentratesllc@gmail.com

I. EXECUTIVE SUMMARY

Lion's Paw Concentrates, LLC (referred to from hereon in as the "Company") is intended to be established as a Limited Liability Company at 14092 FASTWAY LN GULFPORT, MS 39503 with the expectation of rapid expansion in the cannabis processing industry.

Business Description
The Company shall be formed as Limited Liability Company under Mississippi state laws and headed by Damien Pardoe, Stephen Vaughn.

Management Team
The Company has assembled an experienced management team:
Owner - Damien Pardoe, *20 Years of General Manufacturing Experience*
Owner - Stephen Vaughn, *12 Years of High Carbon Extraction Experience*

Business Mission
We empower individuals to take their health into their own hands with natural cannabis products derived from high quality biomass sourced from local growers.

Product
The Company's primary product will be Cannabis Concentrates: Extract THC from cannabis biomass for a variety of medicinal uses.

Processing extracts for live resin, live rosin, bubble hash, kief, vapes, terpene sauce, and infused cannabis products.

II. BUSINESS SUMMARY

Industry Overview
In the United States, the cannabis processing industry presently makes 600,000 dollars in sales.

Mississippi medical marijuana card registration has increased by 950% in 2023. Continued growth is expected in this sector as the industry matures.

Research shows that consumers in this industry primarily focus on the following factors when making purchasing decisions:
Locally grown origin product
Convenience of concentrated products
Discrete usage

Legal Issues
The Company affirms that its promoters have acquired all legally required trademarks and patents.

III. MARKETING SUMMARY

Target Markets
The Company's major target markets are as follows:

Registered medical marijuana card holders in Mississippi

The estimated number of potential clients within the Company's geographic scope is 150.

Distribution Strategy
Product will be distributed though dispensary and cultivators.

Services
First-rate service is intended to be the focus of the Company and a cornerstone of the brand's success. All clients will receive conscientious, one-on-one, timely service in all capacities, be they transactions, conflicts or complaints. This is expected to create a loyal brand following and return business.

IV. FINANCIAL PLAN

12-Month Profit and Loss Projection

Monthly expense for salaries and overhead (projected):	$10,000.00
Revenue and sales for first year of business (projected):	$600,000.00
Gross profit for first year of business (projected):	$400,000.00

Standard Operating Procedure (SOP) for Lion's Paw Concentrates LLC

Standard Operating Procedure (SOP) for cannabis extract manufacturing in compliance with the regulations set forth by the Mississippi Department of Health and other relevant local, state, and federal authorities. This SOP is designed to ensure the safe and efficient production of high-quality cannabis extracts while maintaining strict adherence to all applicable laws and regulations.

1. Purpose:

The purpose of this SOP is to establish guidelines and procedures for the manufacturing of cannabis extracts at [Your Company Name], located in [City, State], in accordance with Mississippi state regulations.

2. Scope:

This SOP covers all aspects of cannabis extract manufacturing, from raw material handling to product packaging. It applies to all employees involved in the extraction process.

3. Responsibilities:

- **Management:** Ensure compliance with all regulatory requirements and provide necessary resources.
- **Production Team:** Execute the extraction process as per this SOP and report any deviations or issues.
- **Quality Assurance:** Monitor and verify adherence to quality standards.
- **Safety Team:** Oversee safety protocols and emergency procedures.

- Store hazardous waste in approved containers.

10. Documentation:

- Maintain detailed records of all production activities, including batch records, quality control data, and safety records.
- Keep all records for the required retention period.

11. Reporting:

- Report any deviations, incidents, or adverse events to regulatory authorities as required by law.

12. Product Packaging:

- Ensure labeling complies with state regulations, including accurate THC/CBD content, allergen warnings, and more.
- Use child-resistant packaging.

13. Training:

- Provide ongoing training to employees on safety, quality, and regulatory compliance.

14. Auditing and Inspections:

- Regularly audit and inspect the facility to ensure compliance with this SOP and regulatory requirements.

15. Conclusion:

This SOP serves as the foundation for the safe and compliant manufacturing of cannabis extracts at LPC LLC. It is essential that all employees adhere to these procedures to maintain the highest level of safety, quality, and compliance.[redacted]

This instrument prepared by:
Aileen S. McNeill, Esq.
WATKINS LUDLAM WINTER & STENNIS, P.A.
P. O. Box 427
Jackson, Mississippi 39205-0427
601/949-4900

INDEXING INSTRUCTIONS:
Lot 2 Dedeaux Industrial Park
Unit 1, PB 30/5

Harrison County, Mississippi

SPECIAL WARRANTY DEED

FOR AND IN CONSIDERATION of the sum of TEN and NO/100 DOLLARS ($10.00), cash in hand paid, and other good and valuable considerations, the receipt and sufficiency of which are hereby acknowledged, SOUTHLAND CAPITAL, L.P., an Alabama Limited Partnership, Grantor, does hereby grant, bargain, sell, convey and warrant specially to SOUTHLAND CAPITAL REALTY GROUP, LLC, an Alabama Limited Liability Company, Grantee, the property described on Exhibit "A" attached hereto and situated in Harrison County, Mississippi.

This conveyance is made subject to, and there is excepted from the warranty hereof, the Permitted Encumbrances listed in Exhibit "B" attached hereto.

Grantee assumes and agrees to pay all ad valorem taxes and special assessments.

IN WITNESS WHEREOF, this instrument has been executed on this the 5th day of November, 2007.

CHANCERY CLERK OF HARRISON COUNTY MISSISSIPPI
1st Judicial District
Instrument 2007 11962 D -J1
Filed/Recorded 12 7 2007 9 10 A
Total Fees 12.00
4 Pages Recorded

SOUTHLAND CAPITAL, L.P., an Alabama Limited Partnership
By: Southland Capital Management, Inc.
Its: General Partner

By: _____
Robert J. Williams, Chairman

STATE OF ALABAMA

COUNTY OF MOBILE

Personally appeared before me, the undersigned authority in and for the said county and state, on this 5th day of November, 2007, within my jurisdiction, the within named Robert J. Williams, duly identified before me, who acknowledged that he is Chairman of Southland Capital Management, Inc., an Alabama Corporation and General Partner of SOUTHLAND CAPITAL, L.P., an Alabama Limited Partnership, and that for and on behalf of said corporation as general partner of said limited partnership, and as the act and deed of said corporation as general partner of said limited partnership, and as the act and deed of said limited partnership, he executed the above and foregoing instrument, after first having been duly authorized by said corporation and limited partnership so to do.

NOTARY PUBLIC

My Commission Expires:
09/30/09

(Affix official seal)

ALABAMA STATE AT LARGE NOTARY PUBLIC AMANDA A. MORENO

ADDRESS OF GRANTOR:
14 Midtown Park East
Mobile, Alabama 36606
Business Phone: (251) 450-2832
Residence Phone: None

ADDRESS OF GRANTEE
14 Midtown Park East
Mobile, Alabama 36606
Business Phone: (251) 450-2823
Residence Phone: None

3

EXHIBIT A
LEGAL DESCRIPTION

LOT TWO (2), DEDEAUX INDUSTRIAL PARK, UNIT ONE (I), a subdivision according to the official map or plat thereof on file and of record in the Office of the Chancery Clerk of the First Judicial District, of Harrison County Mississippi, in Plat Book 30 at Page 5 and being more particularly described as follows:

Beginning at an iron pin on the South right of way margin of Interstate Highway 10 at the Northeast corner of said Lot 2, said point being the TRUE POINT OF BEGINNING; thence run South 00°04'00" West for a distance of 296.04 feet to an iron pin on the North right of way margin of Fastway Lane; thence run South 80°02'00" West along said right of way margin for a distance of 101.55 feet to an iron pin; thence run North 00°04'00" East for a distance of 292.60 feet to an iron pin on the South right of way margin of Interstate Highway 10; thence run North 78°08'00" East along said right of way margin for a distance of 102.21 feet to an iron pin and back to the TRUE POINT OF BEGINNING.

Containing 15,002.06 sq.ft. or 0.34 acres more or less.

EXHIBIT B

1. (a) Taxes. Ad valorem taxes for the year 2007 which are not yet due and payable.

2. 50 foot easement along the Northern portion of subject property, as depicted on a plat of survey entitled "ALTA/ACSM Land Title Survey -Terminix Project #20071528,045 – 14092 Fastway Ln, Gulfport, MS 30503", prepared by Taylor, Rainwater & Associates, under the supervision of Bock & Clark's National Surveyors Network, dated October 4, 2007, last revised October 24, 2007.

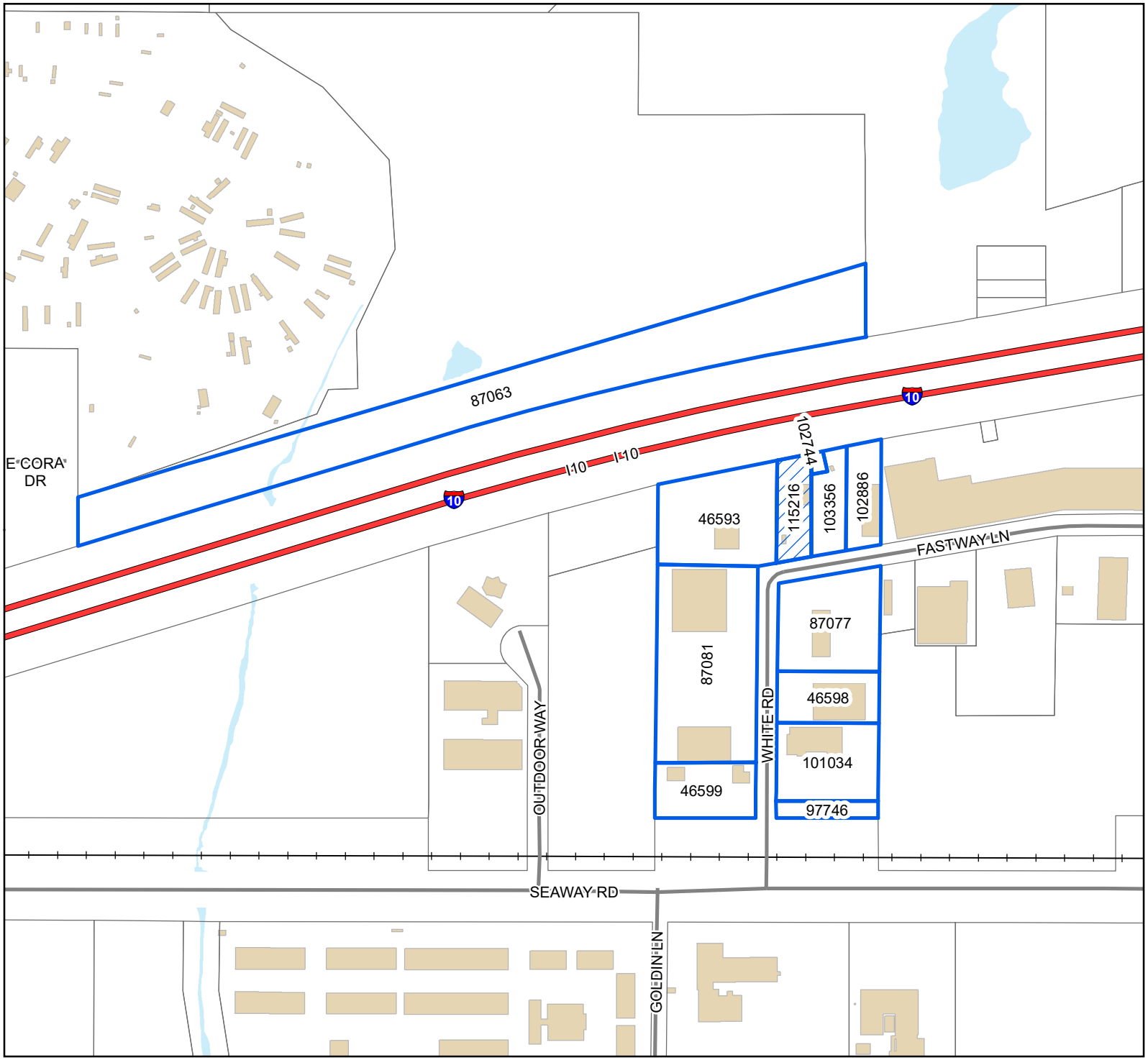
   With respect to the encroachment of the parking spaces and paved areas onto the 50' drainage easement as depicted on the above-referenced Survey, the Company insures against loss or damage sustained by the insured, occasioned by or resulting from the entry of a final order from a court of competent jurisdiction, denying the right to maintain the improvements which constitute said encroachments.

3. 10 foot drainage easement on Western side of lot, as depicted on a plat of survey entitled "ALTA/ACSM Land Title Survey -Terminix Project #20071528,045 – 14092 Fastway Ln, Gulfport, MS 30503", prepared by Taylor, Rainwater & Associates, under the supervision of Bock & Clark's National Surveyors Network, dated October 4, 2007, last revised October 24, 2007.

Mail	PPIN	Parcel ID	Name	Address	City	State	ZIP
Y		0809A-02-009.000	SOUTHLAND CAPITAL REALTY GROUP(OWNER)	55 MIDTOWN PARK E	MOBILE	AL	36606
			DAMIEN PARDOE(AGENT)	68 FAIRWOOD DRIVE	OCEAN SPRINGS	MS	39564
			Adjacent Property Owners (2402PC010)				
	46599	0809A-02-004.000	HODGE JAMES F SR	14108 SEAWAY RD	GULFPORT	MS	39503
	101034	0809A-02-002.001	EWING IRRIGATION PRODUCTS INC	3441 E HARBOUR DR	PHOENIX	AZ	85034
	97746	0809H-01-002.000	DEDEAUX W A	4809 JEFFERSON AVE	GULFPORT	MS	39507
	46598	0809A-02-003.000	GULF SOUTH INVESTMENTS LLC	P O BOX 3449	GULFPORT	MS	39505
	115216	0809A-02-009.000	SOUTHLAND CAPITAL REALTY GROUP LLC	14 MIDTOWN PARK EAST	MOBILE	AL	36606
	102886	0809A-02-009.001	DS WATERS OF AMERICA INC	5660 NEW NORTHSIDE DRIVE	ATLANTA	GA	30328
	46593	0809A-02-006.000	KERR REAL ESTATE LLC	P O BOX 8308	JACKSON	MS	39284
	87077	0809A-02-002.000	FAYARD PROPERTIES INC	P O BOX 2189	GULFPORT	MS	39505
	102744	0809A-02-009.004	DEDEAUX PROPERTIES I LP	13407 DEDEAUX RD	GULFPORT	MS	39503
	87081	0809A-02-005.000	MISSISSIPPI COAST INVESTORS LLC	12004 MOBILE AVE	GULFPORT	MS	39503

2402PC010

Planning Commission Approval



Legend

- Site
- Adjacent Properties
- Interstate Highway
- Street
- Railroad
- Buildings
- Water Features

0 60 120 180

Yards

1 inch = 400 feet

N W E S

DATA DISCLAIMER: All information that is provided on this map is believed to be correct. However, no liability is assumed by the City of Gulfport for errors in substance or form of any of the materials published on this map. The GIS Division, City of Gulfport, provides the information represented on this map as a service to the community and makes every effort possible to provide quality information. However, no claims, promises, or guarantees about the accuracy, completeness, or adequacy of the information contained on this map are expressed or implied.

RE: Planning Commission Approval 2402PC010, by agent Damien Pardoe, seeking approval for a medical cannabis processing facility, Tax Parcel 0809A-02-009.000, 14092 Fastway Lane, Zoning I-2 (Heavy Industry), Ward 5

To Applicants and Adjacent Property Owners:

The City of Gulfport Planning Commission will hold a public hearing to consider the above application at 4:30 P.M. on **Thursday, February 22, 2024**, in the Council Chambers at the Gulfport City Hall located at 2309 15th Street.

For more information, visit http://www.gulfport-ms.gov/agendas/ then click the City of Gulfport Planning Commission for **Thursday, February 22, 2024.** A map showing the location of the property involved is located at this website. If you have any questions or comments, please contact this office at the phone number 228-868-5710 or email planners@gulfport-ms.gov. The application is available for viewing in the Planning Division office at 1410 24th Avenue.

McClatchy

The Beaufort Gazette
The Belleville News-Democrat
Bellingham Herald
Centre Daily Times
Sun Herald
Idaho Statesman
Bradenton Herald
The Charlotte Observer
The State
Ledger-Enquirer
Durham | The Herald-Sun
Fort Worth Star-Telegram
The Fresno Bee
The Island Packet
The Kansas City Star
Lexington Herald-Leader
The Telegraph - Macon
Merced Sun-Star
Miami Herald
El Nuevo Herald
The Modesto Bee
The Sun News - Myrtle Beach
Raleigh News & Observer
Rock Hill | The Herald
The Sacramento Bee
San Luis Obispo Tribune
Tacoma | The News Tribune
Tri-City Herald
The Wichita Eagle
The Olympian

AFFIDAVIT OF PUBLICATION

Account #	Order Number	Identification	Order PO	Amount	Cols	Depth
36845	513910	Print Legal Ad-IPL01569880 - IPL0156988		$70.45	2	42 L

Attention: Matilda Welch

GULFPORT URBAN DEVELOPMENT
PO BOX 1780
GULFPORT, MS 39502

accountspayable@gulfport-ms.gov

LEGAL NOTICE
PUBLIC HEARING

In conformance with Section VIII of the Comprehensive Zoning Ordinance of the City of Gulfport, Mississippi, 1979 as amended, notice is hereby given advising that the Gulfport City Planning Commission will hold a public hearing in the City of Gulfport, Mississippi at 4:30 P.M., Thursday, February 22, 2024 in the Council Chambers of the Gulfport City Hall located at 2309 15 th Street to consider the following requests. A copy of the requests will be available for public review at the office of the Department of Urban Development, Planning Division, located on first floor of the William H. Hardy Building, 1410 24 th Avenue.

Planning Commission Approval 2312PC147, by agent Deberah Couvillion, seeking approval for a mobile home use, at Tax Parcel 0810E-03-048.000, Ohio Ave, Zoned R-1-5 (Single-family), Ward 3

Planning Commission Approval 2402PC010, by agent Damien Pardoe, seeking approval for a medical cannabis processing facility, Tax Parcel 0809A-02-009.000, 14092 Fastway Lane, Zoning I-2 (Heavy Industry), Ward 5

Planning Commission Approval 2402PC011, by agent M2 Enterprises, Inc., seeking approval for auto sales of less than fifty vehicles, Tax Parcel 0910M-03-058.000, 941 Pass Rd, Zoned B-2 (General Business), Ward 3

Special Exception 2402SE013, by owner Riaan LLC, seeking approval for liquor store use, Tax Parcel 1008M-01-007.000, 11268 Lorraine Rd, Zoned B-2 (General Business), Ward 6

General Plan 2402PC014, by agent Kenneth Jones, seeking approval for an 87-lot subdivision with five outparcels (Swan Landing Estates), Tax Parcel 0807G-01-001.000, South Swan Road, Zoned R-1-15 (Single-family), Ward 7

Zoning Map Amendment 2402PC015, by owner Ben W. Childers, requesting to rezone to T4+ (General Urban Zone "Plus"), Tax Parcels 1010E-02-006.000, 1010E-02-007.000, 1123 Bridge Street & 1115 Bridge Street, Zoned T3 (Sub-Urban Zone), Ward 4

This the 24th day of January 2024

Keith Williams, Chairman
City of Gulfport Planning Commission
PO210200
IPL0156988
Feb 7 2024

STATE OF MISSISSIPPI
COUNTY OF HARRISON

Before me, the undersigned Notary of Dallas County, Texas personally appeared Stefani Beard, who, being by me first duly sworn, did depose and say that she is a clerk of The Sun Herald, a daily newspaper published in the city of Gulfport, in Harrison County, Mississippi and the publication of the notice, a copy of which is hereto attached, has been made in said paper in the issue(s) of:

1 insertion(s) published on:
02/07/24

Affidavit further states on oath that said newspaper has been established and published continuously in said county for a period of more than twelve months next prior to the first publication of said notice.

Stefani Beard

Sworn to and subscribed before me this 7th day of February in the year of 2024

Stephanie Hatcher

Notary Public
* The Sun Herald has been deemed eligible for publishing legal notices in Jackson County to meet the requirements of Miss. Code 1972 Section 13-3-31 and 13-3-32.

STEPHANIE HATCHER
My Notary ID # 133534406
Expires January 14, 2026

Extra charge for lost or duplicate affidavits.
Legal document please do not destroy!

MEMORANDUM

To: City of Gulfport Planning Commission

From: Su-Lin Featherston, Planning Administrator
Urban Development Department

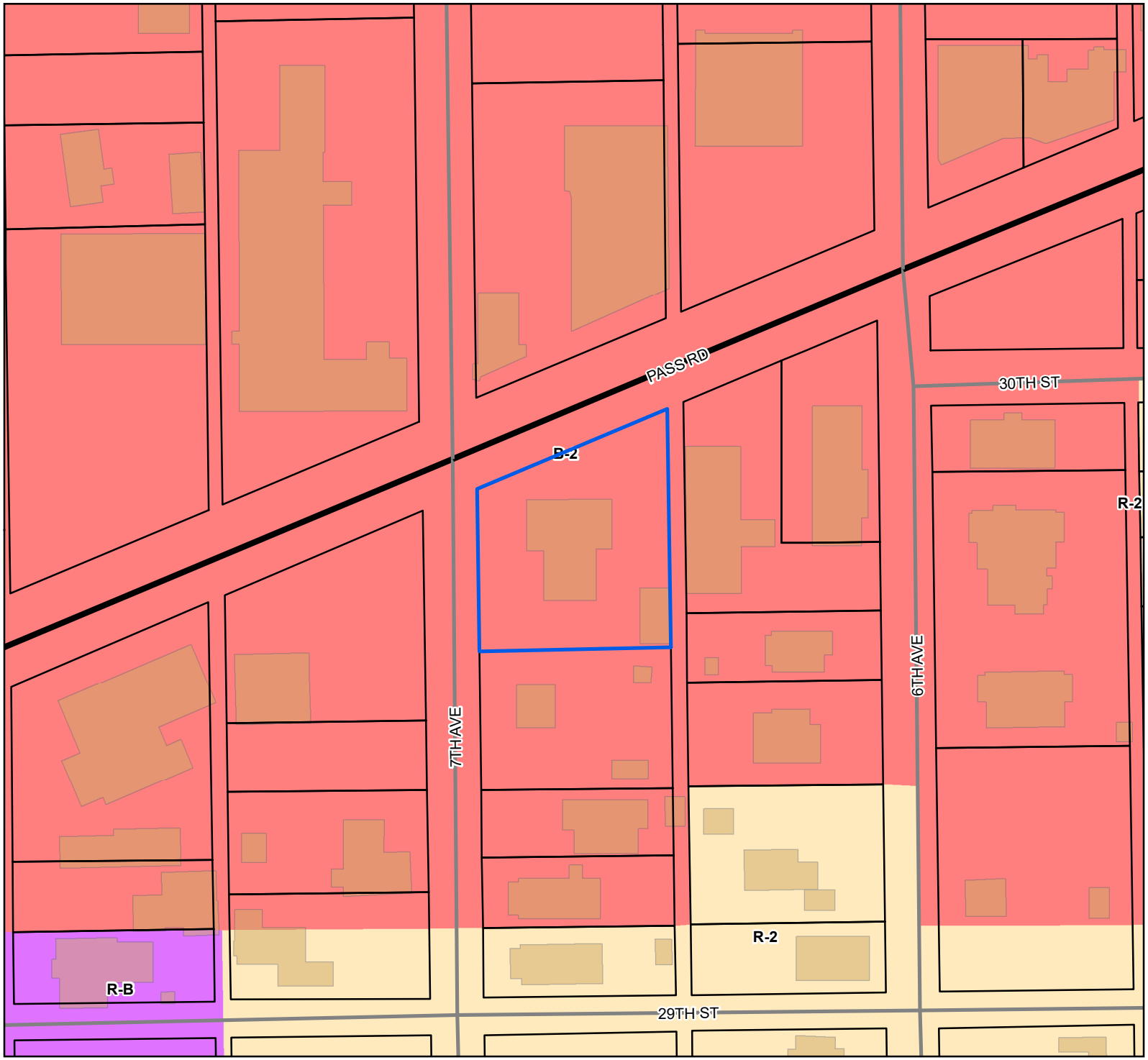
Date of Hearing: February 22, 2024

Re: **Planning Commission Approval 2402PC011: (Deferred to March Meeting Date)**

Planning Commission Approval 2402PC011, by agent M2 Enterprises, Inc., seeking approval for auto sales of less than fifty vehicles, Tax Parcel 0910M-03-058.000, 941 Pass Rd, Zoned B-2 (General Business), Ward 3

2402PC011

Planning Commission Approval



US or State Highway

Street

Parcels

Buildings

Zoning

B-2 - General Business District

R-2 - Single Family Residence District (Medium Density)

R-B - Residence-Business District

Site Information

0910M-03-058.000
Zoning: B-2 (General Buisness District)
Size:1.8 Acres
Flood:X

0 10 20 30
Yards

1 inch = 100 feet

N
W E
S

DATA DISCLAIMER: All information that is provided on this map is believed to be correct. However, no liability is assumed by the City of Gulfport for errors in substance or form of any of the materials published on this map. The GIS Division, City of Gulfport, provides the information represented on this map as a service to the community and makes every effort possible to provide quality information. However, no claims, promises, or guarantees about the accuracy, completeness, or adequacy of the information contained on this map are expressed or implied.

CITY OF GULFPORT
Urban Development - Planning Division
1410 24th Avenue
Gulfport, MS 39501
(228) 868-5710

APPLICATION FOR PLANNING COMMISSION APPROVAL

For Staff Use Only

Case Number: 2402PC011
Date Received: 12/22/23
Receipt Number:
Received By: AA
Zoning: B-2
Ward: 3 Flood:
Size: 20118.43 sqft

Property Information

TAX PARCEL # 0910M-03-058.000

(If necessary, use separate sheet of paper)

Address of Property Involved: 941 PASS RD

Lot(s) 30 to 35, Block(s) 19, Subdivision MYRTLE RESURVEY

General Location: PASS Rd

GENERAL DESCRIPTION OF REQUEST:

Would like to BE Able to SELL Automobiles IN B2 ZONING DISTRICT. LESS THAN 50 VEHICLES.

OWNERSHIP AND CERTIFICATION:

I hereby certify that I have read and understand this application and that all information and attachments are true and correct. I also certify that I agree to comply with all applicable city codes, ordinances and state laws. Finally, I certify that I am the owner of the property involved in this request or have authorization to act as the owner's agent for the herein described request.

OWNER	AGENT
OMT LLC	M2 ENTERPRISES, Inc. d.b.a. Incorrigible Motorsports
Printed Name of Owner	Printed Name of Agent
P.O. Box 6976	941 Pass Rd
Mailing Address	Mailing Address
Gulfport MS 39506	Gulfport MS 39501
City State Zip code	City State Zip code
228-697-1473	951-210-5404 Cell / 228-701-9461
Home Phone Work/Cell Phone	Home Phone Work/Cell Phone
jwd32159@gmail.com	matt@incorrigiblemotorsports.com
Email	Email
John W Dam	President
Signature of Owner	Signature of Agent

If the property or properties listed above have more than one owner, please check this box. In the case of multiple owners, reverse side must be completed. Each additional owner will need to complete and sign the reverse side of this application. We can only accept applications with original signatures. ☐

SECTIONS A. THROUGH G. MUST BE SUBMITTED FOR A COMPLETE APPLICATION.

Gulfport MISSISSIPPI ONE COAST

Designation of Agent

I, John Davies, being property owner of 941 Ross Rd.
PRINT NAME PRIMARY ADDRESS OR PARCEL
which is the subject of this application hereby authorize Matthew Sugden to act as my
PRINT NAME
representative with the City of Gulfport's Zoning Board of Adjustment and Appeals, and/or Planning Commission, and/or City Council, and/or permitting and licensing, as required by the City.

Such representation shall be for all purposes concerning any manner, right, or obligation relating to this petition. This designation authorizes my agent to make verbal or written representations and/or declarations on my behalf, and I shall be legally bound by said verbal or written representations and/or declarations relating to this petition.

The petitioner understands and acknowledges that the City will rely upon the agent's representations in approval or denial of said petition.

John W Davies 12-20-23

Signature *Date*

STATE OF MISSISSIPPI | COUNTY OF HARRISON

Given under my hand and seal of office this the 20th day of December, 20 23

Nov. 7, 2027

Notary Public *Commission Expiration*

STATE OF MISSISSIPPI NOTARY PUBLIC ID # 158612 JOSHUA REYER Commission Expires Nov. 7, 2027 HARRISON COUNTY

Gulfport MISSISSIPPI ONE COAST

Covenant Affidavit

I, John Daniel, being owner or agent of the property 941 Pass Rd

PRINT NAME — PRIMARY ADDRESS OR PARCEL

which is the subject of this application, hereby state that this variance request is not in violation of any restrictive or protective covenants.

Signature — 12-20-23 *Date*

STATE OF MISSISSIPPI | COUNTY OF HARRISON

Given under my hand and seal of office this the 20th day of December, 20 23

Notary Public

STATE OF MISSISSIPPI NOTARY PUBLIC ID # 158612 JOSHUA REYER Commission Expires Nov. 7, 2027 HARRISON COUNTY

Nov. 7, 2027

Commission Expiration

Michael Watson
SECRETARY OF STATE

This is not an official certificate of good standing.

Name History

Name	Name Type
O.M.T., L.L.C.	Legal

Business Information

Business Type:	Limited Liability Company
Business ID:	671728
Status:	Good Standing
Effective Date:	06/01/1999
State of Incorporation:	Mississippi
Principal Office Address:	1901 29th Street Gulfport, MS 39501

Registered Agent

Name

Danese T Daniel
2252 Beach Drive , Unit 2205
Gulfport, MS 39507

Officers & Directors

Name	Title
John W Daniel 1901 29TH STREET GULFPORT, MS 39505	Manager, President
John W Daniel P O BOX 6976 GULFPORT, MS 39506	Member
Danese T Daniel 2252 Beach Drive, Unit 2205 GUlfport, MS 39507	Treasurer, Vice President

INCORRIGIBLE
MOTORSPORTS

Contact information

Matthew Svendsen, President

M2 Enterrpise, Inc. d.b.a. Incorrigible Motorsports

(228-701-9461

matt@incorrigiblemotorsports.com

941 Pass Rd. Gulfport, MS 39501

To

City of Gulfport

Urban Development – Planning Division

1410 24th Avenue

Gulfport, MS 39501

Esteemed Members of Urban Development – Planning Division

RE: Application for Planning Commission Approval – Section F.

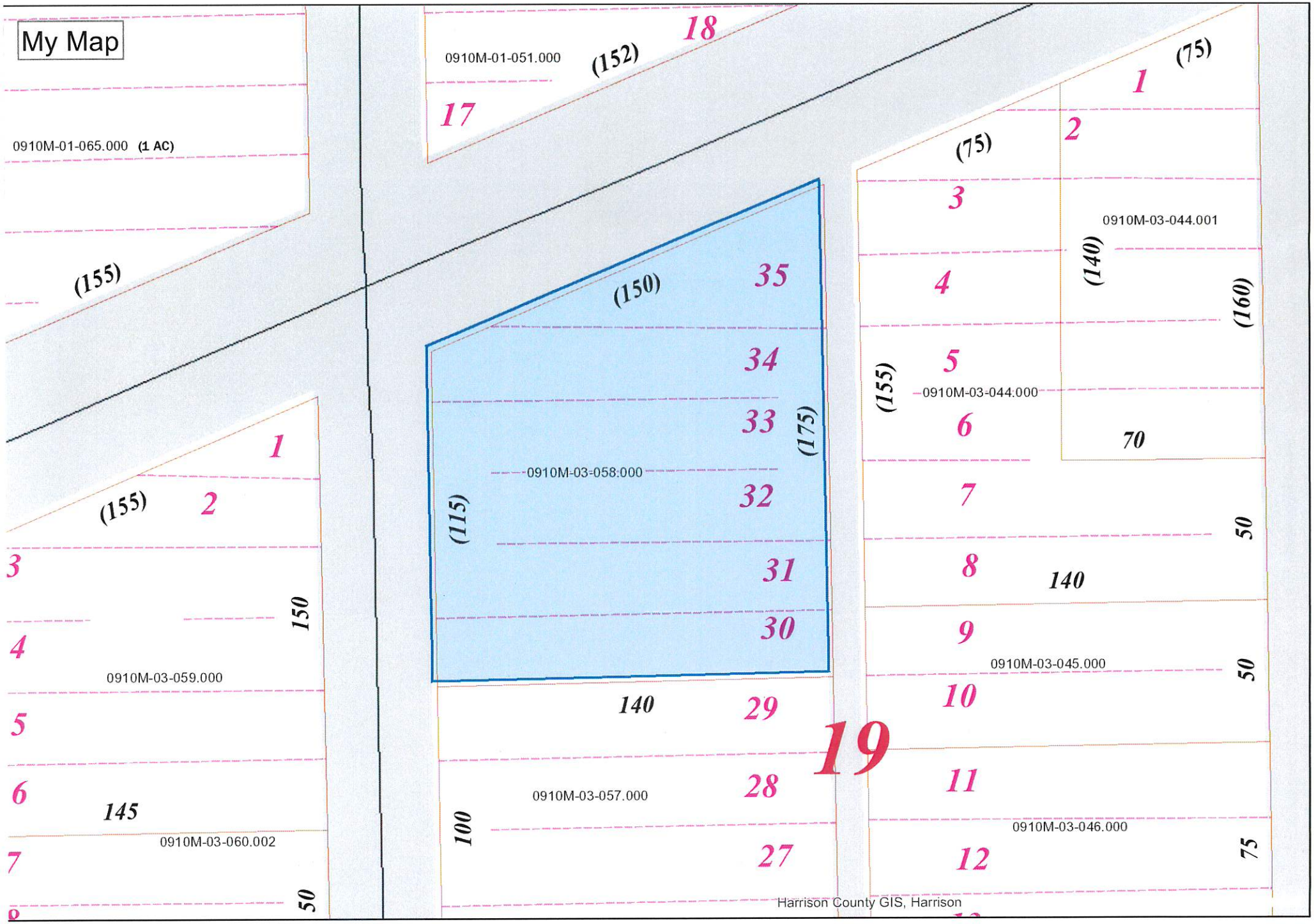
- With regards to Transportation and Access:
  - The location has been established for many years in the Gulfport community and offers access off of Pass Rd. without having to cause traffic to stop for turn-in purposes. Front parking is wide and spacious and currently has 8 individual curbed parking spaces for customers. The east section of the parking area allows for vehicles to be displayed.
  - The property has ingress/egress access through a wide fence off 7th Avenue near the rear of the lot, and well as a large gate opening on the east side of the parking area, easily allowing for vehicles to be moved from the secured fence lot to the front as needed without obstructing traffic.
  - The facility lot allows for display of vehicles along Pass Rd. frontage as well as behind the secured fence along Pass Rd. and 7th Avenue.
- With regards to Water Supply:
  - Facility is an established facility that has catered to Marine applications (boat dealership) and for the last year plus offering automotive accessories and installation. The facility has several access points for hoses for maintaining

the property.

- With regards to waste disposal:
    - We currently have trash service that picks up along 7th Avenue.
- With regards to Fire and Police:
    - The Facility offers ample access for Fire if needed. In addition, a city hydrant is located at the corner of 7th Ave and Pass Rd. some 20 feet from the front showroom facility.
    - Police can find easy visibility into the facility from the front parking area. The facility is transparent allowing Police to put eyes on all four corners of the facility without exiting their vehicle from both Pass Rd. as well as 7th Ave. The business also has HD cameras showing all 4 sides of the facility as well as capturing sound. We have been visited and asked by Gulfport PD to assist with video and sound recordings of happenings in the area a few times this past year, in which we have welcome the opportunity to lend assistance.
- Other Public Facilities:
    - We have two restroom facilities open to customers.
- How in harmony with the orderly and appropriate development of the district in which the use is located:
    - The location is surrounded by automotive type companies in both directions along Pass Rd... It is very fitting with what the district offers the community for services. In addition, we keep the facility clean and organized, market well and offer a "premium" product for customers... Since moving in (January 2023) 3 vacant locations across the street have been filled – D&D Auto Group, Amigos Automotive, and Babers Appliances. Much of this growth is contributed to the professional way we conduct business and uphold our facilities.

Sincerely,

Matthew Svendsen, President
M2 Enterprise, Inc. d.b.a. Incorrigible Motorsports
December 20, 2023



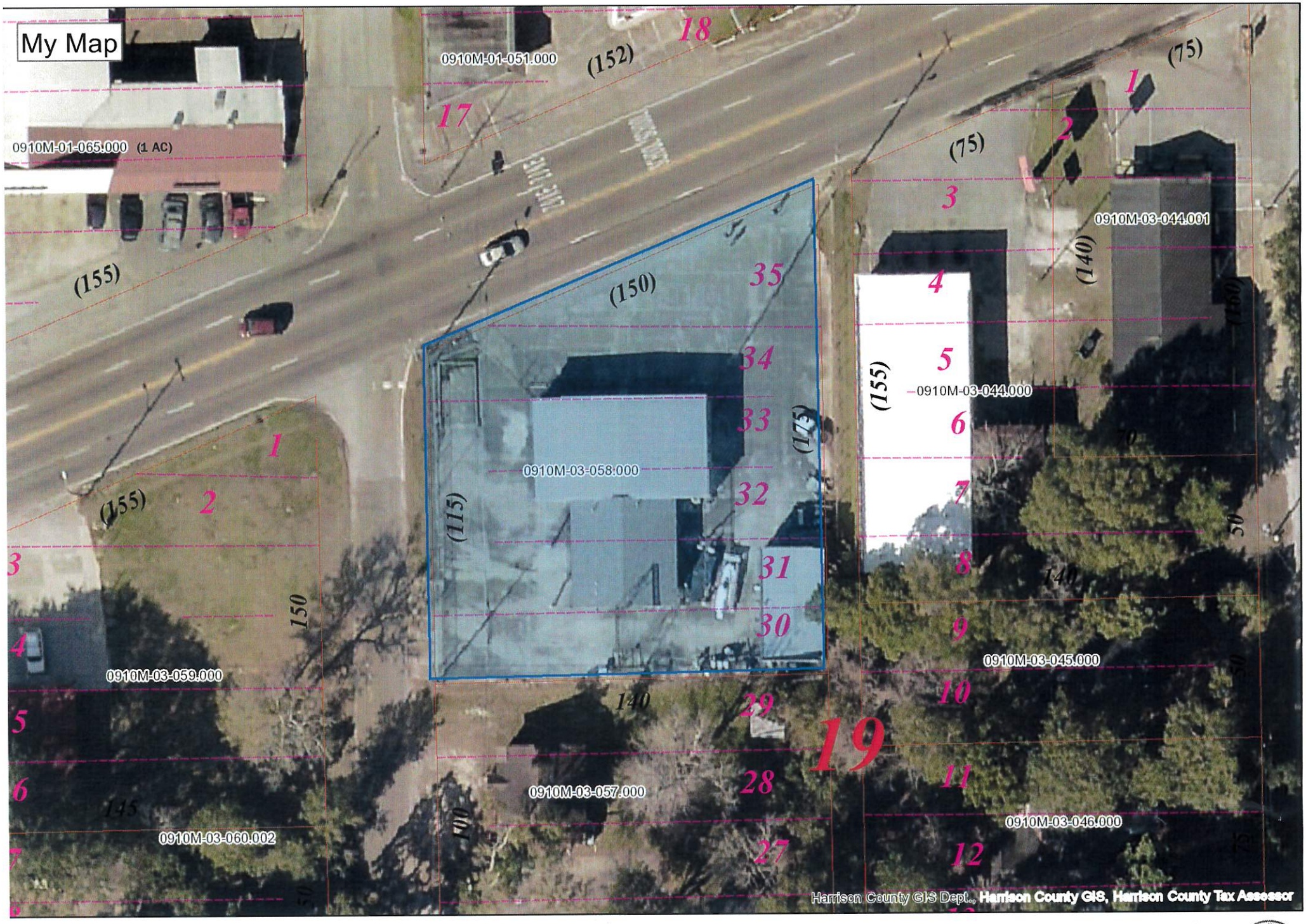
Date: 12/15/2023

Time: 1:33:13 PM

0 50 100 200 Feet

1 inch = 50 feet

DISCLAIMER: THIS MAP IS FOR PROPERTY TAX ASSESSMENT PURPOSES ONLY. IT WAS CONSTRUCTED FROM PROPERTY INFORMATION RECORDED IN THE OFFICE OF THE REGISTER OF DEEDS AND IS NOT CONCLUSIVE AS TO LOCATION OF PROPERTY OR LEGAL OWNERSHIP.



Date: 12/15/2023

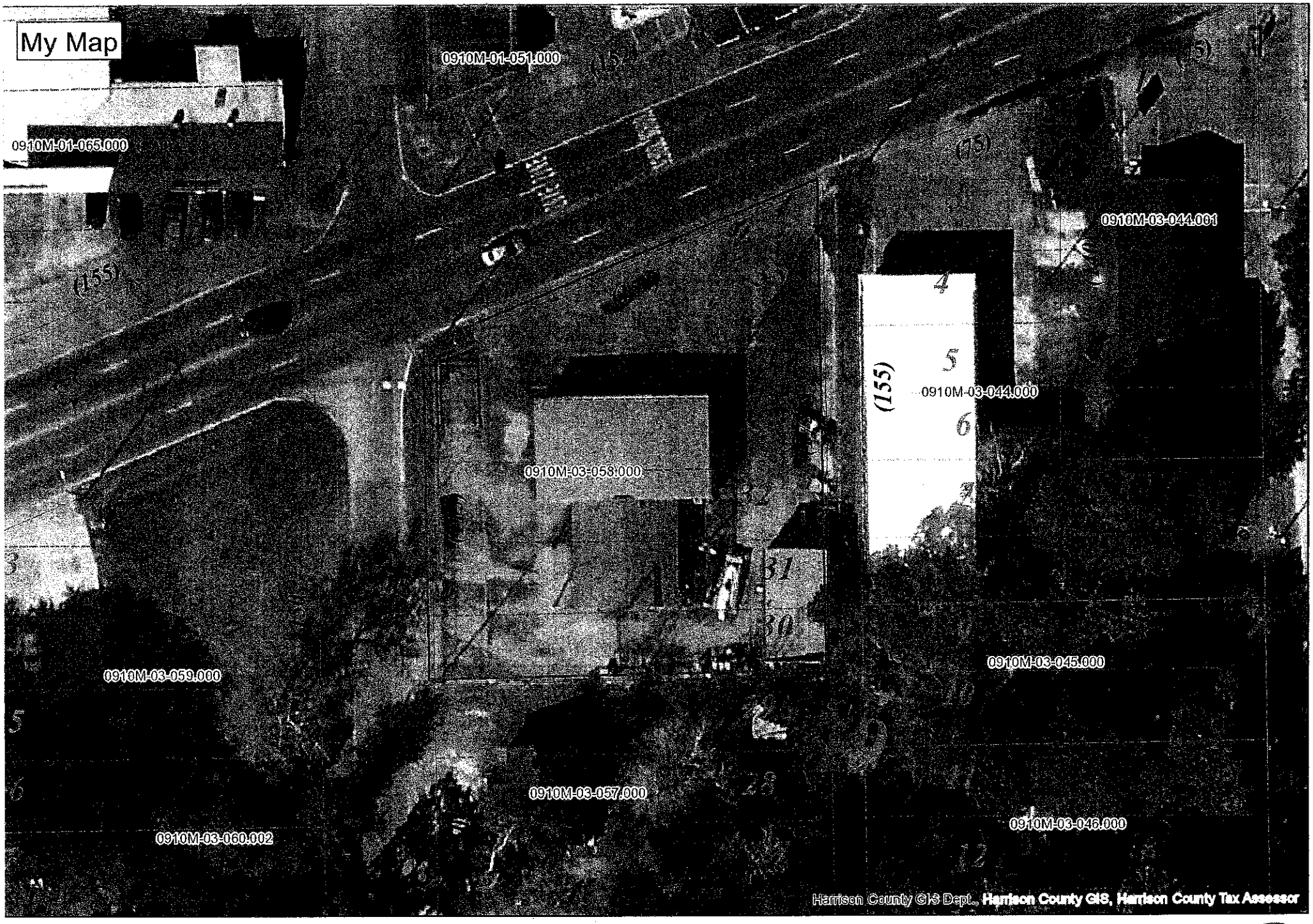
Time: 1:34:20 PM

0 50 100 200 Feet

1 inch = 50 feet

N

DISCLAIMER: THIS MAP IS FOR PROPERTY TAX ASSESSMENT PURPOSES ONLY. IT WAS CONSTRUCTED FROM PROPERTY INFORMATION RECORDED IN THE OFFICE OF THE REGISTER OF DEEDS AND IS NOT CONCLUSIVE AS TO LOCATION OF PROPERTY OR LEGAL OWNERSHIP.



Date: 12/15/2023

Time: 1:34:20 PM

0 50 100 200 Feet

1 inch = 50 feet

DISCLAIMER: THIS MAP IS FOR PROPERTY TAX ASSESSMENT PURPOSES ONLY. IT WAS CONSTRUCTED FROM PROPERTY INFORMATION RECORDED IN THE OFFICE OF THE REGISTER OF DEEDS AND IS NOT CONCLUSIVE AS TO LOCATION OF PROPERTY OR LEGAL OWNERSHIP.

1st Judicial District
Instrument 2019 10729 D – J1
Filed/Recorded 12/31/2019 09:20 A
Total Fees $ 17.00
2 Pages Recorded

PREPARED BY AND RETURN TO:
David W. Jones, Attorney, PLLC
1605 Twenty-third Avenue
Gulfport, MS 39501
(228) 864-8965
File #199100

REVIEI

STATE OF MISSISSIPPI
COUNTY OF HARRISON
FIRST JUDICIAL DISTRICT

WARRANTY DEED

FOR AND IN CONSIDERATION of the sum of Ten Dollars ($10.00), cash in hand paid, and other good and valuable consideration, the receipt and sufficiency of all of which is hereby acknowledged, the undersigned, **George Gresham Bethea, 92 M Parker Road, McHenry, MS 39561, (228) 731-2820**, does hereby sell, convey and warrant unto, **O.M.T., L.L.C., 2252 Beach Drive #2205, Gulfport, MS 39507, (228) 697-1473**, the following described land and property being located in the First Judicial District, Harrison County, Mississippi, being more particularly described as follows, to-wit:

> Lots Thirty (30), Thirty-one (31), Thirty-two (32), Thirty-three (33), Thirty-four (34) and Thirty-five (35), Block Nineteen (19), MYRTLE RESURVEY, a subdivision according to the official map or plat thereof on file and of record in the office of the Chancery Clerk of the First Judicial District of Harrison County, Mississippi, in Plat Book 3 at Page 46 (Copy Book 2 at Page 93) thereof, reference to which is hereby made in aid of and as a part of this description.
>
> LESS AND EXCEPT that portion conveyed as a right-of-way for Pass Christian Road, as shown by instrument recorded in Deed Book 256 at Page 439 of the Deed Records of Harrison County, Mississippi.

THIS CONVEYANCE is subject to any and all recorded restrictive covenants, rights-of-way and easements applicable to subject property, and subject to any and all prior recorded reservations, conveyances and leases of oil, gas and minerals by previous owners.

AD VALOREM TAXES for the current year have been pro-rated and are hereby assumed by the Grantee herein.

WITNESS MY SIGNATURE, on December 30, 2019.

George Gresham Bethea

STATE OF MISSISSIPPI

COUNTY OF HARRISON

THIS DAY PERSONALLY CAME AND APPEARED BEFORE ME, the undersigned authority in and for the jurisdiction aforesaid, George Gresham Bethea, who acknowledged that the above and foregoing instrument was signed and delivered as the free and voluntary act and deed of the Grantor on the day and in the year therein mentioned.

GIVEN UNDER MY HAND AND OFFICIAL SEAL OF OFFICE, on December 30, 2019.

NOTARY PUBLIC

STATE OF MISSISSIPPI NOTARY PUBLIC ID # 23205 DAVID W. JONES Commission Expires Jan. 8, 2021 HARRISON COUNTY

My Commission Expires:
January 8, 2021

Mail	PPIN	Parcel ID	Name	Address	City	State	ZIP
Y			OMT LLC (OWNER)	P.O. BOX 6976	GULFPORT	MS	39506
			M2 ENTERPRISES INC (AGENT)	941 PASS RD	GULFPORT	MS	39501
			Adjacent Property Owners (2402PC011)				
	32496	0910M-03-056.000	AARON THOMAS B & LINDA M	1380 S INDIANFIELD ST	BENNETT	CO	80102
	32490	0910M-03-047.000	SLAUGHTER HOWARD B & CATHERINE R	17 KIMBALL DR	GULFPORT	MS	39507
	98714	0910M-03-060.001	BRELAND JO ANN	2905 7TH AVENUE	GULFPORT	MS	39501
	32489	0910M-03-046.000	MCPARTLAND JAMES L	2915 6TH AVE	GULFPORT	MS	39501
	83854	0910M-03-059.000	APPLE HOLDINGS LLC	P O BOX 7503	GULFPORT	MS	39506
	32487	0910M-03-044.000	HAGE LIMITED PARTNERSHIP	400 PASS RD	GULFPORT	MS	39507
	32498	0910M-03-058.000	OMT LLC	2252 BEACH DR #2205	GULFPORT	MS	39507
	114826	0910M-03-055.000	DEEN LATONIA D	2904 7TH AVE	GULFPORT	MS	39501
	98715	0910M-03-060.002	HASEN BONNIE	420 PINNACLE HEIGHTS LANE	LAS VEGAS	NV	89144
	32494	0910M-03-054.000	CHAIN MARGARET WALKER	2900 7TH AVE	GULFPORT	MS	39501
	32488	0910M-03-045.000	PINEDA MARIA DELFINA	2917 6TH AVE	GULFPORT	MS	39501
	32439	0910M-01-051.000	MILNER JOHN K & LINDA B	940 PASS RD	GULFPORT	MS	39501
	32436	0910M-01-049.000	COASTAL PLAIN LAND & DEVELOPMENT IN	2937 ASTER PL	MOBILE	AL	36119
	83855	0910M-03-060.000	PILGRIM DORIS B -L/E-	2103 20TH AVE	GULFPORT	MS	39501
	83776	0910M-01-065.000	1000 PASS ROAD LLC	29 COLONEL WINK DRIVE	GULFPORT	MS	39507
	83853	0910M-03-049.000	KADERLI BARBARA A	2911- 6TH AVENUE	GULFPORT	MS	39501
	32497	0910M-03-057.000	THOMAS JACK & DELL	944 CLEVELAND AVE	GULFPORT	MS	39507
	83765	0910M-01-050.000	COASTAL PLAIN LAND & DEVELOPMENT IN	2937 ASTER PLACE	MOBILE	AL	36119

2402PC011

Planning Commission Approval

Legend

- Site
- Adjacent Properties
- US or State Highway
- Street
- Buildings

0 30 60 90
Yards

1 inch = 200 feet

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W E
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DATA DISCLAIMER: All information that is provided on this map is believed to be correct. However, no liability is assumed by the City of Gulfport for errors in substance or form of any of the materials published on this map. The GIS Division, City of Gulfport, provides the information represented on this map as a service to the community and makes every effort possible to provide quality information. However, no claims, promises, or guarantees about the accuracy, completeness, or adequacy of the information contained on this map are expressed or implied.

McClatchy

The Beaufort Gazette
The Belleville News-Democrat
Bellingham Herald
Centre Daily Times
Sun Herald
Idaho Statesman
Bradenton Herald
The Charlotte Observer
The State
Ledger-Enquirer
Durham | The Herald-Sun
Fort Worth Star-Telegram
The Fresno Bee
The Island Packet
The Kansas City Star
Lexington Herald-Leader
The Telegraph - Macon
Merced Sun-Star
Miami Herald
El Nuevo Herald
The Modesto Bee
The Sun News - Myrtle Beach
Raleigh News & Observer
Rock Hill | The Herald
The Sacramento Bee
San Luis Obispo Tribune
Tacoma | The News Tribune
Tri-City Herald
The Wichita Eagle
The Olympian

AFFIDAVIT OF PUBLICATION

Account #	Order Number	Identification	Order PO	Amount	Cols	Depth
36845	513910	Print Legal Ad-IPL01569880 - IPL0156988		$70.45	2	42 L

Attention: Matilda Welch

GULFPORT URBAN DEVELOPMENT
PO BOX 1780
GULFPORT, MS 39502

accountspayable@gulfport-ms.gov

LEGAL NOTICE
PUBLIC HEARING

In conformance with Section VIII of the Comprehensive Zoning Ordinance of the City of Gulfport, Mississippi, 1979 as amended, notice is hereby given advising that the Gulfport City Planning Commission will hold a public hearing in the City of Gulfport, Mississippi at 4:30 P.M., Thursday, February 22, 2024 in the Council Chambers of the Gulfport City Hall located at 2309 15 th Street to consider the following requests. A copy of the requests will be available for public review at the office of the Department of Urban Development, Planning Division, located on first floor of the William H. Hardy Building, 1410 24 th Avenue.

Planning Commission Approval 2312PC147, by agent Deberah Couvillion, seeking approval for a mobile home use, at Tax Parcel 0810E-03-048.000, Ohio Ave, Zoned R-1-5 (Single-family), Ward 3

Planning Commission Approval 2402PC010, by agent Damien Pardoe, seeking approval for a medical cannabis processing facility, Tax Parcel 0809A-02-009.000, 14092 Fastway Lane, Zoning I-2 (Heavy Industry), Ward 5

Planning Commission Approval 2402PC011, by agent M2 Enterprises, Inc., seeking approval for auto sales of less than fifty vehicles, Tax Parcel 0910M-03-058.000, 941 Pass Rd, Zoned B-2 (General Business), Ward 3

Special Exception 2402SE013, by owner Riaan LLC, seeking approval for liquor store use, Tax Parcel 1008M-01-007.000, 11268 Lorraine Rd, Zoned B-2 (General Business), Ward 6

General Plan 2402PC014, by agent Kenneth Jones, seeking approval for an 87-lot subdivision with five outparcels (Swan Landing Estates), Tax Parcel 0807G-01-001.000, South Swan Road, Zoned R-1-15 (Single-family), Ward 7

Zoning Map Amendment 2402PC015, by owner Ben W. Childers, requesting to rezone to T4+ (General Urban Zone "Plus"), Tax Parcels 1010E-02-006.000, 1010E-02-007.000, 1123 Bridge Street & 1115 Bridge Street, Zoned T3 (Sub-Urban Zone), Ward 4

This the 24th day of January 2024

Keith Williams, Chairman
City of Gulfport Planning Commission
PO210200
IPL0156988
Feb 7 2024

STATE OF MISSISSIPPI
COUNTY OF HARRISON

Before me, the undersigned Notary of Dallas County, Texas personally appeared Stefani Beard, who, being by me first duly sworn, did depose and say that she is a clerk of The Sun Herald, a daily newspaper published in the city of Gulfport, in Harrison County, Mississippi and the publication of the notice, a copy of which is hereto attached, has been made in said paper in the issue(s) of:

1 insertion(s) published on:
02/07/24

Affidavit further states on oath that said newspaper has been established and published continuously in said county for a period of more than twelve months next prior to the first publication of said notice.

Stefani Beard

Sworn to and subscribed before me this 7th day of February in the year of 2024

Stephanie Hatcher

Notary Public
* The Sun Herald has been deemed eligible for publishing legal notices in Jackson County to meet the requirements of Miss. Code 1972 Section 13-3-31 and 13-3-32.

STEPHANIE HATCHER
My Notary ID # 133534406
Expires January 14, 2026

Extra charge for lost or duplicate affidavits.
Legal document please do not destroy!

MEMORANDUM

To: City of Gulfport Planning Commission

From: Su-Lin Featherston, Planning Administrator
Urban Development Department

Date of Hearing: February 22, 2024

Re: **Special Exception 2402SE013:**

Special Exception 2402SE013, by owner Riaan LLC, seeking approval for liquor store use, Tax Parcel 1008M-01-007.000, 11268 Lorraine Rd, Zoned B-2 (General Business), Ward 6

Technical Report

SPECIAL EXCEPTION

GENERAL INFORMATION

Case File Number: 2402SE013

Hearing Date: Zoning Board February 15, 2024
Planning Commission February 22, 2024

Current Zoning/Use: B-2 / Vacant lot

Legal: Special Exception, by owner Riaan LLC, seeking approval for liquor store use, Tax Parcel 1008M-01-007.000, 11268 Lorraine Rd, Zoned B-2 (General Business), Ward 6

TECHNICAL DETAILS

The applicant is requesting a Special Exception to be granted to construct a 6200-square feet liquor store at 11268 Lorraine Road. The applicant have not provided an affidavit that states the location is farther than 1,000 feet away from "any church, school, kindergarten, funeral home, day-care center, museum, or learning center, educational facility, library, night club, dance hall, or similar establishment or use as a liquor store and/or free-standing lounge which was a requirement for this use. However, Ordinance 3143 limited the distance requirement of same or similar establishments. The proposed liquor store would still be required to go through Special Exception.

EXECUTIVE SUMMARY

The applicant would like to open a liquor store at the above-mentioned location. This location is the old Capt'n Al's property. The parking plan appears sufficient. There is sufficient room for proper ingress and egress to safely operate a liquor store at this location. The nearest business (Domino's Pizza and swimming pool sales) is located to the south of the parcel. It does not appear that this use will adversely impact the adjacent properties.

Any approval should consider these conditions:

1. Special exception use of liquor sales must be approved by the Zoning Board and the Planning Commission.
2. Must meet all current Codes and City of Gulfport ordinances.

DEPARTMENTAL CONDITIONS

Engineering: No conditions. Memo dated 01/31/2024.

Public Works: No conditions. Memo dated 01/31/2024.

Traffic and Safety: No conditions. Memo dated 01/30/2024.

Technical Report

SPECIAL EXCEPTION

Building Code Services:	No conditions. Memo dated 01/25/2024.
GIS:	No conditions. Memo dated 01/23/2024.
Police Department:	No comment as of 01/31/2024.
Fire Department:	No conditions. Memo dated 01/24/2024.
City Arborist:	No conditions. Memo dated 01/22/2024.

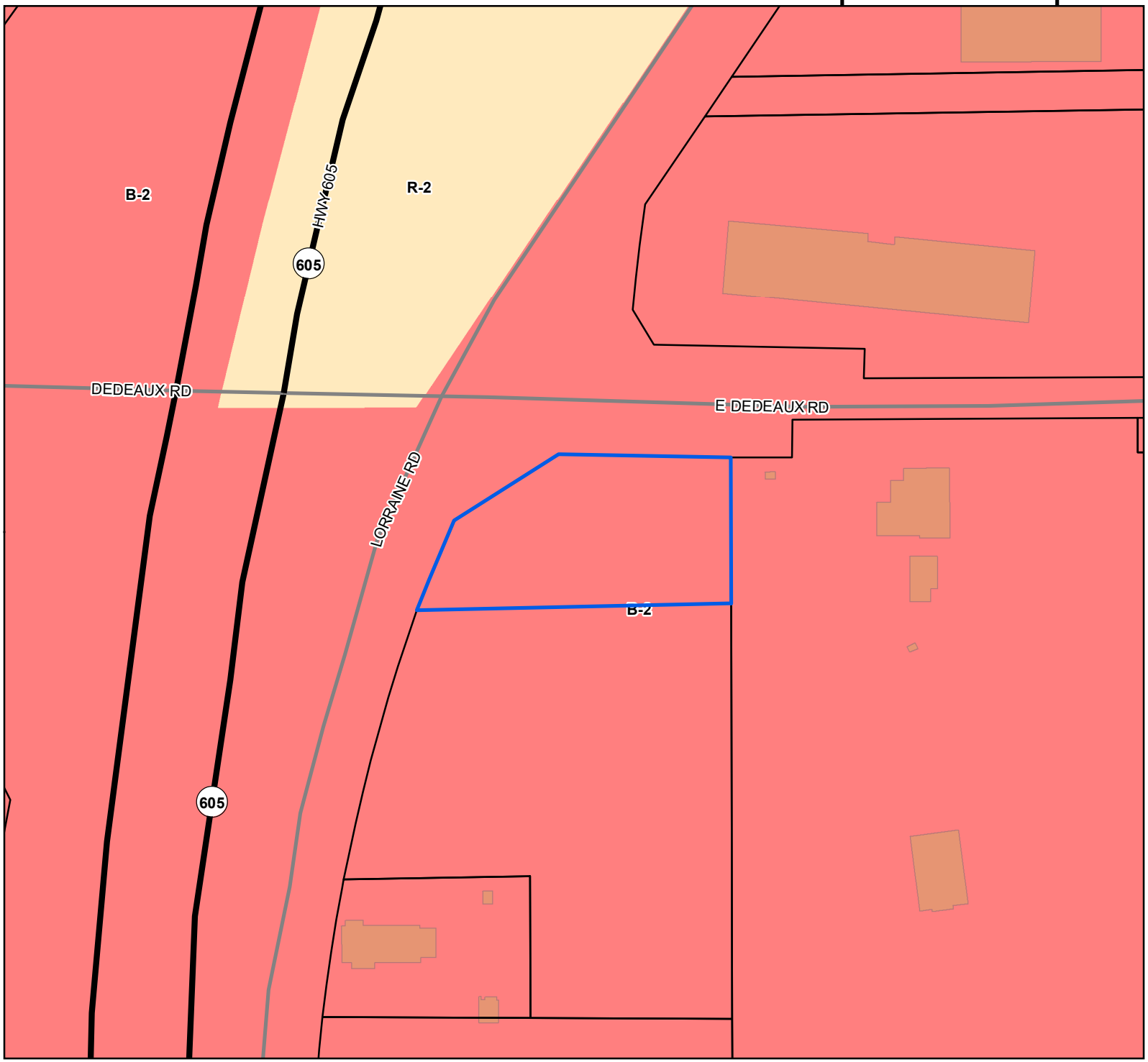
DIRECTOR APPROVAL

This report has been reviewed and approved by:

Greg Holmes
Director of Urban Development Department

2402SE013

Special Exception



US or State Highway

Street

Parcels

Buildings

Zoning

B-2 - General Business District

R-2 - Single Family Residence District (Medium Density)

Site Information

1008M-01-007.000
Zoning: B-2 (General Business)
Size:21017.7 sqft
Flood:X

0 10 20 30
Yards

1 inch = 100 feet

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CASE NUMBER
2402SE013

Urban Development - Planning Division
1410 24th Avenue | Gulfport, MS 39501 | (228) 868-5710

ZONING BOARD OF ADJUSTMENTS AND APPEALS APPLICATION

REQUESTED ACTION BY THE ZONING BOARD OF ADJUSTMENTS AND APPEALS
(A separate submission form is required for each request)

- ☐ **Appeal of Planning Administrator**
- ☐ **Excessive Height**
- ☐ **Fence Variance**
- ☒ **Special Exception**
- ☐ **Variance**

TAX PARCEL NUMBERS

1008M-01-007.000	

Property Address: 11268 Lorraine Road Gulfport MS

Lot(s) _____ Block(s) _____ Subdivision _____

General Description of Request: Request Special Exception to build a liquor store in B2 Zoning.

OWNERSHIP AND CERTIFICATION:

I hereby certify that I have read and understand this application and that all information and attachments are true and correct. I also certify that I agree to comply with all applicable city codes, ordinances and state laws. Finally, I certify that I am the owner of the property involved in this request or have authorization to act as the owner's agent for the herein described request. We can only accept applications with ***original signatures.***

OWNER:	AGENT:
Rican LLC	
Printed Name of Owner	Printed Name of Agent
15326 Dedeaux Rd	
Mailing Address	Mailing Address
Gulfport MS 39503	
City State Zip Code	City State Zip Code
228-257-9135	
Home Phone Work/Cell Phone	Home Phone Work/Cell Phone
PalvPatel.PP@Gmail.com	
Email	Email
Signature of Owner	Signature of Agent

This page must be completed if the property or properties involved have more than one owner. All persons listed as owners to the property or properties listed on page one must complete and sign this part of the application. We can only accept applications with original signatures.

I hereby certify that I have read and understand this application and that all information and attachments are true and correct. I also certify that I agree to comply with all applicable city codes, ordinances and state laws. Finally, I certify that I am the owner of the property involved in this request or authorized to act as the owner's agent for herein described request.

Name of Owner (PRINT) Prasant Patel

Address (Street, City, State, Zip Code) 15326 Dedeaux Rd

Phone (Home) 228-257-9135 (Work) _____ (Cell) _____

Tax Parcel Number(s) Owned: 1008M-01-007.000

Signature: _____

Name of Owner (PRINT) Rupal Patel

Address (Street, City, State, Zip Code) 15326 Dedeaux Rd

Phone (Home) 228-424-6556 (Work) _____ (Cell) _____

Tax Parcel Number(s) Owned: 1008 M-01-007.000

Signature: _____

Name of Owner (PRINT) _____

Address (Street, City, State, Zip Code) _____

Phone (Home) _____ (Work) _____ (Cell) _____

Tax Parcel Number(s) Owned: _____

Signature: _____

LIVE OAK
ENGINEERING

EVERY GREAT OAK STARTS AS AN ACORN

Special Exception Submission

On behalf of the owner, we are requesting a Special Exception be granted to construct a new business complex at 11268 Lorraine Road. The new business complex will provide space for different types of businesses as well as a liquor store.

It is our professional opinion that the proposed improvements will not adversely impact the adjacent properties. Furthermore, we find the following statements to be true:

- The project will provide adequate ingress and egress to property and proposed structures thereon with particular reference to automotive and pedestrian safety and convenience, traffic flow and control, and access in case of fire or catastrophe.
- The project will provide adequate off-street parking and loading areas where required, with particular attention to those items listed in the above bullet statement and the economic, noise, glare or odor effects of the special exception on adjoining properties and properties generally in the district.
- The project will provide adequate refuse and service area, with particular reference to the two items listed in the above bullet statements.
- Existing utilities are located on or adjacent to the property with adequate compacity for the proposed improvements.
- The project will provide screening and buffering meeting the requirements for B2 Zoning.
- Any signage for the project will meet the City of Gulfport requirements.
- The project will meet all required yard and setback requirements for B2 Zoning.
- The adjacent properties are commercial in nature and through this proposed project, the addition of similar businesses and a liquor store will not adversely affect the harmony with the general purpose and intent of the Zoning Ordinance.

This is to certify that I am a duly qualified engineer licensed to practice in the State of Mississippi and that to the best of my knowledge the statements are true and accurate.

Certifier's Name: Lloyd (Les) Seymour, PE
License Number: 17695
Title: Engineer Company: Live Oak Engineering
Address: 955 Howard Ave.
City: Biloxi State: MS Zip Code: 39530
Phone Number: 228.207.0070
EMAIL: les@liveoakengineering.com

LLOYD SEYMOUR
REGISTERED PROFESSIONAL
ENGINEER
#17695
12.27.2023
STATE OF MISSISSIPPI

COVENANT AFFIDAVIT

I, Riayn LLC being property owner or agent of the property 1008M-01-007.000

PRINT NAME PRIMARY ADDRESS OR PARCEL

which is the subject of this application, hereby state that this variance request is not in violation of any restrictive or protective covenants.

SIGNATURE

12-29-23

DATE

STATE OF MISSISSIPPI | COUNTY OF HARRISON

Given under my hand and seal of office this the 29th day of December, 20 23

NOTARY PUBLIC

5/22/2027

COMMISSION EXPIRATION

STATE OF MISSISSIPPI
SAMUEL SWEETING
ID NO. 358116
Commission Expires
05/22/2027
NOTARY PUBLIC
HARRISON COUNTY

Michael Watson
SECRETARY OF STATE

This is not an official certificate of good standing.

Name History

Name	Name Type
Riaan LLC	Legal

Business Information

Business Type:	Limited Liability Company
Business ID:	1043282
Status:	Good Standing
Effective Date:	06/13/2014
State of Incorporation:	Mississippi
Principal Office Address:	15326 Dedeaux Rd Gulfport, MS 39503

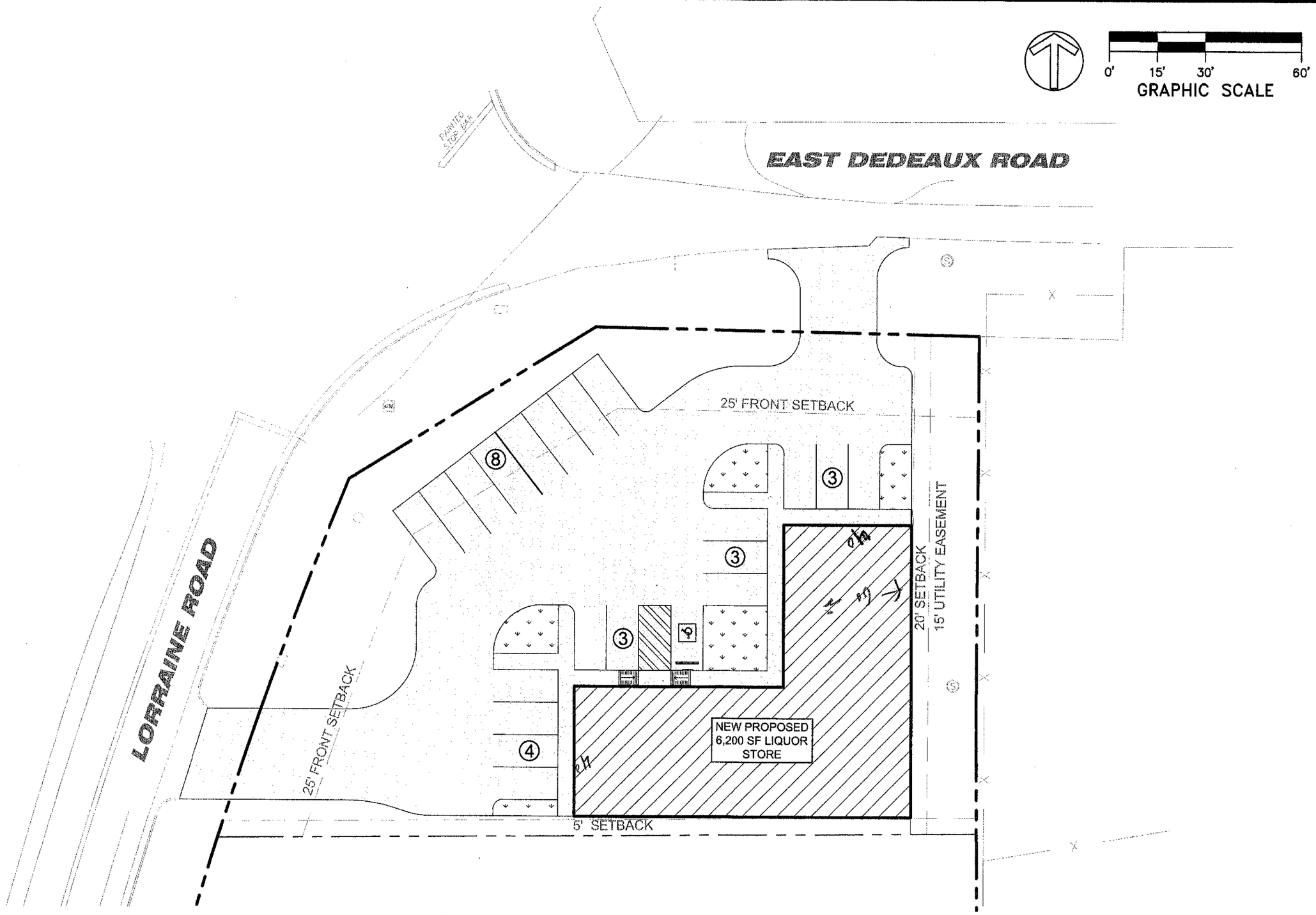
Registered Agent

Name

Prasant Patel
1000 Highway 90
Bay St Louis, MS 39520

Officers & Directors

Name	Title
Rupal Patel 15326 Dedeaux Rd Gulfport, MS 39503	Member



1 / C001 **PRELIMINARY SITE EXHIBIT**

SCALE: 1" = 30'

LIVE OAK ENGINEERING
955-B HOWARD AVENUE
BILOXI, MS 39530
228.207.0070

LOE JOB #XXX-XX

PROPOSED LIQUOR STORE
11268 LORRAINE RD.
GULFPORT,MS

SCALE:	1"=30'
PROJECT NO:	12-2023
DATE:	12-28-2023
DRAWN BY:	DMI
CHECKED BY:	LES
SHEET NO.:	

C001

1st JUDICIAL DISTRICT
INSTRUMENT 2023-0013923-D-J1
FILED/RECORDED 7/18/2023 11:18:06 AM
TOTAL FEES $26.00
4 PAGES RECORDED

Our File: B230333
Prepared by & Return To: Schwartz, Orgler & Jordan, PLLC
PO Box 4682 Biloxi MS 39535, 228-388-7441

STATE OF MISSISSIPPI
COUNTY OF HARRISON

Index in Sec 7-7-10

SPECIAL WARRANTY DEED

FOR AND IN CONSIDERATION of the sum of Ten Dollars ($10.00), cash in hand paid, and other good and valuable consideration, the receipt and sufficiency of all of which is hereby acknowledged, the undersigned,

Gary Albert Richard, Larry Warner Richard, Jerry Wayne Richard, Jacquline Patricia Richard and Kathleen Rebecca Richard Prine, 11019 Shorecrest Rd, Biloxi MS 39532, 228-392-7059,

do hereby sell, convey and specially warrant unto

Riaan LLC, 1000 Hwy 90, Bay St Louis, MS 39520, 228-257-9135

the following described land and property being located in Harrison County, Mississippi, being more particularly described as follows in the attached Exhibit "A".

THIS CONVEYANCE is subject to any and all recorded restrictive covenants, rights-of-way and easements applicable to subject property, and subject to any and all prior recorded reservations, conveyances and leases of oil, gas and minerals by previous owners.

TAXES for the current year have been pro-rated as of this date and are hereby assumed by the Grantee herein.

IN WITNESS WHEREOF, the undersigned has caused this conveyance to be executed on this the 14th day of July, 2023.

Gary Albert Richard

Larry Warner Richard

Jerry Wayne Richard

Jacquline Patricia Richard

STATE OF MISSISSIPPI
COUNTY OF HARRISON

THIS DAY PERSONALLY CAME AND APPEARED BEFORE ME, the undersigned authority in and for the jurisdiction aforesaid, Gary Albert Richard, Larry Warner Richard, Jerry Wayne Richard, Jacquline Patricia Richard, who acknowledged that they signed, sealed and delivered, the above and foregoing instrument of writing on the day and in the year therein mentioned, as their free and voluntary act.

GIVEN UNDER MY HAND AND OFFICIAL SEAL OF OFFICE, this the 14th day of July, 2023.

NOTARY PUBLIC

My Commission Expires:

STATE OF MISSISSIPPI
NOTARY PUBLIC
ID # 64152
KASEY ANN GANNON
Commission Expires
Sept. 27, 2025
HARRISON COUNTY

IN WITNESS WHEREOF, the undersigned has caused this conveyance to be executed on this the 14th day of July, 2023.

Kathleen Rebecca Richard Prine

STATE OF MISSISSIPPI

COUNTY OF HARRISON

THIS DAY PERSONALLY CAME AND APPEARED BEFORE ME, the undersigned authority in and for the jurisdiction aforesaid, Kathleen Rebecca Richard Prine, who acknowledged that she signed, sealed and delivered, the above and foregoing instrument of writing on the day and in the year therein mentioned, as her free and voluntary act.

GIVEN UNDER MY HAND AND OFFICIAL SEAL OF OFFICE, this the 14th day of July, 2023.

NOTARY PUBLIC

My Commission Expires: 12-26-23

STATE OF MISSISSIPPI
TAMMY CHAPMAN
NOTARY PUBLIC
ID No. 168767
Commission Expires
December 26, 2023
HARRISON COUNTY

EXHIBIT A
LEGAL DESCRIPTION

SURVEY DESCRIPTION FOR PARCEL "B"

A PARCEL OF LAND SITUATED IN LOT NO. 5 OF THE PARTITION OF JESSE RICHARD PROPERTY AS PER DEED BOOK 190 ON PAGES 472-474, SAID PROPERTY BEING LOCATED IN THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 7, TOWNSHIP 7 SOUTH, RANGE 10 WEST, CITY OF GULFPORT, FIRST JUDICIAL DISTRICT OF HARRISON COUNTY, MISSISSIPPI, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS WITH THE BEARINGS BASED ON STATE PLANE GRID NORTH:

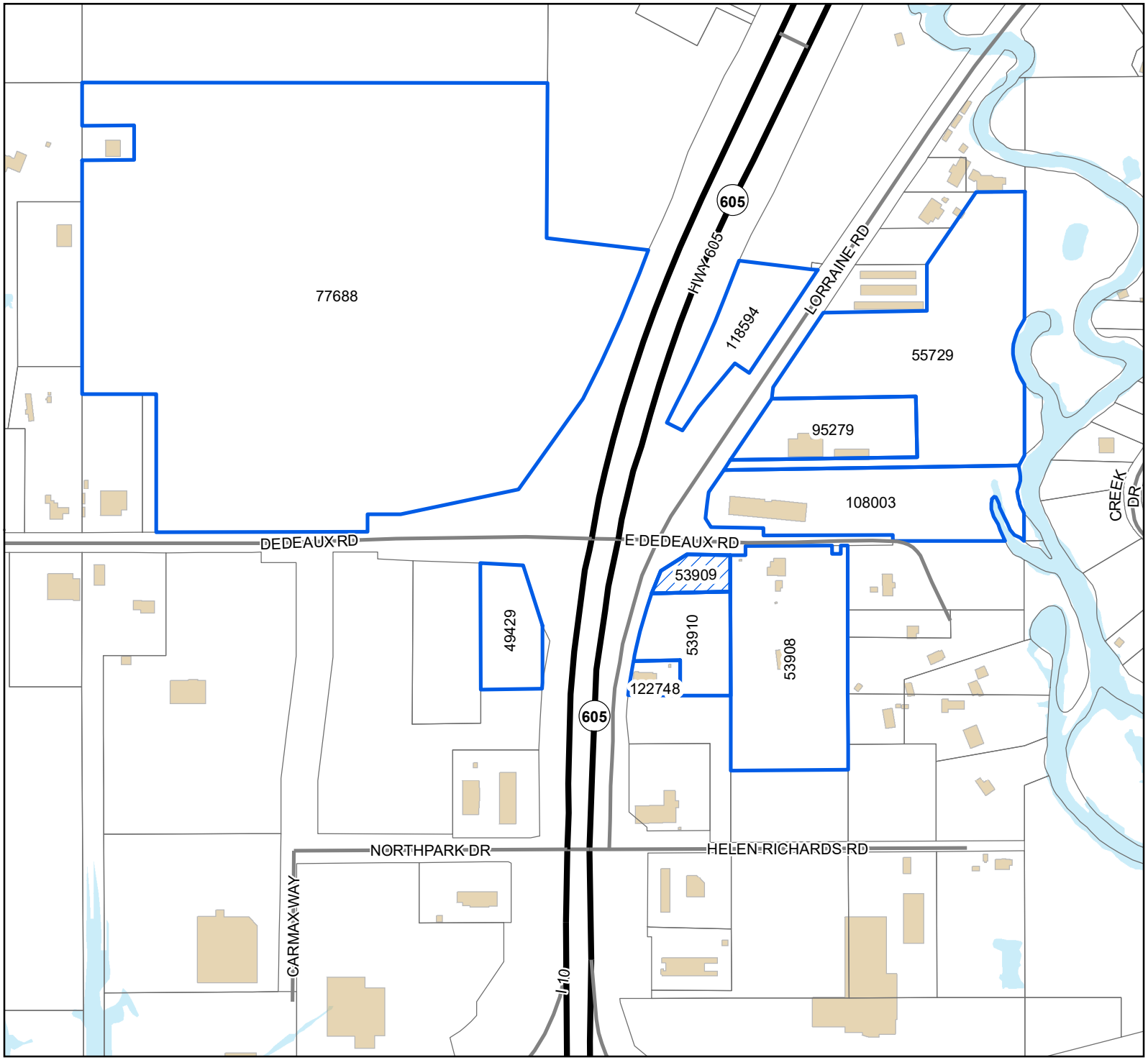
BEGINNING AT A 1/2" IRON ROD FOUND AT THE SOUTHEAST CORNER OF SAID LOT NO. 5; THENCE ALONG THE SOUTH LINE OF SAID LOT NO. 5, S89°59'29"W 146.11' TO A 1/2" IRON ROD FOUND AT THE SOUTHEAST CORNER OF PROPERTY OF THE CAROL WHITWORTH FAMILY TRUST; THENCE ALONG THE EAST LINE OF SAID PROPERTY, N00°22'26"W 100.00' TO A 1/2" IRON ROD SET AT THE NORTHEAST CORNER OF SAID PROPERTY; THENCE ALONG THE NORTH LINE OF SAID PROPERTY, S89°37'34"W 134.72' TO A 1/2" IRON ROD SET ON THE EAST MARGIN OF HIGHWAY 605 RIGHT OF WAY; THENCE ALONG A CURVE OF SAID EAST MARGIN TO THE RIGHT, HAVING A RADIUS OF 1354.98', AN ARC LENGTH OF 206.65' AND A CHORD BEARING AND DISTANCE OF N14°51'51"E 206.45' TO A 1/2" IRON ROD SET; THENCE N89°59'29"E 226.56' TO A 1/2" IRON ROD FOUND ON THE EAST LINE OF SAID LOT NO. 5; THENCE ALONG SAID EAST LINE, S00°22'35"E 298.68' TO THE POINT OF BEGINNING, CONTAINING 65,589.27 SQUARE FEET OR 1.506 ACRES. HEREIN DESCRIBED PROPERTY BEING DESIGNATED AS COUNTY PARCEL NUMBER 1008M-01-008.000.

Being the same property described by deeds recorded in Book 1530 at Page 560 and in Book 862 at Page 221, less and except the property conveyed to others in Book 1520 at Page 397, Book 1520 at Page 402, Instrument Number 2010-4831DJ1 and Instrument Number 2010-4832DJ1.

Mail	PPIN	Parcel ID	Name	Address	City	State	ZIP
Y		1008M-01-007.000	RIAAN LLC (OWNER)	15326 DEDEAUX RD	GULFPORT	MS	39503
			Adjacent Property Owners (2401SE013)				
	77688	1008L-01-002.000	NORTHPARK HOLDINGS LLC	964 EMILY DR	BILOXI	MS	39532
	55729	1008L-02-005.000	PLAINSMAN TRADING COMPANY LLC	P O BOX 6181	GULFPORT	MS	39506
	118594	1008L-01-002.001	STOCK LLC	14014 MADISON CIR	OMAHA	NB	68137
	108003	1008L-02-005.002	HOOD CYNTHIA ANN WILLIAMS ETAL	12506 LORRAINE RD	BILOXI	MS	39532
	53909	1008M-01-007.000	RICHARD CLYDE WARNER FAMILY TRUST	11019 SHORECREST ROAD	BILOXI	MS	39532
	53908	1008M-01-006.000	MISS REGIONAL HOUSING AUTH # VIII	10430 THREE RIVERS RD	GULFPORT	MS	39503
	53910	1008M-01-008.000	RICHARD GARY	11036 SHORECREST RD	BILOXI	MS	39532
	122748	1008M-01-008.001	WHITWORTH CAROL -TRUSTEE- ETAL	1840 NE 118TH AVE	PORTLAND	OR	97220

2402SE013

Special Exception



Legend

- Site
- Adjacent Properties
- US or State Highway
- Street
- Buildings
- Water Features

0 60 120 180
Yards

1 inch = 400 feet

N
W E
S

DATA DISCLAIMER: All information that is provided on this map is believed to be correct. However, no liability is assumed by the City of Gulfport for errors in substance or form of any of the materials published on this map. The GIS Division, City of Gulfport, provides the information represented on this map as a service to the community and makes every effort possible to provide quality information. However, no claims, promises, or guarantees about the accuracy, completeness, or adequacy of the information contained on this map are expressed or implied.

RE: Special Exception 2402SE013, by owner Riaan LLC, seeking approval for liquor store use, Tax Parcel 1008M-01-007.000, 11268 Lorraine Rd, Zoned B-2 (General Business), Ward 6

To Applicants and Adjacent Property Owners:

The City of Gulfport Planning Commission will hold a public hearing to consider the above application at 4:30 P.M. on **Thursday, February 22, 2024**, in the Council Chambers at the Gulfport City Hall located at 2309 15th Street.

For more information, visit http://www.gulfport-ms.gov/agendas/ then click the City of Gulfport Planning Commission for **Thursday, February 22, 2024.** A map showing the location of the property involved is located at this website. If you have any questions or comments, please contact this office at the phone number 228-868-5710 or email planners@gulfport-ms.gov. The application is available for viewing in the Planning Division office at 1410 24th Avenue.

McClatchy

The Beaufort Gazette
The Belleville News-Democrat
Bellingham Herald
Centre Daily Times
Sun Herald
Idaho Statesman
Bradenton Herald
The Charlotte Observer
The State
Ledger-Enquirer
Durham | The Herald-Sun
Fort Worth Star-Telegram
The Fresno Bee
The Island Packet
The Kansas City Star
Lexington Herald-Leader
The Telegraph - Macon
Merced Sun-Star
Miami Herald
El Nuevo Herald
The Modesto Bee
The Sun News - Myrtle Beach
Raleigh News & Observer
Rock Hill | The Herald
The Sacramento Bee
San Luis Obispo Tribune
Tacoma | The News Tribune
Tri-City Herald
The Wichita Eagle
The Olympian

AFFIDAVIT OF PUBLICATION

Account #	Order Number	Identification	Order PO	Amount	Cols	Depth
36845	513910	Print Legal Ad-IPL01569880 - IPL0156988		$70.45	2	42 L

Attention: Matilda Welch

GULFPORT URBAN DEVELOPMENT
PO BOX 1780
GULFPORT, MS 39502

accountspayable@gulfport-ms.gov

LEGAL NOTICE
PUBLIC HEARING

In conformance with Section VIII of the Comprehensive Zoning Ordinance of the City of Gulfport, Mississippi, 1979 as amended, notice is hereby given advising that the Gulfport City Planning Commission will hold a public hearing in the City of Gulfport, Mississippi at 4:30 P.M., Thursday, February 22, 2024 in the Council Chambers of the Gulfport City Hall located at 2309 15 th Street to consider the following requests. A copy of the requests will be available for public review at the office of the Department of Urban Development, Planning Division, located on first floor of the William H. Hardy Building, 1410 24 th Avenue.

Planning Commission Approval 2312PC147, by agent Deberah Couvillion, seeking approval for a mobile home use, at Tax Parcel 0810E-03-048.000, Ohio Ave, Zoned R-1-5 (Single-family), Ward 3

Planning Commission Approval 2402PC010, by agent Damien Pardoe, seeking approval for a medical cannabis processing facility, Tax Parcel 0809A-02-009.000, 14092 Fastway Lane, Zoning I-2 (Heavy Industry), Ward 5

Planning Commission Approval 2402PC011, by agent M2 Enterprises, Inc., seeking approval for auto sales of less than fifty vehicles, Tax Parcel 0910M-03-058.000, 941 Pass Rd, Zoned B-2 (General Business), Ward 3

Special Exception 2402SE013, by owner Riaan LLC, seeking approval for liquor store use, Tax Parcel 1008M-01-007.000, 11268 Lorraine Rd, Zoned B-2 (General Business), Ward 6

General Plan 2402PC014, by agent Kenneth Jones, seeking approval for an 87-lot subdivision with five outparcels (Swan Landing Estates), Tax Parcel 0807G-01-001.000, South Swan Road, Zoned R-1-15 (Single-family), Ward 7

Zoning Map Amendment 2402PC015, by owner Ben W. Childers, requesting to rezone to T4+ (General Urban Zone "Plus"), Tax Parcels 1010E-02-006.000, 1010E-02-007.000, 1123 Bridge Street & 1115 Bridge Street, Zoned T3 (Sub-Urban Zone), Ward 4

This the 24th day of January 2024

Keith Williams, Chairman
City of Gulfport Planning Commission
PO210200
IPL0156988
Feb 7 2024

STATE OF MISSISSIPPI
COUNTY OF HARRISON

Before me, the undersigned Notary of Dallas County, Texas personally appeared Stefani Beard, who, being by me first duly sworn, did depose and say that she is a clerk of The Sun Herald, a daily newspaper published in the city of Gulfport, in Harrison County, Mississippi and the publication of the notice, a copy of which is hereto attached, has been made in said paper in the issue(s) of:

1 insertion(s) published on:
02/07/24

Affidavit further states on oath that said newspaper has been established and published continuously in said county for a period of more than twelve months next prior to the first publication of said notice.

Stefani Beard

Sworn to and subscribed before me this 7th day of February in the year of 2024

Stephanie Hatcher

Notary Public
* The Sun Herald has been deemed eligible for publishing legal notices in Jackson County to meet the requirements of Miss. Code 1972 Section 13-3-31 and 13-3-32.

STEPHANIE HATCHER
My Notary ID # 133534406
Expires January 14, 2026

Extra charge for lost or duplicate affidavits.
Legal document please do not destroy!

MEMORANDUM

To: City of Gulfport Planning Commission

From: Su-Lin Featherston, Planning Administrator
Urban Development Department

Date of Hearing: February 22, 2024

Re: **General Plan 2402PC014: Postponed to March Meeting**

General Plan 2402PC014, by agent Kenneth Jones, seeking approval for an 87-lot subdivision with five outparcels (Swan Landing Estates), Tax Parcel 0807G-01-001.000, South Swan Road, Zoned R-1-15 (Single-family), Ward 7

Technical Report

General Plan
(Swan Landing Estates)

GENERAL INFORMATION

Case File Number: 2402PC014

Hearing Date: February 22, 2024

Current Zoning/Use: R-1-15 / Vacant Property

Legal: General Plan 2402PC014, by agent Kenneth Jones, seeking approval for an 87-lot subdivision with five outparcels (Swan Landing Estates), Tax Parcel 0807G-01-001.000, South Swan Road, Zoned R-1-15 (Single-family), Ward 7

TECHNICAL DETAILS

The applicant requests approval of a General Plan to create a new 87-lot single-family home subdivision with 5 outparcels, (Swan Landing Estates), containing approximately 80 acres on tax parcel 0807G-01-001.000, Zoned R-1-15 (Single-family) district.

Regulations state that the minimum property size for a new single family home in this zoning district is 15,000 square feet with a front yard setback of 25 feet and a side and rear yard setback of 15 feet, with lot width of 60 feet. However, the applicant applied for a variance allowing for side yard setbacks on the proposed lots to be reduced to 10 feet, Case # 2401ZB005. Zoning Board of Adjustments and Appeals approved the applicant's variance January 18, 2024. Upon review of the proposed subdivision, lots are clearly labeled and meet the square-footage requirements for the zoning regulations.

The proposed parcel is located adjacent to existing city right-of-way, South Swan Road, which are protected by Gulfport Fire and Police, and will have capacity for water and sewer. The applicant has also provided a copy of the proposed covenants for the potential subdivision.

Currently, as of the writing this report, an appeal has been filed regarding the beforementioned variance case, Case# 2401ZB005. Approval for proposed setbacks on the general plan is contingent on the appeal being denied.

Any approval should consider these conditions:

1. Plans to address all comments from development review meeting on 8/30/23.
    a. Gravity sewer to tie into existing system to west; easements required 15' min.
    b. Gated 15' paved emergency access into development.
    c. S Swan Rd ditch to be piped for access to fronting lots.
    d. Sidewalks to be installed at time of acceptance – Performance bods accepted.
    e. All additional documents/permits/approval for residential subdivision development
2. Must meet all current building Codes and City of Gulfport Ordinances.

3. Pending secondary access (emergency) & infrastructure improvements streets/water/hydrants.
4. Preserve & protect protected trees. Tree survey is required along with tree permits.
5. Any approval contingent on the appeal for Case# 2401ZB005, being denied of the proposed setbacks on the general plan.

DEPARTMENTAL CONDITIONS

Engineering: Conditions: Plans to address all comments from development review meeting on 8/30/23. Memo dated 12/11/18.

1. Gravity sewer to tie into existing system to west; easements required 15' min.
2. Gated 15' paved emergency access into development.
3. S Swan Rd ditch to be piped for access to fronting lots.
4. Sidewalks to be installed at time of acceptance – Performance bods accepted.
5. All additional documents/permits/approval for residential subdivision development.

Public Works: No comment as of 2/8/24.

Traffic and Safety: No conditions. Memo dated 1/30/24.

Building Code Services: Conditions: Must meet all current building Codes and City of Gulfport Ordinances. Memo dated 1/25/24.

GIS: No conditions. Memo date 2/6/24.

Police Department: No comment as of 2/8/24.

Fire Department: Conditions: Pending secondary access (emergency) & infrastructure improvements streets/water/hydrants. Memo dated 1/25/24.

City Arborist: Conditions: Preserve & protect protected trees. Tree survey is required along with tree permits. Memo dated 1/25/24.

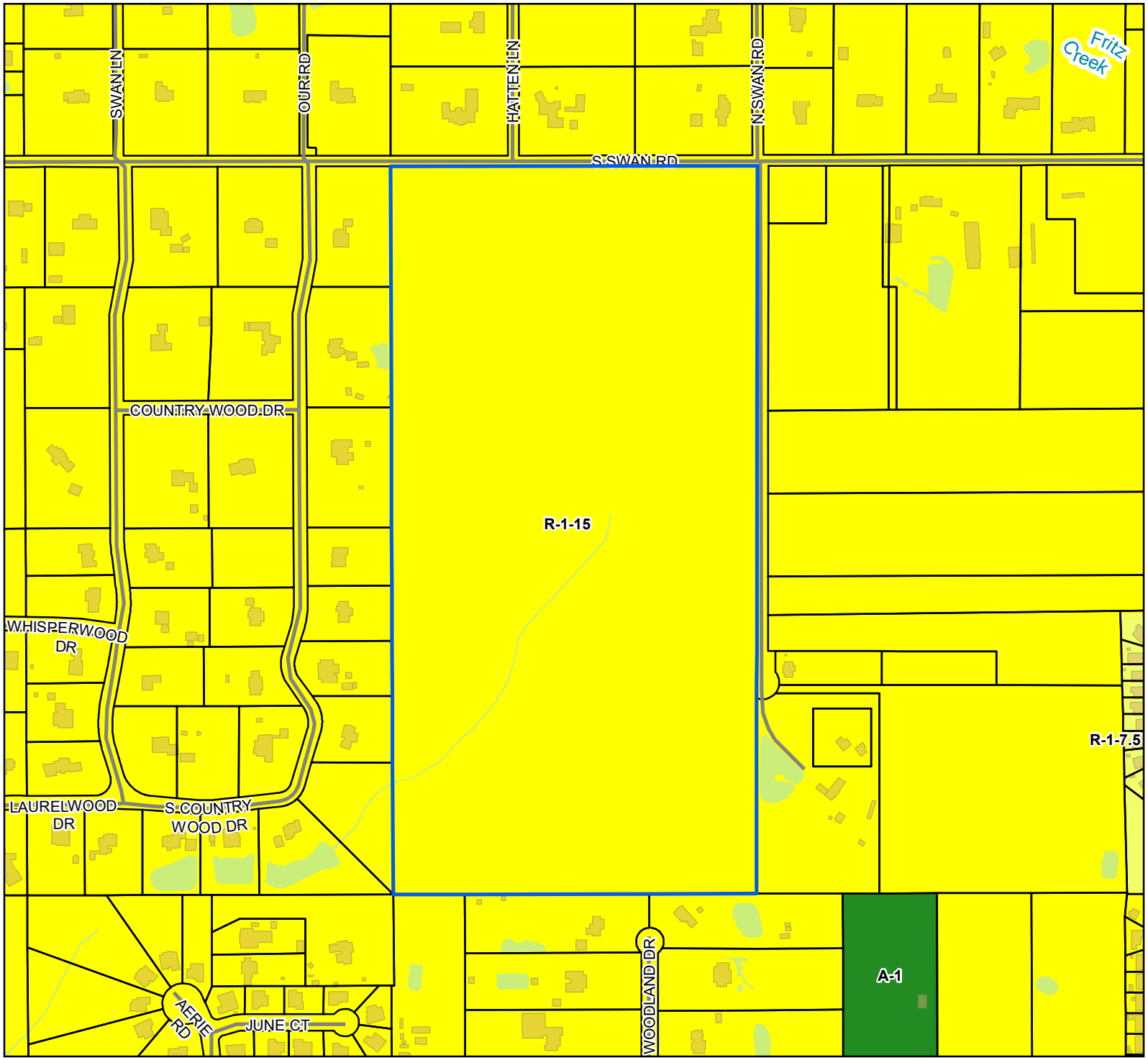
DIRECTOR APPROVAL

This report has been reviewed and approved by:

Greg Holmes
Director of Urban Development Department

2402PC014

General Plan



Street

Parcels

Buildings

Water Features

Zoning

A-1 - Agricultural District

R-1-15 - Single Family Residence District (Low Density)

R-1-7.5 - Single Family Residence District (Low Density)

Site Information

0807G-01-001.000
Zoning:R-1-15 (Single Family)
Size:80 Acres
Flood:X

0 80 160 240
Yards

1 inch = 500 feet

N W E S

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CITY OF GULFPORT
Urban Development - Planning Division
1410 24th Avenue
Gulfport, MS 39501
(228) 868-5710

APPLICATION FOR GENERAL SUBDIVISION PLAN

For Staff Use Only

Case File #: 2402PC014

Date Received: 1/2/2024

Receipt #:

Received By: dd

Zoning: R-1-15

Ward: 7 Flood:

Size: 80 Acres

Property Information

TAX PARCEL # 0807G – 01 – 001 • 000

(If necessary, use separate sheet of paper)

Address of Property Involved: 0 South Swan Road - Approximately 80 Acres

Lot(s)_____, Block(s)_____, Subdivision_____

General Location: South Side of S. Swan Rd between Country Wood Dr. & N. Swan Rd.

GENERAL DESCRIPTION OF REQUEST:

Plan Approval for an 87-Lot Single-Family Subdivision, and 5 outparcels (common areas).

OWNERSHIP AND CERTIFICATION:

I hereby certify that I have read and understand this application and that all information and attachments are true and correct. I also certify that I agree to comply with all applicable city codes, ordinances and state laws. Finally, I certify that I am the owner of the property involved in this request or have authorization to act as the owner's agent for the herein described request.

OWNER	AGENT
The Flair Family, LLC, Beatrice A. Flair, Member	Gulf Coast Development & Design, LLC - Kenneth Jones
Printed Name Of Owner	Printed Name Of Agent
614 WILLOWRIDGE DRIVE	919 2nd Street
Mailing Address	Mailing Address
LULING LA 70070	Gulfport MS 39501
City State Zip code	City State Zip code
	228-596-4471
Home Phone Work/Cell Phone	Home Phone Work/Cell Phone
	kenneth@gcdevelopmentdesign.com
Email	Email
Signature Of Owner	Signature Of Agent

If the property or properties listed above have more than one owner, please check this box. In the case of multiple owners, reverse side must be completed. Each additional owner will need to complete and sign the reverse side of this application. We can only accept applications with original signatures. ☐

SECTIONS A. THROUGH G. MUST BE SUBMITTED FOR A COMPLETE APPLICATION.

This page must be completed if the property or properties involved have more than one owner. All persons listed as owners to the property or properties listed on page one must complete and sign this part of the application.

I hereby certify that I have read and understand this application and that all information and attachments are true and correct. I also certify that I agree to comply with all applicable city codes, ordinances and state laws. Finally, I certify that I am the owner of the property involved in this request or authorized to act as the owner's agent for herein described request.

NAME OF OWNER (PRINT) The Flair Family, LLC, Alan Timothy Flair, Member

ADDRESS (STREET, CITY, STATE, ZIP CODE Same as above

PHONE # (H) _____ (W) _____

TAX PARCEL NUMBER(S) OWNED 0807G-01-001.000

SIGNATURE: Alan Timothy Flair

NAME OF OWNER (PRINT) The Flair Family, LLC, Gustave B. Flair, Member

ADDRESS (STREET, CITY, STATE, ZIP CODE _____

PHONE # (H) _____ (W) _____

TAX PARCEL NUMBER(S) OWNED 0807G-01-001.000

SIGNATURE Gustave B. Flair

NAME OF OWNER (PRINT) BEATRICE A. FLAIR, (Member) THE FAMILY, LLC.

ADDRESS (STREET, CITY, STATE, ZIP CODE SAME AS ABOVE

PHONE # (H) _____ (W) _____

TAX PARCEL NUMBER(S) OWNED 0807G-01-001.000

SIGNATURE: Beatrice A. Flair

(Use additional forms as needed)

IN CASES OF MULTIPLE APPLICANTS, PLEASE IDENTIFY THE PERSON WHO WILL BE ACTING AS YOUR SPOKES PERSON/AGENT FOR YOU: _____

(https://www.sos.la.gov/Pages/default.aspx)

Search for Louisiana Business Filings

Buy Certificates and Certified Copies | Print Annual Report for Filing | Subscribe to Electronic Notification | Print Detailed Record

Name	Type	City	Status
THE FLAIR FAMILY, LLC	Limited Liability Company	LULING	Active

Previous Names

Business: THE FLAIR FAMILY, LLC
Charter Number: 41039252K
Registration Date: 12/28/2012
Domicile Address
614 WILLOWRIDGE DRIVE
LULING, LA 70070
Mailing Address
C/O ALAN TIMOTHY FLAIR
P.O. BOX 951
METAIRIE, LA 70004

Status

Status: **Active**
Annual Report Status: **Not In Good Standing for failure to file Annual Report**
File Date: 12/28/2012
Last Report Filed: 1/4/2022
Type: Limited Liability Company

Registered Agent(s)

Agent:	ALAN TIMOTHY FLAIR
Address 1:	614 WILLOWRIDGE DRIVE
City, State, Zip:	LULING, LA 70070
Appointment Date:	12/28/2012

Officer(s) Additional Officers: No

Officer:	ALAN TIMOTHY FLAIR
Title:	Manager
Address 1:	614 WILLOWRIDGE DRIVE
City, State, Zip:	LULING, LA 70070
Officer:	BEATRICE A. FLAIR
Title:	Member
Address 1:	614 WILLOWRIDGE DRIVE
City, State, Zip:	LULING, LA 70070
Officer:	GUSTAVE B. FLAIR
Title:	Member
Address 1:	614 WILLOWRIDGE DR
City, State, Zip:	LULING, LA 70070

Amendments on File

No Amendments on file

Back to Search Results | New Search | View Shopping Cart

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October 15, 2023

City of Gulfport
Urban Development – Planning Division
1410 24th Avenue
Gulfport, MS 39501

To Whom It May Concern:

As owners of parcel 0807G-01-001.000, we the Members of The Flair Family, LLC (the owner of the property), authorize Kenneth Jones and/or Andy Phelan of Gulf Coast Development and Design, LLC to act as agent regarding the rezoning and permitting for Parcel 0807G-01-001.000. We also state that the application will not violate any restrictive or protective covenants.

Sincerely,

The Flair Family, LLC

By: **Beatrice A. Flair** (Print Name)

State of Louisiana
County of Orleans

Personally appeared before me, the undersigned authority in and for the said county and state, on this _-day of November, 2023, within my jurisdiction, the within named **Beatrice A. Flair** [name(s) of person(s) acknowledged], who acknowledged that (he)(she)(they) executed the above and foregoing instrument.

Name:

My Commission Expires.

Lauren B. Griffin
Attorney/Notary Public
State of Louisiana
Notary ID# 148527
My commission expires with life

Remaining Signatures on Separate Pages

The Flair Family, LLC

By: **Gustave B. Flair** (Print Name)

State of Louisiana
County of Orleans

Personally appeared before me, the undersigned authority in and for the said county and state, on this 10th day of November, 2023, within my jurisdiction, the within named **Gustave B. Flair** [name(s) of person(s) acknowledged], who acknowledged that (he)(she)(they) executed the above and foregoing instrument.

Name:

My Commission Expires: _____

Anna C. Artiomow
Notary Public
State of Louisiana
Notary ID# 69679
My commission expires with life

Alan Timothy Flair

The Flair Family, LLC

By: **Alan Timothy Flair** (Print Name)

State of Louisiana
County of Orleans

Personally appeared before me, the undersigned authority in and for the said county and state, on this 3rd day of November, 2023, within my jurisdiction, the within named **Alan Timothy Flair** [name(s) of person(s) acknowledged], who acknowledged that (he)(she)(they) executed the above and foregoing instrument.

Name:

My Commission Expires: Robert J. Bergeron
Attorney/Notary Public
State of Louisiana
Notary ID# 20697
Commission expires with life

ROBERT J. BERGERON
NOTARY PUBLIC
Bar No. 20697 / ID No. 33750
STATE OF LOUISIANA

PHELAN
ENGINEERING LLC
CIVIL ENGINEERING DESIGN AND CONSULTING

City of Gulfport Engineering
4050 Hewes Ave
Gulfport, MS 39507

12/29/2023

Re: Swan Landing Estates – Preliminary Drainage Study

To Whom it May Concern -

I am providing this letter as an accompaniment to a General Plan Application for Swan Landing Estates Subdivision, an 87-lot single family residential subdivision planned at South Swan Road across from Hatten Lane. Per section 7 of Appendix C of Gulfport's Code of ordinance, the project is being designed for a fifty (50) year frequency storm event.

Based on a topographical survey of this site reviewed against USGS quadrangle maps, it was determined that approximately 16 acres of this site drain to the east (towards Fritz Creek) with 37.5 acres draining westerly (towards Flat Branch); note on-site downstream wetlands which will remain unchanged during construction were omitted from this study. Utilizing Hydroflow computer software, it was determined peak 50-year flow rates to the east and west were 19.62 cfs and 61.46 cfs, respectively, for a combined total on-site peak of 71.96 cfs.

After design of on-site grading and drainage improvements, including 5 detention ponds, resulting post-construction peak flows for the east, west, and total were observed at: 18.81 cfs, 60.49 cfs, and 71.56 cfs, respectively. All flow rates observed in the post-construction analysis were lower peak flows than pre-construction.

With this letter, please find output data from Hydroflow and StormSewers design software to further illustrate on-site drainage calculations.

Please call (228.229.5021) or email (andy@gcdevelopmentdesign.com) with any questions.

Sincerely,

Andy Phelan
Owner
Civil Engineer (MS #19480)

Enclosures
Hydraflow Hydrographs – Peak flow Analysis (30 pages)
StormSewer – Design Drainage Structure Analysis (1 page)
StormSewer – Design Drainage Pipe Analysis (1 page)

Atphelan1@yahoo.com 228.229.5021 (cell)

Hydraflow Hydrographs - Peak Flow Analysis

Hydrograph Summary Report

Hydraflow Hydrographs Extension for Autodesk® Civil 3D® by Autodesk, Inc. v2024

Hyd. No.	Hydrograph type (origin)	Peak flow (cfs)	Time interval (min)	Time to Peak (min)	Hyd. volume (cuft)	Inflow hyd(s)	Maximum elevation (ft)	Total strge used (cuft)	Hydrograph Description
1	Rational	13.98	1	23	24,117	------	------	------	EX-NORTHWEST
2	Rational	18.01	1	33	44,578	------	------	------	EX-MIDWEST
3	Rational	37.48	1	38	106,810	------	------	------	EX-SOUTHWEST
4	Rational	19.62	1	71	104,451	------	------	------	EX-EAST
5	Combine	61.46	1	38	175,025	1, 2, 3,	------	------	EX-WEST
6	Combine	71.96	1	38	279,182	4, 5	------	------	EX-TOTAL
8	Rational	19.98	1	20	29,970	------	------	------	POST-DIRECT-NW
9	Rational	18.07	1	10	12,633	------	------	------	POST-DIRECT-MIDWEST
10	Rational	30.55	1	24	51,258	------	------	------	POST-DIRECT-SOUTHWEST
11	Combine	49.61	1	20	92,855	8, 9, 10	------	------	POST-DIRECT-WEST
12	Rational	22.99	1	25	40,169	------	------	------	POST-TO-POND1
13	Reservoir	6.900	1	48	39,989	12	71.64	27,136	POST-THRU-POND1
14	Rational	32.23	1	33	74,340	------	------	------	POST-TO-POND2
15	Reservoir	14.08	1	57	73,475	14	66.16	39,093	POST-THRU-POND2
16	Rational	17.61	1	34	41,846	------	------	------	POST-TO-POND3
17	Reservoir	4.125	1	68	41,622	16	64.06	29,397	POST-THRU-POND3
18	Rational	14.33	1	10	10,014	------	------	------	POST-DIRECT-SOUTHEAST
19	Rational	10.78	1	15	11,302	------	------	------	POST-TO-POND4
20	Reservoir	2.549	1	30	10,990	19	69.01	7,870	POST-THRU-POND4
21	Rational	17.45	1	39	47,575	------	------	------	POST-TO-POND5
22	Reservoir	13.21	1	51	47,119	21	73.76	8,014	POST-THRU-POND5
24	Combine	18.81	1	10	67,993	18, 20, 22,	------	------	POST-EAST
25	Combine	60.49	1	24	247,942	11, 13, 15, 17,	------	------	POST-WEST
26	Combine	71.56	1	20	315,935	24, 25	------	------	POST-TOTAL

Hydrograph Report

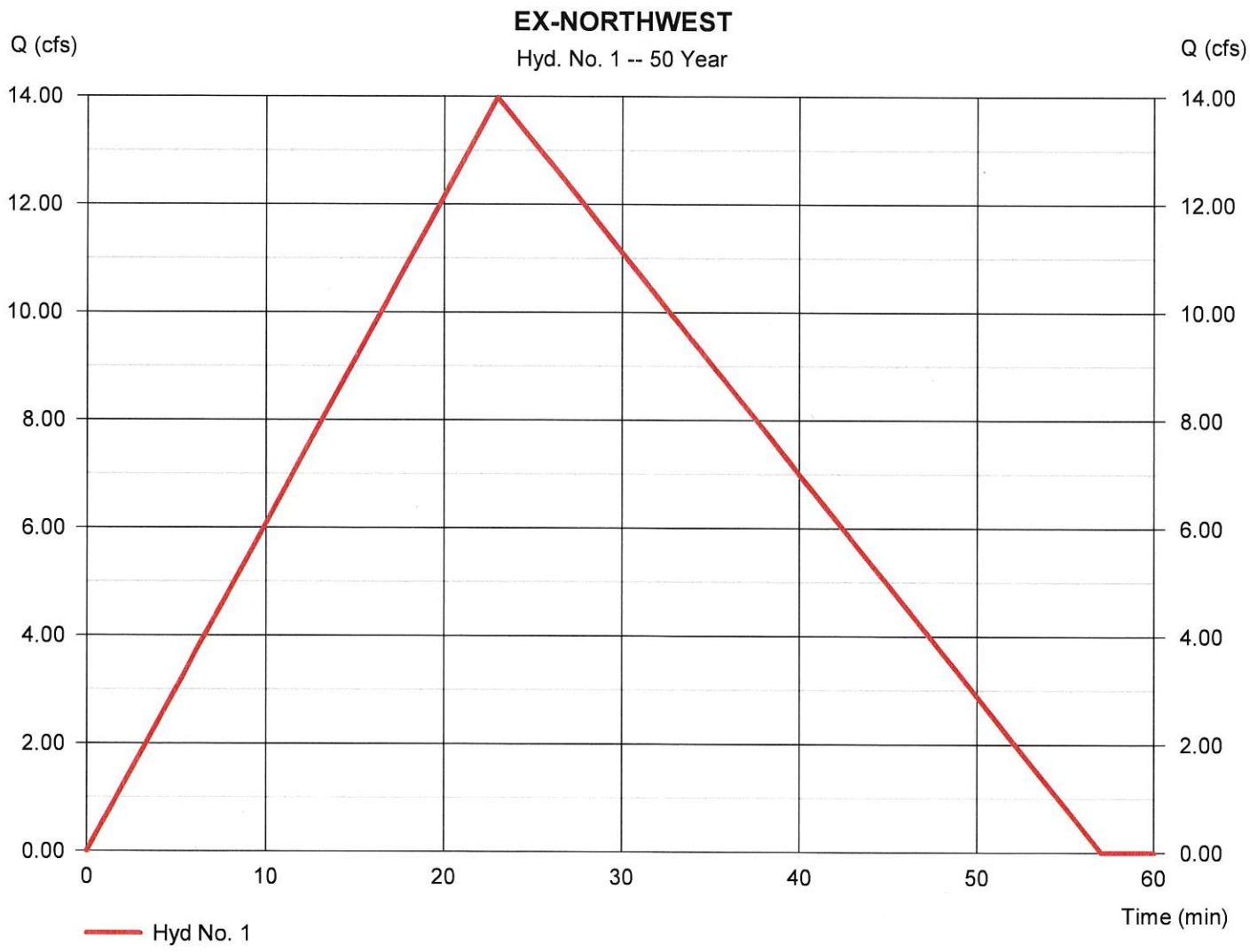
Hydraflow Hydrographs Extension for Autodesk® Civil 3D® by Autodesk, Inc. v2024 Friday, 12 / 29 / 2023

Hyd. No. 1

EX-NORTHWEST

Hydrograph type	= Rational	Peak discharge	= 13.98 cfs
Storm frequency	= 50 yrs	Time to peak	= 23 min
Time interval	= 1 min	Hyd. volume	= 24,117 cuft
Drainage area	= 6.220 ac	Runoff coeff.	= 0.3*
Intensity	= 7.492 in/hr	Tc by FAA	= 23.00 min
IDF Curve	= Gulfport.IDF	Asc/Rec limb fact	= 1/1.5

* Composite (Area/C) = [(16.490 x 0.30) + (23.010 x 0.30) + (9.570 x 0.30) + (6.060 x 0.30)] / 6.220



Hydrograph Report

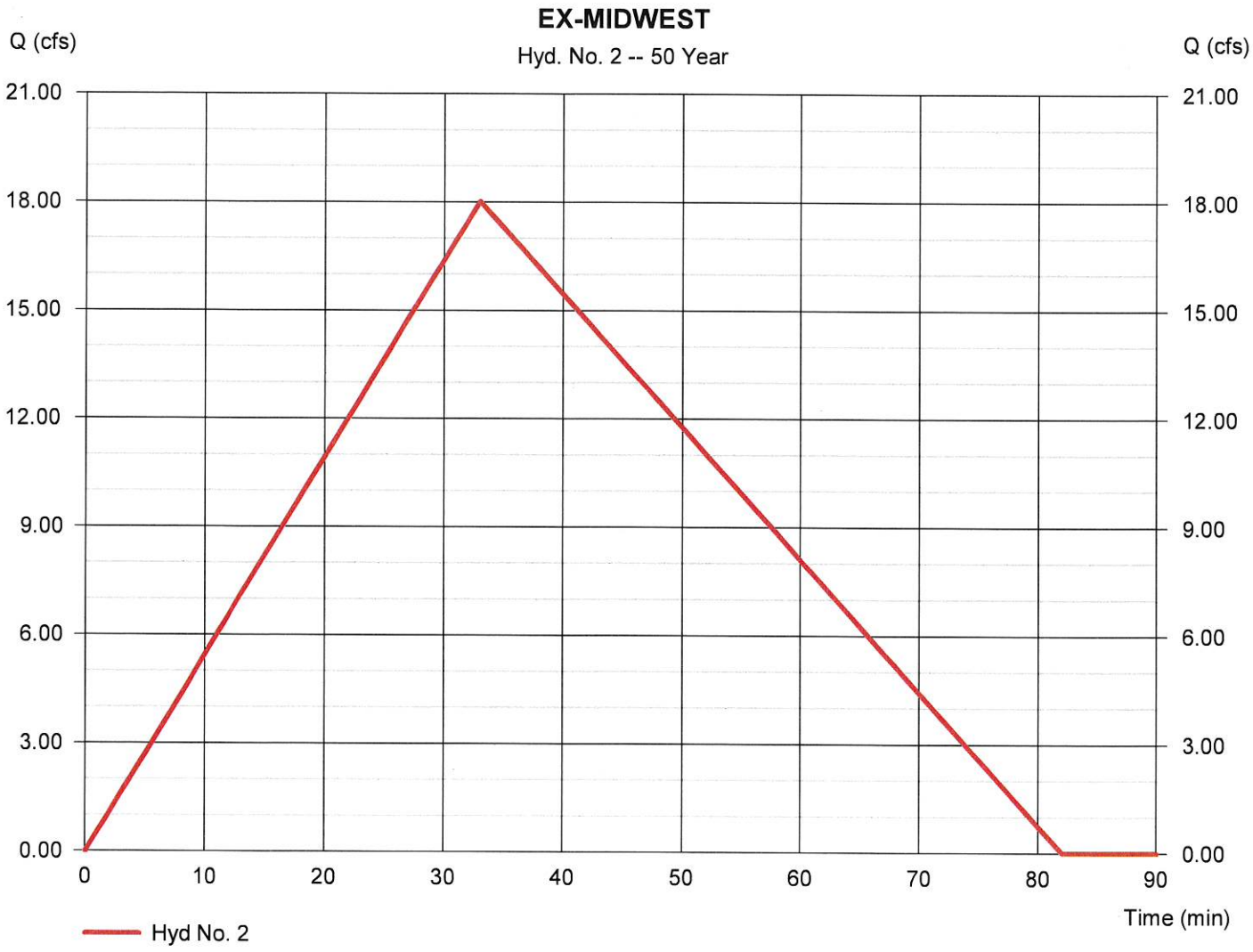
Hydraflow Hydrographs Extension for Autodesk® Civil 3D® by Autodesk, Inc. v2024 Friday, 12 / 29 / 2023

Hyd. No. 2

EX-MIDWEST

Hydrograph type	= Rational	Peak discharge	= 18.01 cfs
Storm frequency	= 50 yrs	Time to peak	= 33 min
Time interval	= 1 min	Hyd. volume	= 44,578 cuft
Drainage area	= 9.650 ac	Runoff coeff.	= 0.3*
Intensity	= 6.222 in/hr	Tc by FAA	= 33.00 min
IDF Curve	= Gulfport.IDF	Asc/Rec limb fact	= 1/1.5

* Composite (Area/C) = [(16.490 x 0.30) + (23.010 x 0.30) + (9.570 x 0.30) + (6.060 x 0.30)] / 9.650



Hydrograph Report

Hydraflow Hydrographs Extension for Autodesk® Civil 3D® by Autodesk, Inc. v2024 Friday, 12 / 29 / 2023

Hyd. No. 3

EX-SOUTHWEST

Hydrograph type	= Rational	Peak discharge	= 37.48 cfs
Storm frequency	= 50 yrs	Time to peak	= 38 min
Time interval	= 1 min	Hyd. volume	= 106,810 cuft
Drainage area	= 21.640 ac	Runoff coeff.	= 0.3*
Intensity	= 5.773 in/hr	Tc by FAA	= 38.00 min
IDF Curve	= Gulfport.IDF	Asc/Rec limb fact	= 1/1.5

* Composite (Area/C) = [(16.490 x 0.30) + (23.010 x 0.30) + (9.570 x 0.30) + (6.060 x 0.30)] / 21.640

Hydrograph Report

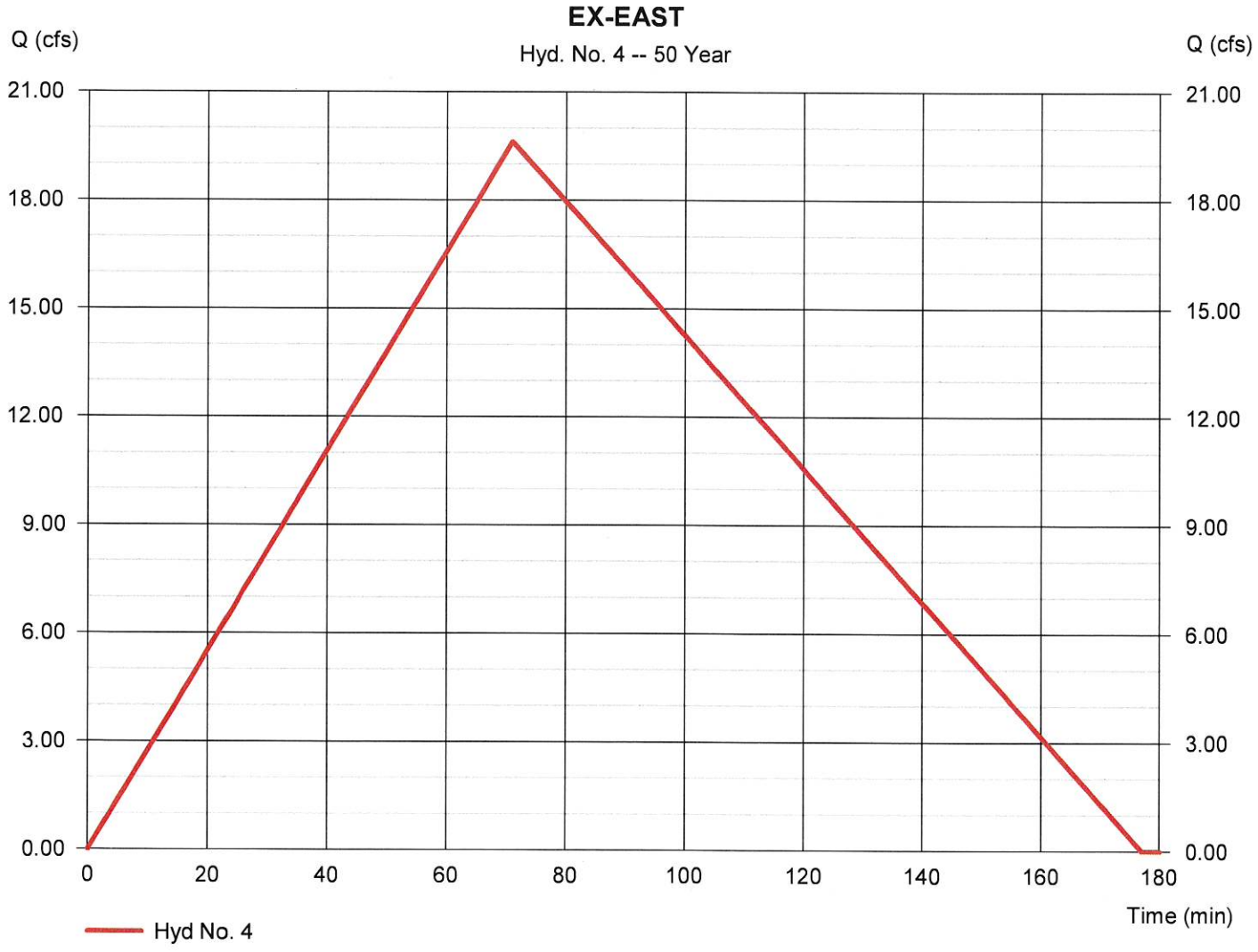
Hydraflow Hydrographs Extension for Autodesk® Civil 3D® by Autodesk, Inc. v2024 Friday, 12 / 29 / 2023

Hyd. No. 4

EX-EAST

Hydrograph type	= Rational	Peak discharge	= 19.62 cfs
Storm frequency	= 50 yrs	Time to peak	= 71 min
Time interval	= 1 min	Hyd. volume	= 104,451 cuft
Drainage area	= 15.960 ac	Runoff coeff.	= 0.3*
Intensity	= 4.097 in/hr	Tc by FAA	= 71.00 min
IDF Curve	= Gulfport.IDF	Asc/Rec limb fact	= 1/1.5

* Composite (Area/C) = [(2.740 x 0.30) + (3.980 x 0.30) + (15.100 x 0.30) + (2.910 x 0.30)] / 15.960



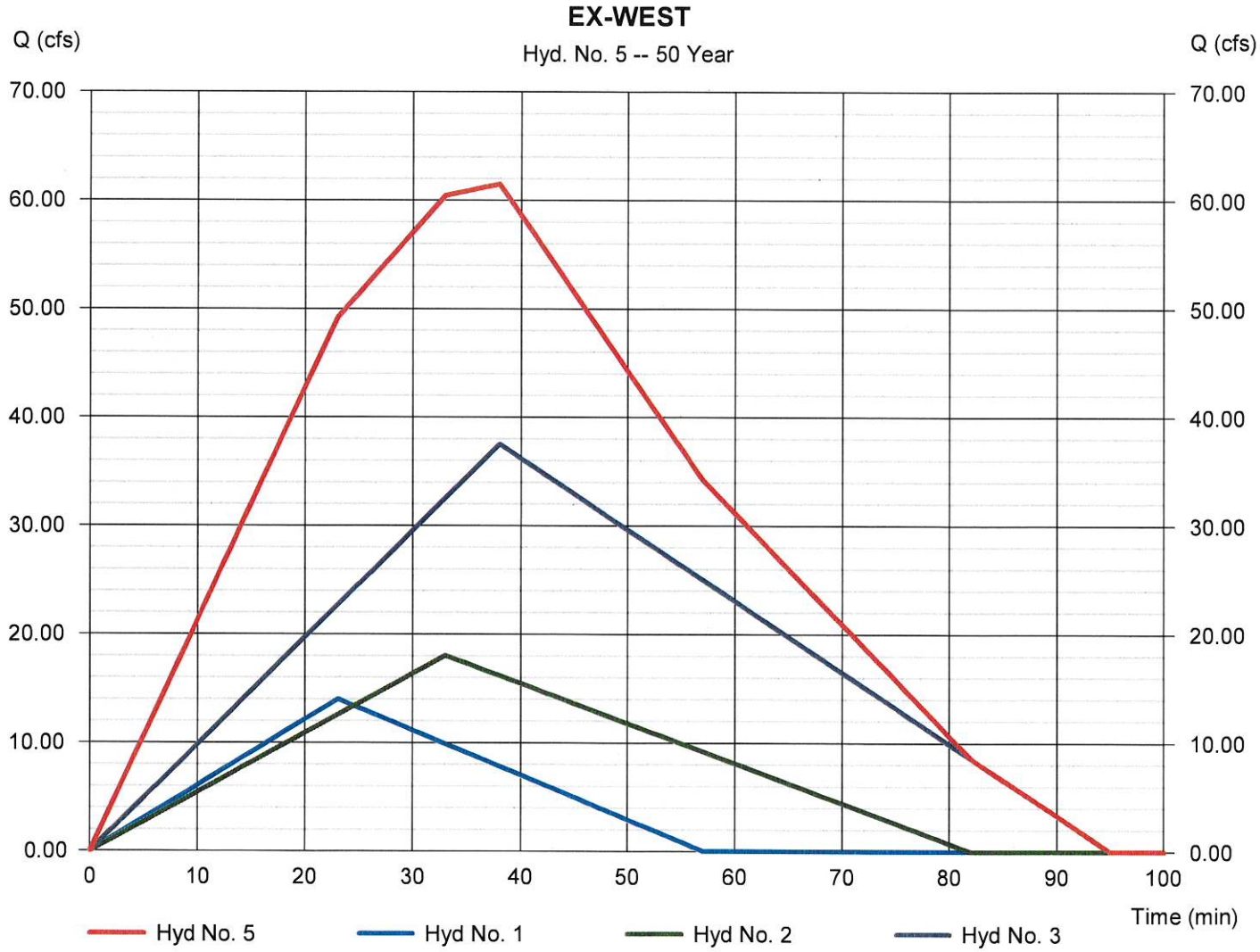
Hydrograph Report

Hydraflow Hydrographs Extension for Autodesk® Civil 3D® by Autodesk, Inc. v2024 Friday, 12 / 29 / 2023

Hyd. No. 5

EX-WEST

Hydrograph type	= Combine	Peak discharge	= 61.46 cfs
Storm frequency	= 50 yrs	Time to peak	= 38 min
Time interval	= 1 min	Hyd. volume	= 175,025 cuft
Inflow hyds.	= 1, 2, 3	Contrib. drain. area	= 37.510 ac



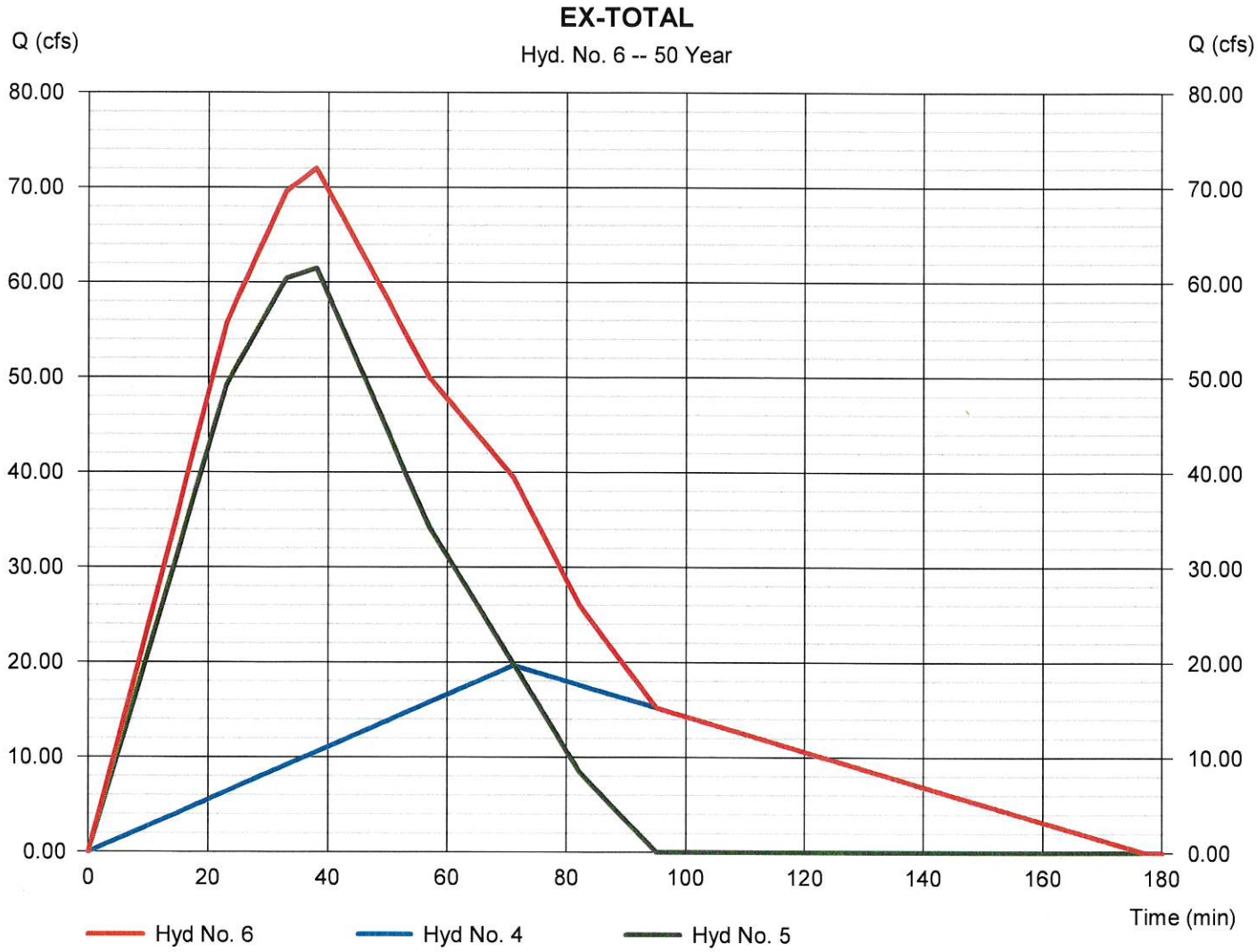
Hydrograph Report

Hydraflow Hydrographs Extension for Autodesk® Civil 3D® by Autodesk, Inc. v2024 Friday, 12 / 29 / 2023

Hyd. No. 6

EX-TOTAL

Hydrograph type	= Combine	Peak discharge	= 71.96 cfs
Storm frequency	= 50 yrs	Time to peak	= 38 min
Time interval	= 1 min	Hyd. volume	= 279,182 cuft
Inflow hyds.	= 4, 5	Contrib. drain. area	= 15.960 ac



Hydrograph Report

Hydraflow Hydrographs Extension for Autodesk® Civil 3D® by Autodesk, Inc. v2024 Friday, 12 / 29 / 2023

Hyd. No. 8

POST-DIRECT-NW

Hydrograph type	= Rational	Peak discharge	= 19.98 cfs
Storm frequency	= 50 yrs	Time to peak	= 20 min
Time interval	= 1 min	Hyd. volume	= 29,970 cuft
Drainage area	= 6.220 ac	Runoff coeff.	= 0.4*
Intensity	= 8.031 in/hr	Tc by FAA	= 20.00 min
IDF Curve	= Gulfport.IDF	Asc/Rec limb fact	= 1/1.5

* Composite (Area/C) = [(3.200 x 0.50) + (3.020 x 0.30)] / 6.220

Hydrograph Report

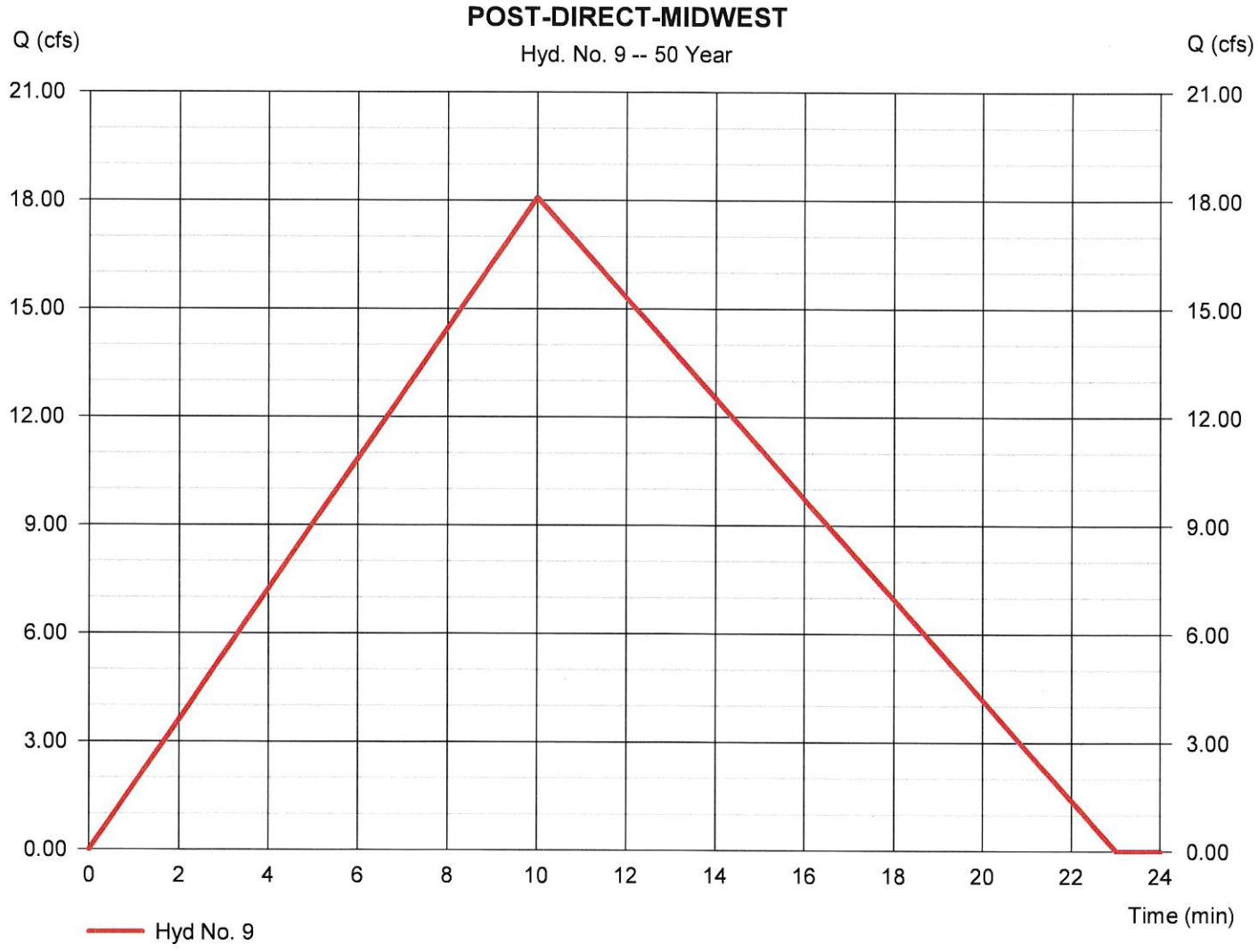
Hydraflow Hydrographs Extension for Autodesk® Civil 3D® by Autodesk, Inc. v2024 Friday, 12 / 29 / 2023

Hyd. No. 9

POST-DIRECT-MIDWEST

Hydrograph type	= Rational	Peak discharge	= 18.07 cfs
Storm frequency	= 50 yrs	Time to peak	= 10 min
Time interval	= 1 min	Hyd. volume	= 12,633 cuft
Drainage area	= 3.280 ac	Runoff coeff.	= 0.5*
Intensity	= 11.020 in/hr	Tc by User	= 10.00 min
IDF Curve	= Gulfport.IDF	Asc/Rec limb fact	= 1/1.33

* Composite (Area/C) = [(4.300 x 0.55) + (0.290 x 0.30)] / 3.280



Hydrograph Report

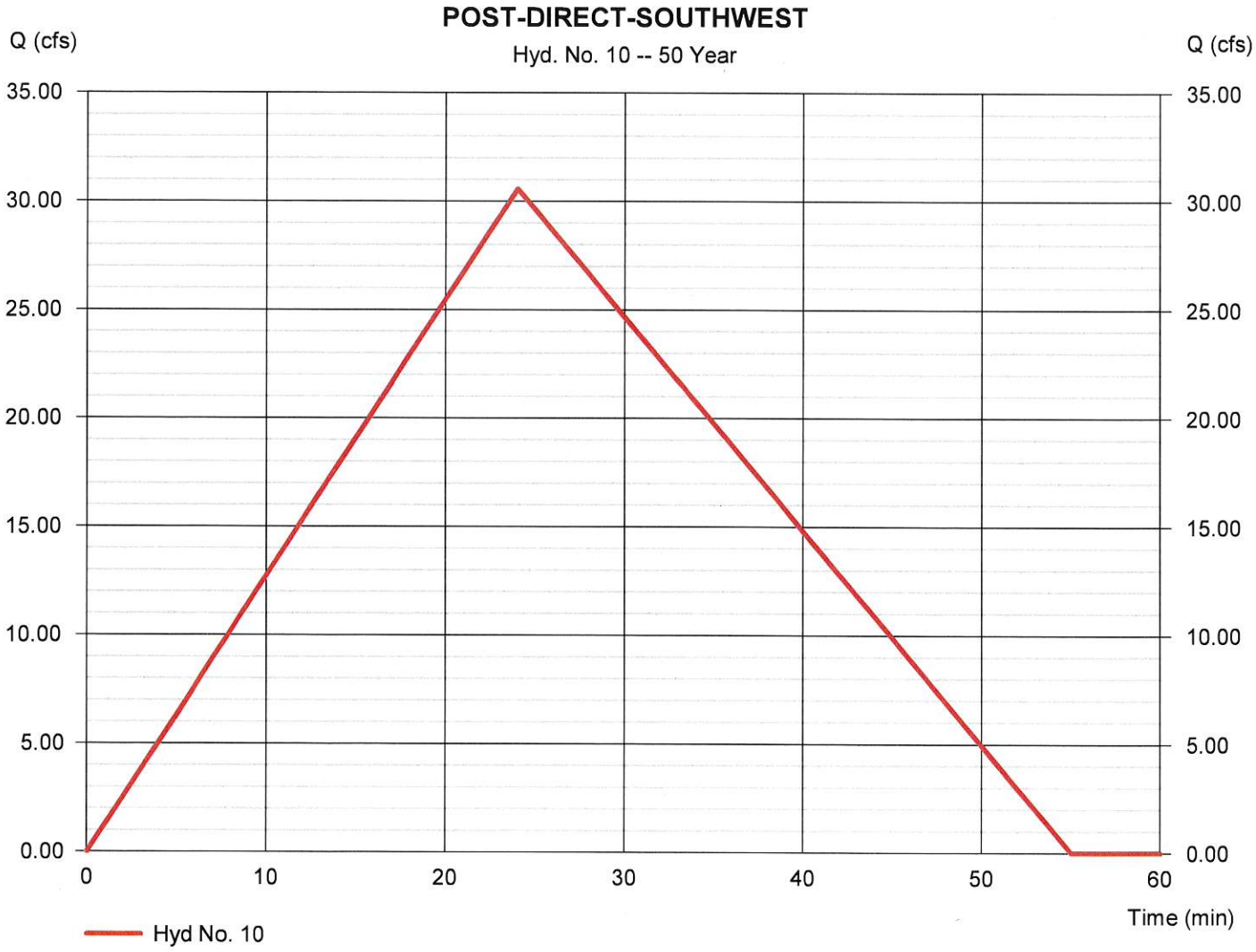
Hydraflow Hydrographs Extension for Autodesk® Civil 3D® by Autodesk, Inc. v2024 Friday, 12 / 29 / 2023

Hyd. No. 10

POST-DIRECT-SOUTHWEST

Hydrograph type	= Rational	Peak discharge	= 30.55 cfs
Storm frequency	= 50 yrs	Time to peak	= 24 min
Time interval	= 1 min	Hyd. volume	= 51,258 cuft
Drainage area	= 8.680 ac	Runoff coeff.	= 0.48*
Intensity	= 7.333 in/hr	Tc by FAA	= 24.00 min
IDF Curve	= Gulfport.IDF	Asc/Rec limb fact	= 1/1.33

* Composite (Area/C) = [(7.780 x 0.50) + (0.900 x 0.30)] / 8.680



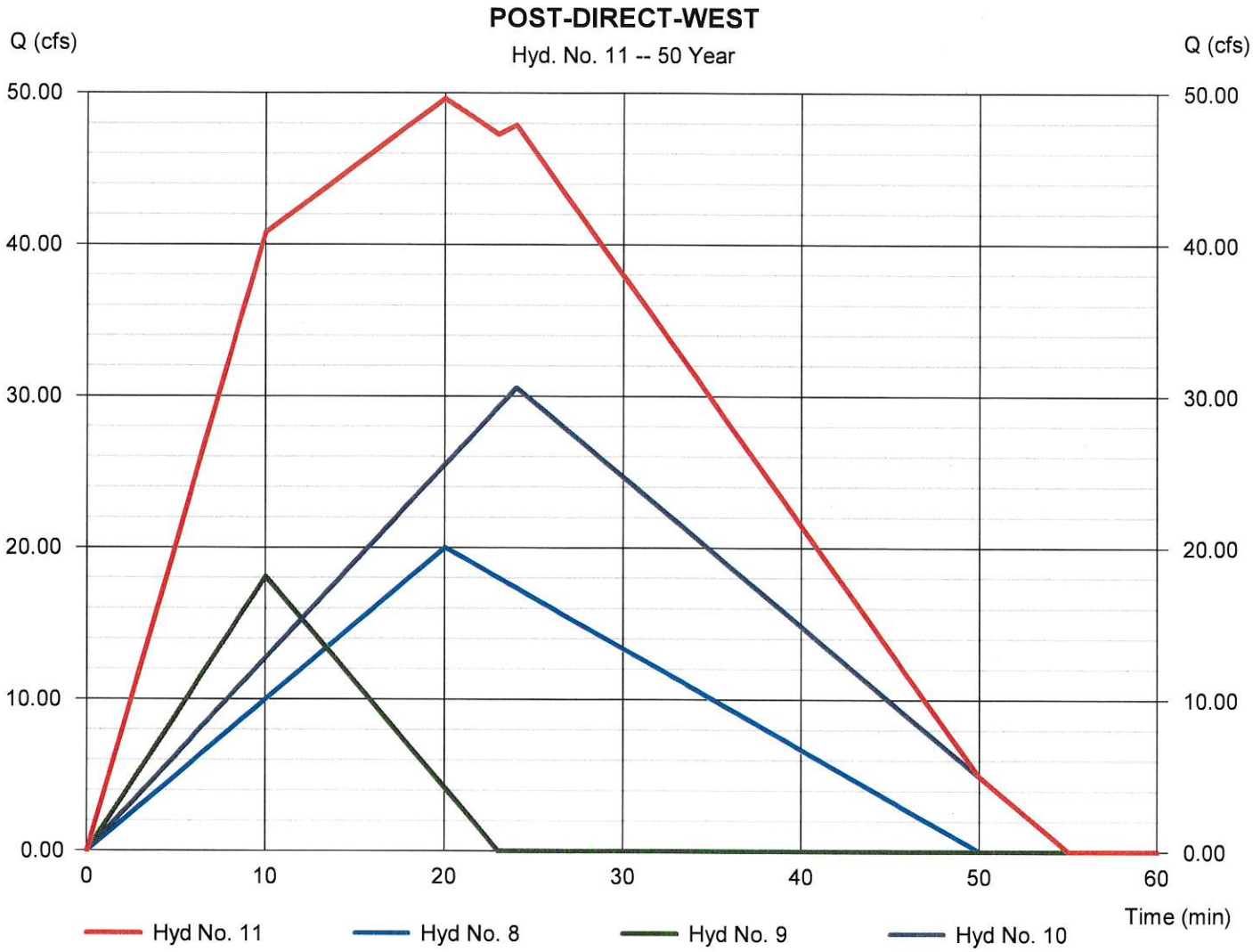
Hydrograph Report

Hydraflow Hydrographs Extension for Autodesk® Civil 3D® by Autodesk, Inc. v2024 Friday, 12 / 29 / 2023

Hyd. No. 11

POST-DIRECT-WEST

Hydrograph type	= Combine	Peak discharge	= 49.61 cfs
Storm frequency	= 50 yrs	Time to peak	= 20 min
Time interval	= 1 min	Hyd. volume	= 92,855 cuft
Inflow hyds.	= 8, 9, 10	Contrib. drain. area	= 18.180 ac



Hydrograph Report

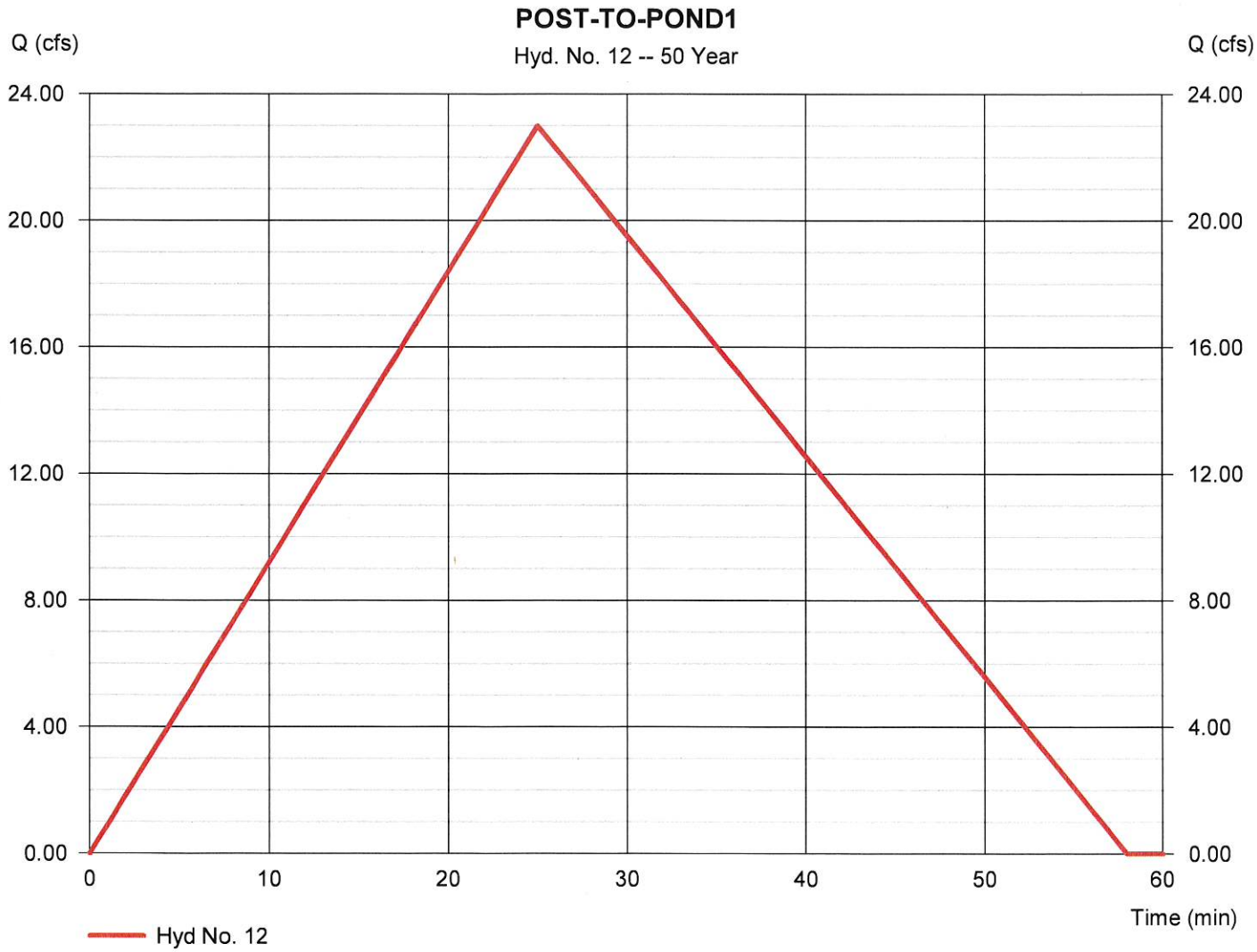
Hydraflow Hydrographs Extension for Autodesk® Civil 3D® by Autodesk, Inc. v2024 Friday, 12 / 29 / 2023

Hyd. No. 12

POST-TO-POND1

Hydrograph type	= Rational	Peak discharge	= 22.99 cfs
Storm frequency	= 50 yrs	Time to peak	= 25 min
Time interval	= 1 min	Hyd. volume	= 40,169 cuft
Drainage area	= 6.400 ac	Runoff coeff.	= 0.5*
Intensity	= 7.183 in/hr	Tc by FAA	= 25.00 min
IDF Curve	= Gulfport.IDF	Asc/Rec limb fact	= 1/1.33

* Composite (Area/C) = [(3.200 x 0.55) + (3.020 x 0.30)] / 6.400



Hydrograph Report

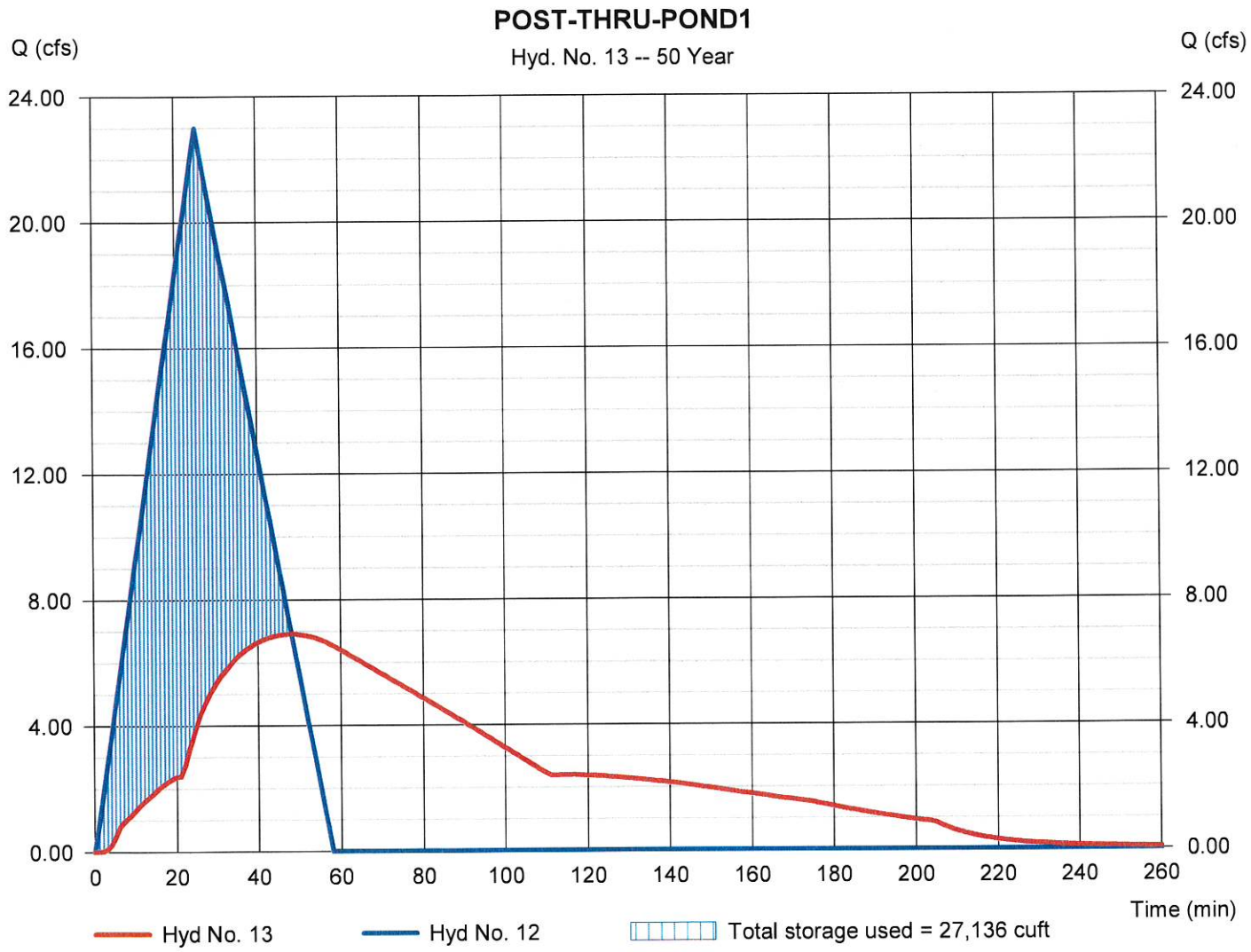
Hydraflow Hydrographs Extension for Autodesk® Civil 3D® by Autodesk, Inc. v2024 Friday, 12 / 29 / 2023

Hyd. No. 13

POST-THRU-POND1

Hydrograph type	= Reservoir	Peak discharge	= 6.900 cfs
Storm frequency	= 50 yrs	Time to peak	= 48 min
Time interval	= 1 min	Hyd. volume	= 39,989 cuft
Inflow hyd. No.	= 12 - POST-TO-POND1	Max. Elevation	= 71.64 ft
Reservoir name	= POND 1	Max. Storage	= 27,136 cuft

Storage Indication method used.



Pond Report

Hydraflow Hydrographs Extension for Autodesk® Civil 3D® by Autodesk, Inc. v2024 Friday, 12 / 29 / 2023

Pond No. 1 - POND 1

Pond Data

Contours -User-defined contour areas. Conic method used for volume calculation. Begining Elevation = 69.50 ft

Stage / Storage Table

Stage (ft)	Elevation (ft)	Contour area (sqft)	Incr. Storage (cuft)	Total storage (cuft)
0.00	69.50	01	0	0
0.50	70.00	5,813	982	982
0.75	70.25	11,240	2,094	3,076
1.00	70.50	16,811	3,483	6,559
1.50	71.00	17,964	8,691	15,250
2.00	71.50	18,868	9,206	24,456
2.50	72.00	19,952	9,703	34,159
3.00	72.50	21,243	10,296	44,455

Culvert / Orifice Structures

	[A]	[B]	[C]	[PrfRsr]
Rise (in)	= 15.00	0.00	0.00	0.00
Span (in)	= 15.00	0.00	0.00	0.00
No. Barrels	= 1	0	0	0
Invert El. (ft)	= 69.50	0.00	0.00	0.00
Length (ft)	= 24.00	0.00	0.00	0.00
Slope (%)	= 0.50	0.00	0.00	n/a
N-Value	= .013	.013	.013	n/a
Orifice Coeff.	= 0.60	0.60	0.60	0.60
Multi-Stage	= n/a	No	No	No

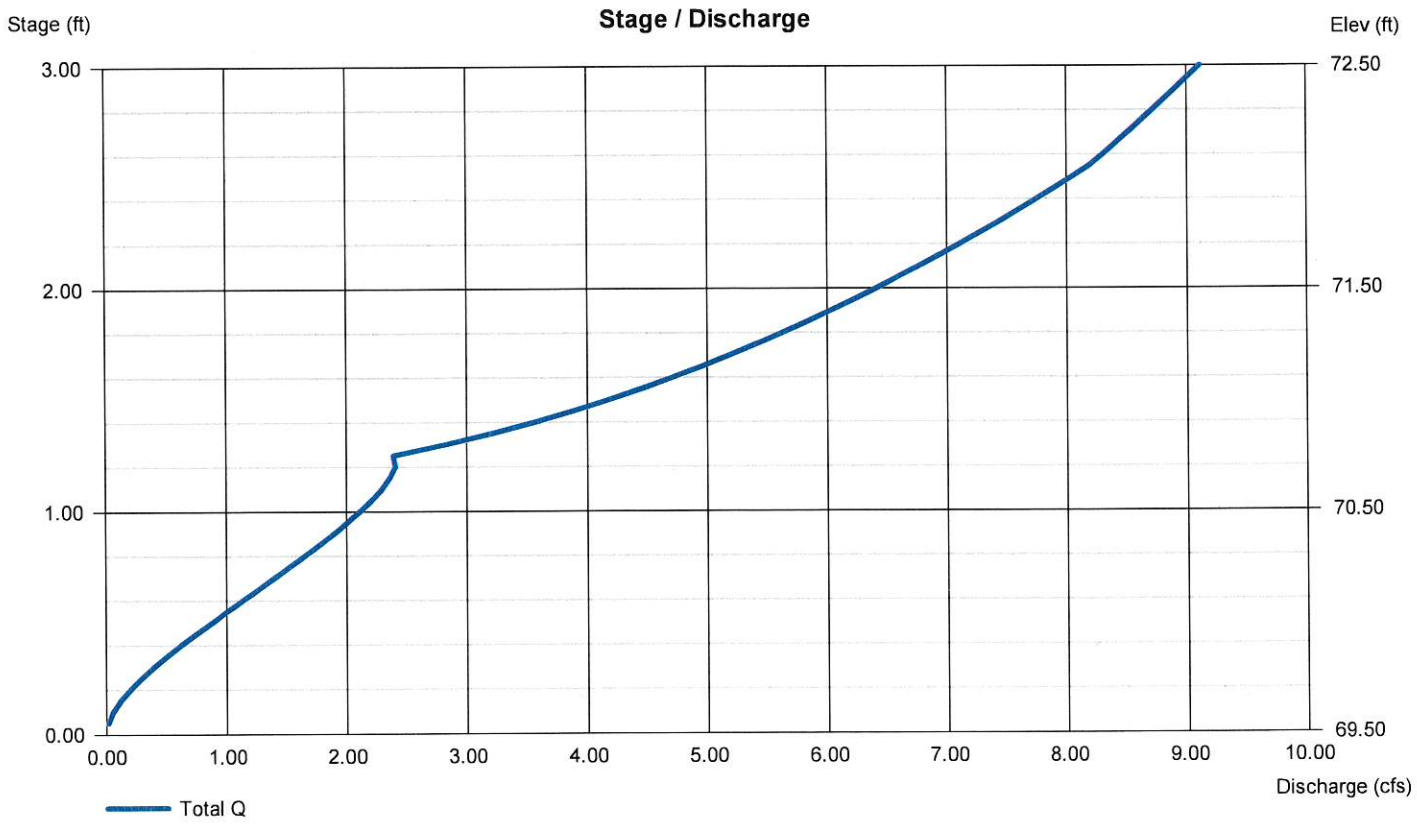
Weir Structures

	[A]	[B]	[C]	[D]
Crest Len (ft)	= 0.00	0.00	0.00	0.00
Crest El. (ft)	= 0.00	0.00	0.00	0.00
Weir Coeff.	= 3.33	3.33	3.33	3.33
Weir Type	= ---	---	---	---
Multi-Stage	= No	No	No	No

Exfil.(in/hr) = 0.000 (by Wet area)

TW Elev. (ft) = 0.00

Note: Culvert/Orifice outflows are analyzed under inlet (ic) and outlet (oc) control. Weir risers checked for orifice conditions (ic) and submergence (s).



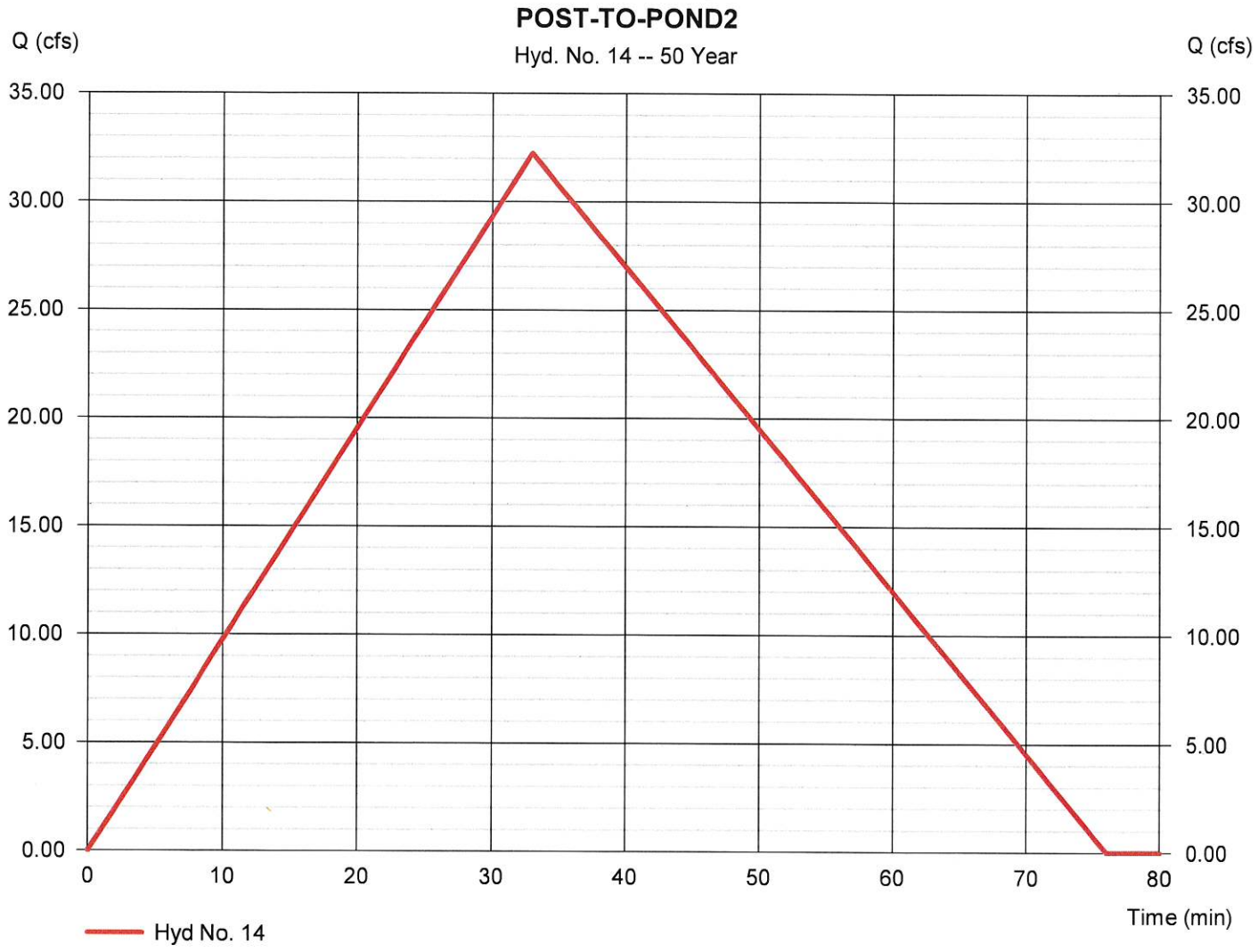
Hydrograph Report

Hydraflow Hydrographs Extension for Autodesk® Civil 3D® by Autodesk, Inc. v2024 Friday, 12 / 29 / 2023

Hyd. No. 14

POST-TO-POND2

Hydrograph type	= Rational	Peak discharge	= 32.23 cfs
Storm frequency	= 50 yrs	Time to peak	= 33 min
Time interval	= 1 min	Hyd. volume	= 74,340 cuft
Drainage area	= 10.360 ac	Runoff coeff.	= 0.5
Intensity	= 6.222 in/hr	Tc by FAA	= 33.00 min
IDF Curve	= Gulfport.IDF	Asc/Rec limb fact	= 1/1.33



Hydrograph Report

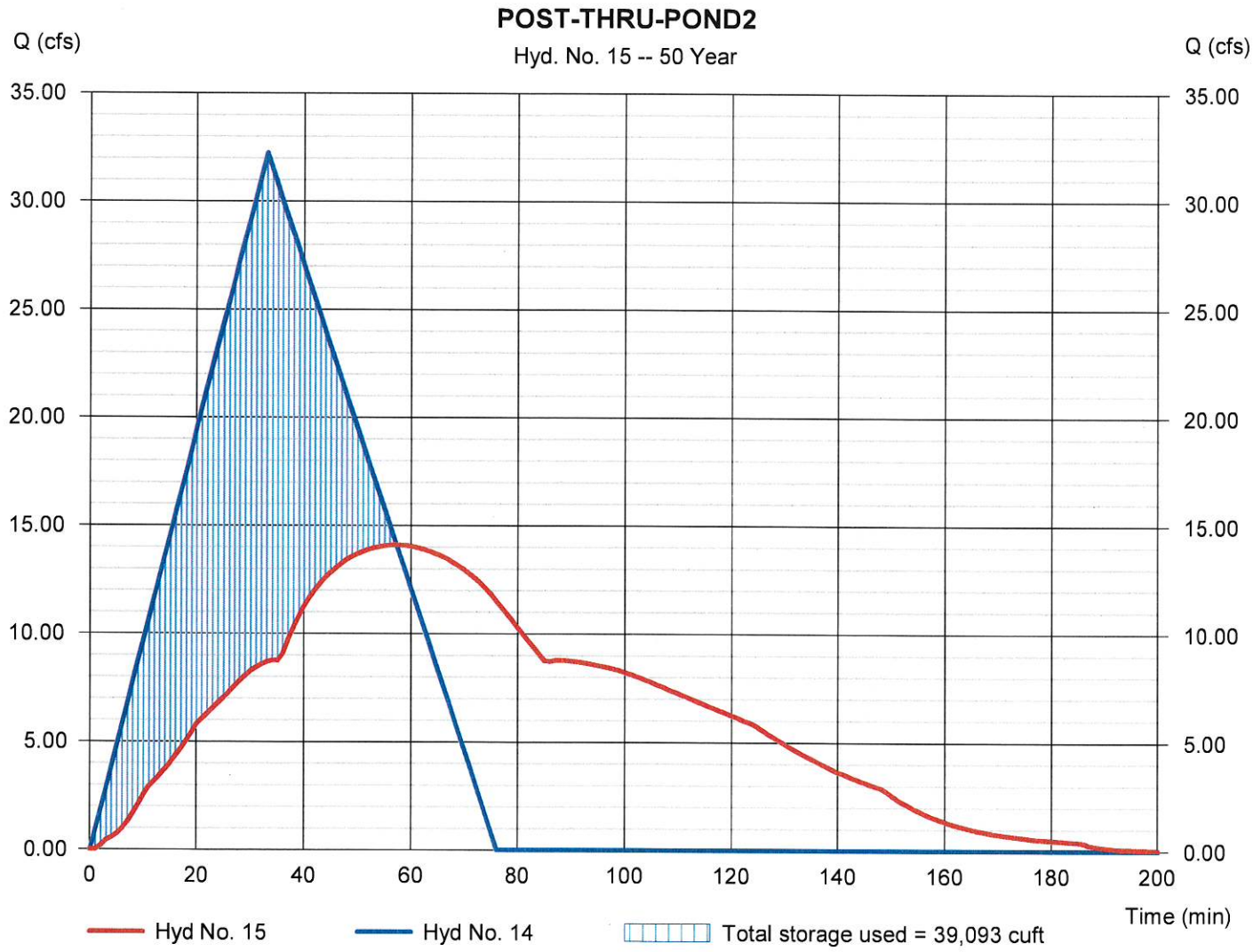
Hydraflow Hydrographs Extension for Autodesk® Civil 3D® by Autodesk, Inc. v2024 Friday, 12 / 29 / 2023

Hyd. No. 15

POST-THRU-POND2

Hydrograph type	= Reservoir	Peak discharge	= 14.08 cfs
Storm frequency	= 50 yrs	Time to peak	= 57 min
Time interval	= 1 min	Hyd. volume	= 73,475 cuft
Inflow hyd. No.	= 14 - POST-TO-POND2	Max. Elevation	= 66.16 ft
Reservoir name	= POND2	Max. Storage	= 39,093 cuft

Storage Indication method used.



Pond Report

Hydraflow Hydrographs Extension for Autodesk® Civil 3D® by Autodesk, Inc. v2024 Friday, 12 / 29 / 2023

Pond No. 3 - POND2

Pond Data

Contours -User-defined contour areas. Conic method used for volume calculation. Begining Elevation = 63.75 ft

Stage / Storage Table

Stage (ft)	Elevation (ft)	Contour area (sqft)	Incr. Storage (cuft)	Total storage (cuft)
0.00	63.75	00	0	0
0.25	64.00	1,929	161	161
0.75	64.50	8,933	2,502	2,663
1.25	65.00	15,797	6,101	8,764
1.75	65.50	27,435	10,674	19,438
2.00	65.75	29,089	7,064	26,501
2.25	66.00	30,022	7,388	33,889
3.25	67.00	34,534	32,248	66,138

Culvert / Orifice Structures

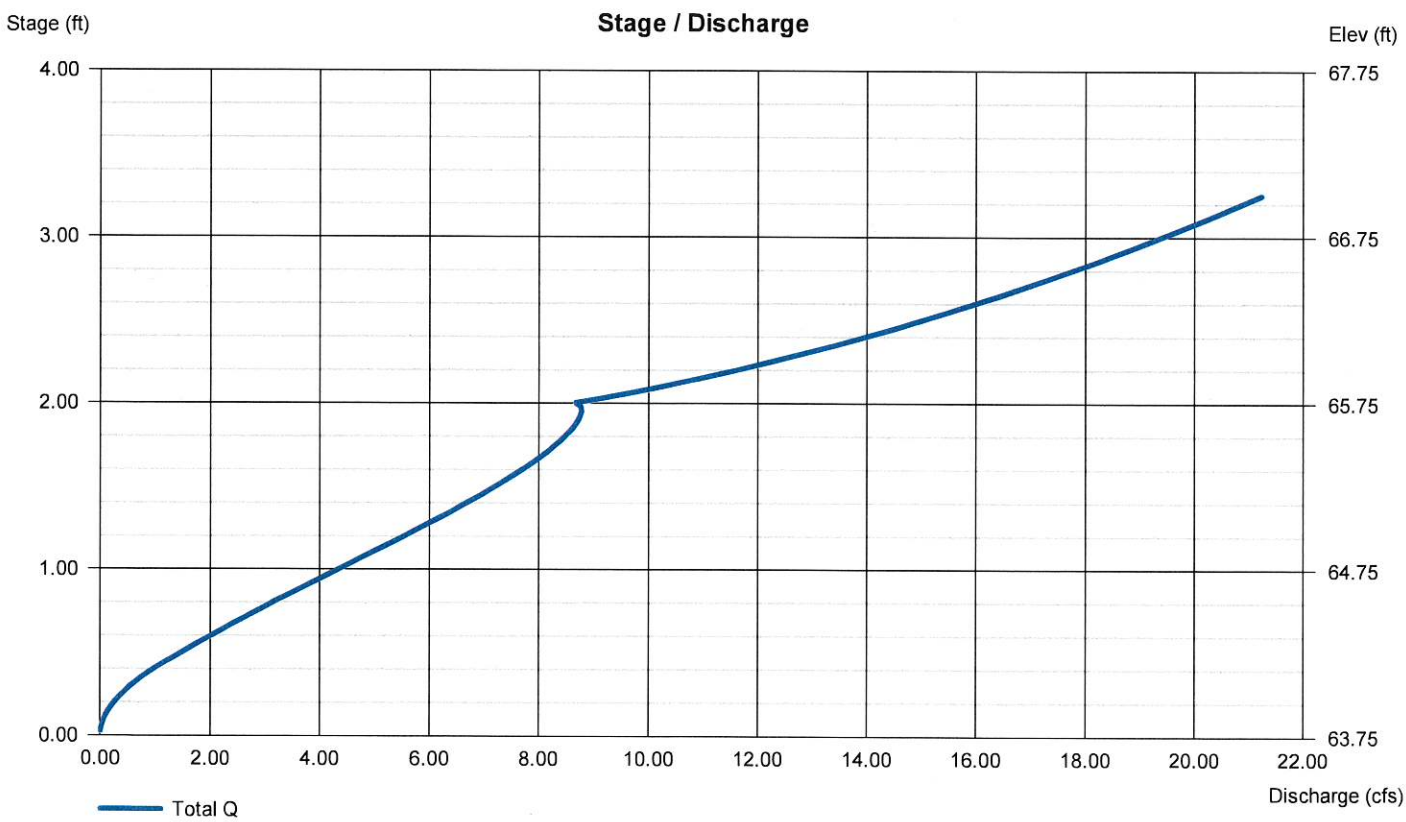
	[A]	[B]	[C]	[PrfRsr]
Rise (in)	= 24.00	0.00	0.00	0.00
Span (in)	= 24.00	0.00	0.00	0.00
No. Barrels	= 1	0	0	0
Invert El. (ft)	= 63.75	0.00	0.00	0.00
Length (ft)	= 50.00	0.00	0.00	0.00
Slope (%)	= 0.50	0.00	0.00	n/a
N-Value	= .013	.013	.013	n/a
Orifice Coeff.	= 0.60	0.60	0.60	0.60
Multi-Stage	= n/a	No	No	No

Weir Structures

	[A]	[B]	[C]	[D]
Crest Len (ft)	= 0.00	0.00	0.00	0.00
Crest El. (ft)	= 0.00	0.00	0.00	0.00
Weir Coeff.	= 3.33	3.33	3.33	3.33
Weir Type	= ---	---	---	---
Multi-Stage	= No	No	No	No

Exfil.(in/hr) = 0.000 (by Wet area)
TW Elev. (ft) = 0.00

Note: Culvert/Orifice outflows are analyzed under inlet (ic) and outlet (oc) control. Weir risers checked for orifice conditions (ic) and submergence (s).



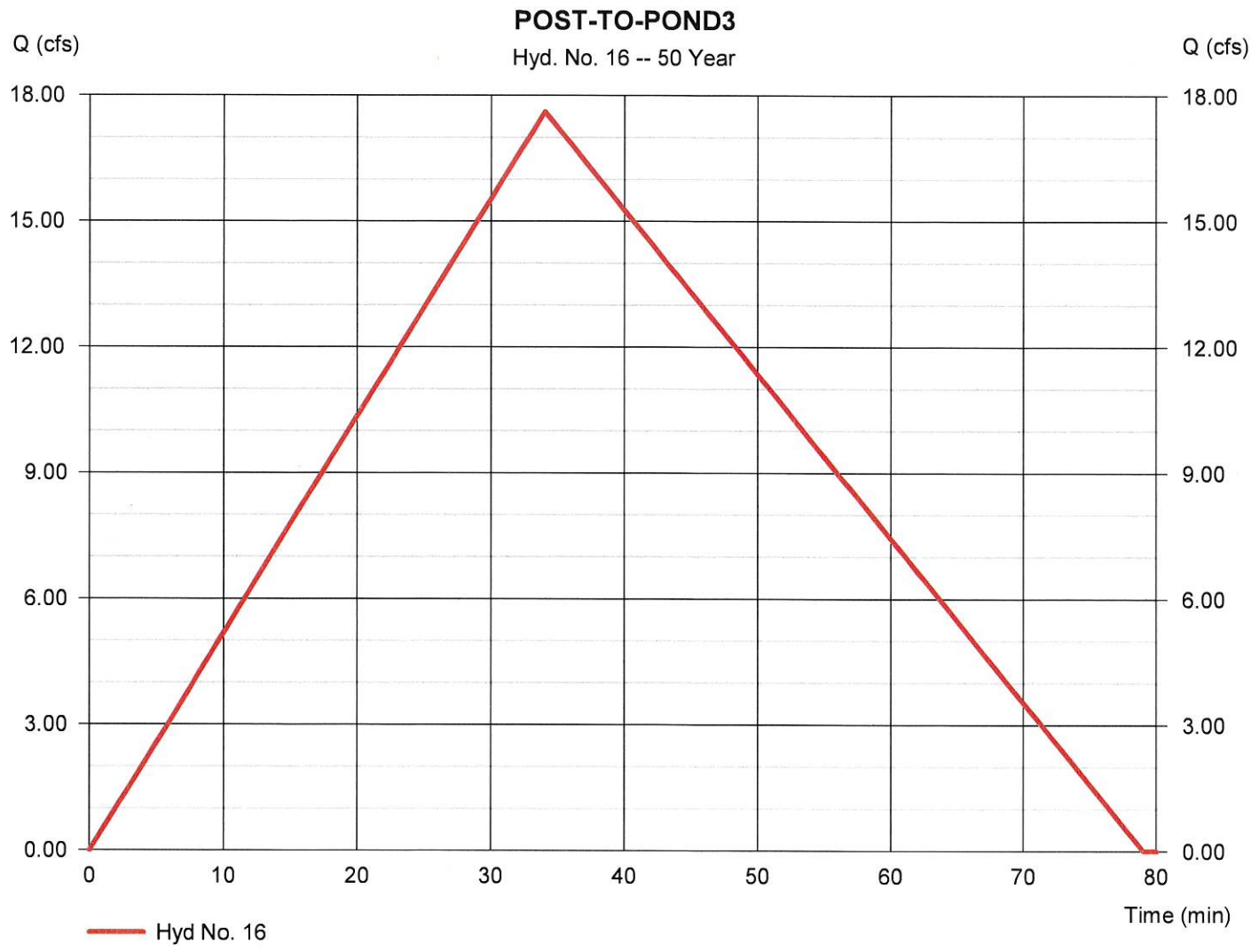
Hydrograph Report

Hydraflow Hydrographs Extension for Autodesk® Civil 3D® by Autodesk, Inc. v2024 Friday, 12 / 29 / 2023

Hyd. No. 16

POST-TO-POND3

Hydrograph type	= Rational	Peak discharge	= 17.61 cfs
Storm frequency	= 50 yrs	Time to peak	= 34 min
Time interval	= 1 min	Hyd. volume	= 41,846 cuft
Drainage area	= 5.750 ac	Runoff coeff.	= 0.5
Intensity	= 6.124 in/hr	Tc by FAA	= 34.00 min
IDF Curve	= Gulfport.IDF	Asc/Rec limb fact	= 1/1.33



Hydrograph Report

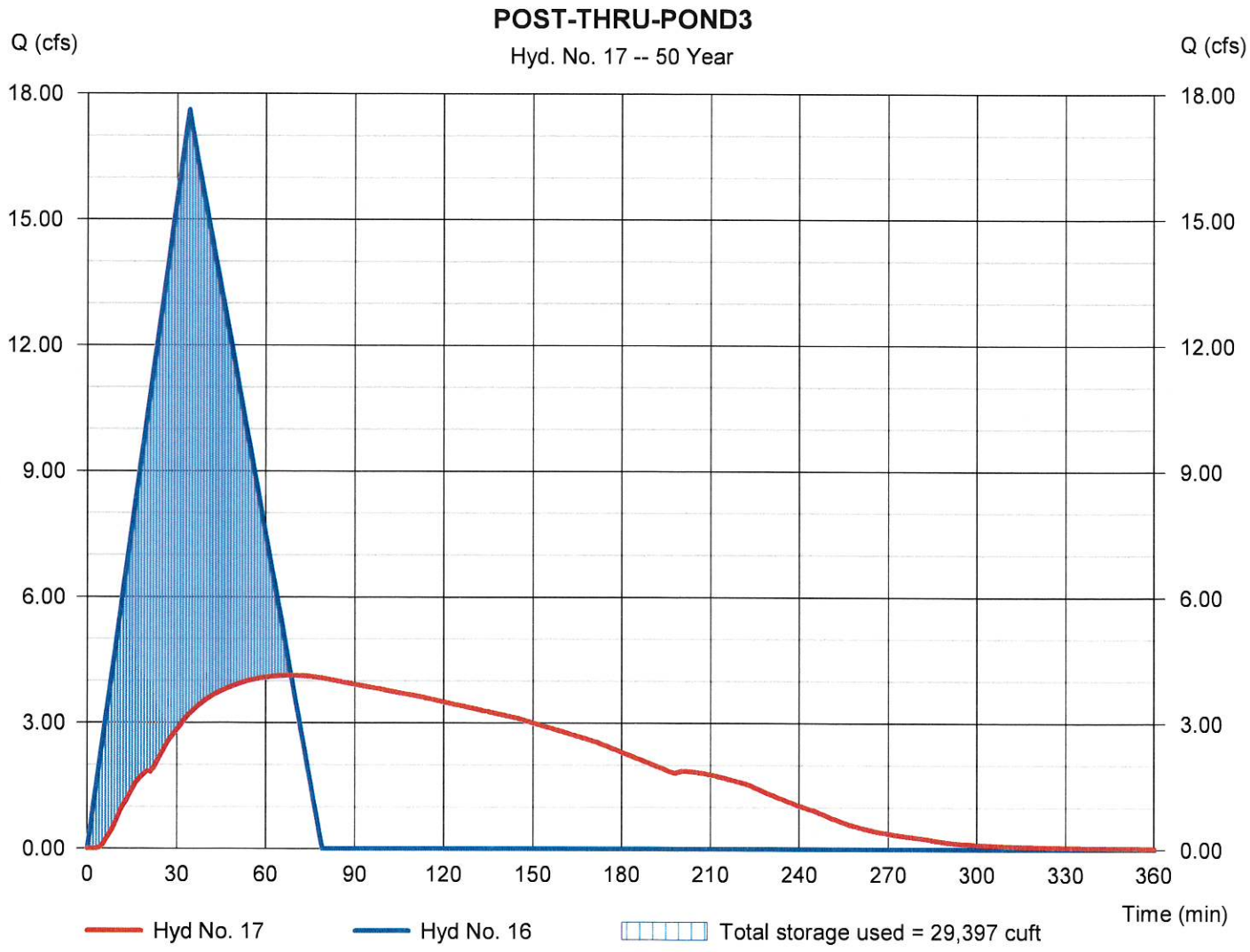
Hydraflow Hydrographs Extension for Autodesk® Civil 3D® by Autodesk, Inc. v2024 Friday, 12 / 29 / 2023

Hyd. No. 17

POST-THRU-POND3

Hydrograph type	= Reservoir	Peak discharge	= 4.125 cfs
Storm frequency	= 50 yrs	Time to peak	= 68 min
Time interval	= 1 min	Hyd. volume	= 41,622 cuft
Inflow hyd. No.	= 16 - POST-TO-POND3	Max. Elevation	= 64.06 ft
Reservoir name	= POND3	Max. Storage	= 29,397 cuft

Storage Indication method used.



Pond Report

Hydraflow Hydrographs Extension for Autodesk® Civil 3D® by Autodesk, Inc. v2024 Friday, 12 / 29 / 2023

Pond No. 4 - POND3

Pond Data

Contours -User-defined contour areas. Conic method used for volume calculation. Begining Elevation = 61.75 ft

Stage / Storage Table

Stage (ft)	Elevation (ft)	Contour area (sqft)	Incr. Storage (cuft)	Total storage (cuft)
0.00	61.75	01	0	0
0.25	62.00	1,041	90	90
0.50	62.25	3,195	505	594
0.75	62.50	5,566	1,081	1,676
1.00	62.75	8,000	1,686	3,362
1.25	63.00	12,629	2,556	5,919
1.50	63.25	15,216	3,475	9,394
1.75	63.50	22,002	4,626	14,020
2.00	63.75	28,446	6,288	20,308
2.25	64.00	29,880	7,289	27,597
3.25	65.00	33,585	31,711	59,308

Culvert / Orifice Structures

	[A]	[B]	[C]	[PrfRsr]
Rise (in)	= 12.00	0.00	0.00	0.00
Span (in)	= 12.00	0.00	0.00	0.00
No. Barrels	= 1	0	0	0
Invert El. (ft)	= 62.00	0.00	0.00	0.00
Length (ft)	= 50.00	0.00	0.00	0.00
Slope (%)	= 0.50	0.00	0.00	n/a
N-Value	= .013	.013	.013	n/a
Orifice Coeff.	= 0.60	0.60	0.60	0.60
Multi-Stage	= n/a	No	No	No

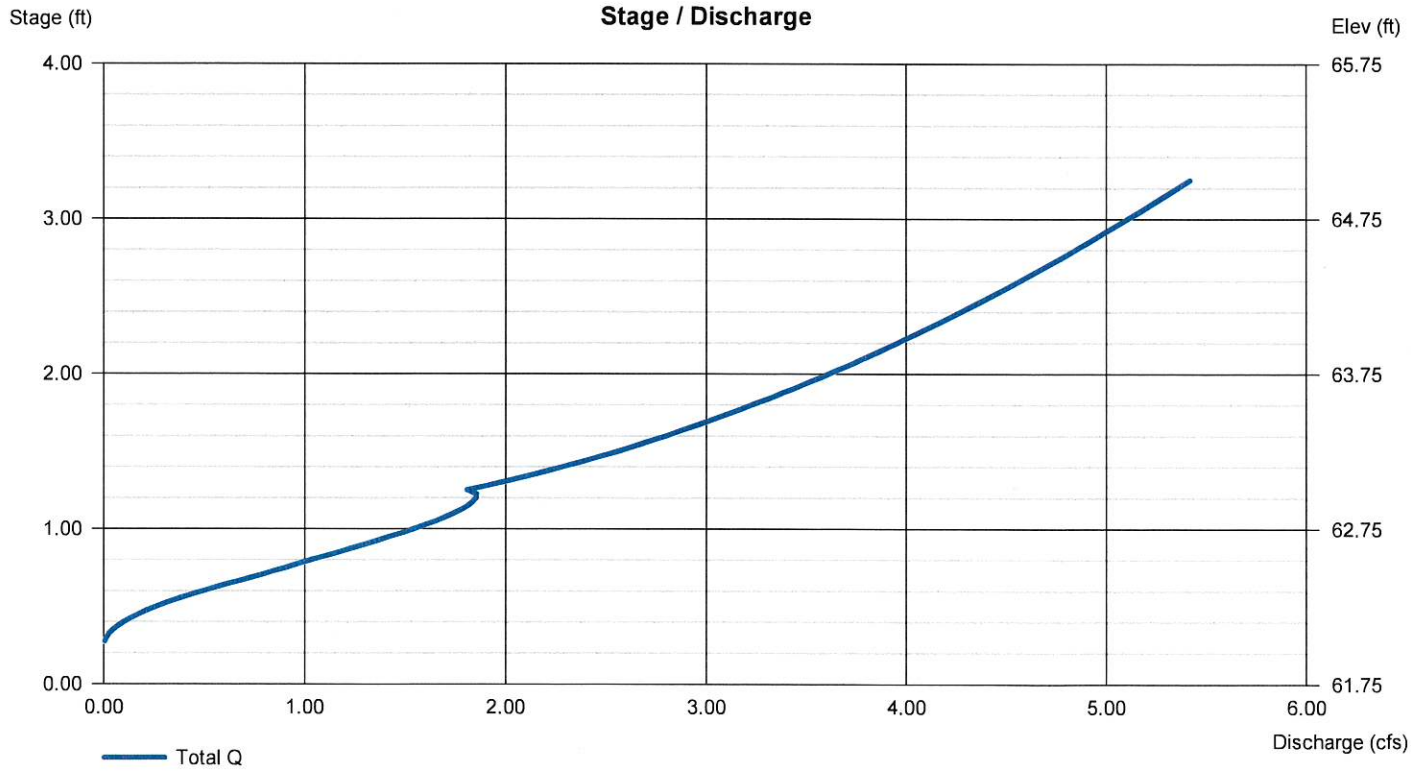
Weir Structures

	[A]	[B]	[C]	[D]
Crest Len (ft)	= 0.00	0.00	0.00	0.00
Crest El. (ft)	= 0.00	0.00	0.00	0.00
Weir Coeff.	= 3.33	3.33	3.33	3.33
Weir Type	= ---	---	---	---
Multi-Stage	= No	No	No	No

Exfil.(in/hr) = 0.000 (by Wet area)

TW Elev. (ft) = 0.00

Note: Culvert/Orifice outflows are analyzed under inlet (ic) and outlet (oc) control. Weir risers checked for orifice conditions (ic) and submergence (s).



Hydrograph Report

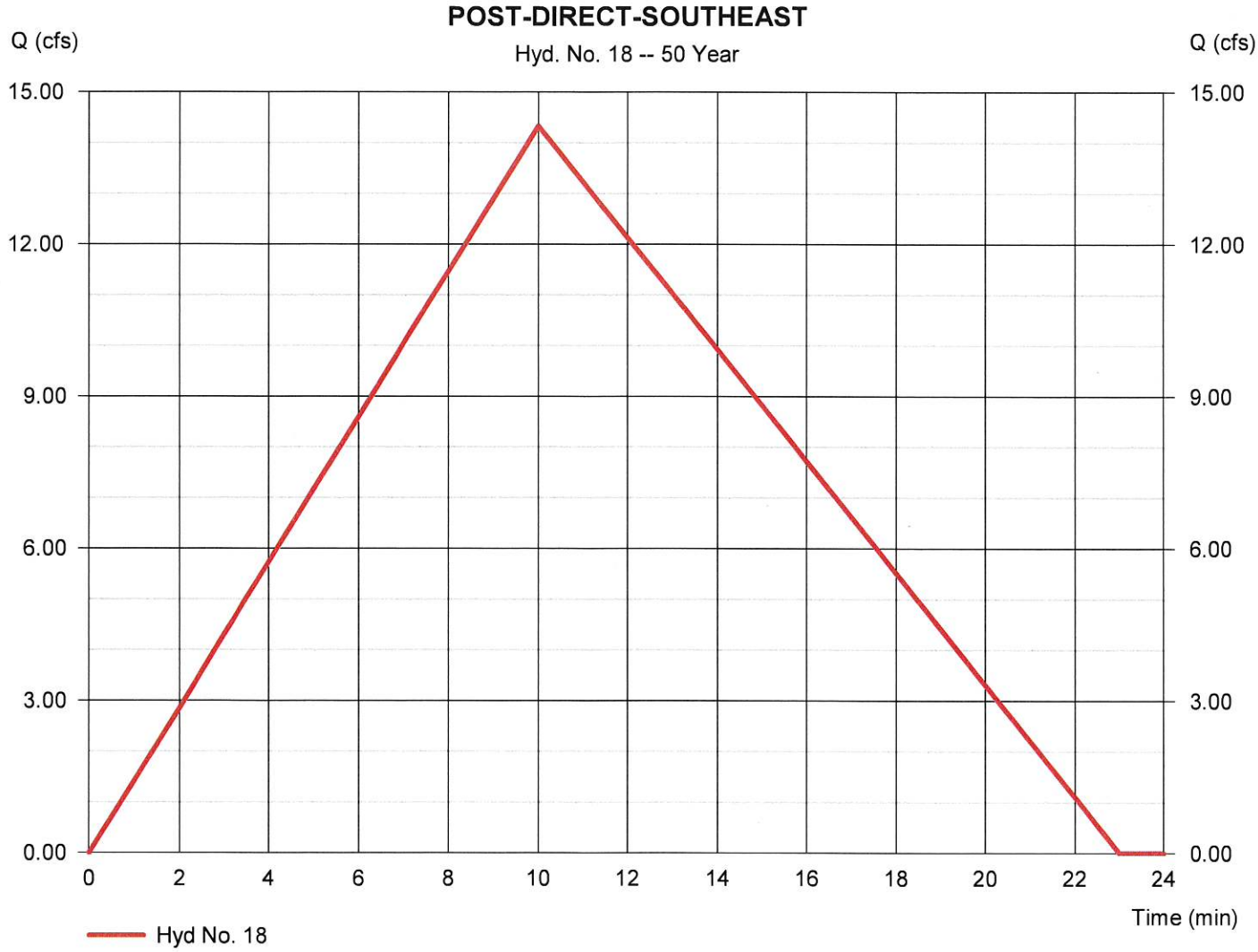
Hydraflow Hydrographs Extension for Autodesk® Civil 3D® by Autodesk, Inc. v2024 Friday, 12 / 29 / 2023

Hyd. No. 18

POST-DIRECT-SOUTHEAST

Hydrograph type	= Rational	Peak discharge	= 14.33 cfs
Storm frequency	= 50 yrs	Time to peak	= 10 min
Time interval	= 1 min	Hyd. volume	= 10,014 cuft
Drainage area	= 2.600 ac	Runoff coeff.	= 0.5*
Intensity	= 11.020 in/hr	Tc by User	= 10.00 min
IDF Curve	= Gulfport.IDF	Asc/Rec limb fact	= 1/1.33

* Composite (Area/C) = [(5.850 x 0.50) + (4.510 x 0.30)] / 2.600



Hydrograph Report

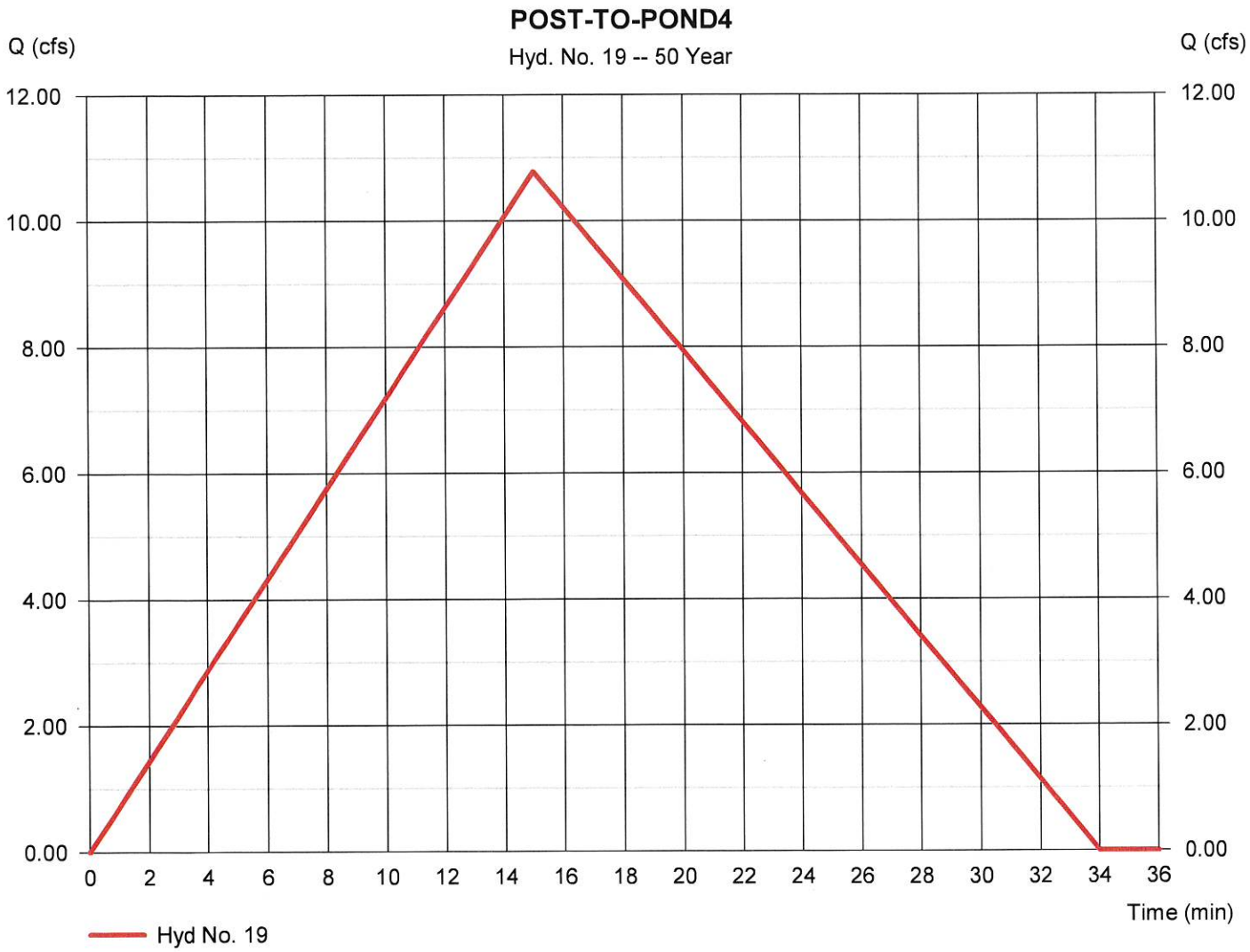
Hydraflow Hydrographs Extension for Autodesk® Civil 3D® by Autodesk, Inc. v2024 Friday, 12 / 29 / 2023

Hyd. No. 19

POST-TO-POND4

Hydrograph type	= Rational	Peak discharge	= 10.78 cfs
Storm frequency	= 50 yrs	Time to peak	= 15 min
Time interval	= 1 min	Hyd. volume	= 11,302 cuft
Drainage area	= 2.340 ac	Runoff coeff.	= 0.5*
Intensity	= 9.213 in/hr	Tc by User	= 15.00 min
IDF Curve	= Gulfport.IDF	Asc/Rec limb fact	= 1/1.33

* Composite (Area/C) = [(2.450 x 0.50)] / 2.340



Hydrograph Report

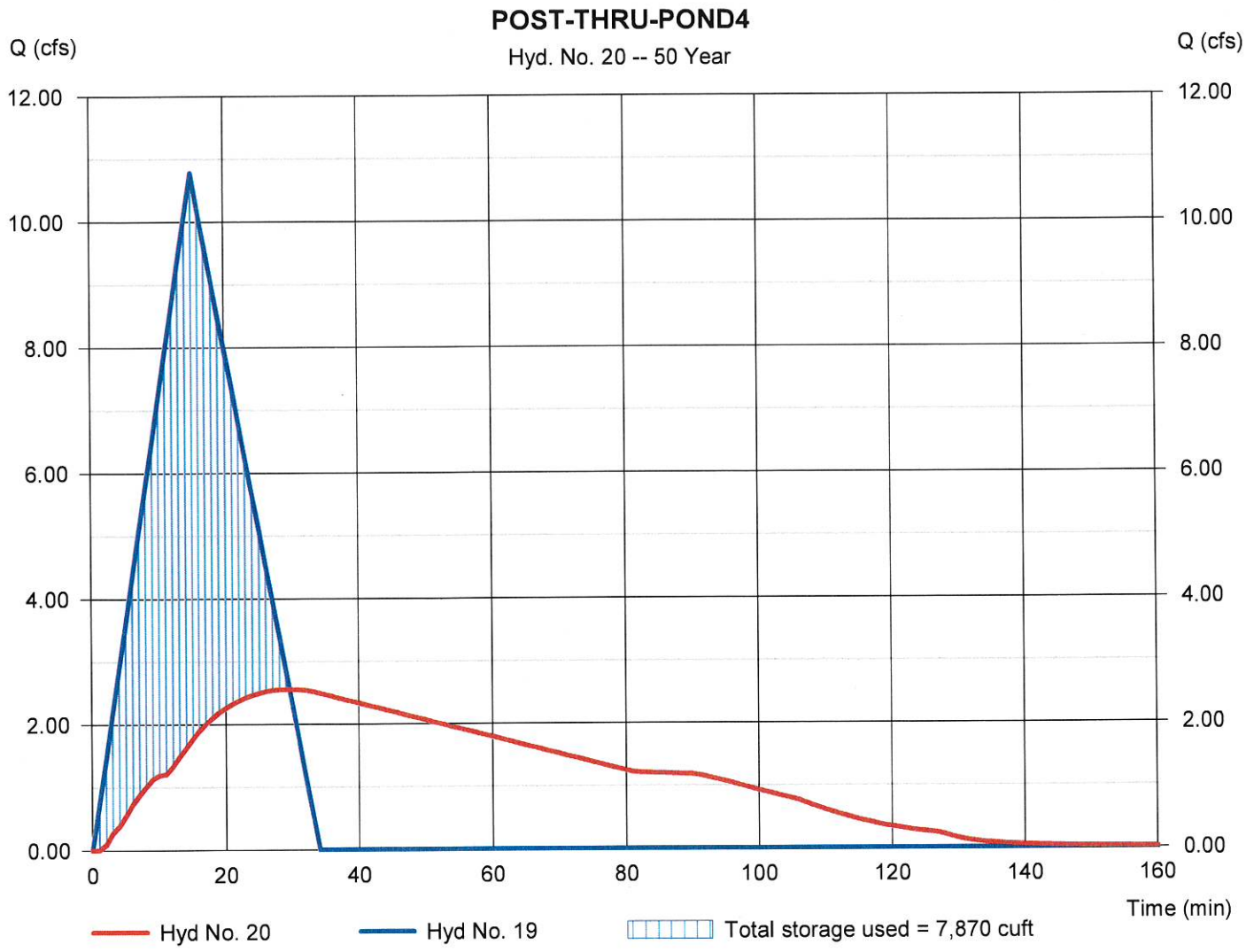
Hydraflow Hydrographs Extension for Autodesk® Civil 3D® by Autodesk, Inc. v2024 Friday, 12 / 29 / 2023

Hyd. No. 20

POST-THRU-POND4

Hydrograph type	= Reservoir	Peak discharge	= 2.549 cfs
Storm frequency	= 50 yrs	Time to peak	= 30 min
Time interval	= 1 min	Hyd. volume	= 10,990 cuft
Inflow hyd. No.	= 19 - POST-TO-POND4	Max. Elevation	= 69.01 ft
Reservoir name	= POND4	Max. Storage	= 7,870 cuft

Storage Indication method used.



Pond Report

Hydraflow Hydrographs Extension for Autodesk® Civil 3D® by Autodesk, Inc. v2024 Friday, 12 / 29 / 2023

Pond No. 5 - POND4

Pond Data

Contours -User-defined contour areas. Conic method used for volume calculation. Begining Elevation = 67.25 ft

Stage / Storage Table

Stage (ft)	Elevation (ft)	Contour area (sqft)	Incr. Storage (cuft)	Total storage (cuft)
0.00	67.25	01	0	0
0.25	67.50	1,656	141	141
0.50	67.75	2,968	570	711
0.75	68.00	4,711	951	1,663
1.75	69.00	7,609	6,102	7,765
2.75	70.00	10,196	8,870	16,635
3.00	70.25	10,851	2,630	19,265

Culvert / Orifice Structures

	[A]	[B]	[C]	[PrfRsr]
Rise (in)	= 10.00	0.00	0.00	0.00
Span (in)	= 10.00	0.00	0.00	0.00
No. Barrels	= 1	0	0	0
Invert El. (ft)	= 67.25	0.00	0.00	0.00
Length (ft)	= 50.00	0.00	0.00	0.00
Slope (%)	= 0.50	0.00	0.00	n/a
N-Value	= .013	.013	.013	n/a
Orifice Coeff.	= 0.60	0.60	0.60	0.60
Multi-Stage	= n/a	No	No	No

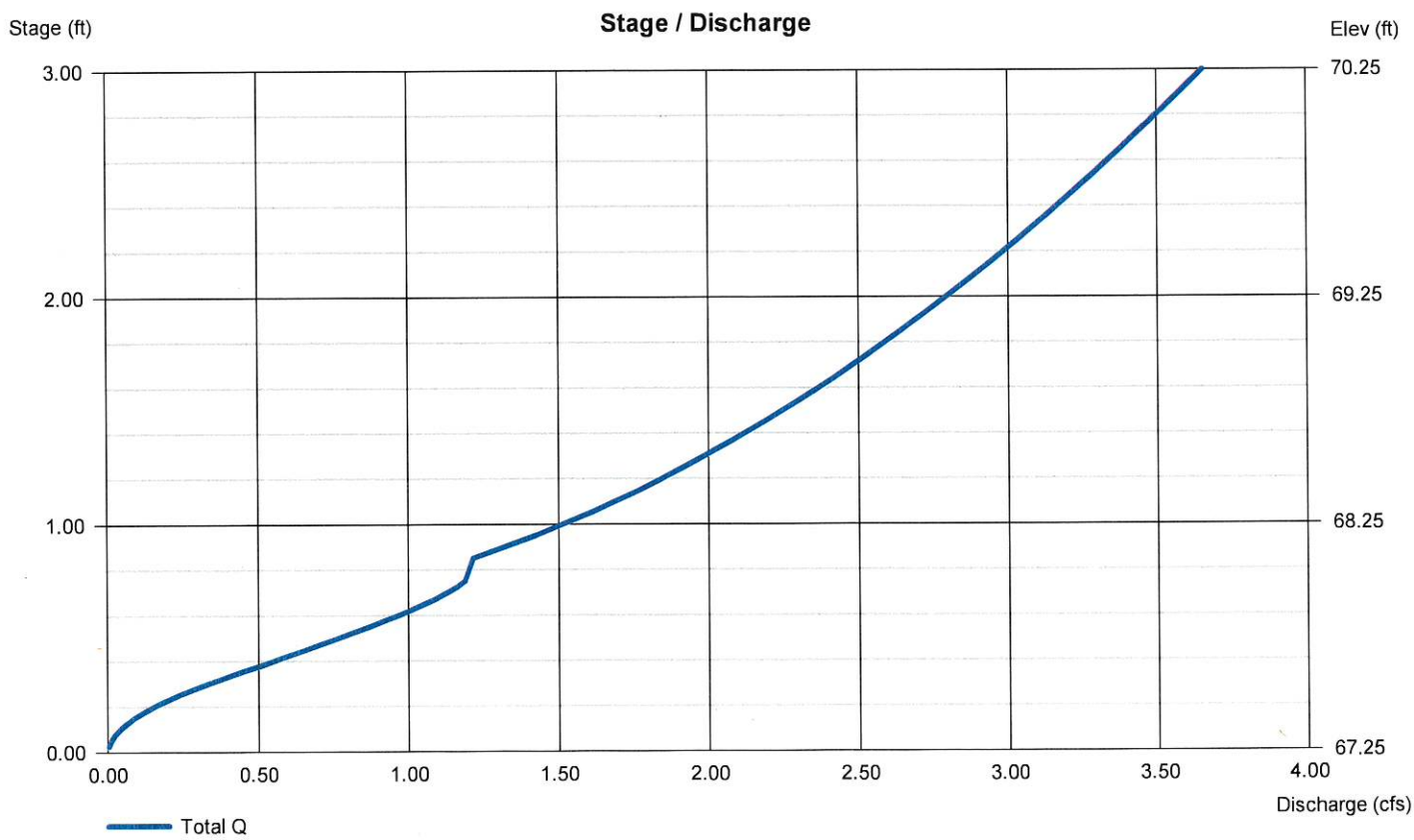
Weir Structures

	[A]	[B]	[C]	[D]
Crest Len (ft)	= 0.00	0.00	0.00	0.00
Crest El. (ft)	= 0.00	0.00	0.00	0.00
Weir Coeff.	= 3.33	3.33	3.33	3.33
Weir Type	= ---	---	---	---
Multi-Stage	= No	No	No	No

Exfil.(in/hr) = 0.000 (by Wet area)

TW Elev. (ft) = 0.00

Note: Culvert/Orifice outflows are analyzed under inlet (ic) and outlet (oc) control. Weir risers checked for orifice conditions (ic) and submergence (s).



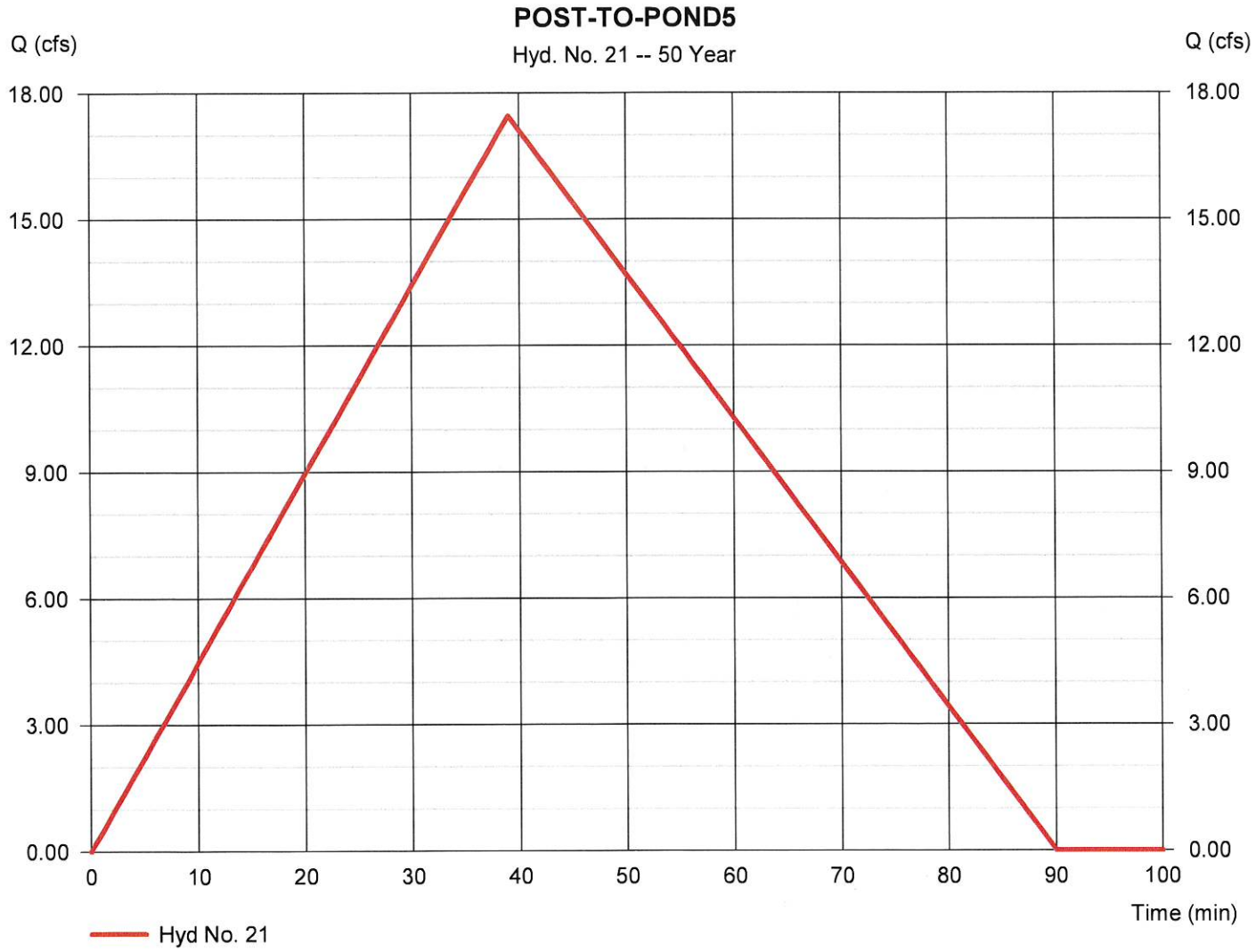
Hydrograph Report

Hydraflow Hydrographs Extension for Autodesk® Civil 3D® by Autodesk, Inc. v2024 Friday, 12 / 29 / 2023

Hyd. No. 21

POST-TO-POND5

Hydrograph type	= Rational	Peak discharge	= 17.45 cfs
Storm frequency	= 50 yrs	Time to peak	= 39 min
Time interval	= 1 min	Hyd. volume	= 47,575 cuft
Drainage area	= 7.860 ac	Runoff coeff.	= 0.39
Intensity	= 5.693 in/hr	Tc by FAA	= 39.00 min
IDF Curve	= Gulfport.IDF	Asc/Rec limb fact	= 1/1.33



Hydrograph Report

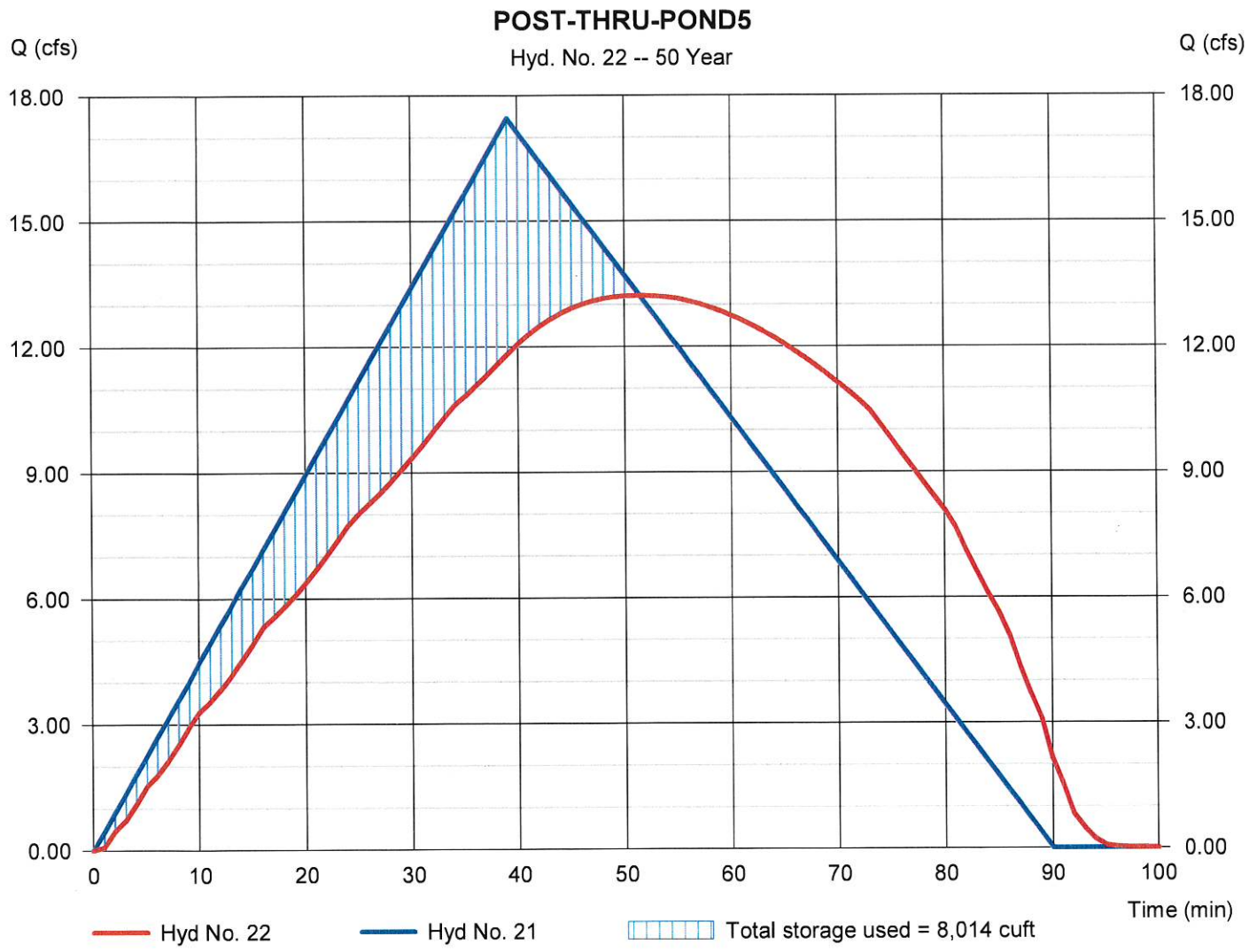
Hydraflow Hydrographs Extension for Autodesk® Civil 3D® by Autodesk, Inc. v2024 Friday, 12 / 29 / 2023

Hyd. No. 22

POST-THRU-POND5

Hydrograph type	= Reservoir	Peak discharge	= 13.21 cfs
Storm frequency	= 50 yrs	Time to peak	= 51 min
Time interval	= 1 min	Hyd. volume	= 47,119 cuft
Inflow hyd. No.	= 21 - POST-TO-POND5	Max. Elevation	= 73.76 ft
Reservoir name	= POND5	Max. Storage	= 8,014 cuft

Storage Indication method used.



Pond Report

Hydraflow Hydrographs Extension for Autodesk® Civil 3D® by Autodesk, Inc. v2024 Friday, 12 / 29 / 2023

Pond No. 6 - POND5

Pond Data

Contours -User-defined contour areas. Conic method used for volume calculation. Begining Elevation = 72.00 ft

Stage / Storage Table

Stage (ft)	Elevation (ft)	Contour area (sqft)	Incr. Storage (cuft)	Total storage (cuft)
0.00	72.00	01	0	0
0.25	72.25	293	26	26
0.50	72.50	671	117	143
0.75	72.75	1,589	274	418
1.00	73.00	3,593	631	1,048
1.25	73.25	6,727	1,270	2,318
1.50	73.50	11,002	2,194	4,512
1.75	73.75	16,050	3,361	7,873
2.00	74.00	16,968	4,126	12,000
2.25	74.25	17,597	4,320	16,320
2.50	74.50	18,229	4,478	20,797

Culvert / Orifice Structures

	[A]	[B]	[C]	[PrfRsr]
Rise (in)	= 24.00	0.00	0.00	0.00
Span (in)	= 24.00	0.00	0.00	0.00
No. Barrels	= 1	0	0	0
Invert El. (ft)	= 72.00	0.00	0.00	0.00
Length (ft)	= 23.00	0.00	0.00	0.00
Slope (%)	= 0.00	0.00	0.00	n/a
N-Value	= .013	.013	.013	n/a
Orifice Coeff.	= 0.60	0.60	0.60	0.60
Multi-Stage	= n/a	No	No	No

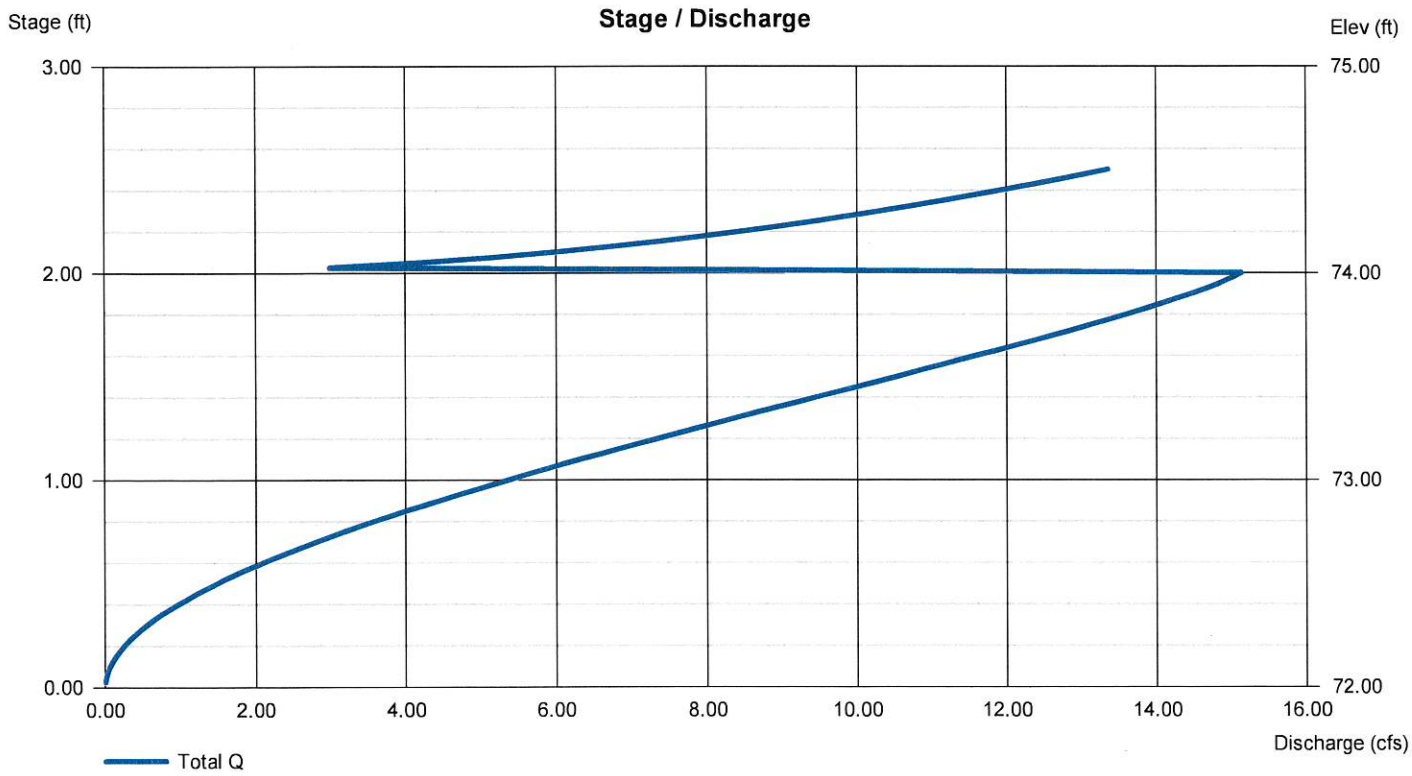
Weir Structures

	[A]	[B]	[C]	[D]
Crest Len (ft)	= 0.00	0.00	0.00	0.00
Crest El. (ft)	= 0.00	0.00	0.00	0.00
Weir Coeff.	= 3.33	3.33	3.33	3.33
Weir Type	= ---	---	---	---
Multi-Stage	= No	No	No	No

Exfil.(in/hr) = 0.000 (by Wet area)

TW Elev. (ft) = 0.00

Note: Culvert/Orifice outflows are analyzed under inlet (ic) and outlet (oc) control. Weir risers checked for orifice conditions (ic) and submergence (s).



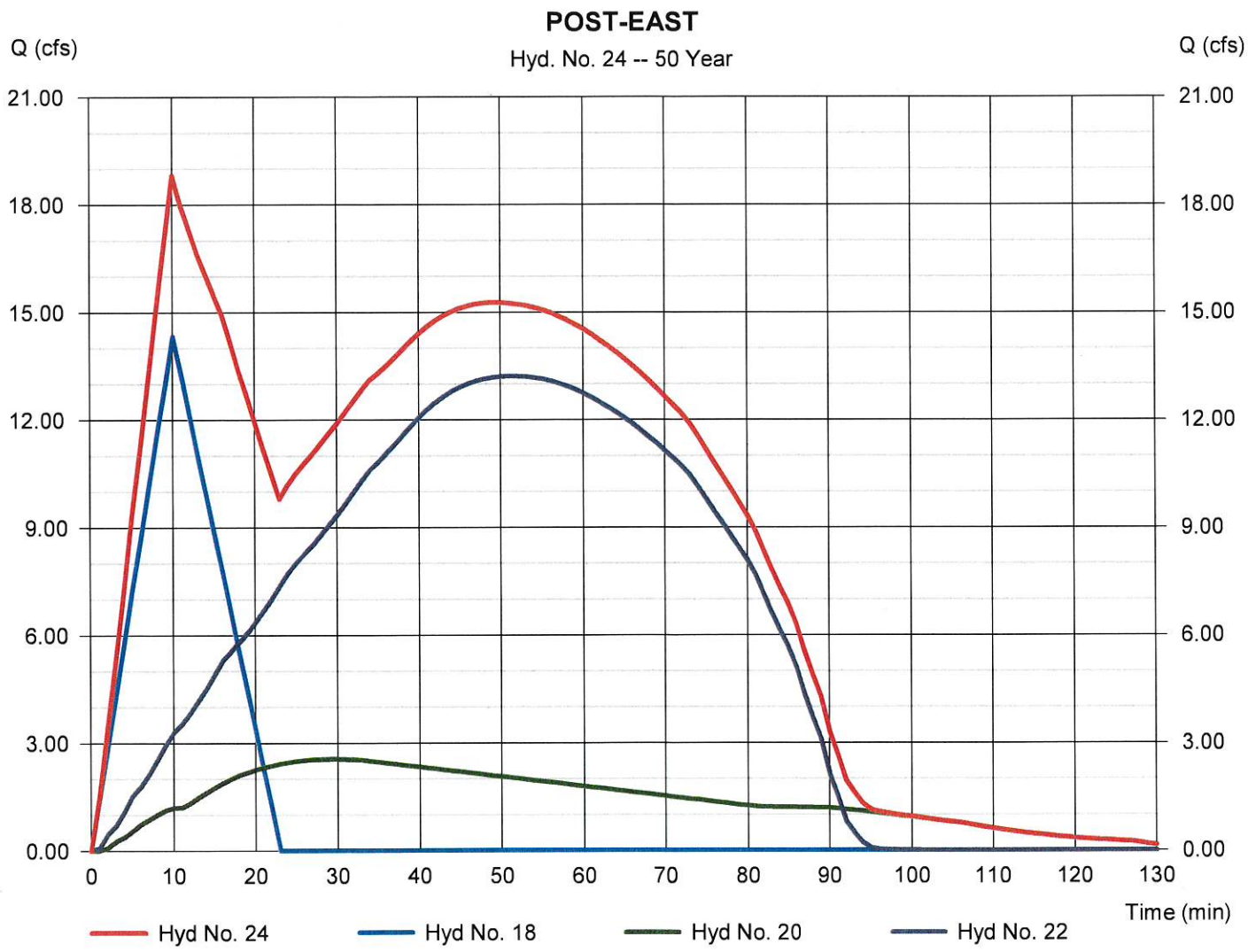
Hydrograph Report

Hydraflow Hydrographs Extension for Autodesk® Civil 3D® by Autodesk, Inc. v2024 Friday, 12 / 29 / 2023

Hyd. No. 24

POST-EAST

Hydrograph type	= Combine	Peak discharge	= 18.81 cfs
Storm frequency	= 50 yrs	Time to peak	= 10 min
Time interval	= 1 min	Hyd. volume	= 67,993 cuft
Inflow hyds.	= 18, 20, 22	Contrib. drain. area	= 2.600 ac



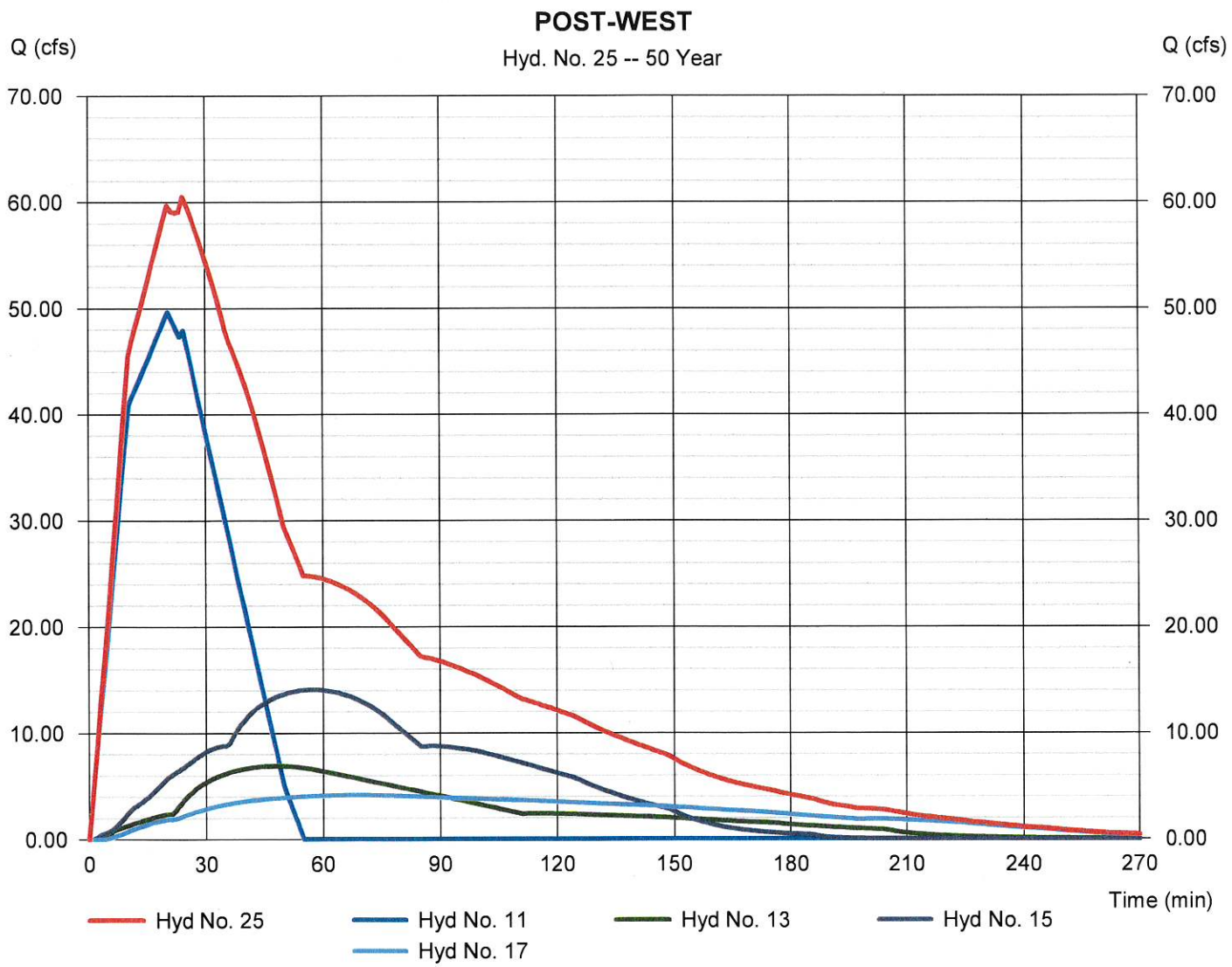
Hydrograph Report

Hydraflow Hydrographs Extension for Autodesk® Civil 3D® by Autodesk, Inc. v2024 Friday, 12 / 29 / 2023

Hyd. No. 25

POST-WEST

Hydrograph type	= Combine	Peak discharge	= 60.49 cfs
Storm frequency	= 50 yrs	Time to peak	= 24 min
Time interval	= 1 min	Hyd. volume	= 247,942 cuft
Inflow hyds.	= 11, 13, 15, 17	Contrib. drain. area	= 0.000 ac



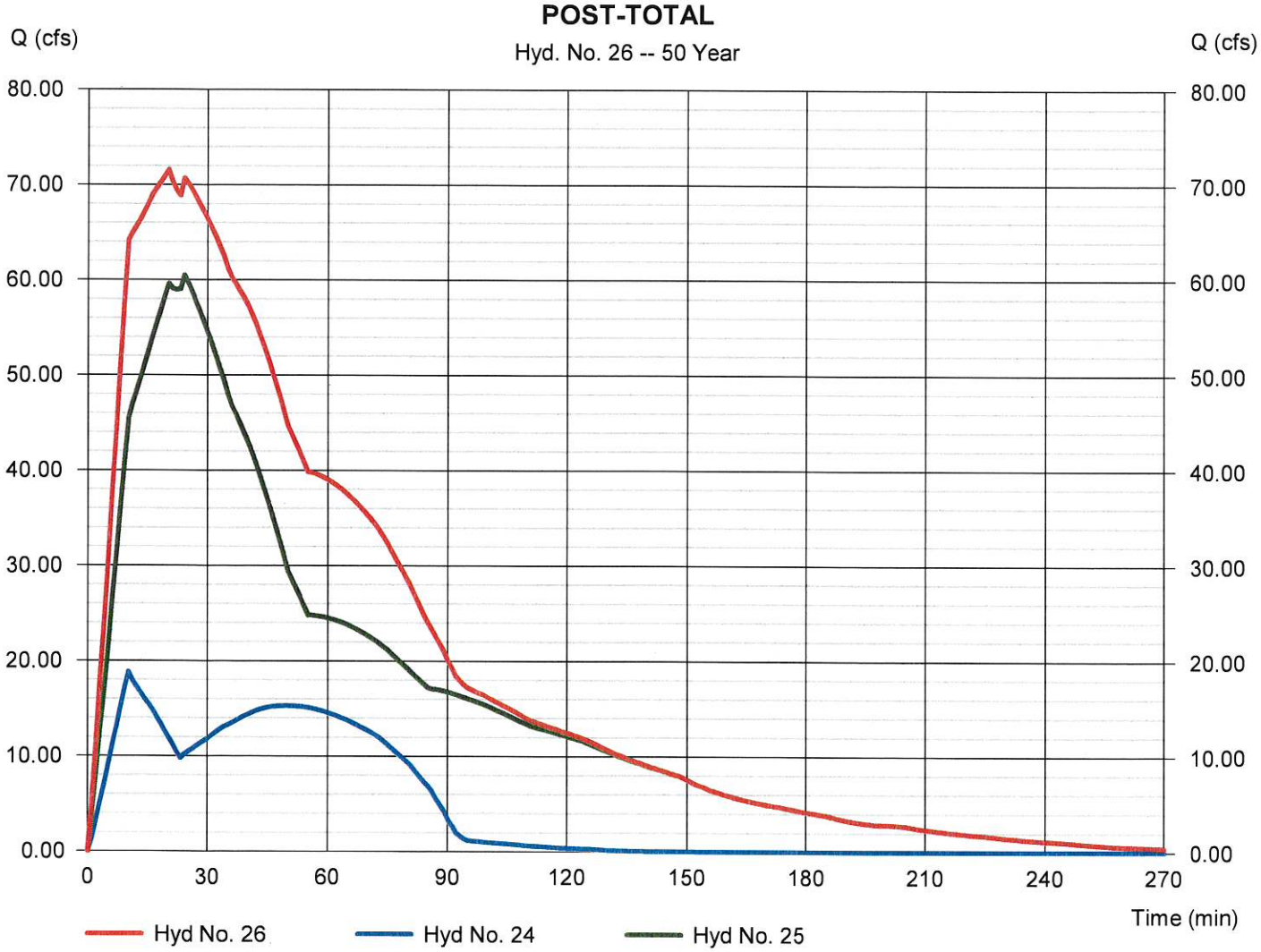
Hydrograph Report

Hydraflow Hydrographs Extension for Autodesk® Civil 3D® by Autodesk, Inc. v2024 Friday, 12 / 29 / 2023

Hyd. No. 26

POST-TOTAL

Hydrograph type	= Combine	Peak discharge	= 71.56 cfs
Storm frequency	= 50 yrs	Time to peak	= 20 min
Time interval	= 1 min	Hyd. volume	= 315,935 cuft
Inflow hyds.	= 24, 25	Contrib. drain. area	= 0.000 ac



StormSewer - Design Drianage Structure Analysis

PE-INLET

Line No.	Inlet ID	Gnd/Rim El Up (ft)	Invert Up (ft)	Inlet Depth (ft)	Drng Area (ac)	Inlet Time (min)	Runoff Coeff (C)	Incr Q (cfs)	Q Byp (cfs)	Q Carry (cfs)	Q Capt (cfs)	Gutter Spread (ft)
1	A1	75.30	72.06	0.53	0.72	10.0	0.90	7.14	0.00	0.00	7.14	15.15
2	A2	75.30	72.20	0.50	0.44	10.0	0.90	4.36	0.00	0.00	4.36	13.44
3	A3	74.09	74.03	....	6.18	39.5	0.35	12.23	0.00	0.00	12.23	....
4	B1	71.91	68.52	0.53	0.54	10.0	0.90	5.36	0.00	0.00	5.36	15.41
5	B2	71.91	68.66	0.54	0.56	10.0	0.90	5.55	0.00	0.00	5.55	15.79
6	B3	69.22	68.85	....	22.70	47.4	0.38	44.19	0.00	0.00	44.19	....
7	C1	72.41	70.18	0.30	1.24	20.0	0.40	3.98	0.00	0.00	3.98	32.18
8	C2	70.56	70.71	....	2.29	20.0	0.50	9.20	0.00	0.00	9.20	....
9	D1	71.35	67.00	0.51	0.99	10.0	0.60	6.55	0.00	0.00	6.55	14.30
10	D2	71.35	67.86	0.55	1.20	10.0	0.60	7.93	0.00	0.00	7.93	16.25
11	E1	68.66	65.05	0.87	1.52	10.0	0.60	10.05	0.00	0.00	10.05	89.46
12	E2	70.99	67.70	0.55	0.89	10.0	0.60	5.88	0.00	0.00	5.88	16.41
13	E3	70.99	67.84	0.55	0.54	10.0	0.60	3.57	0.00	0.00	3.57	15.96
14	F1	68.82	65.16	0.51	0.70	10.0	0.60	4.63	0.00	0.00	4.63	13.98
15	F2	68.82	65.36	0.53	0.79	10.0	0.60	5.22	0.00	0.00	5.22	15.15
16	G1	63.91	62.15	0.43	1.03	10.0	0.60	6.81	0.00	0.00	6.81	45.16
17	H1	68.71	68.61	....	0.90	15.0	0.40	3.32	0.00	0.00	3.32	....

Project File: S-Swan-StormDrain.stm | Number of lines: 17 | Date: 12/29/2023

NOTES: ** Critical depth

StormSewer - Design Drianage Pipe Analysis

PE-PIPE

Line No.	Line ID	Line Size (in)	Line Length (ft)	Invert Dn (ft)	Line Slope (%)	Invert Up (ft)	Total Area (ac)	Flow Rate (cfs)	Capac Full (cfs)	Cover Up (ft)	Cover Dn (ft)
1	A0-A1	24	26.190	71.89	0.65	72.06	7.34	18.11	18.22	1.24	-4.43
2	A1-A2	24	27.000	72.06	0.52	72.20	6.62	14.47	16.29	1.10	1.24
3	A2-A3	15	8.000	73.00	12.87	74.03	6.18	12.23	23.17	-1.19	1.05
4	B0-B1	36	11.420	68.45	0.61	68.52	23.80	49.21	52.22	0.39	-2.40
5	B1-B2	36	27.000	68.52	0.52	68.66	23.26	46.76	48.03	0.25	0.39
6	B2-B3	30	14.110	68.66	1.35	68.85	22.70	44.19	47.59	-2.13	0.75
7	C0-C1	30	319.010	69.85	0.10	70.18	3.53	12.72	13.19	-0.27	-10.76
8	C1-C2	24	266.610	70.18	0.20	70.71	2.29	9.20	10.08	-2.15	0.23
9	D0-D1	24	210.832	66.00	0.47	67.00	2.19	14.44	16.88	2.35	n/a
10	D1-D2	15	27.000	67.40	1.70	67.86	1.20	7.93	8.43	2.24	2.70
11	E0-E1	30	261.222	64.50	0.21	65.05	2.95	18.64	18.82	1.11	n/a
12	E1-E2	18	312.346	65.05	0.85	67.70	1.43	9.39	9.67	1.79	2.11
13	E2-E3	15	27.000	67.70	0.52	67.84	0.54	3.57	4.65	1.90	2.04
14	F0-F1	18	221.318	63.50	0.75	65.16	1.49	9.81	9.85	2.16	n/a
15	F1-F2	15	27.000	65.16	0.74	65.36	0.79	5.22	5.56	2.21	2.41
16	G0-G1	18	70.240	61.85	0.43	62.15	1.03	6.81	6.86	0.26	-1.50
17	H0-H1	15	52.081	68.45	0.31	68.61	0.90	3.32	3.58	-1.15	-1.25

Project File: S-Swan-StormDrain.stm | Number of lines: 17 | Date: 12/29/2023

NOTES: ** Critical depth

THIS INSTRUMENT WAS PREPARED BY:
Sabrina B. Ruffin, MSB#103659
Hand Arendall Harrison Sale LLC
104 St. Francis Street, Ste. 300
Mobile, Alabama 36602
(251) 432-5511

WHEN RECORDED RETURN TO:
Hand Arendall Harrison Sale LLC
Attn: Jody Maddock
104 St. Frances St., Suite 300
Mobile, Alabama 36602
(251) 432-5511

Indexing Instructions: Lots 1 through 87, all common areas, and all other property shown on that certain plat of subdivision for Swan Landing Estates Subdivision recorded in Map Book [redacted], at Page [redacted] of the Office of the Chancery Clerk of Harrison County, First (1st) Judicial District of Mississippi.

GULF COAST DEVELOPMENT & DESIGN, LLC
919 2nd Street
Gulfport, MS 39501
Residence no.: N/A
Business no.: (228) 596-4471

DECLARATION OF CONDITIONS, COVENANTS AND RESTRICTIONS

OF

SWAN LANDING ESTATES SUBDIVISION

THIS DECLARATION OF CONDITIONS, COVENANTS AND RESTRICTIONS (this "Declaration") is made this [redacted] day of [redacted], 2023, by Gulf Coast Development & Design, LLC, a Mississippi limited liability company ("Declarant", as further defined below).

W I T N E S S E T H:

WHEREAS, on _____, Declarant recorded in Plat Book ▒, Page ▒ of the Office of the Chancery Clerk of Harrison County, First (1st) Judicial District (the "Public Records"), a subdivision plat for Swan Landing Estates Subdivision ("Plat of Subdivision", as further defined below) pertaining to certain real property owned by Declarant in Harrison County, Mississippi, as more specifically described on Exhibit "A" hereto.

NOW, THEREFORE, DECLARANT HEREBY DECLARES, that subject to the provisions hereof, all of the Lots (hereinafter defined) shall be held, sold and conveyed by the Owners and the Common Area (hereinafter defined) shall be held by the Association subject to the restrictions, covenants and conditions contained herein for the purposes of protecting the value and desirability of, and which shall run with, the Community Property (hereinafter defined) and be binding on all parties having any right, title or interest in the Community Property or any part thereof, their heirs, successors and assigns, and shall inure to the benefit of each Owner of any portion thereof.

ARTICLE ONE
GENERAL PROVISIONS

1.01 Restrictive Covenants and Easements Running with the Land. The use of the Community Property shall be in accordance with the provisions and restrictions of this Declaration, all of which are to be construed as restrictive covenants and/or easements, as applicable, running with the land and with the title to each and every Lot and shall be binding upon all Owners and other persons having interests therein and upon their heirs, personal representatives, successors, grantees and assigns.

1.02 Terminology. Whenever the context requires, words used in the singular shall be construed to mean or to include the plural and vice versa, and pronouns of any gender shall be deemed to include and to designate the masculine, feminine or neuter gender.

1.03 Definitions. The following terms, when capitalized herein, shall have the meaning set forth in this Section 1.03:

(a) [INTENTIONALLY DELETED].

(b) "Architectural Review Committee" means the Architectural Review Committee as established by the Board of Directors in accordance with the Bylaws.

(c) "Articles of Incorporation" means the Articles of Incorporation of Swan Landing Estates Owners Association, Inc., a Mississippi non-profit corporation, as recorded in the records of the Office of the Secretary of State of Mississippi, as the same may hereafter be amended, altered or repealed from time to time.

(d) "Association" means Swan Landing Estates Owners Association, Inc., a Mississippi non-profit corporation.

(e) "Board" or "Board of Directors" means the Board of Directors of the Association, established in accordance with the Articles of Incorporation and Bylaws of the Association.

(f) "Builder" means any commercial home builder or contractor who owns one or more Lots in the Subdivision and is in the business of constructing residential structures to sell to owner-occupants.

(g) "Bylaws" means the Bylaws of the Association, as the same may hereafter be amended, altered or repealed from time to time.

(h) "Common Area" means all real property within the Subdivision which is owned or leased by the Association or dedicated for use or maintenance by the Association or its members, regardless of whether title has been conveyed to the Association.

(i) "Community Property" means all of the Lots and the Common Area, collectively.

(j) "Declarant" means Gulf Coast Development & Design, LLC, a Mississippi limited liability company, its successors and assigns which expressly are assigned and assume the Declarant's rights as "Declarant" hereunder.

(k) "House" or "Home" means any single family dwelling unit situated upon a Lot.

(l) "Lot" means each and every numbered lot shown on the Plat of Subdivision.

(m) "Member" means every person or entity who is a member of the Association.

(n) "Mortgagee" means a holder or beneficiary of any mortgage, deed of trust, deed with vendor's lien reserved, or any other form of instrument used for the purpose of encumbering or conveying real property as security for payment or satisfaction of any obligation.

(o) "Owner" means the record owner, whether one or more persons or entities, of a fee simple title to any Lot, including contract sellers, but excluding mortgagees, lien holders, lessees, tenants, and those having such interests solely as security for the performance of an obligation.

(p) "Person" means any individual, corporation, trust, partnership, joint venture, limited liability company or other entity.

(q) "Plat of Subdivision" has the meaning ascribed to such term hereinabove.

(r) "Subdivision" means Swan Landing Estates Subdivision, a subdivision as shown on the Plat of Subdivision.

(s) "Turnover" means the earlier to occur of (i) Declarant relinquishing control of the Association in a written instrument recorded in the real property records of Harrison County, Mississippi, (ii) three (3) months after one hundred percent (100%) of the lots in the Subdivision have been conveyed to persons other than Declarant or Declarant's successors or assigns, or (iii) December 31, 2043; provided, however, that in the event of a conflict between Mississippi law and the foregoing, the applicable Mississippi law shall control.

ARTICLE TWO
COMMON AREA

2.01 Common Area. The Association, subject to the rights of the Owners set forth in this Declaration, the Articles of Incorporation and the Bylaws, shall be responsible for the exclusive maintenance, management, and control of the Common Area and all improvements thereon, and shall keep the Common Area in good, clean, attractive, and sanitary condition, order, and repair pursuant to the terms and conditions of this Declaration. The Association has the right to restrict the use and govern the operation of the Common Area by promulgating reasonable rules and regulations, including with respect to any Common Area facilities, the right to charge reasonable one-time or monthly fees for the use thereof by the Owners as the Association deems necessary or appropriate. Rules and regulations may be established by the Association to regulate the use of the Common Area.

2.02 Right of Enjoyment. Subject to any rules and regulations promulgated by the Board of Directors and the terms and conditions of the Bylaws, every Member shall have a right and easement of enjoyment of the Common Area, and such easement shall be appurtenant to and pass with the title to each Lot.

2.03 Lots Subject to Covenants, Restrictions, Limitations and Term. Each Lot that shall be conveyed, held, devised, leased, or demised at any time hereafter shall be subject to all the terms, conditions, covenants, restrictions, and limitations herein contained, and the obligation to observe and perform the same whether or not it be so expressed in the deed or other instrument of conveyance of the Lot or real property, and such shall run with the Lot or real property and be appurtenant thereto as if fully set out in such deed or instrument of conveyance, subject to the terms and conditions hereof.

2.04 Easements. As used in this Declaration, "Coast Easement" means that certain Right-of-Way Easement granted to Coast Electric Power Association and recorded at Instrument 2003-0012270-D-J1 of the Public Records. The Coast Easement is hereby adopted as part of this Declaration. As shown on the Plat of Subdivision, the Coast Easement is located on portions of Lot 1, Lot 43, Common Area "A", and Common Area "B", as depicted on the Plat of Subdivision, all of which shall be subject to the Coast Easement, including the use restrictions therein. Without limiting the foregoing, (a) if an Owner constructs a fence or other structure on the portion of his

or her Lot that is subject to the Coast Easement, such Owner shall be responsible for any and all costs associated with removing, replacing and/or relocating such fence or structure if requested to do so by the holder or owner of the Coast Easement, and (b) with regard to any entrance monument, landscaping, and/or other improvement that may be located on Common Area "A" or Common Area "B" from time to time (as applicable and collectively the "Entrance Feature"), if the holder or Owner of the Coast Easement exercises any rights thereunder and removes, damages and/or alters any improvements located thereon, then the Association shall cause the Entrance Feature to be repaired or reconstructed, and the costs thereof shall be charged to the Owners as a special Assessment in accordance with Section 4.04 below.

2.05 Overhead Wires. No Lot shall be served with any overhead electrical or communications service, and no Owner shall erect power poles for such service; provided, however, that nothing herein shall be construed to prohibit overhead street lighting or ornamental yard lighting provided that such lighting is constructed in accordance with the terms and conditions hereof.

2.06 Control of Common Area. The Association may, upon approval by the Board of Directors, sell, subdivide, lease, mortgage, grant easements over or otherwise encumber the Common Area, or exchange all or any portion of the Common Area for Lots or other real property, or purchase or acquire any additional real property and dedicate the same as Common Area subject to the terms of this Declaration.

2.07 Condemnation. In the event of a taking by eminent domain of any portion of the Common Area on which improvements have been constructed, the Association shall restore or replace such improvements so taken on the remaining Common Area, unless within sixty (60) days after such taking, an alternative plan is approved by at least seventy-five percent (75%) of the voting interests of the Members. The provisions of this Declaration applicable to replacement or restoration of damaged improvements on the Common Area shall also apply to and govern the actions to be taken in the event that the improvements are not restored or replaced after a condemnation.

2.08 Liability. Owners, occupants and their guests shall use and enjoy the Common Area at their own risk and shall assume sole responsibility for their personal belongings used or stored there. The Association, Declarant and their respective officers, directors, employees, representatives and agents shall not be held liable for personal injury to any person, nor for loss or damage to personal belongings used or stored on any of the Common Area. The Association shall not be liable for injury or damage to any person or property (a) caused by the elements or by an Owner or any other person, (b) resulting from any rain or other surface water which may leak or flow from any street, pipe, plumbing, drain, conduit, appliance, equipment, security system, or utility line or facility, the responsibility for the maintenance of which is that of the Association, or (c) caused by any street, pipe, plumbing, drain, conduit, appliance, equipment, security system, utility line, facility, or from any portion of the Common Area, the responsibility for the maintenance of which is that of the Association, becoming out of repair. Nor shall the Association be liable to any Owner or occupant for loss or damage, by theft or otherwise, of any property of such Owner or occupant.

ARTICLE THREE
ASSOCIATION MEMBERSHIP AND VOTING RIGHTS

3.01 Membership. Each Owner shall be a Member, subject to the terms and conditions of the Articles of Incorporation and the Bylaws.

3.02 Voting. Voting by Owners shall be in accordance with the Bylaws.

3.03 Assignment. The share of a Member in the funds and assets of the Association cannot be assigned, hypothecated, or transferred in any manner except as an appurtenance of said Owner's Lot.

ARTICLE FOUR
COVENANT FOR MAINTENANCE ASSESSMENTS

4.01 Personal Obligation of Assessments. Declarant, for each Lot, hereby covenants, and each Owner of any Lot by acceptance of a deed therefor, whether or not it shall be so expressed in such deed, is deemed to covenant and agree to pay to the Association: (1) annual assessments or charges, (2) special assessments, and (3) any individual assessments, fines or charges charged against the Lot or Owner, as such assessments are hereinafter established and shall be collected as hereinafter provided (singularly, an "Assessment" and collectively, the "Assessments"), as such Assessments are hereinafter established and shall be collected as hereinafter provided. The annual, special, and individual assessments, together with interest, costs, an administrative late fee not to exceed the greater of twenty-five and no/100 dollars ($25.00) or five percent (5%) of the amount of each installment that is past due, and reasonable attorneys' fees, shall be a charge on the Lot and shall be a continuing lien upon the property against which each such Assessment is made effective from and relating back to the date on which this Declaration was recorded. Any payment received and accepted by the Association shall be applied first to any interest accrued, then to any administrative late fee, then to any costs and reasonable attorney's fees, and then to the delinquent Assessments. Each such Assessment, together with interest, costs, the administrative late fee and reasonable attorneys' fees, shall also be the personal obligation of the person who was the Owner of such Lot at the time when the Assessment fell due. The personal obligation for delinquent Assessments shall pass to successors in title.

4.02 Purpose of Assessments. The Assessments levied by the Association shall be used to provide for the operation of the Association and the management, care and maintenance of the Common Area and any improvements constructed thereon, including provision for appropriate insurance against casualty and liability. At the Board's discretion, the Association may establish and maintain a reserve fund with such sums as the Board determines in good faith are necessary and adequate for the periodic maintenance, repair, and replacement of improvements to the Common Area (the "Reserve Account").

4.03 Annual Assessments. To provide the total sum necessary for the insurance purchased by the Association hereunder, the Reserve Account, the maintenance, repair and

replacement (as applicable) of any improvements located on the Common Area, and any and all other expenses of the Association (whether pertaining to the ownership, operation, use, maintenance, and/or repair of the Common Areas or otherwise), each Member for each Lot owned shall pay a portion of the total amount necessary for such purposes to the Association. The portion to be paid by each Member for each Lot shall be determined in accordance with Section 4.06 hereof. The amount of the annual Assessment assessed against each Member as provided under the foregoing sentence shall be assessed by the Association as a lien at the beginning of each annual Assessment period.

4.04 Special Assessments for Capital Improvements Upon Common Area. In addition to the annual Assessments authorized above, the Board of Directors may levy, in any assessment year, a special Assessment applicable to that year only for the purpose of defraying, in whole or in part, the cost of any construction, reconstruction, repair or replacement of a capital improvement upon the Common Area and any entrance wall or signage, including fixtures and personal property related thereto.

4.05 Date of Commencement of Annual Assessments and Due Dates. The Assessments provided for herein shall only be assessed against Lots upon which a House has been constructed, and will commence as to a particular Lot upon conveyance of the Lot to any Owner who is not the Declarant or a Builder. The first annual Assessment shall be adjusted according to the number of months remaining in the calendar year. The Board of Directors shall fix the amount of the annual Assessment against each Lot at least thirty (30) days in advance of each annual Assessment period. Written notice of the annual Assessment shall be sent to every Owner subject thereto. The Board of Directors shall determine if annual and special Assessments will be collected annually, quarterly or at some other interval and shall set due dates for Assessment payments. If the Board of Directors does not fix an annual Assessment in advance of any annual Assessment period, the annual Assessment for the period will be the same as for the prior period until the Board fixes a new annual Assessment amount.

4.06 Assessment Shares. Each Member shall be responsible for a portion of any annual or special Assessments levied against the Members equal to a fraction calculated in accordance with the following: the numerator of such fraction shall be the number of Lots owned by such Member and the denominator of which shall be the total number of Lots in the Subdivision at the time such Assessment is levied. The quotient of such fraction shall be multiplied by the total sum of the applicable Assessment, and the resulting figure shall be the portion of such Assessment that is owed by the applicable Member.

4.07 Initial Capital Contribution Assessment. An Assessment is hereby levied against, and due upon the closing of the sale of each Lot in the amount of the greater of (a) Two Hundred and No/100 Dollars ($200.00), or (b) one-fourth (1/4) of the then current annual Assessment against the purchaser of each Lot (whether such Lot has a completed Home located upon it or otherwise) and against each subsequent purchaser of each Lot; provided, however, that in the case of sales of Lots by Declarant to a Builder, the Builder shall be exempt from such Assessment. The proceeds of such Assessments may be used by the Association for any purpose for which the Association is authorized under the Articles of Incorporation, Bylaws or this Declaration.

4.08 Reservation of Lien; Effect of Nonpayment of Assessments; and Remedies of the Association. Any Assessment not paid within thirty (30) days after the due date shall bear interest thereon at a rate to be set by the Board of Directors but in no event greater than the maximum percentage rate as may then be permitted under the laws of the State of Mississippi. The Association may bring an action at law or in equity against the Owner personally obligated to pay any Assessment. Furthermore, a lien is hereby reserved in favor of the Association against each Lot in the amount of all Assessments outstanding against such Lot (the "Assessment Lien"). Interest, costs, and reasonable attorneys' fees of any action brought by the Association in respect of an Assessment and/or the Assessment Lien applicable to such Assessment shall be added to the amount of such Assessment and shall be secured by the Assessment Lien. Each such Owner, by his acceptance of a deed to or other conveyance of an interest in a Lot, hereby expressly vests in the Association the right and power to bring all actions, in the name of the Association, against such Owner personally for the collection of each Assessment as a debt and to foreclose the Assessment Lien in the manner provided for the foreclosure and sale under a mortgage and deed of trust pursuant to Mississippi law. Each Owner hereby expressly grants to the Association a power of sale in connection with the Assessment Lien. The Association, including its agents, successors, assigns, attorneys in fact or other legal representatives, shall have the power to appoint a trustee or substitute trustee to perform the sale, and the Association shall have the right to bid at any foreclosure sale and to acquire and hold, lease, encumber, and convey the same. At any such public sale, the appointed trustee may execute and deliver to the purchaser a conveyance of the property in fee simple. No Owner may waive or otherwise escape liability for the Assessments by non-use of the Common Area or abandonment of said Owner's Lot. The Board of Directors may also suspend the use rights of any Owner of the Common Area in the event of a failure to pay any Assessment within thirty (30) days of the applicable due date. Furthermore, and without limiting any rights of the Association hereunder, the Association shall have the right to transfer, assign and convey to any third party any debt associated with any unpaid Assessments and the Assessment Lien that is associated therewith.

4.09 Election of Remedies. Institution of a suit at law to collect payment of any delinquent Assessments shall not be deemed to be an election by the Association which shall prevent its thereafter seeking enforcement of the collection by foreclosure of any sums remaining owing to it, nor shall proceeding by foreclosure to effect such collection be deemed to be an election precluding the institution of a suit at law to collect any sum then remaining owing to the Association. The Association shall be entitled to bid at any sale held in connection with the foreclosure of the Assessment Lien and may apply as a cash credit against its bid all sums secured by the lien enforced.

4.10 Subordination of the Lien to Deeds of Trust. The Assessment Lien shall be subordinate to the lien of any first deed of trust on a Lot. Sale or transfer of any Lot shall not affect the Assessment Lien; provided, however, the sale or transfer of any Lot pursuant to foreclosure of a first deed of trust on said Lot or any proceeding in lieu thereof, shall extinguish the Assessment Lien as to payments which became due prior to such sale or transfer. No sale or transfer shall relieve such Lot from liability for any Assessments thereafter becoming due or from the Assessment Lien associated therewith or relieve the prior Owner from any personal liability for any unpaid Assessments occurring prior to said sale or transfer.

4.11 Estoppel Letter. The Association shall, within thirty (30) days after receiving a written request therefor and for a reasonable charge, as established by the Board of Directors, certify to the amount of any unpaid Assessments constituting a lien on a specified Lot. A certification letter signed by an officer of the Association or the Association's managing agent, if any, as to the amount of Assessments due with respect to a Lot shall be binding upon the Association.

ARTICLE FIVE
MAINTENANCE AND REPAIR

5.01 Maintenance. The Association shall provide maintenance of the Common Area. In addition, the Association shall have the right, but not the obligation, to maintain other property not owned by the Association, whether within or without the Subdivision and to enter into easement and covenant to share costs agreements regarding such property where the Board has determined that such action would benefit the Owners. Without limiting the foregoing, the Association shall have a reasonable right of entry upon any Lot to make emergency repairs and to do other work reasonably necessary for the proper maintenance and operation of the Common Area and to carry out its rights and duties set forth in this Declaration. Each Owner shall maintain his or her respective Lot and shall also maintain and repair, at such Owner's sole cost and expense, said Owner's House, patio and yard area keeping the same in good condition and making all structural repairs and maintenance, external and internal, as may be required from time to time, including, but not limited to maintenance and repairs of any enclosed patio area, screens and screen doors, exterior door and window fixtures, glass, and other hardware. Each Owner shall also be responsible for the maintenance and repair of any fence or fences erected on such Owner's Lot and gates appurtenant thereto.

5.02 Failure to Maintain. In the event an Owner shall fail to maintain and repair his Lot and the improvements situated thereon, as provided for herein and provided that the failure to so maintain shall cause damage or injury to the adjoining Lot or to common structural elements which affect an adjoining Lot, the Association, after approval by a majority vote of the Board of Directors, shall have the right, through its agents and employees, to enter upon said Lot and to repair, maintain, and restore the Lot and the House and any other improvements erected thereon. The cost of the same shall be added to and become part of the Assessment to which such Lot is subject; provided, however, if a dispute arises concerning the foregoing between the Owner and the Association, the matter may be submitted to arbitration in accordance with the mutual agreement of the parties.

5.03 Damage to Common Area. Notwithstanding anything contained in this Article Five to the contrary, each Owner shall be personally responsible and personally liable for any damage to the Common Area, or any portion thereof, caused by the Owner and/or the Owner's family members, guests, invitees, lessees or licensees as a consequence of the negligence, recklessness or willful misconduct of such person. The cost of repair for any damage so caused by the Owner, the Owner's family members, guests, invitees, lessees or licensees shall be an individual Assessment against the Owner responsible therefor and the Lot of such Owner.

ARTICLE SIX
ARCHITECTURAL CONTROL

6.01 Submission of Plans and Specifications. No House, building, fence, wall, or other structure or improvement shall be constructed, erected, or maintained upon any Lot, nor shall any exterior addition to or change or alteration therein be made until the plans and specifications of the same shall have been submitted by an Owner to and approved in writing as in harmony with this Declaration by the Architectural Review Committee. Two (2) copies of the building or construction plans and specifications (collectively, the "Plans") shall be submitted to the Architectural Review Committee. Prior to commencement of any construction activities on a Lot, an Owner's Plans must be approved by the Architectural Review Committee as to conformity and harmony with this Declaration. The Architectural Review Committee may, from time to time, establish additional written design guidelines for the Subdivision, and a copy of any such guidelines then in effect shall be made available to any Member requesting a copy of same from the Association.

6.02 Approval or Disapproval. The Architectural Review Committee shall indicate its approval or disapproval of such plans and specifications by delivering, in writing, notice of such approval or disapproval to the requesting Owner. In the event the Architectural Review Committee fails to approve or disapprove such design and location within thirty (30) days after said plans and specifications have been submitted to it, approval shall be deemed automatically given. Notwithstanding the immediately preceding sentence, if an Owner constructs, modifies, or alters any improvement on his or her Lot prior to delivering the applicable plans and specifications to the Architectural Review Committee as required hereunder, then such plans and specifications shall not be deemed approved if the Architectural Review Committee fails to approve or disapprove of such plans and specifications within said thirty (30) day period.

6.03 Right of Inspection. The Architectural Review Committee shall have the right, but not the obligation, to inspect the Owner's Lot and improvements during construction and prior to occupancy to inspect whether construction is proceeding in accordance with the construction plans submitted and approved by the Architectural Review Committee. Failure of an Owner to comply with the provisions of this Section 6.03, or failure of an Owner to carry out construction in accordance with the provisions of this Article, shall subject such Owner to such remedies as might be available at law or in equity (including, but not limited to, specific performance and injunction, payment of the prosecuting parties' reasonable legal fees and expenses).

6.04 Limited Review. The scope of review by the Architectural Review Committee is limited to appearance only and does not include any responsibility for structural soundness, suitability of construction or materials, compliance with building or zoning codes or standards, this Declaration, or any other similar or dissimilar factors.

6.05 Waiver of Liability. Neither the Architectural Review Committee nor any architect nor agent thereof nor the Association nor any agent or employee of any of the foregoing shall be responsible in any way for the failure of any improvements to comply with the requirements of this Declaration, nor for any defects in any plans and specifications submitted, revised or approved

in accordance with the foregoing provisions, nor for any structural or other defects in any work done according to such plans and specifications, and all persons relying thereon or benefiting therefrom agree not to sue or claim against the entities and persons referred to in this Section for any cause arising out of the matters referred to herein and further agree to and do hereby release said entities and persons for any and every such cause.

ARTICLE SEVEN
USE RESTRICTIONS

7.01 Residential Use; Commercial Activity. Except as is hereinafter provided in this Section and in Section 10.01(c) hereof, each Lot is hereby restricted to a private, single-family dwelling for residential use. No commercial activities of any kind whatsoever shall be conducted in any Home, any other building located on a Lot, or any portion of any Lot; provided, however, that (a) an Owner may conduct a business entirely within his Home so long as (i) such business uses only ten percent (10%) of the total square footage of such Home, (ii) such business does not result in parking of additional vehicles on the Subdivision streets or Common Areas, (iii) such business is secondary to the use of the Lot for residential purposes, and (iv) such business shall not violate any applicable zoning ordinances, and (b) Builders shall have the right to use a House as a "model home" and to operate a sales office from such model home.

7.02 Subdivision of Lots. Each Lot shall be conveyed as a separately designated and legally described freehold estate subject to the terms, conditions, and provisions hereof, to easements and rights-of-way, and matters of public record. No Lot may be subdivided into a smaller Lot or Lots unless approved by the Association; provided, however, that an entire Lot may be combined with an entire adjacent Lot and occupied as one Lot but assessed and governed as two Lots.

7.03 Signs. No sign of any kind shall be displayed on any Lot (including, without limitation, any signage within a Home that is visible from the exterior of such Home), except (i) that any Owner actively attempting to sell his Lot may place a "for sale" sign of less than four (4) square feet on his Lot; (ii) during the building of homes in the Subdivision, Declarant and/or the Builders in the Subdivision may place signs at the entrance and/or on any Lot to advertise the Subdivision and the Lots for sale therein and (iii) any Owner may display a sign of reasonable size provided by a contractor for security services within 10 feet of any entrance to the home.

7.04 Noxious and Offensive Activity. No noxious or offensive activity shall be carried on, in or upon any Lot, nor shall anything be done thereon which may be or become an annoyance or nuisance to any other Owner.

7.05 Design Criteria; Structure. All improvements to be constructed or otherwise located on a Lot by an Owner shall comply with the following requirements:

(a) Any House shall contain a minimum of one thousand two hundred seventy (1,270) square feet of heated and cooled living space.

(b) No House may exceed three (3) habitable stories above grade.

(c) All sidewalks shall be constructed along the street right-of-way of each Lot in accordance with a uniform plan established by the Declarant. Accordingly, each site Plan submitted to the Architectural Review Committee shall show the location and material to be used for construction of the sidewalk, all as required and approved by the Architectural Review Committee. Each Owner shall construct or cause to be constructed on his or her Lot the approved sidewalk upon completion of the House on his or her Lot and before occupancy thereof. It shall be each Owner's responsibility to maintain any portion of a sidewalk situated on the Owner's Lot so that such sidewalk remains in an attractive, well-kept condition.

(d) The residential structure may contain a garage or carport; provided however, that no garage or carport may have a screen located in the vehicular-entryway or a flat roof, and any such garage or carport shall be in conformity with the general architecture of the primary residential building or structure. Without limiting the foregoing, the roof shingles of any such garage or carport must match the roof shingles of the House.

(e) No window air-conditioning units shall be permitted on the front or sides of any residence so as to be visible from the front line of such Lot.

(f) Underground electrical distribution facilities are required and no overhead electrical or similar wiring or lines shall be permitted.

(g) All outside radio and T.V. antennas (including satellite dishes and other signal receiving/transmitting equipment) shall be installed in such a way as to minimize visibility from the front of the Lot and shall be placed on the back or side of any roof.

(h) Driveways must be made of concrete. In no event may any driveway be painted, scored or otherwise colored. Any driveway extension must be approved by the Architectural Review Committee and any such extension shall not impede any utility easement.

(i) Fences constructed or erected on any Lot shall be of wood construction. Each fence must be a picket fence design, privacy fence design or shadowbox fence design. No fence shall exceed six feet in height. The application of paint or stain to a fence resulting in any sold color appearance is strictly prohibited, provided, however, that clear stain or waterproof coating may be applied to fences to maintain the natural wood appearance. Walls or other designs are not permissible. No fence shall be constructed from the front property line to 20 feet behind the corner of the house nearest front property line. No fence upon any residential Lot shall be constructed over or within the boundaries of any dedicated easement in the Subdivision. Any portion of a fence which faces a street, alley, or Common Area shall have a finished side appearance facing said street, alley, or Common Area. Notwithstanding

anything contained in this paragraph to the contrary, any fence located on a Lot that faces or abuts a pond or lake must be constructed of metal and measure four feet (4') in height.

(j) All Lots shall be grassed in the entire designated yard area by sodding and the yard shall be landscaped upon the completion of construction and before occupancy. It shall be the Owner's responsibility to maintain any landscaping or fences situated on a Lot so that such improvements remain in an attractive, well-kept condition.

(k) No outside clothes lines shall be permitted.

(l) Following construction of a Home on a Lot, existing drainage shall not be altered in any manner, and specifically shall not be altered in such a manner as to divert the flow of water onto an adjacent Lot.

7.06 Animals. No animals, livestock, or poultry of any kind shall be raised, bred, or kept on any Lot except that dogs, cats, and other household pets may be kept subject to the rules and regulations adopted by the Association, provided that they are not kept, bred, or maintained for any commercial purpose. Pets must be kept leashed and/or under control at all times. Notwithstanding the foregoing, the restrictions in this Section 7.06 shall not apply to any service animals, support animals, and any other animals permissible under the Americans with Disabilities Act.

7.07 Waste. No rubbish, trash, garbage, or other waste material shall be kept or permitted upon any Lot except in sanitary containers located in appropriate area, screened and concealed from view.

7.08 Accessory Structures. Except as otherwise provided for herein, no patio cover, building or storage unit of any kind shall be erected, placed or set on any Lot unless such structure is attached to the House erected on the same Lot and the architecture and character of such structure matches that of said House. Notwithstanding the foregoing, one (1) accessory building may be erected, placed or set on any Lot if such structure is: (a) no more than twelve (12) feet by sixteen (16) feet in size; (b) no more than nine (9) feet in height; (c) located upon the back yard of such Lot; (d) enclosed on all sides by a wooden fence of at least six (6) feet in height; (e) of the same architecture and character of the House located on such Lot; and (f) approved by the Architectural Review Committee. Without limiting the foregoing, the roof shingles of the accessory building and the House must match.

7.09 Temporary Structures. No structure of a temporary character, trailer, mobile home, motor home, modular building unit, basement, tent, shack, garage, barn, or other outbuilding shall be used at any time on the Lots as a residence, either temporarily or permanently.

7.10 Vehicles.

(a) No inoperative cars, trucks or other types of vehicles shall be allowed to remain either on or adjacent to any Lot; provided, however, this provision shall not apply to any such vehicle being kept in an enclosed garage.

(b) No trucks larger than a one-ton pickup shall be parked in the Subdivision, except those reasonably necessary to complete approved improvements.

(c) Recreational vehicles, campers and semi-trucks shall not be parked or stored on any Lot. Boats and utility trailers shall be parked in garages or basements or shall be stored out of sight from all neighbors and fully screened by a privacy fence of no less than six (6) feet in height.

(d) Parking in yards, on sidewalks and in front of private driveways is strictly prohibited

(e) There shall be no major repair performed on any motor vehicle on or adjacent to any Lot unless performed inside an enclosed garage.

(f) No noxiously loud or dangerous vehicles shall be allowed to be operated on any Lot, including, without limitation, all terrain vehicles (aka ATVs).

7.11 Construction. Any and all improvements on any Lot shall comply with the standards and provisions of Harrison County, and its applicable building code. The use of dumpsters for cleaning and construction sites is permitted.

7.12 Pollution. There shall be no noxious emission of smoke, dust, odor, fumes, glare, noise, vibration, electrical or magnetic disturbance, detectable at the lot line or beyond.

7.13 Outdoor Lighting. No exterior lighting fixture (other than fixtures approved by the Architectural Review Committee) shall be installed within or upon any Lot without adequate and proper shielding of the fixture. No lighting fixture shall be installed that may become an annoyance or a nuisance to Owners or occupants of adjacent properties. No flood lights or security lights shall be allowed on any Lot. No light shall be attached to the soffits of any improvements on the Lot unless the lights are recessed.

7.14 Garbage and Refuse Disposal. No Lot shall be used or maintained as a dumping ground for rubbish, trash, garbage, or waste. All storage equipment for such material shall be kept in a clean and sanitary condition and screened from street view.

7.15 Oil and Mining Operations. No activity or hardware used for the purpose of exploration or extraction of minerals, oil, or gas shall be allowed on any Community Property at any time.

7.16 Firearms and Fireworks. The display or discharge of firearms or fireworks on any Lot or any Common Area is prohibited; provided, however, that the display of lawful firearms on the Common Area is permitted by law enforcement officers and also is permitted for the limited purpose of transferring firearms across the Common Area to or from an Owner's Lot. The term "firearms" includes "B-B" guns, pellet guns and other firearms of all types, regardless of size.

7.17 No Hanging of Items. No clothes, sheets, blankets, towels, laundry of any kind or other articles shall be hung out or exposed on any balconies, patios, or railings. Notwithstanding the foregoing, (a) in the event the Association purchases any flags or other decorative items, each Owner shall hang any such flag or other decorative item from the exterior of such Owner's Home at the location, in the manner and at such times as shall be required by the Association in the Association's sole and absolute discretion, and (b) each Owner may exhibit or display on such Owner's Lot a current flag of the United States on a pole that does not extend beyond the highest point on the roof of such Owner's Home.

7.18 Hazardous Items. No one shall use or permit to be brought onto any Lot or upon any of the Common Area any flammable oils or fluids such as gasoline, kerosene, naphtha or benzene, or other explosives or articles deemed hazardous to life, limb or property, without the written consent of the Board of Directors; provided, however, that an Owner may store and possess gasoline and other flammable or hazardous materials typically used in the operation and maintenance of a single family residence and yard, in reasonable quantities for personal use upon Owner's Lot without obtaining such written consent. The Board of Directors may require removal of any flammable or hazardous materials from the Subdivision if it determines, in its sole and absolute discretion, that any type or quantity of material is in violation of this Section.

7.19 Water and Sewer Service. The Owner of each Lot shall be required to connect to and use the central water distribution system and central sanitary sewage disposal system serving the Subdivision, and shall be responsible for paying all connection fees and assessments. No septic tanks or wells will be permitted.

7.20 Windows and Window Treatments. The exterior facing of window coverings must be off-white or a neutral color. Reflective glass shall not be permitted on the exterior of any House or other structure. No foil or other reflective materials shall be installed on any windows or used for sunscreens, blinds, shades or for other purposes. All exterior window styles, materials, and colors and all hurricane or storm shutters must be approved by the Architectural Review Committee; provided, however, that in no event shall burglar bars and/or wrought iron doors be permitted. Hurricane or storm shutters (a) may not be closed or otherwise installed to cover windows unless and until a tropical storm or hurricane warning is issued by the National Weather Service for the County in which the Subdivision is located, and (b) shall be opened and/or otherwise removed within seventy-two (72) hours of the storm's passage.

7.21 Lots on Wetland Areas, Body of Water. No Lot shall be increased in size by filling in of any wetlands, body of water, creek or any waterway on which it may abut without appropriate governmental permits (if any are required) and prior written approval of the Architectural Review Committee.

7.22 Compliance With Law. In all cases, each Owner shall comply in all respects with all applicable laws, rules and regulations (including, without limitation, applicable zoning ordinances) promulgated by any governmental authority having jurisdiction over the Lots and the Common Area.

7.23 Swimming Pools. No swimming pools shall be constructed, altered or maintained upon any Lot without the prior written approval of the Architectural Review Committee in accordance with Article Six hereof. Notwithstanding the foregoing, any such swimming pool must also be constructed, equipped, and maintained in accordance with the laws, ordinances, regulations, rules and standards of any city, county, and/or state authorities having jurisdiction over the Subdivision. Any Owner who desires to construct a swimming pool on such Owner's Lot shall also, prior to completion of such swimming pool, construct a fence around such swimming pool, which fence must also be approved by the Architectural Review Committee in accordance with Article Six hereof. Notwithstanding anything contained herein to the contrary, pools shall not be screened.

7.24 Stormwater Drainage Improvements. Owners shall not alter, fill or otherwise change any stormwater improvements made to such Owner's Lot by Declarant in the development of the Subdivision or by any Builder during the construction of a Home on such Owner's Lot, including, without limitation, any drainage ditches and/or swales, without the prior written approval of the Association, which may be withheld by the Association in its sole and absolute discretion.

7.25 Outdoor Equipment. No outdoor equipment, tools, generators, or sporting equipment (including but not limited to basketball goals) may be installed or affixed to any Lot or House without prior written approval from the Architectural Review Committee; provided, however, that portable outdoor equipment, tools, generators, or sporting equipment may be used on a temporary basis and removed from view immediately after use. Certain outdoor equipment including firepits, grills, patio furniture, artificial vegetation, playground equipment and/or trampolines may be placed on a Lot, however such items must be placed behind the House, on the rear side of the Lot, and enclosed with a fence, with prior approval of the Architectural Review Committee required for the fencing design, materials, height and location for such fencing.

7.26 Holiday Displays. Notwithstanding anything to the contrary in this Declaration, including but not limited to those certain restrictions set forth in Section 7.13, holiday lighting and holiday decorations shall be permitted to be placed, installed, located, and/or erected upon the exterior portion of the Home or Owner's Lot beginning no earlier than thirty (30) days before a holiday, and shall be removed in their entirety no later than fourteen (14) days following such holiday. In no way limiting the foregoing, the Architectural Review Committee and/or the Association may establish additional standards and/or rules and regulations regarding holiday lights and/or decorations. The Association may require the removal of any holiday lighting and/or decoration that creates a nuisance, which includes but is not limited to, spillover to adjacent Lots, excessive noise, light shining directly onto adjacent Homes, and/or the cause of excessive vehicular traffic within the Subdivision.

7.27 Solar Panels and Collectors. No solar panels and/or solar collectors (as applicable, "Solar Equipment") may be placed on a Home without prior written approval from the Architectural Review Committee; provided, however, that if such approval is granted by the Architectural Review Committee, such solar equipment must be located on the rear elevations of the Home. Notwithstanding the foregoing, if a Home's rear elevation is in the line of sight of any lake, pond or Common Area, and such line of sight is unobstructed in the opinion of the Architectural Review Committee, then the Architectural Review Committee may prohibit the installation of Solar Equipment on such Home. The Architectural Review Committee shall have the right to grant variances if needed to comply with any future changes to applicable laws.

7.28 Rules and Regulations. The Association may, from time to time, establish additional written use guidelines for the Subdivision, and a copy of any such guidelines then in effect shall be made available to any Owner requesting a copy of same from the Association.

ARTICLE EIGHT
ADDITIONAL RESTRICTIONS

8.01 Leasing. Homes and Lots may be leased by an Owner for residential purposes only; provided, however, that any such leasing activities shall be subject to the following terms and conditions: (a) any such lease and the rights of any tenants thereunder are hereby made expressly subject to the power of the Association to prescribe reasonable rules and regulations relating to the lease and rental of Lots and Homes and to enforce the same directly against such tenant or other occupant by the exercise of such remedies as the Board of Directors deems appropriate, including eviction; (b) no such lease shall be for less than six (6) months; and (c) all leases must be in writing, with a copy provided to the Association upon request by the Association. Any Owner who leases his Home or any portion thereof shall be responsible for the acts of his tenants, including, without limitation, the violation of this Declaration and/or any rules and regulations promulgated by the Association hereunder. Notwithstanding the foregoing, this Section shall not apply with respect to any Lot subject to a mortgage which is insured or guaranteed by the Federal Housing Administration or the Veterans Administration, or where the provisions of this Section are otherwise prohibited by law.

8.02 Restrictions on Mortgaging Lots. Nothing contained herein shall be construed to place any restrictions on an Owner's right to encumber his Lot.

8.03 Regulations. Reasonable regulations concerning the use of the Lots and the Common Area may be made and amended from time to time by the Board of Directors.

8.04 Lender's Notices. Upon written request to the Association, identifying the name and address of the holder, insurer or guarantor and the Lot number or address, any holder of a deed of trust, insurer, or guarantor will be entitled to timely written notice of:

(a) Any condemnation or casualty loss that affects either a material portion of the Common Area or the Lot securing its deed of trust.

(b) Any sixty (60) day delinquency in the payment of Assessments or charges owed by the Owner of any Lot on which it holds the deed of trust.

ARTICLE NINE
ENFORCEMENT; DURATION; AMENDMENT

9.01 Enforcement. The Association, the Board of Directors, the Architectural Review Committee and/or any Owner shall have the right to enforce by any proceeding at law or in equity, all restrictions, conditions, covenants, reservations, liens and charges imposed by the provisions of this Declaration. Failure by the Association, the Board of Directors, the Architectural Review Committee and/or any Owner to enforce any covenant or restriction herein contained shall in no event be deemed a waiver of the right to do so thereafter.

9.02 Enforcement by Owners. An Owner may file a legal action for the violation of this Declaration (the "Complainant"), provided that the following procedure is strictly followed:

(a) The Complainant must first give the Association written notice of the alleged violation of this Declaration together with a demand seeking that the Association enforce the terms of this Declaration as against said violator; and

(b) The Association must fail to cause a cure of the alleged violation or, if the alleged violation has not been cured, fail to commence legal proceedings against said violator for the enforcement of the terms and conditions of this Declaration within one hundred twenty (120) days of the date of the Association's receipt of the notice referenced in subsection (a) hereof.

9.03 Attorneys' Fees. In any action (whether in advance of or prior to the initiation of any legal or equitable proceeding, in arbitration, in trial, in any administrative or other similar proceedings, or in any appeal from any of the same) pertaining to any condition, restriction or covenant herein contained (due to their alleged violation or breach) or for the enforcement of any lien against any Lot or against any Person, unless otherwise expressly provided in this Declaration to the contrary for specific instances and conflicts, the prevailing party shall be entitled to recover all costs, including reasonable legal fees and expenses.

9.04 Term. This Declaration is to take effect upon recordation and shall be binding upon the Association and all Owners and all persons and entities claiming title under and through them for fifty (50) years after the date this Declaration is recorded in the public records, after which it shall be automatically extended for successive ten (10) year periods unless an instrument in writing, signed by Members holding at least eighty percent (80%) of the voting interests in the Association, has been recorded within the year preceding the beginning of each successive period of ten (10) years, agreeing to change said covenants and restrictions, in whole or in part, or to terminate the same, in which case this Declaration shall be modified or terminated as specified therein.

9.05 No Additional Burden. Except as provided in Article Ten, no amendment of this Declaration shall place an additional burden or restriction or requirement on any Lot where the Owner of such Lot does not join in said amending instrument.

9.06 Amendments. Except as provided in Article Ten, this Declaration may be amended by vote of the Members having sixty-seven percent (67%) of the voting interests in the Association, or by a written instrument signed by the same percentage of Members; provided, however, that unless and until Turnover has occurred no such amendment may be effected without the written consent of Declarant to such amendment, which consent may be withheld by Declarant in Declarant's sole and absolute discretion. Declarant shall have and reserves the right at any time and from time to time, without the joinder or consent of any other party to amend this Declaration by any instrument in writing duly signed, acknowledged and filed for record for the purpose of correcting any typographical or grammatical error, ambiguity or inconsistency appearing herein, provided that any such amendment shall be consistent with and in furtherance of the general plan and scheme of development as evidenced by this Declaration and shall not impair or adversely affect the vested property or other rights of any Owner or such Owner's Mortgagee.

ARTICLE TEN
RESERVED DECLARANT RIGHTS

10.01 General Reserved Rights. Until Turnover, Declarant reserves unto itself, its successors and assigns:

(a) A right-of-way and easement for ingress and egress and easement for utilities, drainage, maintenance, repairs and other related uses over, along, and across the Common Area for all purposes relating in any manner to the subdividing, developing or aiding in the development of the Subdivision or any parts or parts thereof or additions thereto by Declarant or others.

(b) The right to grant easements and rights-of-way of ingress and egress and for drainage, utilities, maintenance and repairs along, over, across and under the Common Area to any person, firm, corporation or entity for use as ingress or egress or for drainage, utilities, maintenance and repairs.

(c) The right to maintain, and grant Builders the right to maintain, a sales office and/or a management office and/or one or more model homes in the Subdivision and to maintain signs therein advertising the Subdivision and to conduct its business and sales activities pertaining to the Subdivision therein and therefrom.

Except as set forth in Section 10.04, all of the above rights and interests reserved by Declarant may be exercised by Declarant without the consent or concurrence of the Association or any Member.

10.02 Amendment of Declaration by Declarant. Until Turnover, Declarant reserves unto itself the right, authority and power to amend this Declaration in any manner Declarant deems necessary and appropriate. Any amendment to this Declaration made in accordance with this

Section shall require only the signature of Declarant and shall not require the signature of any other Owner or any Mortgagee of any Owner, except as required by Section 10.04.

10.03 Rights in Regard to the Association. Until Turnover, Declarant shall have the sole and exclusive right to (1) appoint, remove and replace all of the members of the Board of Directors of the Association; (2) appoint all of the officers of the Association; (3) appoint, remove and replace the members of the Architectural Review Committee of the Association as defined in and in accordance with the Bylaws; (4) amend the Articles of Incorporation and the Bylaws; and (5) take all other action on behalf of the Association and vote on all other matters required to be voted on or approved by the members of the Association. Upon Turnover, the then-current members of the Association shall be entitled to vote on all the foregoing matters subject to any restrictions set forth in this Declaration and the Bylaws.

10.04 Consent of D.R. Horton to Certain Matters. Declarant may not exercise any rights reserved in this Article Ten, or take any action or grant any approval as Declarant under this Declaration (other than any other approval given in the ordinary course as an Owner and not as Declarant) without obtaining the prior written consent of D.R. Horton, Inc. – Birmingham, an Alabama corporation.

10.05 Turnover. All rights of Declarant hereunder shall automatically terminate upon Turnover, except those rights that Declarant holds as an Owner and not by virtue of being the declarant under this Declaration, which shall continue as long as Declarant is an Owner.

ARTICLE ELEVEN
INSURANCE; CASUALTY

11.01 Insurance on Common Area. The Association shall obtain the insurance coverage necessary to satisfy the requirements, if any, of the Federal Home Loan Mortgage Corporation, the Federal National Mortgage Association, the U.S. Department of Veterans Affairs, and the U.S. Department of Housing and Urban Development, as applicable to the Subdivision. Without limiting the foregoing, the Board shall obtain casualty insurance for all insurable improvements, whether or not located on the Common Area, which the Association is obligated to maintain. This insurance shall provide, at a minimum, fire and extended coverage and shall be in an amount sufficient to cover the full replacement cost of any repair or reconstruction in the event of damage or destruction from any such hazard. The Board shall obtain a public liability policy applicable to the Common Area covering the Association and its Members for all damage or injury caused by the negligence of the Association or any of its Members or agents, and, if reasonably available, directors' and officers' liability insurance. Policies may contain a reasonable deductible as determined by the Board. In addition to the other insurance required by this section, the Board shall obtain worker's compensation insurance, if and to the extent necessary to satisfy the requirements of applicable laws, and a fidelity bond or bonds on directors, officers, employees and other persons handling or responsible for the Association's funds, if reasonably available. If obtained, the amount of fidelity coverage shall cover the maximum funds that will be in the custody of the Association or its management agent at any time while the policy is in force, or any lesser amount of fidelity coverage allowable under the applicable Fannie Mae guidelines. Fidelity

coverage shall contain a waiver of all defenses based upon the exclusion of persons serving without compensation. All such insurance coverage shall be written in the name of the Association. The expense of all insurance coverage obtained by the Association in accordance with this Section shall be a Common Expense.

11.02 Individual Insurance. By virtue of taking title to a Lot subject to the terms of this Declaration, each Owner acknowledges that the Association has no obligation to provide any insurance for any portion of individual Lots and each Owner covenants and agrees with all other Owners and with the Association that each Owner shall carry all-risk casualty insurance on the Lot and all structures constructed thereon and a liability policy covering damage or injury occurring on a Lot. The casualty insurance shall cover loss or damage by fire and other hazards commonly insured under an all-risk policy, if reasonably available and shall be in an amount sufficient to cover the full replacement cost of any repair or reconstruction in the event of damage or destruction from any such hazard. The policies required hereunder shall be in effect at all times.

11.03 Damage and Destruction – Insured by Association. Not later than ninety (90) days after damage or destruction by fire or other casualty to any portion of any improvement covered by insurance written in the name of the Association, the Board or its duly authorized agent shall proceed with the filing and adjustment of all claims arising under such insurance and obtain reliable and detailed estimates of the cost of repair or reconstruction of the damaged or destroyed property. Repair or reconstruction, as used in this Section, means repairing or restoring the property to substantially the same condition and location that existed prior to the fire or other casualty, allowing for any changes or improvements necessitated by changes in applicable building codes. Any damage or destruction to property covered by insurance written in the name of the Association shall be repaired or reconstructed unless, within 120 days after the casualty, a proposal not to repair or reconstruct such property is approved by at least seventy-five percent (75%) of the voting interests of the Members. If for any reason either the amount of the insurance proceeds to be paid as a result of such damage or destruction, or reliable and detailed estimates of the cost of repair or reconstruction, or both, are not made available to the Association within such period, then the period shall be extended until such information shall be made available; provided, however, such extension shall not exceed one hundred eighty (180) days. If the damage or destruction for which the insurance proceeds are paid is to be repaired or reconstructed and such proceeds are not sufficient to defray the cost thereof, the Board of Directors shall, without the necessity of a vote of the Members, levy a special Assessment against the Owner of each Lot. Additional Assessments may be made in like manner, as necessary, at any time during or following the completion of any repair or reconstruction. If the funds available from insurance exceed the costs of repair or reconstruction or if the improvements are not repaired or reconstructed, such excess shall be deposited to the benefit of the Association. In the event that it should be determined by the Association in the manner described above that the damage or destruction shall not be repaired or reconstructed and no alternative improvements are authorized, the property shall thereafter be maintained by the Association in a neat and attractive condition.

11.04 Damage and Destruction – Insured by Owners. The damage or destruction by fire or other casualty to all or any portion of any improvement on a Lot shall be repaired by the Owner thereof within ninety (90) days after such damage or destruction or, where repairs cannot be completed within ninety (90) days, they shall be commenced within such period and shall be

completed within a reasonable time thereafter. Alternatively, the Owner may elect to demolish all improvements on the Lot and remove all debris therefrom within ninety (90) days after such damage or destruction.

ARTICLE TWELVE
MISCELLANEOUS

12.01 Savings. If any provision or provisions of this Declaration, or any article, section, sentence, clause, phrase, or word herein, or the application thereof, is in any circumstances held invalid, the validity of the remainder of this Declaration and the application thereof shall not be affected thereby.

12.02 Captions. The captions in this Declaration are for convenience only and are not a part of this Declaration and do not in any way limit or amplify the terms and provisions of this Declaration.

12.03 Applicable Law. The laws of the State of Mississippi shall govern this Declaration. All actions or proceedings in any way, manner or respect, arising out of or from or related to this Declaration shall be litigated only in courts having situs within the county in which the Subdivision is located. Each Owner hereby consents and submits to the jurisdiction of any local, state or federal court located within said county and state and hereby waives any rights it may have to transfer or change the venue of any such litigation. The prevailing party in any litigation in connection with this Declaration shall be entitled to recover from the other party all costs and expenses, including, without limitation, fees of attorneys and paralegals, incurred by such party in connection with any such litigation.

12.04 Effect of Waiver or Consent. A waiver or consent, express or implied, to or of any breach or default by any Person in the performance by that Person of its obligations hereunder is not a consent or waiver to or of any breach or default in the performance by that Person of the same or any other obligations of that Person. Failure on the part of a Person to complain of any act or to declare any Person in default hereunder, irrespective of how long that failure continues, does not constitute a waiver by that Person of its rights with respect to that default.

12.05 Headings. The headings and captions herein are used solely as a matter of convenience and shall not define, limit or expand any term or provision of this Declaration.

12.06 Interpretation. The provisions of this Declaration shall be liberally construed to effectuate its purpose of creating a uniform plan for the development and operation of a subdivision in accordance with Mississippi law. Failure to enforce any provision hereof shall not constitute a waiver of the right to enforce said provision or any other provision hereof.

12.07 Notice. All notices required or desired under this Declaration to be sent to the Association shall be sent certified mail, return receipt requested, by hand delivery or by a recognized overnight courier who maintains verification of delivery, to the Secretary of the Association, at such address as the Association may designate from time to time by notice in

writing to all Owners. All notices to any Owner shall be delivered by hand delivery, by a recognized overnight courier who maintains verification of delivery in person, or sent by first (1st) class mail to the address of such Owner's Lot, or to such other address as he may have designated from time to time, in a writing duly received, to the Association.

12.08 Conflict Between Documents. If there is any conflict or inconsistency between the terms and conditions of this Declaration and the terms and conditions of the Articles of Incorporation, the Bylaws or any rules and regulations promulgated hereunder, the terms and conditions of this Declaration shall control. If there is any conflict or inconsistency between the terms and conditions of the Articles of Incorporation and the terms and conditions of the Bylaws or any rules and regulations promulgated hereunder, the terms and conditions of the Articles of Incorporation shall control. If there is any conflict or inconsistency between the terms and conditions of the Bylaws and the terms and conditions of any rules and regulations promulgated hereunder, the terms and conditions of the Bylaws shall control.

[Remainder of Page Intentionally Left Blank]

IN WITNESS WHEREOF, Declarant has executed this Declaration by and through its duly authorized representative as of the date first set forth above.

DECLARANT:

GULF COAST DEVELOPMENT & DESIGN,
LLC, a Mississippi limited liability company

By:_____
Name: Kenneth Jones
As Its: Authorized Member

STATE OF MISSISSIPPI :
COUNTY OF HARRISON :

Personally appeared before me, the undersigned authority in and for the said county and state, on this ___ day of _____, 2023, within my jurisdiction, the within named Kenneth Jones, who acknowledged that he, as Authorized Member of Gulf Coast Development & Design, LLC, a Mississippi limited liability company, and that for and on behalf of the said limited liability company, and as its act and deed he executed the above and foregoing instrument, after first having been duly authorized by said limited liability company so to do.

{SEAL}

_____
NOTARY PUBLIC
My Commission Expires:_____

EXHIBIT "A"
DESCRIPTION OF THE SUBDIVISION PROPERTY

All property within the Swan Landing Estates Subdivision as shown on the plat recorded in Plat Book _____, Page ____ in the Office of the Chancery Clerk of Harrison County, First Judicial District, Mississippi.

WETLAND DELINEATION REPORT

+/- 80-Acre North Swan Project Area
Gulfport, Harrison County, MS

Prepared by
Dylan Bartlett, B.S.
Anna Grace Boxx, B.S.
Randy Ellis, B.S.

Ecological Asset Management, LLC

Environmental Consulting and Restoration
803 Highway 90
Bay St. Louis, MS 39520

June 2, 2022

CONFIDENTIAL

WETLAND DELINEATION REPORT
+/- 80– Acre North Swan Project Area
Section 27, Township 6-South, Range 11-West
Gulfport, Harrison County, Mississippi

Introduction

Ecological Asset Management, LLC (EAM) was retained by Engineering Xcellence to conduct a wetland delineation and provide a report for the +/- 80-acre project area (Figure 1) described above. The following sections present EAM's methods, hydrology, vegetation, soils, and conclusion.

Methods

Prior to the field investigation, a variety of in-house data, maps and reports as well as area specific digital repositories were researched and gathered to assist in identifying potential wetlands on the property. Examples of detailed in-house data includes digital elevation models (DEM) compiled from LIDAR elevation data (USGS, 2014), high accuracy true color and infrared aerial imagery. The field investigation, conducted on May 19, 20, 23 & 24, 2022, was performed according to the wetland delineation definition and procedures outlined in the 1987 Corps of Engineers Wetland Delineation Manual (USACE, 1987) with the Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Atlantic and Gulf Coastal Plain Region (USACE, 2010). An area is a wetland, according to the procedure, if positive wetland indicators are found for each of the three criteria (hydrology, vegetation, and soils). If positive wetland indicators are not found for any of the three criteria, the area cannot be determined a wetland.

Hydrology

The local hydrology was investigated extensively throughout the project area. It was determined that the natural hydrology has not been recently altered. Most on-site drainage is directed into a centralized wetland drain that encourages flow off-site to the southwest. Within the northern portion of the property, a less confined wetland area exists within flatter areas of lower elevation. This feature funnels excess drainage southward into the site's primary system. Additionally, a distinct system traverses the site's southeastern property corner. This system directs drainage from the northeast southwestward.

Vegetation

The subject property contains a mixed forested/shrub upland vegetative community, and a freshwater forested/shrub wetland vegetative community.

The mixed forested/shrub upland vegetative community is dominated by *Nyssa sylvatica* (Black Tupelo), *Magnolia virginiana* (Sweetbay Magnolia), *Pinus palustris* (Longleaf Pine), *Quercus nigra* (Water Oak), *Ilex coriacea* (Large Gallberry) and *Ilex vomitoria* (Yaupon).

The freshwater forested/shrub wetland vegetative community is dominated by *Magnolia virginiana* (Sweetbay Magnolia), *Cyrilla racemiflora* (Swamp Titi), *Pinus palustris* (Longleaf Pine), *Ilex coriacea* (Large Gallberry) and *Vaccinium elliottii* (Elliott's Huckleberry).

Soils

The US Department of Agriculture - Natural Resource Conservation Service's Web Soil Survey shows the following soil map units in the project area: Atmore silt loam, 0 to 2 percent slopes (At), Poarch fine sandy loam, 0 to 2 percent slopes (PoA), Poarch fine sandy loam, 2 to 5 percent slopes (PoB) and Ponzer and Smithton soils (Ps) (USDA-NRCS. Accessed May 24, 2022).

According to the Soil Survey of Harrison County, Mississippi (USDA-SCS, 1975) Atmore silt loam, 0 to 2 percent slopes (At), are poorly drained soils on broad flats. Permeability is moderate in the upper part and slow in the lower part. The available water capacity is medium to high. The water table is at the surface during wet periods. Runoff is slow.

Poarch fine sandy loam, 0 to 2 percent slopes (PoA), is a well-drained soil typically found on broad upland flats. It is strongly to very strongly acid with moderate to moderately slow permeability throughout. It has a slow runoff with medium available water capacity.

Poarch fine sandy loam, 2 to 5 percent slopes (PoB), is a well-drained soil on ridges. The soil is strongly acid of very strongly acid. Permeability is moderate in the upper part and moderately slow in the lower part. Available water capacity is medium. Runoff is slow to medium.

Ponzer and Smithton soils, 0 to 2 percent slopes (Ps), are poorly to very poorly drained soils found in low-lying flats and depressions. The soil is strongly acid of extremely acid. Permeability is moderate in the upper part but moderately slow in the lower part. The available water capacity is medium. There is a high water-table and little to no runoff.

The detailed soil profile descriptions of sample sites can be found in Appendix A. The hydric indicator "1 cm Muck" (A9) was observed in Plot 2. The hydric indicators "Sandy Redox" (S5) and "Depleted Matrix" (F3) were observed in Plots 5 and 6.

Conclusion

Positive wetland indicators were found for hydrology, vegetation, and soils on +/- 30.21 acres of the +/- 80.0-acre project area. This wetland delineation was performed using approved federal guidelines and procedures. In the professional opinion of EAM's field personnel, each specified area satisfies the criteria to be a wetland or waters of the US pursuant to the Army Corps of Engineers' Regional Supplement and appropriate guidance and pursuant to confirmation by appropriate regulatory staff including but not limited to the Army Corps of Engineers. **However, final authority for jurisdictional determinations within the subject property resides with the U.S. Army Corps of Engineers, Mobile District.**

References

University of California Davis-Land, Air and Water Resources (UCD-LAWR). 2018. "California Soil Research Lab (CSRL) processing data for the Soil Survey Geographic Database (SSURGO)." Retrieved from: https://casoilresource.lawr.ucdavis.edu/soil_web/ssurgo.php?action=list_mapunits&areasymbol=ms047 . Mississippi, USA

US Army Corps of Engineers Environmental Laboratory (USACE). 1987. "Corps of Engineers Wetlands Delineation Manual," U.S. Army Engineers Waterways Experiment Station, Vicksburg, MS.

US Army Corps of Engineers Environmental Laboratory (USACE). 2010. "Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Atlantic and Gulf Coastal Plain Region (Version 2.0)." U.S. Army Engineers Waterways Experiment Station, Vicksburg, MS.

US Department of Agriculture-Natural Resources Conservation Service (USDA-NRCS). 2002. "Field Office Technical Guide for Harrison County, MS." US Department of Agriculture's Natural Resources Conservation Service. Washington, D.C.

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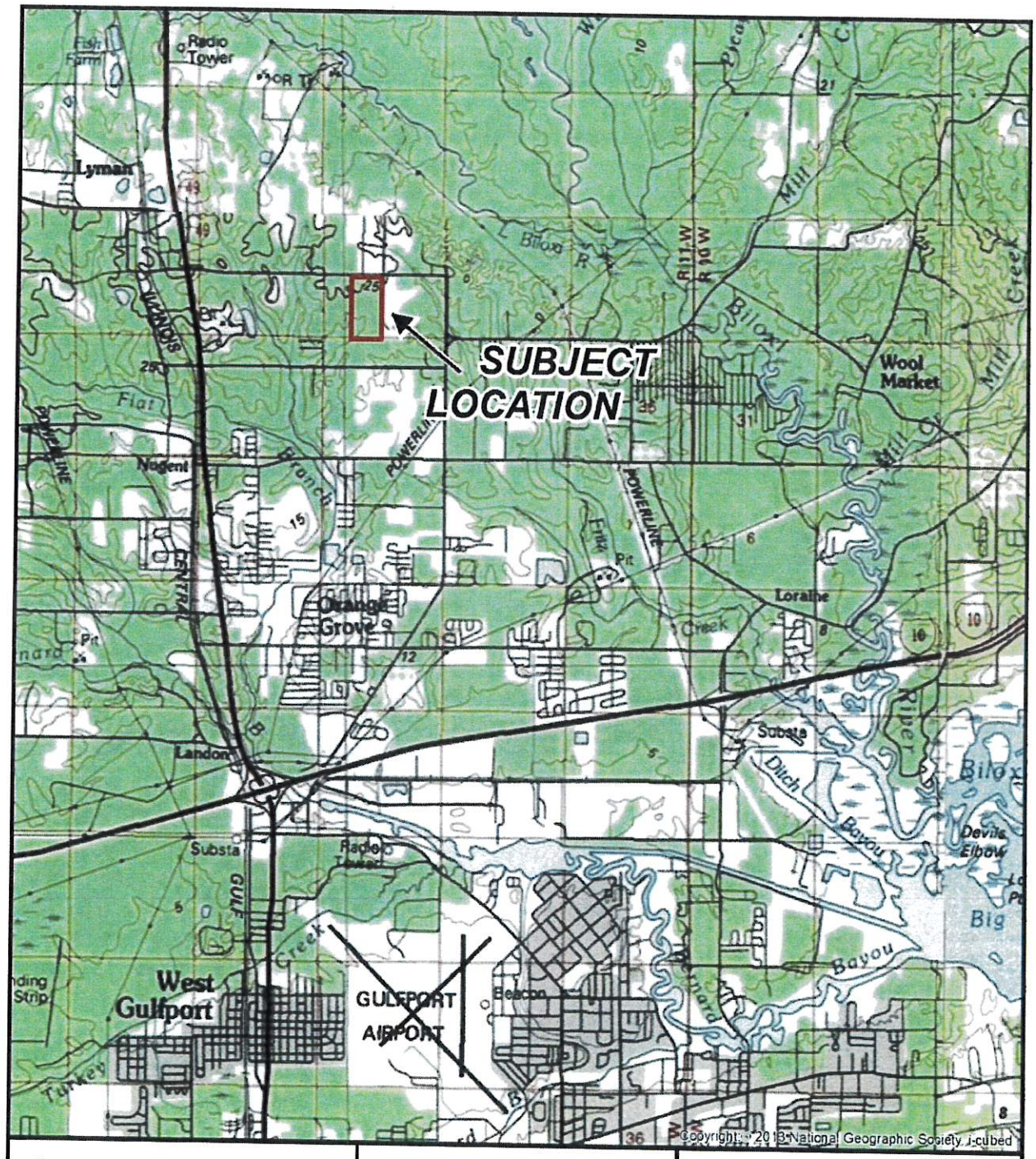
US Department of Agriculture-Soil Conservation Service (USDA-SCS). 1975. "Soil Survey of Harrison County, Mississippi," USDA Natural Resources Conservation Service. Washington, D.C.

US Geologic Survey (USGS). 2014. "Mississippi Coastal QL2 Lidar with 3DEP Extension Lidar 0.7m NPS Lidar Data Acquisition and Processing Production Task, USGS Contract No. G10PC00057, Task Order No. G15PD00091," Contractor, Woolpert, Inc., DEMs distributed by: Mississippi Automated Resource Information System (MARIS).



Base Map: ESRI USA Topo Maps
Source: USGS, NGS, i-cubed
Map Date: June 1, 2022

NORTH

0 0.4 0.8 1.2 1.6
Miles

PROJECT LOCATION MAP

ECOLOGICAL ASSET MANAGEMENT, LLC

Wetland Delineation for +/- 80 ac Project Area (Parcel # 0807G-01-001.000)

Location: Gulfport, MS
Portion of Section 27;
Township 6-South; Range 11-West
County: Harrison County, MS

Figure 1: Project Location of the +/- 80-acre North Swan project area; Gulfport, Harrison County, MS.

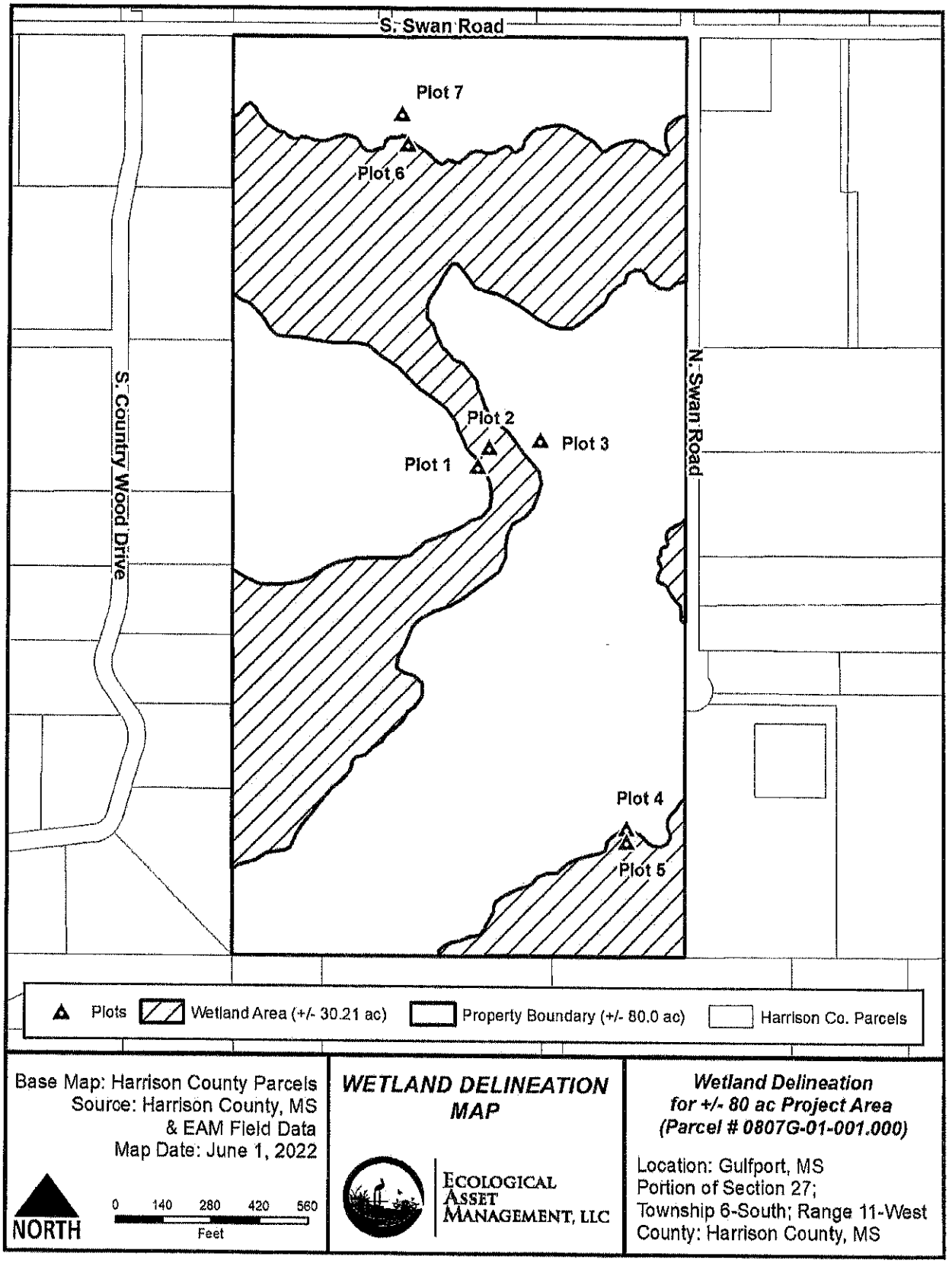


Figure 2: Wetland Delineation Map of the +/- 80-acre North Swan project area; Gulfport, Harrison County, MS.

Appendix A

Wetland Determination Data Forms

WETLAND DETERMINATION DATA FORM - Atlantic and Gulf Coastal Plain Region

Project/Site: 80 ac North Swan City/County: Harrison Sampling Date: 19-May-22

Applicant/Owner: Engineering Xcellence State: MS Sampling Point: Plot 1

Investigator(s): R. Ellis, D. Bartlett & A.G. Boxx Section, Township, Range: S 27 T 6-S R 11-W

Landform (hillslope, terrace, etc.): Local relief (concave, convex, none): Slope: 0.0 % / 0.0 °

Subregion (LRR or MLRA): LRR T Lat.: 30° 29' 22.101" N Long.: 89° 4' 49.077" W Datum:

Soil Map Unit Name: Poarch fine sandy loam, 0 to 2 percent slopes (PoA) NWI classification: N/A

Are climatic/hydrologic conditions on the site typical for this time of year? Yes ◉ No ○ (If no, explain in Remarks.)

Are Vegetation ☐, Soil ☐, or Hydrology ☐ significantly disturbed? Are "Normal Circumstances" present? Yes ◉ No ○

Are Vegetation ☐, Soil ☐, or Hydrology ☐ naturally problematic? (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS - Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present?	Yes ◉	No ○
Hydric Soil Present?	Yes ○	No ◉
Wetland Hydrology Present?	Yes ○	No ◉

Is the Sampled Area within a Wetland? Yes ○ No ◉

Remarks:

HYDROLOGY

Wetland Hydrology Indicators:

Primary Indicators (minimum of one required; check all that apply)

- ☐ Surface Water (A1)
- ☐ High Water Table (A2)
- ☐ Saturation (A3)
- ☐ Water Marks (B1)
- ☐ Sediment Deposits (B2)
- ☐ Drift Deposits (B3)
- ☐ Algal Mat or Crust (B4)
- ☐ Iron Deposits (B5)
- ☐ Inundation Visible on Aerial Imagery (B7)
- ☐ Water-Stained Leaves (B9)
- ☐ Aquatic Fauna (B13)
- ☐ Marl Deposits (B15) (LRR U)
- ☐ Hydrogen Sulfide Odor (C1)
- ☐ Oxidized Rhizospheres along Living Roots (C3)
- ☐ Presence of Reduced Iron (C4)
- ☐ Recent Iron Reduction in Tilled Soils (C6)
- ☐ Thin Muck Surface (C7)
- ☐ Other (Explain in Remarks)

Secondary Indicators (minimum of 2 required)

- ☐ Surface Soil Cracks (B6)
- ☐ Sparsely Vegetated Concave Surface (B8)
- ☐ Drainage Patterns (B10)
- ☐ Moss Trim Lines (B16)
- ☐ Dry Season Water Table (C2)
- ☐ Crayfish Burrows (C8)
- ☐ Saturation Visible on Aerial Imagery (C9)
- ☐ Geomorphic Position (D2)
- ☐ Shallow Aquitard (D3)
- ☑ FAC-Neutral Test (D5)
- ☐ Sphagnum moss (D8) (LRR T, U)

Field Observations:

Surface Water Present?	Yes ○	No ◉	Depth (inches):
Water Table Present?	Yes ○	No ◉	Depth (inches):
Saturation Present? (includes capillary fringe)	Yes ○	No ◉	Depth (inches):

Wetland Hydrology Present? Yes ○ No ◉

Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks:

mid 3% slope

VEGETATION (Five/Four Strata) - Use scientific names of plants.

Sampling Point: Plot 1

Tree Stratum (Plot size: 30m)	Absolute % Cover	Dominant Species?	Rel.Strat. Cover	Indicator Status
1. Magnolia virginiana	30	☑	46.2%	FACW
2. Quercus nigra	5	☐	7.7%	FAC
3. Nyssa sylvatica	20	☑	30.8%	FAC
4. Pinus palustris	10	☐	15.4%	FACU
5.	0	☐	0.0%	
6.	0	☐	0.0%	
7.	0	☐	0.0%	
8.	0	☐	0.0%	
50% of Total Cover: 32.5 20% of Total Cover: 13	65	= Total Cover		

Sapling or Sapling/Shrub Stratum (Plot size: 30m)				
1. Ilex coriacea	70	☑	81.4%	FACW
2. Acer rubrum	3	☐	3.5%	FAC
3. Vaccinium elliottii	5	☐	5.8%	FACW
4. Ilex vomitoria	8	☐	9.3%	FAC
5.	0	☐	0.0%	
6.	0	☐	0.0%	
7.	0	☐	0.0%	
8.	0	☐	0.0%	
50% of Total Cover: 43 20% of Total Cover: 17.2	86	= Total Cover		

Shrub Stratum (Plot size:)				
1.	0	☐	0.0%	
2.	0	☐	0.0%	
3.	0	☐	0.0%	
4.	0	☐	0.0%	
5.	0	☐	0.0%	
6.	0	☐	0.0%	
50% of Total Cover: 0 20% of Total Cover: 0	0	= Total Cover		

Herb Stratum (Plot size: 30m)				
1. Ilex coriacea	10	☑	100.0%	FACW
2.	0	☐	0.0%	
3.	0	☐	0.0%	
4.	0	☐	0.0%	
5.	0	☐	0.0%	
6.	0	☐	0.0%	
7.	0	☐	0.0%	
8.	0	☐	0.0%	
9.	0	☐	0.0%	
10.	0	☐	0.0%	
11.	0	☐	0.0%	
12.	0	☐	0.0%	
50% of Total Cover: 5 20% of Total Cover: 2	10	= Total Cover		

Woody Vine Stratum (Plot size:)			
1.	0	☐	0.0%
2.	0	☐	0.0%
3.	0	☐	0.0%
4.	0	☐	0.0%
5.	0	☐	0.0%
50% of Total Cover: 0 20% of Total Cover: 0	0	= Total Cover	

Dominance Test worksheet:

Number of Dominant Species That are OBL, FACW, or FAC: 4 (A)

Total Number of Dominant Species Across All Strata: 4 (B)

Percent of dominant Species That Are OBL, FACW, or FAC: 100.0% (A/B)

Prevalence Index worksheet:

Total % Cover of:		Multiply by:	
OBL species	0	x 1 =	0
FACW species	115	x 2 =	230
FAC species	36	x 3 =	108
FACU species	10	x 4 =	40
UPL species	0	x 5 =	0
Column Totals:	161 (A)		378 (B)

Prevalence Index = B/A = 2.348

Hydrophytic Vegetation Indicators:

- ☐ 1 - Rapid Test for Hydrophytic Vegetation
- ☑ 2 - Dominance Test is > 50%
- ☑ 3 - Prevalence Index is ≤3.0 [1]
- ☐ Problematic Hydrophytic Vegetation [1] (Explain)

[1] Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.

Definition of Vegetation Strata:

Tree - Woody plants, excluding woody vines, approximately 20 ft (6 m) or more in height and 3 in. (7.6 cm) or larger in diameter at breast height (DBH).

Sapling - Woody plants, excluding woody vines, approximately 20 ft (6 m) or more in height and less than 3 in. (7.6 cm) DBH.

Sapling/Shrub - Woody plants, excluding vines, less than 3 in. DBH and greater than 3.28 ft (1 m) tall.

Shrub - Woody plants, excluding woody vines, approximately 3 to 20 ft (1 to 6 m) in height.

Herb - All herbaceous (non-woody) plants, including herbaceous vines, regardless of size, and woody plants, except woody vines, less than approximately 3 ft (1 m) in height.

Woody vine - All woody vines, regardless of height.

Hydrophytic Vegetation Present? Yes ◉ No ○

Remarks: (If observed, list morphological adaptations below).

*Indicator suffix = National status or professional decision assigned because Regional status not defined by FWS.

SOIL

Sampling Point: Plot 1

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)

Depth (inches)	Matrix Color (moist)		%	Redox Features Color (moist)		%	Type[1]	Loc[2]	Texture	Remarks
0-3	10YR	3/2	100						Fine Sandy Loam	
3-9	10YR	7/6	75	10YR	3/2	25			Fine Sandy Loam	
9-23	10YR	7/6	100						Fine Sandy Loam	

[1]Type: C=Concentration, D=Depletion, RM=Reduced Matrix, CS=Covered or Coated Sand Grains [2]Location: PL=Pore Lining, M=Matrix

Hydric Soil Indicators:

- ☐ Histosol (A1)
- ☐ Histic Epipedon (A2)
- ☐ Black Histic (A3)
- ☐ Hydrogen Sulfide (A4)
- ☐ Stratified Layers (A5)
- ☐ Organic Bodies (A6) (LRR P, T, U)
- ☐ 5 cm Mucky Mineral (A7) (LRR P, T, U)
- ☐ Muck Presence (A8) (LRR U)
- ☐ 1 cm Muck (A9) (LRR P, T)
- ☐ Depleted Below Dark Surface (A11)
- ☐ Thick Dark Surface (A12)
- ☐ Coast Prairie Redox (A16) (MLRA 150A)
- ☐ Sandy Muck Mineral (S1) (LRR O, S)
- ☐ Sandy Gleyed Matrix (S4)
- ☐ Sandy Redox (S5)
- ☐ Stripped Matrix (S6)
- ☐ Dark Surface (S7) (LRR P, S, T, U)
- ☐ Polyvalue Below Surface (S8) (LRR S, T, U)
- ☐ Thin Dark Surface (S9) (LRR S, T, U)
- ☐ Loamy Mucky Mineral (F1) (LRR O)
- ☐ Loamy Gleyed Matrix (F2)
- ☐ Depleted Matrix (F3)
- ☐ Redox Dark Surface (F6)
- ☐ Depleted Dark Surface (F7)
- ☐ Redox Depressions (F8)
- ☐ Marl (F10) (LRR U)
- ☐ Depleted Ochric (F11) (MLRA 151)
- ☐ Iron-Manganese Masses (F12) (LRR O, P, T)
- ☐ Umbric Surface (F13) (LRR P, T, U)
- ☐ Delta Ochric (F17) (MLRA 151)
- ☐ Reduced Vertic (F18) (MLRA 150A, 150B)
- ☐ Piedmont Floodplain Soils (F19) (MLRA 149A)
- ☐ Anomalous Bright Loamy Soils (F20) (MLRA 149A, 153C, 153D)

Indicators for Problematic Hydric Soils[3]:

- ☐ 1 cm Muck (A9) (LRR O)
- ☐ 2 cm Muck (A10) (LRR S)
- ☐ Reduced Vertic (F18) (outside MLRA 150A,B)
- ☐ Piedmont Floodplain Soils (F19) (LRR P, S, T)
- ☐ Anomalous Bright Loamy Soils (F20) (MLRA 153B)
- ☐ Red Parent Material (TF2)
- ☐ Very Shallow Dark Surface (TF12)
- ☐ Other (Explain in Remarks)

[3]Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic.

Restrictive Layer (if observed):

Type: _____

Depth (inches): _____

Hydric Soil Present? Yes ○ No ◉

Remarks:

top layer - low chroma but dry

WETLAND DETERMINATION DATA FORM - Atlantic and Gulf Coastal Plain Region

Project/Site: 80 ac North Swan City/County: Harrison Sampling Date: 19-May-22

Applicant/Owner: Engineering Xcellence State: MS Sampling Point: Plot 2

Investigator(s): R. Ellis, D. Bartlett & A.G. Boxx Section, Township, Range: S 27 T 6-S R 11-W

Landform (hillslope, terrace, etc.): Local relief (concave, convex, none): Slope: 0.0 % / 0.0 °

Subregion (LRR or MLRA): LRR T Lat.: 30° 29' 22.652" N Long.: 89° 4' 48.709" W Datum:

Soil Map Unit Name: Poarch fine sandy loam, 2 to 5 percent slopes (PoB) NWI classification: PFO4/SS3B

Are climatic/hydrologic conditions on the site typical for this time of year? Yes ◉ No ○ (If no, explain in Remarks.)

Are Vegetation ☐, Soil ☐, or Hydrology ☐ significantly disturbed? Are "Normal Circumstances" present? Yes ◉ No ○

Are Vegetation ☐, Soil ☐, or Hydrology ☐ naturally problematic? (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS - Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present?	Yes ◉ No ○	Is the Sampled Area within a Wetland? Yes ◉ No ○
Hydric Soil Present?	Yes ◉ No ○	
Wetland Hydrology Present?	Yes ◉ No ○	

Remarks:

HYDROLOGY

Wetland Hydrology Indicators:

Primary Indicators (minimum of one required; check all that apply)

- ☐ Surface Water (A1)
- ☑ High Water Table (A2)
- ☑ Saturation (A3)
- ☐ Water Marks (B1)
- ☐ Sediment Deposits (B2)
- ☐ Drift Deposits (B3)
- ☐ Algal Mat or Crust (B4)
- ☐ Iron Deposits (B5)
- ☐ Inundation Visible on Aerial Imagery (B7)
- ☑ Water-Stained Leaves (B9)
- ☐ Aquatic Fauna (B13)
- ☐ Marl Deposits (B15) (LRR U)
- ☐ Hydrogen Sulfide Odor (C1)
- ☐ Oxidized Rhizospheres along Living Roots (C3)
- ☐ Presence of Reduced Iron (C4)
- ☐ Recent Iron Reduction in Tilled Soils (C6)
- ☐ Thin Muck Surface (C7)
- ☐ Other (Explain in Remarks)

Secondary Indicators (minimum of 2 required)

- ☐ Surface Soil Cracks (B6)
- ☐ Sparsely Vegetated Concave Surface (B8)
- ☑ Drainage Patterns (B10)
- ☐ Moss Trim Lines (B16)
- ☐ Dry Season Water Table (C2)
- ☐ Crayfish Burrows (C8)
- ☐ Saturation Visible on Aerial Imagery (C9)
- ☐ Geomorphic Position (D2)
- ☐ Shallow Aquitard (D3)
- ☑ FAC-Neutral Test (D5)
- ☑ Sphagnum moss (D8) (LRR T, U)

Field Observations:

Surface Water Present?	Yes ○ No ◉	Depth (inches):	
Water Table Present?	Yes ◉ No ○	Depth (inches):	8
Saturation Present? (includes capillary fringe)	Yes ◉ No ○	Depth (inches):	0

Wetland Hydrology Present? Yes ◉ No ○

Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks:

VEGETATION (Five/Four Strata) - Use scientific names of plants.

Sampling Point: Plot 2

Tree Stratum (Plot size: 30m)	Absolute % Cover	Dominant Species?	Rel.Strat. Cover	Indicator Status
1. Acer rubrum	20	☐	17.4%	FAC
2. Magnolia virginiana	40	☑	34.8%	FACW
3. Nyssa sylvatica	10	☐	8.7%	FAC
4. Quercus nigra	5	☐	4.3%	FAC
5. Cyrilla racemiflora	40	☑	34.8%	FACW
6.	0	☐	0.0%	
7.	0	☐	0.0%	
8.	0	☐	0.0%	
50% of Total Cover: 57.5 20% of Total Cover: 23	115	= Total Cover		

Sapling or Sapling/Shrub Stratum (Plot size: 30m)				
1. Ilex coriacea	10	☑	52.6%	FACW
2. Magnolia virginiana	6	☑	31.6%	FACW
3. Acer rubrum	3	☐	15.8%	FAC
4.	0	☐	0.0%	
5.	0	☐	0.0%	
6.	0	☐	0.0%	
7.	0	☐	0.0%	
8.	0	☐	0.0%	
50% of Total Cover: 9.5 20% of Total Cover: 3.8	19	= Total Cover		

Shrub Stratum (Plot size:)				
1.	0	☐	0.0%	
2.	0	☐	0.0%	
3.	0	☐	0.0%	
4.	0	☐	0.0%	
5.	0	☐	0.0%	
6.	0	☐	0.0%	
50% of Total Cover: 0 20% of Total Cover: 0	0	= Total Cover		

Herb Stratum (Plot size: 30m)				
1. Rhynchospora inexpansa	4	☑	44.4%	FACW
2. Ilex coriacea	3	☑	33.3%	FACW
3. Ilex vomitoria	2	☑	22.2%	FAC
4.	0	☐	0.0%	
5.	0	☐	0.0%	
6.	0	☐	0.0%	
7.	0	☐	0.0%	
8.	0	☐	0.0%	
9.	0	☐	0.0%	
10.	0	☐	0.0%	
11.	0	☐	0.0%	
12.	0	☐	0.0%	
50% of Total Cover: 4.5 20% of Total Cover: 1.8	9	= Total Cover		

Woody Vine Stratum (Plot size: 30m)				
1. Vitis rotundifolia	2	☐	100.0%	FAC
2.	0	☐	0.0%	
3.	0	☐	0.0%	
4.	0	☐	0.0%	
5.	0	☐	0.0%	
50% of Total Cover: 1 20% of Total Cover: 0.4	2	= Total Cover		

Dominance Test worksheet:

Number of Dominant Species That are OBL, FACW, or FAC: 7 (A)

Total Number of Dominant Species Across All Strata: 7 (B)

Percent of dominant Species That Are OBL, FACW, or FAC: 100.0% (A/B)

Prevalence Index worksheet:

	Total % Cover of:		Multiply by:
OBL species	0	x 1 =	0
FACW species	103	x 2 =	206
FAC species	42	x 3 =	126
FACU species	0	x 4 =	0
UPL species	0	x 5 =	0
Column Totals:	145 (A)		332 (B)

Prevalence Index = B/A = 2.290

Hydrophytic Vegetation Indicators:

- ☐ 1 - Rapid Test for Hydrophytic Vegetation
- ☑ 2 - Dominance Test is > 50%
- ☑ 3 - Prevalence Index is ≤3.0 [1]
- ☐ Problematic Hydrophytic Vegetation [1] (Explain)

[1] Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.

Definition of Vegetation Strata:

Tree - Woody plants, excluding woody vines, approximately 20 ft (6 m) or more in height and 3 in. (7.6 cm) or larger in diameter at breast height (DBH).

Sapling - Woody plants, excluding woody vines, approximately 20 ft (6 m) or more in height and less than 3 in. (7.6 cm) DBH.

Sapling/Shrub - Woody plants, excluding vines, less than 3 in. DBH and greater than 3.28 ft (1m) tall.

Shrub - Woody plants, excluding woody vines, approximately 3 to 20 ft (1 to 6 m) in height.

Herb - All herbaceous (non-woody) plants, including herbaceous vines, regardless of size, and woody plants, except woody vines, less than approximately 3 ft (1 m) in height.

Woody vine - All woody vines, regardless of height.

Hydrophytic Vegetation Present? Yes ◉ No ○

Remarks: (If observed, list morphological adaptations below).

*Indicator suffix = National status or professional decision assigned because Regional status not defined by FWS.

SOIL

Sampling Point: Plot 2

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)

Depth (inches)	Matrix Color (moist)	Matrix %	Redox Features Color (moist)	Redox %	Type[1]	Loc[2]	Texture	Remarks
0-15	10YR 3/1	100					Silty Loam	

[1]Type: C=Concentration, D=Depletion, RM=Reduced Matrix, CS=Covered or Coated Sand Grains [2]Location: PL=Pore Lining, M=Matrix

Hydric Soil Indicators:

- ☐ Histosol (A1)
- ☐ Histic Epipedon (A2)
- ☐ Black Histic (A3)
- ☐ Hydrogen Sulfide (A4)
- ☐ Stratified Layers (A5)
- ☐ Organic Bodies (A6) (LRR P, T, U)
- ☐ 5 cm Mucky Mineral (A7) (LRR P, T, U)
- ☐ Muck Presence (A8) (LRR U)
- ☑ 1 cm Muck (A9) (LRR P, T)
- ☐ Depleted Below Dark Surface (A11)
- ☐ Thick Dark Surface (A12)
- ☐ Coast Prairie Redox (A16) (MLRA 150A)
- ☐ Sandy Muck Mineral (S1) (LRR O, S)
- ☐ Sandy Gleyed Matrix (S4)
- ☐ Sandy Redox (S5)
- ☐ Stripped Matrix (S6)
- ☐ Dark Surface (S7) (LRR P, S, T, U)
- ☐ Polyvalue Below Surface (S8) (LRR S, T, U)
- ☐ Thin Dark Surface (S9) (LRR S, T, U)
- ☐ Loamy Mucky Mineral (F1) (LRR O)
- ☐ Loamy Gleyed Matrix (F2)
- ☐ Depleted Matrix (F3)
- ☐ Redox Dark Surface (F6)
- ☐ Depleted Dark Surface (F7)
- ☐ Redox Depressions (F8)
- ☐ Marl (F10) (LRR U)
- ☐ Depleted Ochric (F11) (MLRA 151)
- ☐ Iron-Manganese Masses (F12) (LRR O, P, T)
- ☐ Umbric Surface (F13) (LRR P, T, U)
- ☐ Delta Ochric (F17) (MLRA 151)
- ☐ Reduced Vertic (F18) (MLRA 150A, 150B)
- ☐ Piedmont Floodplain Soils (F19) (MLRA 149A)
- ☐ Anomalous Bright Loamy Soils (F20) (MLRA 149A, 153C, 153D)

Indicators for Problematic Hydric Soils[3]:

- ☐ 1 cm Muck (A9) (LRR O)
- ☐ 2 cm Muck (A10) (LRR S)
- ☐ Reduced Vertic (F18) (outside MLRA 150A,B)
- ☐ Piedmont Floodplain Soils (F19) (LRR P, S, T)
- ☐ Anomalous Bright Loamy Soils (F20) (MLRA 153B)
- ☐ Red Parent Material (TF2)
- ☐ Very Shallow Dark Surface (TF12)
- ☐ Other (Explain in Remarks)

[3]Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic.

Restrictive Layer (if observed):

Type: _____

Depth (inches): _____

Hydric Soil Present? Yes ◉ No ○

Remarks:

WETLAND DETERMINATION DATA FORM - Atlantic and Gulf Coastal Plain Region

Project/Site: 80 ac North Swan City/County: Harrison Sampling Date: 19-May-22

Applicant/Owner: Engineering Xcellence State: MS Sampling Point: Plot 3

Investigator(s): R. Ellis, D. Bartlett & A.G. Boxx Section, Township, Range: S 27 T 6-S R 11-W

Landform (hillslope, terrace, etc.): Local relief (concave, convex, none): Slope: 0.0 % / 0.0 °

Subregion (LRR or MLRA): LRR T Lat.: 30° 29' 22.869" N Long.: 89° 4' 46.994" W Datum:

Soil Map Unit Name: Poarch fine sandy loam, 2 to 5 percent slopes (PoB) NWI classification: N/A

Are climatic/hydrologic conditions on the site typical for this time of year? Yes ◉ No ○ (If no, explain in Remarks.)

Are Vegetation ☐, Soil ☐, or Hydrology ☐ significantly disturbed? Are "Normal Circumstances" present? Yes ◉ No ○

Are Vegetation ☐, Soil ☐, or Hydrology ☐ naturally problematic? (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS - Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present?	Yes ◉	No ○
Hydric Soil Present?	Yes ○	No ◉
Wetland Hydrology Present?	Yes ○	No ◉

Is the Sampled Area within a Wetland? Yes ○ No ◉

Remarks:

HYDROLOGY

Wetland Hydrology Indicators:

Primary Indicators (minimum of one required; check all that apply)

- ☐ Surface Water (A1)
- ☐ High Water Table (A2)
- ☐ Saturation (A3)
- ☐ Water Marks (B1)
- ☐ Sediment Deposits (B2)
- ☐ Drift Deposits (B3)
- ☐ Algal Mat or Crust (B4)
- ☐ Iron Deposits (B5)
- ☐ Inundation Visible on Aerial Imagery (B7)
- ☐ Water-Stained Leaves (B9)
- ☐ Aquatic Fauna (B13)
- ☐ Marl Deposits (B15) (LRR U)
- ☐ Hydrogen Sulfide Odor (C1)
- ☐ Oxidized Rhizospheres along Living Roots (C3)
- ☐ Presence of Reduced Iron (C4)
- ☐ Recent Iron Reduction in Tilled Soils (C6)
- ☐ Thin Muck Surface (C7)
- ☐ Other (Explain in Remarks)

Secondary Indicators (minimum of 2 required)

- ☐ Surface Soil Cracks (B6)
- ☐ Sparsely Vegetated Concave Surface (B8)
- ☐ Drainage Patterns (B10)
- ☐ Moss Trim Lines (B16)
- ☐ Dry Season Water Table (C2)
- ☐ Crayfish Burrows (C8)
- ☐ Saturation Visible on Aerial Imagery (C9)
- ☐ Geomorphic Position (D2)
- ☐ Shallow Aquitard (D3)
- ☑ FAC-Neutral Test (D5)
- ☐ Sphagnum moss (D8) (LRR T, U)

Field Observations:

Surface Water Present?	Yes ○	No ◉	Depth (inches):
Water Table Present?	Yes ○	No ◉	Depth (inches):
Saturation Present? (includes capillary fringe)	Yes ○	No ◉	Depth (inches):

Wetland Hydrology Present? Yes ○ No ◉

Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks:

VEGETATION (Five/Four Strata) - Use scientific names of plants.

Sampling Point: Plot 3

Tree Stratum (Plot size: 30m)	Absolute % Cover	Dominant Species?	Rel.Strat. Cover	Indicator Status
1. Pinus palustris	30	☑	60.0%	FACU
2. Magnolia virginiana	20	☑	40.0%	FACW
3.	0	☐	0.0%	
4.	0	☐	0.0%	
5.	0	☐	0.0%	
6.	0	☐	0.0%	
7.	0	☐	0.0%	
8.	0	☐	0.0%	
50% of Total Cover: 25 20% of Total Cover: 10	50	= Total Cover		

Sapling or Sapling/Shrub Stratum (Plot size: 30m)				
1. Ilex coriacea	80	☑	100.0%	FACW
2.	0	☐	0.0%	
3.	0	☐	0.0%	
4.	0	☐	0.0%	
5.	0	☐	0.0%	
6.	0	☐	0.0%	
7.	0	☐	0.0%	
8.	0	☐	0.0%	
50% of Total Cover: 40 20% of Total Cover: 16	80	= Total Cover		

Shrub Stratum (Plot size:)				
1.	0	☐	0.0%	
2.	0	☐	0.0%	
3.	0	☐	0.0%	
4.	0	☐	0.0%	
5.	0	☐	0.0%	
6.	0	☐	0.0%	
50% of Total Cover: 0 20% of Total Cover: 0	0	= Total Cover		

Herb Stratum (Plot size: 30m)				
1. Ilex coriacea	20	☑	100.0%	FACW
2.	0	☐	0.0%	
3.	0	☐	0.0%	
4.	0	☐	0.0%	
5.	0	☐	0.0%	
6.	0	☐	0.0%	
7.	0	☐	0.0%	
8.	0	☐	0.0%	
9.	0	☐	0.0%	
10.	0	☐	0.0%	
11.	0	☐	0.0%	
12.	0	☐	0.0%	
50% of Total Cover: 10 20% of Total Cover: 4	20	= Total Cover		

Woody Vine Stratum (Plot size: 30m)				
1. Smilax glauca	3	☐	100.0%	FAC
2.	0	☐	0.0%	
3.	0	☐	0.0%	
4.	0	☐	0.0%	
5.	0	☐	0.0%	
50% of Total Cover: 1.5 20% of Total Cover: 0.6	3	= Total Cover		

Dominance Test worksheet:

Number of Dominant Species That are OBL, FACW, or FAC: 3 (A)

Total Number of Dominant Species Across All Strata: 4 (B)

Percent of dominant Species That Are OBL, FACW, or FAC: 75.0% (A/B)

Prevalence Index worksheet:

Total % Cover of:		Multiply by:	
OBL species	0	x 1 =	0
FACW species	120	x 2 =	240
FAC species	3	x 3 =	9
FACU species	30	x 4 =	120
UPL species	0	x 5 =	0
Column Totals:	153 (A)		369 (B)

Prevalence Index = B/A = 2.412

Hydrophytic Vegetation Indicators:

- ☐ 1 - Rapid Test for Hydrophytic Vegetation
- ☑ 2 - Dominance Test is > 50%
- ☑ 3 - Prevalence Index is ≤3.0 [1]
- ☐ Problematic Hydrophytic Vegetation [1] (Explain)

[1] Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.

Definition of Vegetation Strata:

Tree - Woody plants, excluding woody vines, approximately 20 ft (6 m) or more in height and 3 in. (7.6 cm) or larger in diameter at breast height (DBH).

Sapling - Woody plants, excluding woody vines, approximately 20 ft (6 m) or more in height and less than 3 in. (7.6 cm) DBH.

Sapling/Shrub - Woody plants, excluding vines, less than 3 in. DBH and greater than 3.28 ft (1m) tall.

Shrub - Woody plants, excluding woody vines, approximately 3 to 20 ft (1 to 6 m) in height.

Herb - All herbaceous (non-woody) plants, including herbaceous vines, regardless of size, and woody plants, except woody vines, less than approximately 3 ft (1 m) in height.

Woody vine - All woody vines, regardless of height.

Hydrophytic Vegetation Present? Yes ◉ No ○

Remarks: (If observed, list morphological adaptations below).

*Indicator suffix = National status or professional decision assigned because Regional status not defined by FWS.

SOIL

Sampling Point: Plot 3

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)

Depth (inches)	Matrix Color (moist)	Matrix %	Redox Features Color (moist)	Redox %	Type[1]	Loc[2]	Texture	Remarks
0-8	10YR 3/2	100					Fine Sandy Loam	
8-13	10YR 6/6	65	10YR 3/2	35			Fine Sandy Loam	
13-23	10YR 6/6	92	10YR 5/8	8			Fine Sandy Loam	

[1] Type: C=Concentration, D=Depletion, RM=Reduced Matrix, CS=Covered or Coated Sand Grains [2] Location: PL=Pore Lining, M=Matrix

Hydric Soil Indicators:

- ☐ Histosol (A1)
- ☐ Histic Epipedon (A2)
- ☐ Black Histic (A3)
- ☐ Hydrogen Sulfide (A4)
- ☐ Stratified Layers (A5)
- ☐ Organic Bodies (A6) (LRR P, T, U)
- ☐ 5 cm Mucky Mineral (A7) (LRR P, T, U)
- ☐ Muck Presence (A8) (LRR U)
- ☐ 1 cm Muck (A9) (LRR P, T)
- ☐ Depleted Below Dark Surface (A11)
- ☐ Thick Dark Surface (A12)
- ☐ Coast Prairie Redox (A16) (MLRA 150A)
- ☐ Sandy Muck Mineral (S1) (LRR O, S)
- ☐ Sandy Gleyed Matrix (S4)
- ☐ Sandy Redox (S5)
- ☐ Stripped Matrix (S6)
- ☐ Dark Surface (S7) (LRR P, S, T, U)
- ☐ Polyvalue Below Surface (S8) (LRR S, T, U)
- ☐ Thin Dark Surface (S9) (LRR S, T, U)
- ☐ Loamy Mucky Mineral (F1) (LRR O)
- ☐ Loamy Gleyed Matrix (F2)
- ☐ Depleted Matrix (F3)
- ☐ Redox Dark Surface (F6)
- ☐ Depleted Dark Surface (F7)
- ☐ Redox Depressions (F8)
- ☐ Marl (F10) (LRR U)
- ☐ Depleted Ochric (F11) (MLRA 151)
- ☐ Iron-Manganese Masses (F12) (LRR O, P, T)
- ☐ Umbric Surface (F13) (LRR P, T, U)
- ☐ Delta Ochric (F17) (MLRA 151)
- ☐ Reduced Vertic (F18) (MLRA 150A, 150B)
- ☐ Piedmont Floodplain Soils (F19) (MLRA 149A)
- ☐ Anomalous Bright Loamy Soils (F20) (MLRA 149A, 153C, 153D)

Indicators for Problematic Hydric Soils[3]:

- ☐ 1 cm Muck (A9) (LRR O)
- ☐ 2 cm Muck (A10) (LRR S)
- ☐ Reduced Vertic (F18) (outside MLRA 150A,B)
- ☐ Piedmont Floodplain Soils (F19) (LRR P, S, T)
- ☐ Anomalous Bright Loamy Soils (F20) (MLRA 153B)
- ☐ Red Parent Material (TF2)
- ☐ Very Shallow Dark Surface (TF12)
- ☐ Other (Explain in Remarks)

[3] Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic.

Restrictive Layer (if observed):

Type: _____

Depth (inches): _____

Hydric Soil Present? Yes ○ No ◉

Remarks:

Typical PoB

WETLAND DETERMINATION DATA FORM - Atlantic and Gulf Coastal Plain Region

Project/Site: 80 ac North Swan City/County: Harrison Sampling Date: 20-May-22

Applicant/Owner: Engineering Xcellence State: MS Sampling Point: Plot 4

Investigator(s): R. Ellis, D. Bartlett & A.G. Boxx Section, Township, Range: S 27 T 6-S R 11-W

Landform (hillslope, terrace, etc.): Local relief (concave, convex, none): Slope: 0.0 % / 0.0 °

Subregion (LRR or MLRA): LRR T Lat.: 30° 29' 11.848" N Long.: 89° 4' 44.064" W Datum:

Soil Map Unit Name: Poarch fine sandy loam, 0 to 2 percent slopes (PoA) NWI classification: N/A

Are climatic/hydrologic conditions on the site typical for this time of year? Yes ◉ No ○ (If no, explain in Remarks.)

Are Vegetation ☐, Soil ☐, or Hydrology ☐ significantly disturbed? Are "Normal Circumstances" present? Yes ◉ No ○

Are Vegetation ☐, Soil ☐, or Hydrology ☐ naturally problematic? (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS - Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present?	Yes ◉	No ○
Hydric Soil Present?	Yes ○	No ◉
Wetland Hydrology Present?	Yes ○	No ◉

Is the Sampled Area within a Wetland? Yes ○ No ◉

Remarks:

HYDROLOGY

Wetland Hydrology Indicators:

Primary Indicators (minimum of one required; check all that apply)

- ☐ Surface Water (A1)
- ☐ High Water Table (A2)
- ☐ Saturation (A3)
- ☐ Water Marks (B1)
- ☐ Sediment Deposits (B2)
- ☐ Drift Deposits (B3)
- ☐ Algal Mat or Crust (B4)
- ☐ Iron Deposits (B5)
- ☐ Inundation Visible on Aerial Imagery (B7)
- ☐ Water-Stained Leaves (B9)
- ☐ Aquatic Fauna (B13)
- ☐ Marl Deposits (B15) (LRR U)
- ☐ Hydrogen Sulfide Odor (C1)
- ☐ Oxidized Rhizospheres along Living Roots (C3)
- ☐ Presence of Reduced Iron (C4)
- ☐ Recent Iron Reduction in Tilled Soils (C6)
- ☐ Thin Muck Surface (C7)
- ☐ Other (Explain in Remarks)

Secondary Indicators (minimum of 2 required)

- ☐ Surface Soil Cracks (B6)
- ☐ Sparsely Vegetated Concave Surface (B8)
- ☐ Drainage Patterns (B10)
- ☐ Moss Trim Lines (B16)
- ☐ Dry Season Water Table (C2)
- ☐ Crayfish Burrows (C8)
- ☐ Saturation Visible on Aerial Imagery (C9)
- ☐ Geomorphic Position (D2)
- ☐ Shallow Aquitard (D3)
- ☑ FAC-Neutral Test (D5)
- ☐ Sphagnum moss (D8) (LRR T, U)

Field Observations:

Surface Water Present?	Yes ○	No ◉	Depth (inches):
Water Table Present?	Yes ○	No ◉	Depth (inches):
Saturation Present? (includes capillary fringe)	Yes ○	No ◉	Depth (inches):

Wetland Hydrology Present? Yes ○ No ◉

Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks:

VEGETATION (Five/Four Strata) - Use scientific names of plants.

Sampling Point: Plot 4

Tree Stratum (Plot size: 30m)	Absolute % Cover	Dominant Species?	Rel.Strat. Cover	Indicator Status
1. Pinus palustris	30	☑	37.5%	FACU
2. Nyssa sylvatica	10	☐	12.5%	FAC
3. Morella cerifera	5	☐	6.3%	FAC
4. Cyrilla racemiflora	15	☐	18.8%	FACW
5. Magnolia virginiana	20	☑	25.0%	FACW
6.	0	☐	0.0%	
7.	0	☐	0.0%	
8.	0	☐	0.0%	
50% of Total Cover: 40 20% of Total Cover: 16	80	= Total Cover		

Sapling or Sapling/Shrub Stratum (Plot size: 30m)				
1. Ilex coriacea	35	☑	100.0%	FACW
2.	0	☐	0.0%	
3.	0	☐	0.0%	
4.	0	☐	0.0%	
5.	0	☐	0.0%	
6.	0	☐	0.0%	
7.	0	☐	0.0%	
8.	0	☐	0.0%	
50% of Total Cover: 17.5 20% of Total Cover: 7	35	= Total Cover		

Shrub Stratum (Plot size:)				
1.	0	☐	0.0%	
2.	0	☐	0.0%	
3.	0	☐	0.0%	
4.	0	☐	0.0%	
5.	0	☐	0.0%	
6.	0	☐	0.0%	
50% of Total Cover: 0 20% of Total Cover: 0	0	= Total Cover		

Herb Stratum (Plot size: 30m)				
1. Ilex coriacea	8	☑	100.0%	FACW
2.	0	☐	0.0%	
3.	0	☐	0.0%	
4.	0	☐	0.0%	
5.	0	☐	0.0%	
6.	0	☐	0.0%	
7.	0	☐	0.0%	
8.	0	☐	0.0%	
9.	0	☐	0.0%	
10.	0	☐	0.0%	
11.	0	☐	0.0%	
12.	0	☐	0.0%	
50% of Total Cover: 4 20% of Total Cover: 1.6	8	= Total Cover		

Woody Vine Stratum (Plot size:)			
1.	0	☐	0.0%
2.	0	☐	0.0%
3.	0	☐	0.0%
4.	0	☐	0.0%
5.	0	☐	0.0%
50% of Total Cover: 0 20% of Total Cover: 0	0	= Total Cover	

Dominance Test worksheet:

Number of Dominant Species That are OBL, FACW, or FAC: 3 (A)

Total Number of Dominant Species Across All Strata: 4 (B)

Percent of dominant Species That Are OBL, FACW, or FAC: 75.0% (A/B)

Prevalence Index worksheet:

	Total % Cover of:		Multiply by:
OBL species	0	x 1 =	0
FACW species	78	x 2 =	156
FAC species	15	x 3 =	45
FACU species	30	x 4 =	120
UPL species	0	x 5 =	0
Column Totals:	123 (A)		321 (B)

Prevalence Index = B/A = 2.610

Hydrophytic Vegetation Indicators:

- ☐ 1 - Rapid Test for Hydrophytic Vegetation
- ☑ 2 - Dominance Test is > 50%
- ☑ 3 - Prevalence Index is ≤3.0 [1]
- ☐ Problematic Hydrophytic Vegetation [1] (Explain)

[1] Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.

Definition of Vegetation Strata:

Tree - Woody plants, excluding woody vines, approximately 20 ft (6 m) or more in height and 3 in. (7.6 cm) or larger in diameter at breast height (DBH).

Sapling - Woody plants, excluding woody vines, approximately 20 ft (6 m) or more in height and less than 3 in. (7.6 cm) DBH.

Sapling/Shrub - Woody plants, excluding vines, less than 3 in. DBH and greater than 3.28 ft (1m) tall.

Shrub - Woody plants, excluding woody vines, approximately 3 to 20 ft (1 to 6 m) in height.

Herb - All herbaceous (non-woody) plants, including herbaceous vines, regardless of size, and woody plants, except woody vines, less than approximately 3 ft (1 m) in height.

Woody vine - All woody vines, regardless of height.

Hydrophytic Vegetation Present? Yes ◉ No ○

Remarks: (If observed, list morphological adaptations below).

*Indicator suffix = National status or professional decision assigned because Regional status not defined by FWS.

SOIL

Sampling Point: Plot 4

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)

Depth (inches)	Matrix Color (moist)		%	Redox Features Color (moist)		%	Type[1]	Loc[2]	Texture	Remarks
0-5	10YR	3/2	100						Fine Sandy Loam	
5-12	10YR	7/6	80	10YR	3/2	20			Fine Sandy Loam	
12-22	10YR	7/6	100						Fine Sandy Loam	

[1] Type: C=Concentration, D=Depletion, RM=Reduced Matrix, CS=Covered or Coated Sand Grains [2] Location: PL=Pore Lining, M=Matrix

Hydric Soil Indicators:

- ☐ Histosol (A1)
- ☐ Histic Epipedon (A2)
- ☐ Black Histic (A3)
- ☐ Hydrogen Sulfide (A4)
- ☐ Stratified Layers (A5)
- ☐ Organic Bodies (A6) (LRR P, T, U)
- ☐ 5 cm Mucky Mineral (A7) (LRR P, T, U)
- ☐ Muck Presence (A8) (LRR U)
- ☐ 1 cm Muck (A9) (LRR P, T)
- ☐ Depleted Below Dark Surface (A11)
- ☐ Thick Dark Surface (A12)
- ☐ Coast Prairie Redox (A16) (MLRA 150A)
- ☐ Sandy Muck Mineral (S1) (LRR O, S)
- ☐ Sandy Gleyed Matrix (S4)
- ☐ Sandy Redox (S5)
- ☐ Stripped Matrix (S6)
- ☐ Dark Surface (S7) (LRR P, S, T, U)
- ☐ Polyvalue Below Surface (S8) (LRR S, T, U)
- ☐ Thin Dark Surface (S9) (LRR S, T, U)
- ☐ Loamy Mucky Mineral (F1) (LRR O)
- ☐ Loamy Gleyed Matrix (F2)
- ☐ Depleted Matrix (F3)
- ☐ Redox Dark Surface (F6)
- ☐ Depleted Dark Surface (F7)
- ☐ Redox Depressions (F8)
- ☐ Marl (F10) (LRR U)
- ☐ Depleted Ochric (F11) (MLRA 151)
- ☐ Iron-Manganese Masses (F12) (LRR O, P, T)
- ☐ Umbric Surface (F13) (LRR P, T, U)
- ☐ Delta Ochric (F17) (MLRA 151)
- ☐ Reduced Vertic (F18) (MLRA 150A, 150B)
- ☐ Piedmont Floodplain Soils (F19) (MLRA 149A)
- ☐ Anomalous Bright Loamy Soils (F20) (MLRA 149A, 153C, 153D)

Indicators for Problematic Hydric Soils[3]:

- ☐ 1 cm Muck (A9) (LRR O)
- ☐ 2 cm Muck (A10) (LRR S)
- ☐ Reduced Vertic (F18) (outside MLRA 150A,B)
- ☐ Piedmont Floodplain Soils (F19) (LRR P, S, T)
- ☐ Anomalous Bright Loamy Soils (F20) (MLRA 153B)
- ☐ Red Parent Material (TF2)
- ☐ Very Shallow Dark Surface (TF12)
- ☐ Other (Explain in Remarks)

[3] Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic.

Restrictive Layer (if observed):

Type: _____

Depth (inches): _____

Hydric Soil Present? Yes ○ No ◉

Remarks:

Typical PoA soil

WETLAND DETERMINATION DATA FORM - Atlantic and Gulf Coastal Plain Region

Project/Site: 80 ac North Swan City/County: Harrison Sampling Date: 20-May-22

Applicant/Owner: Engineering Xcellence State: MS Sampling Point: Plot 5

Investigator(s): R. Ellis, D. Bartlett & A.G. Boxx Section, Township, Range: S 27 T 6-S R 11-W

Landform (hillslope, terrace, etc.): Local relief (concave, convex, none): Slope: 0.0 % / 0.0 °

Subregion (LRR or MLRA): LRR T Lat.: 30° 29' 11.479" N Long.: 89° 4' 44.056" W Datum:

Soil Map Unit Name: Poarch fine sandy loam, 0 to 2 percent slopes (PoA) NWI classification: N/A

Are climatic/hydrologic conditions on the site typical for this time of year? Yes ◉ No ○ (If no, explain in Remarks.)

Are Vegetation ☐, Soil ☐, or Hydrology ☐ significantly disturbed? Are "Normal Circumstances" present? Yes ◉ No ○

Are Vegetation ☐, Soil ☐, or Hydrology ☐ naturally problematic? (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS - Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present?	Yes ◉ No ○	Is the Sampled Area within a Wetland? Yes ◉ No ○
Hydric Soil Present?	Yes ◉ No ○	
Wetland Hydrology Present?	Yes ◉ No ○	

Remarks:

HYDROLOGY

Wetland Hydrology Indicators:

Primary Indicators (minimum of one required; check all that apply)

- ☐ Surface Water (A1)
- ☐ High Water Table (A2)
- ☐ Saturation (A3)
- ☐ Water Marks (B1)
- ☐ Sediment Deposits (B2)
- ☐ Drift Deposits (B3)
- ☐ Algal Mat or Crust (B4)
- ☐ Iron Deposits (B5)
- ☐ Inundation Visible on Aerial Imagery (B7)
- ☐ Water-Stained Leaves (B9)
- ☐ Aquatic Fauna (B13)
- ☐ Marl Deposits (B15) (LRR U)
- ☐ Hydrogen Sulfide Odor (C1)
- ☑ Oxidized Rhizospheres along Living Roots (C3)
- ☐ Presence of Reduced Iron (C4)
- ☐ Recent Iron Reduction in Tilled Soils (C6)
- ☐ Thin Muck Surface (C7)
- ☐ Other (Explain in Remarks)

Secondary Indicators (minimum of 2 required)

- ☐ Surface Soil Cracks (B6)
- ☐ Sparsely Vegetated Concave Surface (B8)
- ☑ Drainage Patterns (B10)
- ☐ Moss Trim Lines (B16)
- ☐ Dry Season Water Table (C2)
- ☐ Crayfish Burrows (C8)
- ☐ Saturation Visible on Aerial Imagery (C9)
- ☑ Geomorphic Position (D2)
- ☐ Shallow Aquitard (D3)
- ☑ FAC-Neutral Test (D5)
- ☐ Sphagnum moss (D8) (LRR T, U)

Field Observations:

Surface Water Present?	Yes ○	No ◉	Depth (inches):
Water Table Present?	Yes ○	No ◉	Depth (inches):
Saturation Present? (includes capillary fringe)	Yes ○	No ◉	Depth (inches):

Wetland Hydrology Present? Yes ◉ No ○

Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks:

VEGETATION (Five/Four Strata) - Use scientific names of plants.

Sampling Point: Plot 5

Tree Stratum (Plot size: 30m)	Absolute % Cover	Dominant Species?	Rel.Strat. Cover	Indicator Status
1. Pinus palustris	15	☑	21.4%	FACU
2. Cyrilla racemiflora	40	☑	57.1%	FACW
3. Quercus nigra	5	☐	7.1%	FAC
4. Magnolia virginiana	10	☐	14.3%	FACW
5.	0	☐	0.0%	
6.	0	☐	0.0%	
7.	0	☐	0.0%	
8.	0	☐	0.0%	
50% of Total Cover: 35 20% of Total Cover: 14	70	= Total Cover		

Sapling or Sapling/Shrub Stratum (Plot size: 30m)				
1. Ilex coriacea	30	☑	100.0%	FACW
2.	0	☐	0.0%	
3.	0	☐	0.0%	
4.	0	☐	0.0%	
5.	0	☐	0.0%	
6.	0	☐	0.0%	
7.	0	☐	0.0%	
8.	0	☐	0.0%	
50% of Total Cover: 15 20% of Total Cover: 6	30	= Total Cover		

Shrub Stratum (Plot size:)			
1.	0	☐	0.0%
2.	0	☐	0.0%
3.	0	☐	0.0%
4.	0	☐	0.0%
5.	0	☐	0.0%
6.	0	☐	0.0%
50% of Total Cover: 0 20% of Total Cover: 0	0	= Total Cover	

Herb Stratum (Plot size: 30m)				
1. Ilex coriacea	4	☐	100.0%	FACW
2.	0	☐	0.0%	
3.	0	☐	0.0%	
4.	0	☐	0.0%	
5.	0	☐	0.0%	
6.	0	☐	0.0%	
7.	0	☐	0.0%	
8.	0	☐	0.0%	
9.	0	☐	0.0%	
10.	0	☐	0.0%	
11.	0	☐	0.0%	
12.	0	☐	0.0%	
50% of Total Cover: 2 20% of Total Cover: 0.8	4	= Total Cover		

Woody Vine Stratum (Plot size:)			
1.	0	☐	0.0%
2.	0	☐	0.0%
3.	0	☐	0.0%
4.	0	☐	0.0%
5.	0	☐	0.0%
50% of Total Cover: 0 20% of Total Cover: 0	0	= Total Cover	

Dominance Test worksheet:

Number of Dominant Species That are OBL, FACW, or FAC:	2	(A)
Total Number of Dominant Species Across All Strata:	3	(B)
Percent of dominant Species That Are OBL, FACW, or FAC:	66.7%	(A/B)

Prevalence Index worksheet:

	Total % Cover of:		Multiply by:
OBL species	0	x 1 =	0
FACW species	84	x 2 =	168
FAC species	5	x 3 =	15
FACU species	15	x 4 =	60
UPL species	0	x 5 =	0
Column Totals:	104 (A)		243 (B)

Prevalence Index = B/A = 2.337

Hydrophytic Vegetation Indicators:

- ☐ 1 - Rapid Test for Hydrophytic Vegetation
- ☑ 2 - Dominance Test is > 50%
- ☑ 3 - Prevalence Index is ≤3.0 [1]
- ☐ Problematic Hydrophytic Vegetation [1] (Explain)

[1] Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.

Definition of Vegetation Strata:

Tree - Woody plants, excluding woody vines, approximately 20 ft (6 m) or more in height and 3 in. (7.6 cm) or larger in diameter at breast height (DBH).

Sapling - Woody plants, excluding woody vines, approximately 20 ft (6 m) or more in height and less than 3 in. (7.6 cm) DBH.

Sapling/Shrub - Woody plants, excluding vines, less than 3 in. DBH and greater than 3.28 ft (1m) tall.

Shrub - Woody plants, excluding woody vines, approximately 3 to 20 ft (1 to 6 m) in height.

Herb - All herbaceous (non-woody) plants, including herbaceous vines, regardless of size, and woody plants, except woody vines, less than approximately 3 ft (1 m) in height.

Woody vine - All woody vines, regardless of height.

Hydrophytic Vegetation Present? Yes ◉ No ○

Remarks: (If observed, list morphological adaptations below).

*Indicator suffix = National status or professional decision assigned because Regional status not defined by FWS.

SOIL

Sampling Point: Plot 5

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)

Depth (inches)	Matrix Color (moist)	Matrix %	Redox Features Color (moist)	Redox %	Type[1]	Loc[2]	Texture	Remarks
0-3								organic
3-11	10YR 5/1	87	10YR 7/1	10			Fine Sandy Loam	
+mottle	10YR 5/8	3					Fine Sandy Loam	
11-19	10YR 7/3	97	10YR 5/8	3			Fine Sandy Loam	

[1]Type: C=Concentration, D=Depletion, RM=Reduced Matrix, CS=Covered or Coated Sand Grains [2]Location: PL=Pore Lining, M=Matrix

Hydric Soil Indicators:

- ☐ Histosol (A1)
- ☐ Histic Epipedon (A2)
- ☐ Black Histic (A3)
- ☐ Hydrogen Sulfide (A4)
- ☐ Stratified Layers (A5)
- ☐ Organic Bodies (A6) (LRR P, T, U)
- ☐ 5 cm Mucky Mineral (A7) (LRR P, T, U)
- ☐ Muck Presence (A8) (LRR U)
- ☐ 1 cm Muck (A9) (LRR P, T)
- ☐ Depleted Below Dark Surface (A11)
- ☐ Thick Dark Surface (A12)
- ☐ Coast Prairie Redox (A16) (MLRA 150A)
- ☐ Sandy Muck Mineral (S1) (LRR O, S)
- ☐ Sandy Gleyed Matrix (S4)
- ☑ Sandy Redox (S5)
- ☐ Stripped Matrix (S6)
- ☐ Dark Surface (S7) (LRR P, S, T, U)
- ☐ Polyvalue Below Surface (S8) (LRR S, T, U)
- ☐ Thin Dark Surface (S9) (LRR S, T, U)
- ☐ Loamy Mucky Mineral (F1) (LRR O)
- ☐ Loamy Gleyed Matrix (F2)
- ☑ Depleted Matrix (F3)
- ☐ Redox Dark Surface (F6)
- ☐ Depleted Dark Surface (F7)
- ☐ Redox Depressions (F8)
- ☐ Marl (F10) (LRR U)
- ☐ Depleted Ochric (F11) (MLRA 151)
- ☐ Iron-Manganese Masses (F12) (LRR O, P, T)
- ☐ Umbric Surface (F13) (LRR P, T, U)
- ☐ Delta Ochric (F17) (MLRA 151)
- ☐ Reduced Vertic (F18) (MLRA 150A, 150B)
- ☐ Piedmont Floodplain Soils (F19) (MLRA 149A)
- ☐ Anomalous Bright Loamy Soils (F20) (MLRA 149A, 153C, 153D)

Indicators for Problematic Hydric Soils[3]:

- ☐ 1 cm Muck (A9) (LRR O)
- ☐ 2 cm Muck (A10) (LRR S)
- ☐ Reduced Vertic (F18) (outside MLRA 150A,B)
- ☐ Piedmont Floodplain Soils (F19) (LRR P, S, T)
- ☐ Anomalous Bright Loamy Soils (F20) (MLRA 153B)
- ☐ Red Parent Material (TF2)
- ☐ Very Shallow Dark Surface (TF12)
- ☐ Other (Explain in Remarks)

[3]Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic.

Restrictive Layer (if observed):

Type: _____

Depth (inches): _____

Hydric Soil Present? Yes ◉ No ○

Remarks:

'A' horizon is deeper and shows signs of oxidation (compared to Plot 4)

WETLAND DETERMINATION DATA FORM - Atlantic and Gulf Coastal Plain Region

Project/Site: 80 ac North Swan City/County: Harrison Sampling Date: 24-May-22

Applicant/Owner: Engineering Xcellence State: MS Sampling Point: Plot 6

Investigator(s): R. Ellis, D. Bartlett & A.G. Boxx Section, Township, Range: S 27 T 6-S R 11-W

Landform (hillslope, terrace, etc.): Local relief (concave, convex, none): Slope: 0.0 % / 0.0°

Subregion (LRR or MLRA): LRR T Lat.: 30° 29' 31.237" N Long.: 89° 4' 51.458" W Datum:

Soil Map Unit Name: Poarch fine sandy loam, 0 to 2 percent slopes (PoA) NWI classification: PFO4/SS3B

Are climatic/hydrologic conditions on the site typical for this time of year? Yes ◉ No ○ (If no, explain in Remarks.)

Are Vegetation ☐, Soil ☐, or Hydrology ☐ significantly disturbed? Are "Normal Circumstances" present? Yes ◉ No ○

Are Vegetation ☐, Soil ☐, or Hydrology ☐ naturally problematic? (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS - Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present?	Yes ◉	No ○
Hydric Soil Present?	Yes ◉	No ○
Wetland Hydrology Present?	Yes ◉	No ○

Is the Sampled Area within a Wetland? Yes ◉ No ○

Remarks:

HYDROLOGY

Wetland Hydrology Indicators:

Primary Indicators (minimum of one required; check all that apply)

- ☐ Surface Water (A1)
- ☐ High Water Table (A2)
- ☑ Saturation (A3)
- ☐ Water Marks (B1)
- ☐ Sediment Deposits (B2)
- ☐ Drift Deposits (B3)
- ☐ Algal Mat or Crust (B4)
- ☐ Iron Deposits (B5)
- ☐ Inundation Visible on Aerial Imagery (B7)
- ☐ Water-Stained Leaves (B9)
- ☐ Aquatic Fauna (B13)
- ☐ Marl Deposits (B15) (LRR U)
- ☐ Hydrogen Sulfide Odor (C1)
- ☑ Oxidized Rhizospheres along Living Roots (C3)
- ☐ Presence of Reduced Iron (C4)
- ☐ Recent Iron Reduction in Tilled Soils (C6)
- ☐ Thin Muck Surface (C7)
- ☐ Other (Explain in Remarks)

Secondary Indicators (minimum of 2 required)

- ☐ Surface Soil Cracks (B6)
- ☐ Sparsely Vegetated Concave Surface (B8)
- ☐ Drainage Patterns (B10)
- ☐ Moss Trim Lines (B16)
- ☐ Dry Season Water Table (C2)
- ☐ Crayfish Burrows (C8)
- ☐ Saturation Visible on Aerial Imagery (C9)
- ☐ Geomorphic Position (D2)
- ☐ Shallow Aquitard (D3)
- ☑ FAC-Neutral Test (D5)
- ☐ Sphagnum moss (D8) (LRR T, U)

Field Observations:

Surface Water Present?	Yes ○	No ◉	Depth (inches):
Water Table Present?	Yes ○	No ◉	Depth (inches):
Saturation Present? (Includes capillary fringe)	Yes ◉	No ○	Depth (inches): 17

Wetland Hydrology Present? Yes ◉ No ○

Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks:

VEGETATION (Five/Four Strata) - Use scientific names of plants.

Sampling Point: Plot 6

Tree Stratum (Plot size: 30m)	Absolute % Cover	Dominant Species?	Rel.Strat. Cover	Indicator Status
1. Pinus palustris	25	☑	29.4%	FACU
2. Quercus nigra	10	☐	11.8%	FAC
3. Cyrilla racemiflora	15	☐	17.6%	FACW
4. Magnolia virginiana	30	☑	35.3%	FACW
5. Symplocos tinctoria	5	☐	5.9%	FAC
6.	0	☐	0.0%	
7.	0	☐	0.0%	
8.	0	☐	0.0%	
50% of Total Cover: 42.5 20% of Total Cover: 17	85	= Total Cover		

Sapling or Sapling/Shrub Stratum (Plot size: 30m)				
1. Ilex coriacea	30	☑	66.7%	FACW
2. Vaccinium elliottii	10	☑	22.2%	FACW
3. Cyrilla racemiflora	5	☐	11.1%	FACW
4.	0	☐	0.0%	
5.	0	☐	0.0%	
6.	0	☐	0.0%	
7.	0	☐	0.0%	
8.	0	☐	0.0%	
50% of Total Cover: 22.5 20% of Total Cover: 9	45	= Total Cover		

Shrub Stratum (Plot size:)				
1.	0	☐	0.0%	
2.	0	☐	0.0%	
3.	0	☐	0.0%	
4.	0	☐	0.0%	
5.	0	☐	0.0%	
6.	0	☐	0.0%	
50% of Total Cover: 0 20% of Total Cover: 0	0	= Total Cover		

Herb Stratum (Plot size: 30m)				
1. Ilex coriacea	6	☑	100.0%	FACW
2.	0	☐	0.0%	
3.	0	☐	0.0%	
4.	0	☐	0.0%	
5.	0	☐	0.0%	
6.	0	☐	0.0%	
7.	0	☐	0.0%	
8.	0	☐	0.0%	
9.	0	☐	0.0%	
10.	0	☐	0.0%	
11.	0	☐	0.0%	
12.	0	☐	0.0%	
50% of Total Cover: 3 20% of Total Cover: 1.2	6	= Total Cover		

Woody Vine Stratum (Plot size: 30m)				
1. Vitis rotundifolia	3	☐	100.0%	FAC
2.	0	☐	0.0%	
3.	0	☐	0.0%	
4.	0	☐	0.0%	
5.	0	☐	0.0%	
50% of Total Cover: 1.5 20% of Total Cover: 0.6	3	= Total Cover		

Dominance Test worksheet:

Number of Dominant Species That are OBL, FACW, or FAC: 4 (A)

Total Number of Dominant Species Across All Strata: 5 (B)

Percent of dominant Species That Are OBL, FACW, or FAC: 80.0% (A/B)

Prevalence Index worksheet:

	Total % Cover of:		Multiply by:
OBL species	0	x 1 =	0
FACW species	96	x 2 =	192
FAC species	18	x 3 =	54
FACU species	25	x 4 =	100
UPL species	0	x 5 =	0
Column Totals:	139 (A)		346 (B)

Prevalence Index = B/A = 2.489

Hydrophytic Vegetation Indicators:

- ☐ 1 - Rapid Test for Hydrophytic Vegetation
- ☑ 2 - Dominance Test is > 50%
- ☑ 3 - Prevalence Index is ≤3.0 [1]
- ☐ Problematic Hydrophytic Vegetation [1] (Explain)

[1] Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.

Definition of Vegetation Strata:

Tree - Woody plants, excluding woody vines, approximately 20 ft (6 m) or more in height and 3 in. (7.6 cm) or larger in diameter at breast height (DBH).

Sapling - Woody plants, excluding woody vines, approximately 20 ft (6 m) or more in height and less than 3 in. (7.6 cm) DBH.

Sapling/Shrub - Woody plants, excluding vines, less than 3 in. DBH and greater than 3.28 ft (1m) tall.

Shrub - Woody plants, excluding woody vines, approximately 3 to 20 ft (1 to 6 m) in height.

Herb - All herbaceous (non-woody) plants, including herbaceous vines, regardless of size, and woody plants, except woody vines, less than approximately 3 ft (1 m) in height.

Woody vine - All woody vines, regardless of height.

Hydrophytic Vegetation Present? Yes ◉ No ○

Remarks: (If observed, list morphological adaptations below).

*Indicator suffix = National status or professional decision assigned because Regional status not defined by FWS.

SOIL

Sampling Point: Plot 6

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)

Depth (Inches)	Matrix Color (moist)	Matrix %	Redox Features Color (moist)	Redox %	Type[1]	Loc[2]	Texture	Remarks
1-7	10YR 5/1	70	10YR 7/1	25			Fine Sandy Loam	
+mottle	10YR 6/8	5					Fine Sandy Loam	
7-27	10YR 6/1	60	10YR 7/1	30			Fine Sandy Loam	
+mottle	10YR 6/8	100					Fine Sandy Loam	

[1] Type: C=Concentration, D=Depletion, RM=Reduced Matrix, CS=Covered or Coated Sand Grains [2]Location: PL=Pore Lining, M=Matrix

Hydric Soil Indicators:

- ☐ Histosol (A1)
- ☐ Histic Epipedon (A2)
- ☐ Black Histic (A3)
- ☐ Hydrogen Sulfide (A4)
- ☐ Stratified Layers (A5)
- ☐ Organic Bodies (A6) (LRR P, T, U)
- ☐ 5 cm Mucky Mineral (A7) (LRR P, T, U)
- ☐ Muck Presence (A8) (LRR U)
- ☐ 1 cm Muck (A9) (LRR P, T)
- ☐ Depleted Below Dark Surface (A11)
- ☐ Thick Dark Surface (A12)
- ☐ Coast Prairie Redox (A16) (MLRA 150A)
- ☐ Sandy Muck Mineral (S1) (LRR O, S)
- ☐ Sandy Gleyed Matrix (S4)
- ☑ Sandy Redox (S5)
- ☐ Stripped Matrix (S6)
- ☐ Dark Surface (S7) (LRR P, S, T, U)
- ☐ Polyvalue Below Surface (S8) (LRR S, T, U)
- ☐ Thin Dark Surface (S9) (LRR S, T, U)
- ☐ Loamy Mucky Mineral (F1) (LRR O)
- ☐ Loamy Gleyed Matrix (F2)
- ☑ Depleted Matrix (F3)
- ☐ Redox Dark Surface (F6)
- ☐ Depleted Dark Surface (F7)
- ☐ Redox Depressions (F8)
- ☐ Marl (F10) (LRR U)
- ☐ Depleted Ochric (F11) (MLRA 151)
- ☐ Iron-Manganese Masses (F12) (LRR O, P, T)
- ☐ Umbric Surface (F13) (LRR P, T, U)
- ☐ Delta Ochric (F17) (MLRA 151)
- ☐ Reduced Vertic (F18) (MLRA 150A, 150B)
- ☐ Piedmont Floodplain Soils (F19) (MLRA 149A)
- ☐ Anomalous Bright Loamy Soils (F20) (MLRA 149A, 153C, 153D)

Indicators for Problematic Hydric Soils[3]:

- ☐ 1 cm Muck (A9) (LRR O)
- ☐ 2 cm Muck (A10) (LRR S)
- ☐ Reduced Vertic (F18) (outside MLRA 150A,B)
- ☐ Piedmont Floodplain Soils (F19) (LRR P, S, T)
- ☐ Anomalous Bright Loamy Soils (F20) (MLRA 153B)
- ☐ Red Parent Material (TF2)
- ☐ Very Shallow Dark Surface (TF12)
- ☐ Other (Explain in Remarks)

[3]Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic.

Restrictive Layer (if observed):

Type: _____

Depth (inches): _____

Hydric Soil Present? Yes ◉ No ○

Remarks:

WETLAND DETERMINATION DATA FORM - Atlantic and Gulf Coastal Plain Region

Project/Site: 80 ac North Swan City/County: Harrison Sampling Date: 24-May-22

Applicant/Owner: Engineering Xcellence State: MS Sampling Point: Plot 7

Investigator(s): R. Ellis, D. Bartlett & A.G. Boxx Section, Township, Range: S 27 T 6-S R 11-W

Landform (hillslope, terrace, etc.): Local relief (concave, convex, none): Slope: 0.0 % / 0.0°

Subregion (LRR or MLRA): LRR T Lat.: 30° 29' 32.094" N Long.: 89° 4' 51.639" W Datum:

Soil Map Unit Name: Poarch fine sandy loam, 0 to 2 percent slopes (PoA) NWI classification: N/A

Are climatic/hydrologic conditions on the site typical for this time of year? Yes ◉ No ○ (If no, explain in Remarks.)

Are Vegetation ☐, Soil ☐, or Hydrology ☐ significantly disturbed? Are "Normal Circumstances" present? Yes ◉ No ○

Are Vegetation ☐, Soil ☐, or Hydrology ☐ naturally problematic? (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS - Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present?	Yes ◉	No ○
Hydric Soil Present?	Yes ○	No ◉
Wetland Hydrology Present?	Yes ○	No ◉

Is the Sampled Area within a Wetland? Yes ○ No ◉

Remarks:

HYDROLOGY

Wetland Hydrology Indicators:

Primary Indicators (minimum of one required; check all that apply)

- ☐ Surface Water (A1)
- ☐ High Water Table (A2)
- ☐ Saturation (A3)
- ☐ Water Marks (B1)
- ☐ Sediment Deposits (B2)
- ☐ Drift Deposits (B3)
- ☐ Algal Mat or Crust (B4)
- ☐ Iron Deposits (B5)
- ☐ Inundation Visible on Aerial Imagery (B7)
- ☐ Water-Stained Leaves (B9)
- ☐ Aquatic Fauna (B13)
- ☐ Marl Deposits (B15) (LRR U)
- ☐ Hydrogen Sulfide Odor (C1)
- ☐ Oxidized Rhizospheres along Living Roots (C3)
- ☐ Presence of Reduced Iron (C4)
- ☐ Recent Iron Reduction in Tilled Soils (C6)
- ☐ Thin Muck Surface (C7)
- ☐ Other (Explain in Remarks)

Secondary Indicators (minimum of 2 required)

- ☐ Surface Soil Cracks (B6)
- ☐ Sparsely Vegetated Concave Surface (B8)
- ☐ Drainage Patterns (B10)
- ☐ Moss Trim Lines (B16)
- ☐ Dry Season Water Table (C2)
- ☐ Crayfish Burrows (C8)
- ☐ Saturation Visible on Aerial Imagery (C9)
- ☐ Geomorphic Position (D2)
- ☐ Shallow Aquitard (D3)
- ☑ FAC-Neutral Test (D5)
- ☐ Sphagnum moss (D8) (LRR T, U)

Field Observations:

Surface Water Present?	Yes ○	No ◉	Depth (inches):
Water Table Present?	Yes ○	No ◉	Depth (inches):
Saturation Present? (includes capillary fringe)	Yes ○	No ◉	Depth (inches):

Wetland Hydrology Present? Yes ○ No ◉

Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks:

Dump site

VEGETATION (Five/Four Strata) - Use scientific names of plants.

Sampling Point: Plot 7

Tree Stratum (Plot size: 30m)	Absolute % Cover	Dominant Species?	Rel.Strat. Cover	Indicator Status
1. Pinus palustris	30	☑	44.1%	FACU
2. Quercus nigra	20	☑	29.4%	FAC
3. Carya illinoensis	10	☐	14.7%	FACU
4. Magnolia virginiana	8	☐	11.8%	FACW
5.	0	☐	0.0%	
6.	0	☐	0.0%	
7.	0	☐	0.0%	
8.	0	☐	0.0%	
50% of Total Cover: 34 20% of Total Cover: 13.6	68	= Total Cover		

Sapling or Sapling/Shrub Stratum (Plot size: 30m)				
1. Ilex vomitoria	30	☑	62.5%	FAC
2. Ilex coriacea	18	☑	37.5%	FACW
3.	0	☐	0.0%	
4.	0	☐	0.0%	
5.	0	☐	0.0%	
6.	0	☐	0.0%	
7.	0	☐	0.0%	
8.	0	☐	0.0%	
50% of Total Cover: 24 20% of Total Cover: 9.6	48	= Total Cover		

Shrub Stratum (Plot size:)				
1.	0	☐	0.0%	
2.	0	☐	0.0%	
3.	0	☐	0.0%	
4.	0	☐	0.0%	
5.	0	☐	0.0%	
6.	0	☐	0.0%	
50% of Total Cover: 0 20% of Total Cover: 0	0	= Total Cover		

Herb Stratum (Plot size:)				
1.	0	☐	0.0%	
2.	0	☐	0.0%	
3.	0	☐	0.0%	
4.	0	☐	0.0%	
5.	0	☐	0.0%	
6.	0	☐	0.0%	
7.	0	☐	0.0%	
8.	0	☐	0.0%	
9.	0	☐	0.0%	
10.	0	☐	0.0%	
11.	0	☐	0.0%	
12.	0	☐	0.0%	
50% of Total Cover: 0 20% of Total Cover: 0	0	= Total Cover		

Woody Vine Stratum (Plot size: 30m)				
1. Vitis rotundifolia	5	☑	31.3%	FAC
2. Smilax laurifolia	8	☑	50.0%	FACW
3. Toxicodendron radicans	3	☐	18.8%	FAC
4.	0	☐	0.0%	
5.	0	☐	0.0%	
50% of Total Cover: 8 20% of Total Cover: 3.2	16	= Total Cover		

Dominance Test worksheet:

Number of Dominant Species That are OBL, FACW, or FAC: 5 (A)

Total Number of Dominant Species Across All Strata: 6 (B)

Percent of dominant Species That Are OBL, FACW, or FAC: 83.3% (A/B)

Prevalence Index worksheet:

	Total % Cover of:		Multiply by:
OBL species	0	x 1 =	0
FACW species	34	x 2 =	68
FAC species	58	x 3 =	174
FACU species	40	x 4 =	160
UPL species	0	x 5 =	0
Column Totals:	132 (A)		402 (B)

Prevalence Index = B/A = 3.045

Hydrophytic Vegetation Indicators:

- ☐ 1 - Rapid Test for Hydrophytic Vegetation
- ☑ 2 - Dominance Test is > 50%
- ☐ 3 - Prevalence Index is ≤3.0 [1]
- ☐ Problematic Hydrophytic Vegetation [1] (Explain)

[1] Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.

Definition of Vegetation Strata:

Tree - Woody plants, excluding woody vines, approximately 20 ft (6 m) or more in height and 3 in. (7.6 cm) or larger in diameter at breast height (DBH).

Sapling - Woody plants, excluding woody vines, approximately 20 ft (6 m) or more in height and less than 3 in. (7.6 cm) DBH.

Sapling/Shrub - Woody plants, excluding vines, less than 3 in. DBH and greater than 3.28 ft (1m) tall.

Shrub - Woody plants, excluding woody vines, approximately 3 to 20 ft (1 to 6 m) in height.

Herb - All herbaceous (non-woody) plants, including herbaceous vines, regardless of size, and woody plants, except woody vines, less than approximately 3 ft (1 m) in height.

Woody vine - All woody vines, regardless of height.

Hydrophytic Vegetation Present? Yes ◉ No ○

Remarks: (If observed, list morphological adaptations below).

*Indicator suffix = National status or professional decision assigned because Regional status not defined by FWS.

SOIL

Sampling Point: Plot 7

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)

Depth (inches)	Matrix Color (moist)	Matrix %	Redox Features Color (moist)	Redox %	Type[1]	Loc[2]	Texture	Remarks
0-2								organic
2-11	10YR 4/2	100					Fine Sandy Loam	
11-18	10YR 6/3	90	10YR 4/2	5			Fine Sandy Loam	some gravel (<5%)

[1] Type: C=Concentration, D=Depletion, RM=Reduced Matrix, CS=Covered or Coated Sand Grains [2] Location: PL=Pore Lining, M=Matrix

Hydric Soil Indicators:

- ☐ Histosol (A1)
- ☐ Histic Epipedon (A2)
- ☐ Black Histic (A3)
- ☐ Hydrogen Sulfide (A4)
- ☐ Stratified Layers (A5)
- ☐ Organic Bodies (A6) (LRR P, T, U)
- ☐ 5 cm Mucky Mineral (A7) (LRR P, T, U)
- ☐ Muck Presence (A8) (LRR U)
- ☐ 1 cm Muck (A9) (LRR P, T)
- ☐ Depleted Below Dark Surface (A11)
- ☐ Thick Dark Surface (A12)
- ☐ Coast Prairie Redox (A16) (MLRA 150A)
- ☐ Sandy Muck Mineral (S1) (LRR O, S)
- ☐ Sandy Gleyed Matrix (S4)
- ☐ Sandy Redox (S5)
- ☐ Stripped Matrix (S6)
- ☐ Dark Surface (S7) (LRR P, S, T, U)
- ☐ Polyvalue Below Surface (S8) (LRR S, T, U)
- ☐ Thin Dark Surface (S9) (LRR S, T, U)
- ☐ Loamy Mucky Mineral (F1) (LRR O)
- ☐ Loamy Gleyed Matrix (F2)
- ☐ Depleted Matrix (F3)
- ☐ Redox Dark Surface (F6)
- ☐ Depleted Dark Surface (F7)
- ☐ Redox Depressions (F8)
- ☐ Marl (F10) (LRR U)
- ☐ Depleted Ochric (F11) (MLRA 151)
- ☐ Iron-Manganese Masses (F12) (LRR O, P, T)
- ☐ Umbric Surface (F13) (LRR P, T, U)
- ☐ Delta Ochric (F17) (MLRA 151)
- ☐ Reduced Vertic (F18) (MLRA 150A, 150B)
- ☐ Piedmont Floodplain Soils (F19) (MLRA 149A)
- ☐ Anomalous Bright Loamy Soils (F20) (MLRA 149A, 153C, 153D)

Indicators for Problematic Hydric Soils[3]:

- ☐ 1 cm Muck (A9) (LRR O)
- ☐ 2 cm Muck (A10) (LRR S)
- ☐ Reduced Vertic (F18) (outside MLRA 150A,B)
- ☐ Piedmont Floodplain Soils (F19) (LRR P, S, T)
- ☐ Anomalous Bright Loamy Soils (F20) (MLRA 153B)
- ☐ Red Parent Material (TF2)
- ☐ Very Shallow Dark Surface (TF12)
- ☐ Other (Explain in Remarks)

[3] Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic.

Restrictive Layer (if observed):

Type: _____

Depth (inches): _____

Hydric Soil Present? Yes ○ No ◉

Remarks:

Poarch soils

Appendix B

Field Photographs

Figure B-1. View of soil profile from Plot 1 (May 19, 2022).

Figure B-2. View of vegetation from Plot 1 (May 19, 2022).

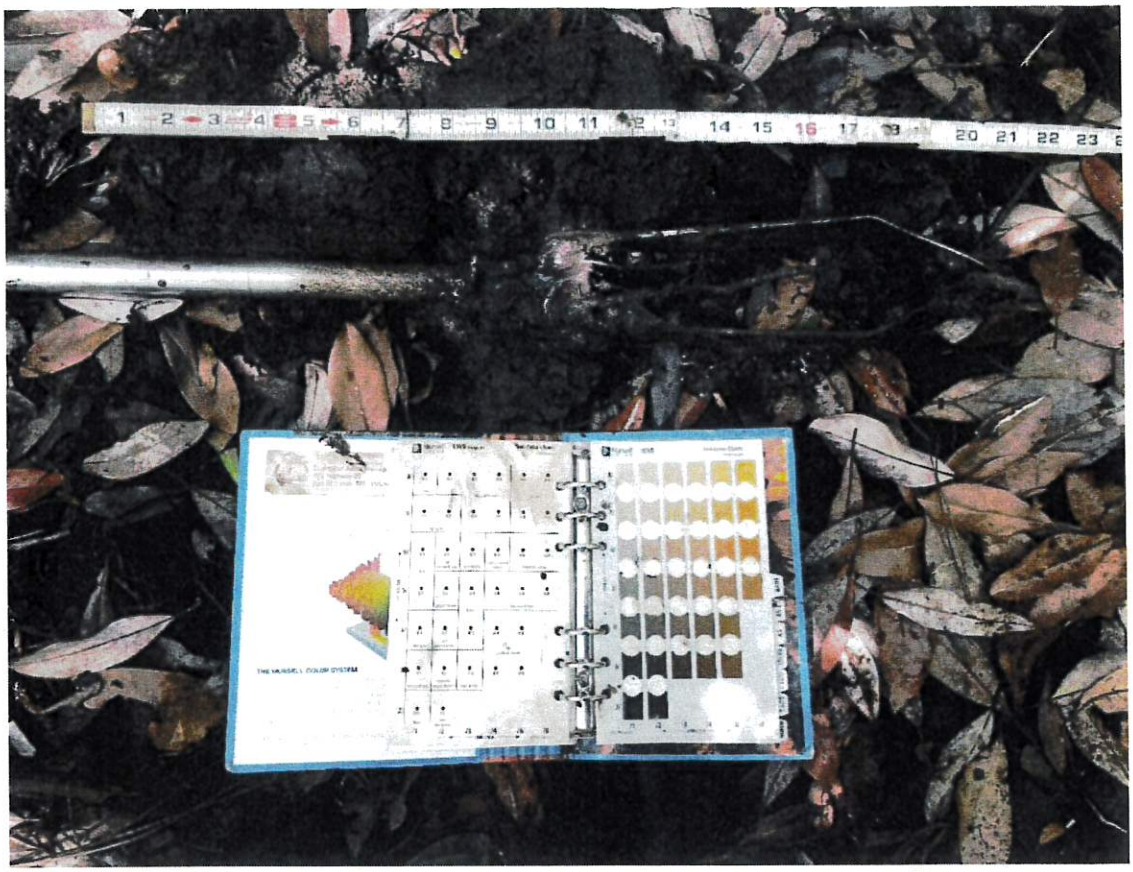


Figure B-3. View of soil profile from Plot 2 (May 19, 2022).

Figure B-4. View of vegetation from Plot 2 (May 19, 2022).

Figure B-5. View of soil profile from Plot 3 (May 19, 2022).

Figure B-6. View of vegetation from Plot 3 (May 19, 2022).

Figure B-7. View of soil profile from Plot 4 (May 20, 2022).

Figure B-8. View of vegetation from Plot 4 (May 20, 2022).

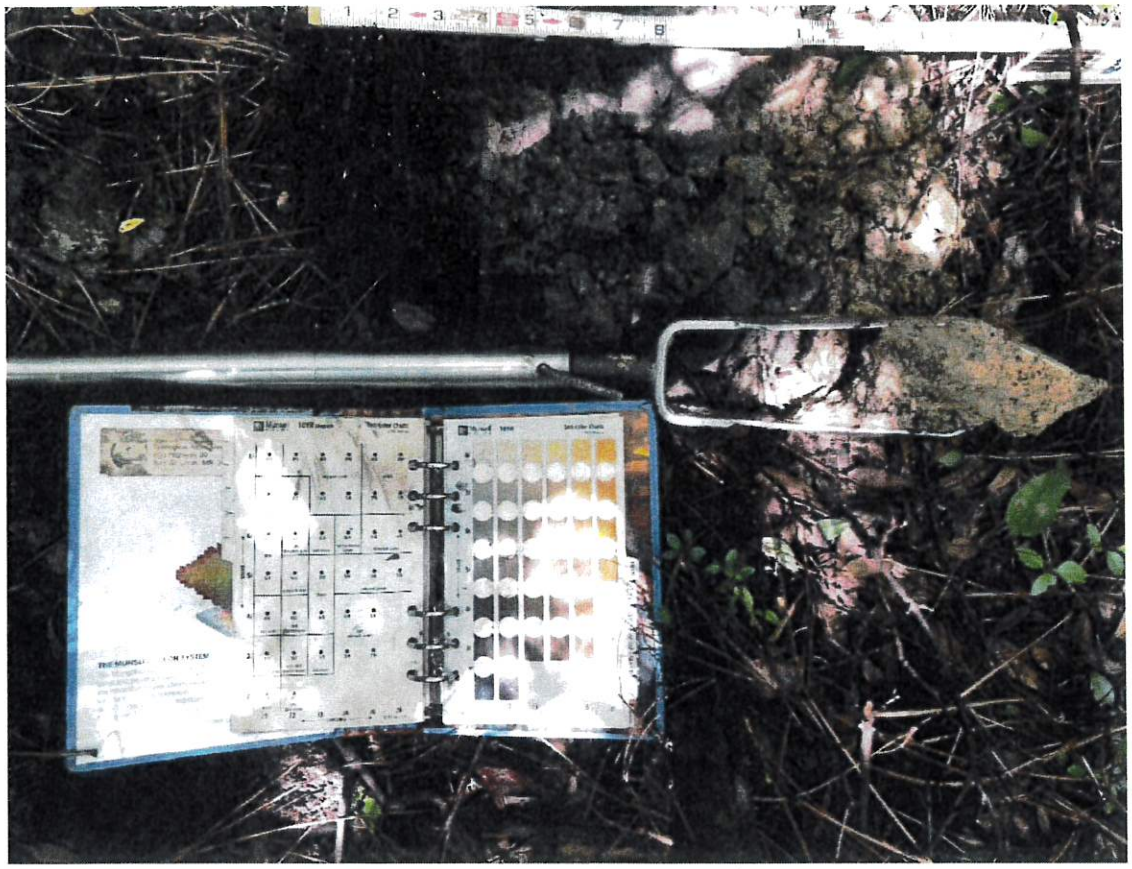


Figure B-9. View of soil profile from Plot 5 (May 20, 2022).

Figure B-10. View of vegetation from Plot 5 (May 20, 2022).

Figure B-11. View of soil profile from Plot 6 (May 24, 2022).

Figure B-12. View of vegetation from Plot 6 (May 24, 2022).

Figure B-13. View of soil profile from Plot 7 (May 24, 2022).

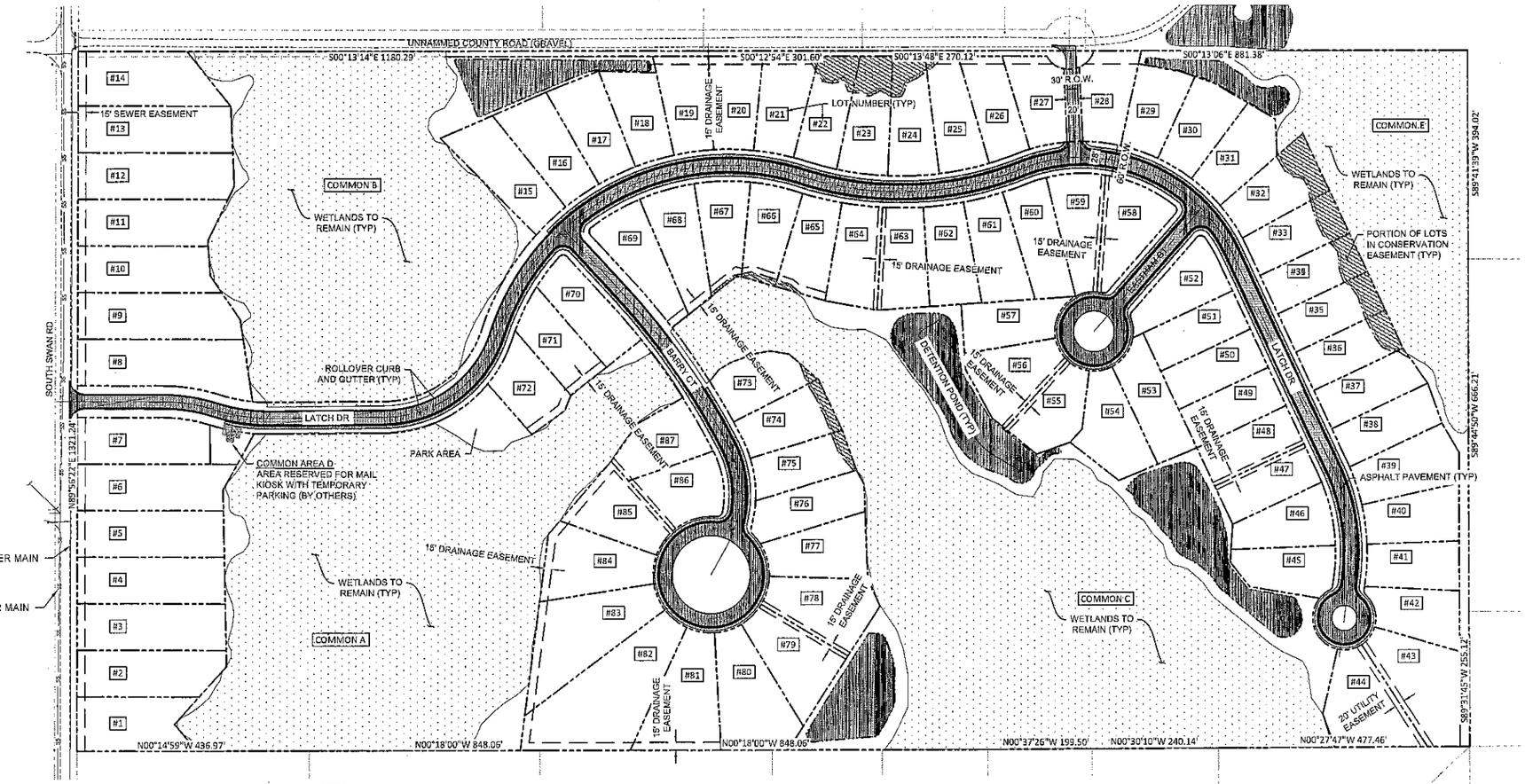
Figure B-14. View of vegetation from Plot 7 (May 24, 2022).

SWAN LANDING ESTATES

SOUTH SWAN ROAD - GULFPORT, MS

LOCATED IN SECTION 27, TOWNSHIP 6 SOUTH, RANGE 11 WEST
CITY OF GULFPORT, 1ST JUDICIAL DISTRICT OF HARRISON COUNTY, MISSISSIPPI

-100 0 100 200 300
SCALE: 1 INCH = 100 FEET

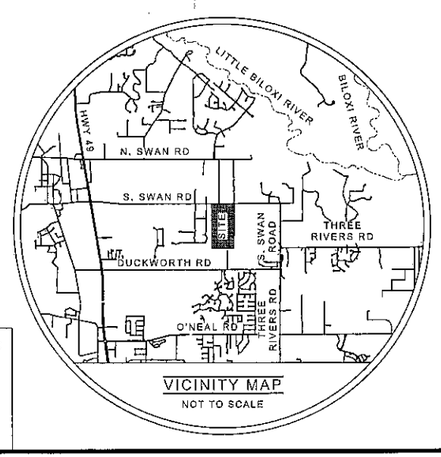


GENERAL SUBDIVISION PLAN SHEET LEGEND

1 OF 7 - PROJECT LAYOUT
2 OF 7 - DIMENSIONAL LAYOUT - NORTH
3 OF 7 - DIMENSIONAL LAYOUT - MIDDLE
4 OF 7 - DIMENSIONAL LAYOUT - SOUTH
5 OF 7 - PROJECT TABLES
6 OF 7 - BOUNDARY SURVEY
7 OF 7 - TOPO SURVEY

SHEET 1 OF 5 - PROJECT LAYOUT

GENERAL S/D PLAN BY:
PHELAN ENGINEERING LLC



VICINITY MAP
NOT TO SCALE

PROPOSED ROAD LENGTHS

LATCH DRIVE	- 3,225 LF
BARRY COURT	- 775 LF
EASTHAM COURT	- 310 LF

LAND AREA ANALYSIS

TOTAL	= 79.86 AC (100%)
WETLANDS	= 25.76 AC (32.3%)
R.O.W.	= 7.06 AC (8.9%)
COMMON AREA	= 9.24 AC (11.6%)
LOTS (87)	= 37.80 AC (47.3%)

MINIMUM BUILDING SETBACKS

FRONT YARD	= 25 FEET
REAR YARD	= 15 FEET
SIDE YARD	= 10 FEET*

*5' SYSB VARIANCE REQUIRED

MINIMUM BUILDING SITE AREA

MIN REQUIRED	= 15,000 SF
MIN PROVIDED	= 15,000 SF

BUILDING HEIGHT

MAX REQUIRED:	3 STORIES OR 35 FEET
MAX PROVIDED:	< 35 FEET

LOT COVERAGE

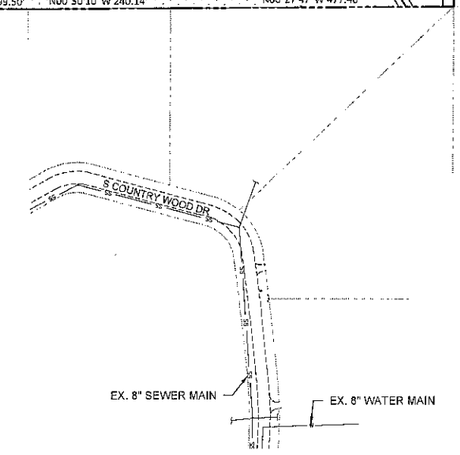
MAXIMUM ALLOWED:	45% OF LOT AREA
ANTICIPATED:	40% (MAX)

MISCELLANEOUS DATA

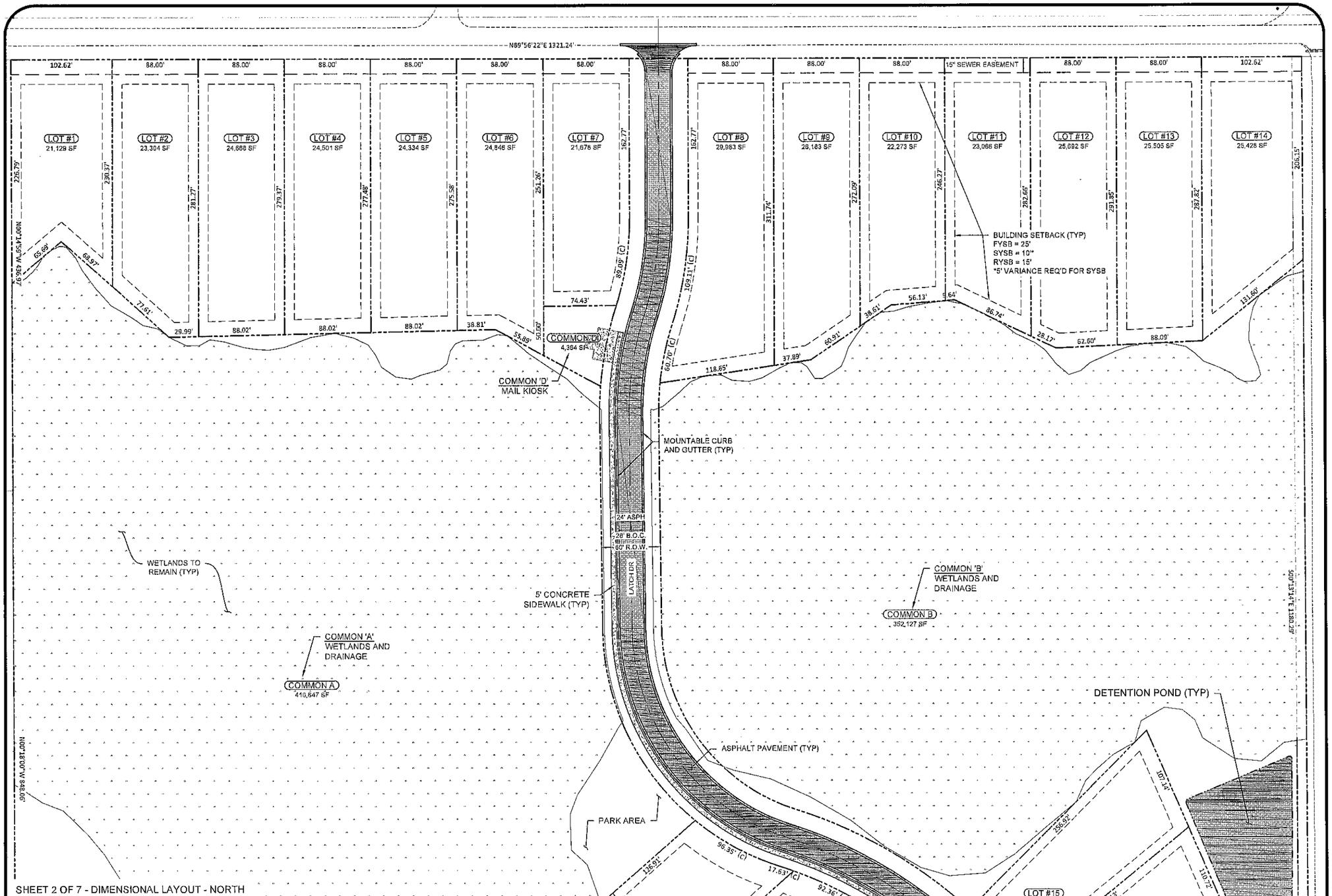
1. PRESENT TRACT DESIGNATION: 0807G-01-001.000
2. SUBDIVISION NAME: SWAN LANDING ESTATES
3. PRESENT OWNER: THE FLAIR FAMILY LLC, 225 GULF DRIVE, WAVELAND, MS 39576
4. SUBDIVIDER: GULF COAST DEVELOPMENT & DESIGN, LLC; 919 2ND STREET, GULFPORT, MS 39501
5. PROJECT ENGINEER: PHELAN ENGINEERING, LLC; ANDY PHELAN, PE
6. PROJECT LAND SURVEYOR: W ENGINEERING & GEOTECHNICAL; PETE WILLIAMS

FLOOD NOTE:

ENTIRE PROPERTY IS LOCATED IN A ZONE X (SHADED) PER MAP NUMBER 28047C0255H (EFFECTIVE 12/21/2017)



DECEMBER 28, 2023



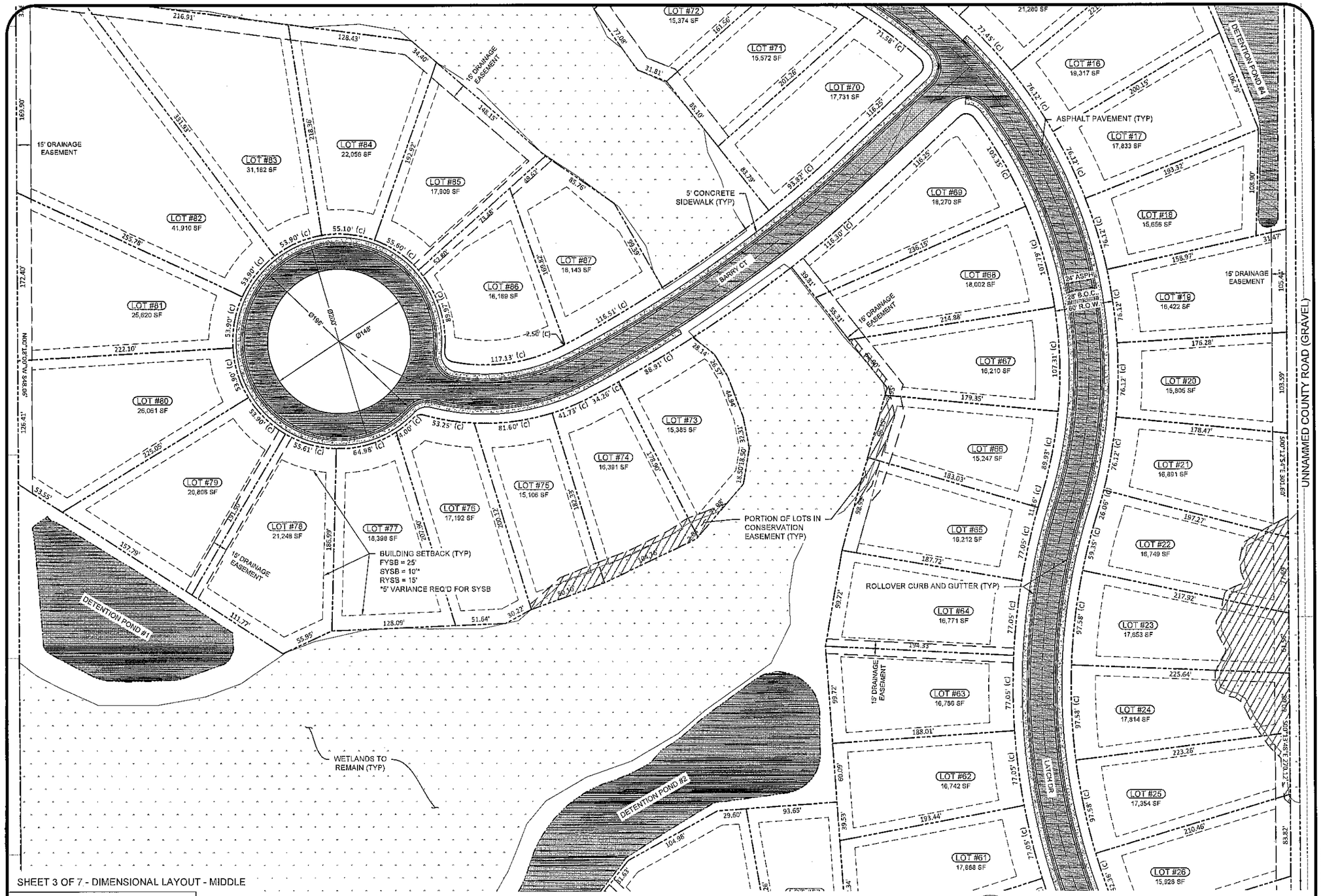
SHEET 2 OF 7 - DIMENSIONAL LAYOUT - NORTH

GENERAL S/D PLAN BY:
PHELAN
ENGINEERING LLC

SWAN LANDING ESTATES

SOUTH SWAN ROAD - GULFPORT, MS

DECEMBER 28, 2023



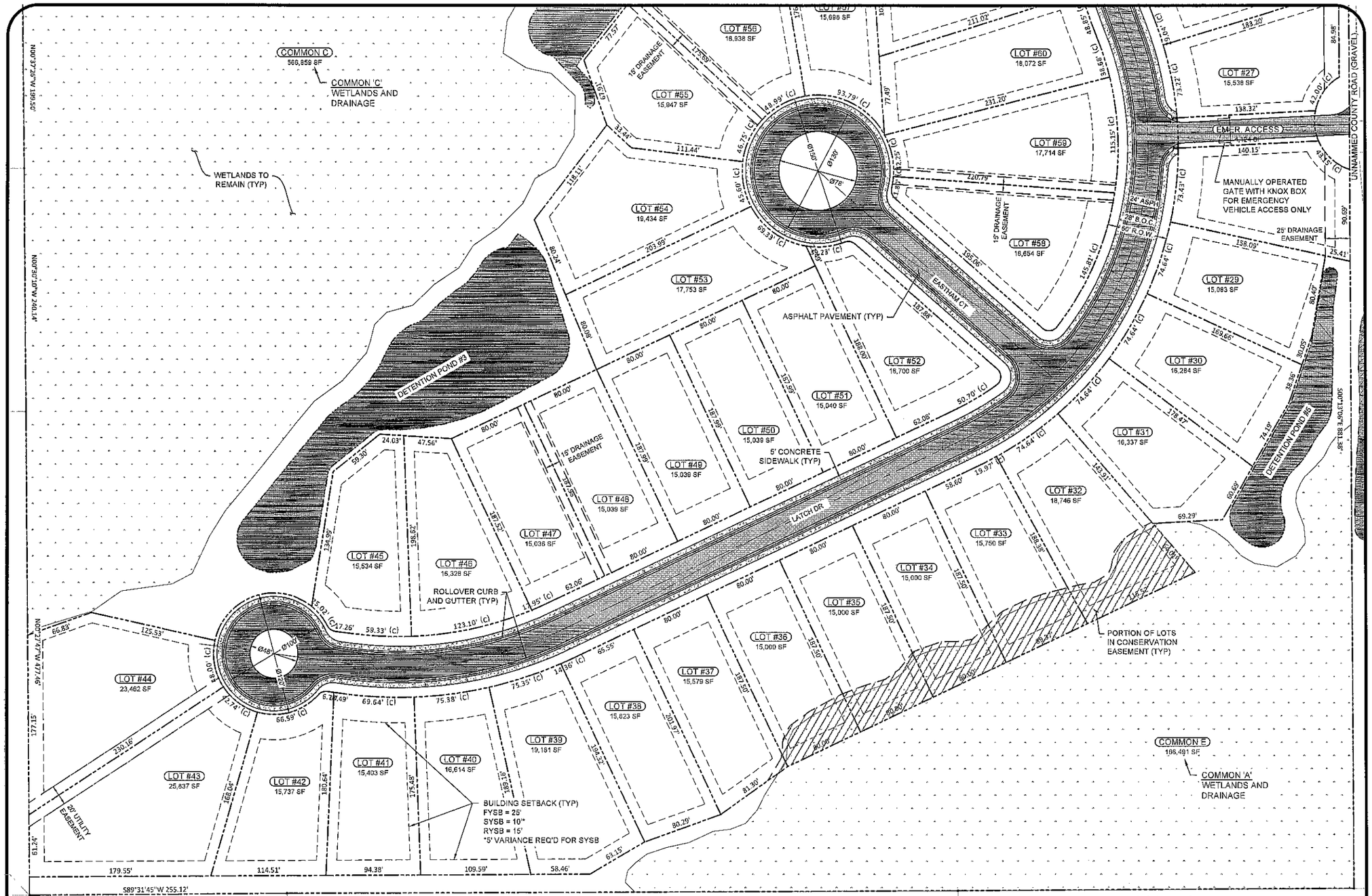
SHEET 3 OF 7 - DIMENSIONAL LAYOUT - MIDDLE

GENERAL S/D PLAN BY:
PHELAN ENGINEERING LLC

SWAN LANDING ESTATES

SOUTH SWAN ROAD - GULFPORT, MS

DECEMBER 28, 2023



SHEET 4 OF 7 - DIMENSIONAL LAYOUT - SOUTH

GENERAL S/D PLAN BY:
PHELAN ENGINEERING LLC

SWAN LANDING ESTATES

SOUTH SWAN ROAD - GULFPORT, MS

-60 0 60 120 180
SCALE: 1 INCH = 60 FEET

DECEMBER 28, 2023

PARCEL TABLE		
PARCEL #	AREA (SF)	AREA (AC)
~R.O.W.~	307,709	7.064
COMMON A	410,647	9.427
COMMON B	352,127	8.084
COMMON C	566,859	13.013
COMMON D	4,364	0.100
COMMON E	186,491	4.281
EMER. ACCESS	4,124	0.095
LOT #1	21,129	0.485
LOT #2	23,304	0.535
LOT #3	24,668	0.566
LOT #4	24,501	0.562
LOT #5	24,334	0.559
LOT #6	24,846	0.570
LOT #7	21,678	0.498

PARCEL TABLE		
PARCEL #	AREA (SF)	AREA (AC)
LOT #8	29,983	0.688
LOT #9	26,183	0.601
LOT #10	22,273	0.511
LOT #11	23,066	0.530
LOT #12	25,692	0.590
LOT #13	25,505	0.586
LOT #14	25,428	0.584
LOT #15	21,280	0.489
LOT #16	19,317	0.443
LOT #17	17,833	0.409
LOT #18	15,656	0.359
LOT #19	16,422	0.377
LOT #20	15,805	0.363
LOT #21	16,891	0.388

PARCEL TABLE		
PARCEL #	AREA (SF)	AREA (AC)
LOT #22	16,749	0.385
LOT #23	17,653	0.405
LOT #24	17,814	0.409
LOT #25	17,354	0.398
LOT #26	15,928	0.366
LOT #27	15,538	0.357
LOT #28	16,282	0.374
LOT #29	15,083	0.346
LOT #30	16,284	0.374
LOT #31	16,337	0.375
LOT #32	18,746	0.430
LOT #33	15,750	0.362
LOT #34	15,000	0.344
LOT #35	15,000	0.344

PARCEL TABLE		
PARCEL #	AREA (SF)	AREA (AC)
LOT #36	15,000	0.344
LOT #37	15,579	0.358
LOT #38	15,823	0.363
LOT #39	19,181	0.440
LOT #40	16,614	0.381
LOT #41	15,403	0.354
LOT #42	15,737	0.361
LOT #43	25,837	0.593
LOT #44	23,462	0.539
LOT #45	15,534	0.357
LOT #46	16,328	0.375
LOT #47	15,036	0.345
LOT #48	15,039	0.345
LOT #49	15,039	0.345

PARCEL TABLE		
PARCEL #	AREA (SF)	AREA (AC)
LOT #50	15,039	0.345
LOT #51	15,040	0.345
LOT #52	16,700	0.383
LOT #53	17,753	0.408
LOT #54	19,434	0.446
LOT #55	15,947	0.366
LOT #56	18,938	0.435
LOT #57	15,698	0.360
LOT #58	18,654	0.428
LOT #59	17,714	0.407
LOT #60	18,072	0.415
LOT #61	17,888	0.411
LOT #62	16,742	0.384
LOT #63	16,786	0.385

PARCEL TABLE		
PARCEL #	AREA (SF)	AREA (AC)
LOT #64	16,771	0.385
LOT #65	16,212	0.372
LOT #66	15,247	0.350
LOT #67	16,210	0.372
LOT #68	18,002	0.413
LOT #69	18,270	0.419
LOT #70	17,731	0.407
LOT #71	15,572	0.357
LOT #72	15,374	0.353
LOT #73	15,365	0.353
LOT #74	16,391	0.376
LOT #75	15,106	0.347
LOT #76	17,192	0.395
LOT #77	18,398	0.422

PARCEL TABLE		
PARCEL #	AREA (SF)	AREA (AC)
LOT #78	21,248	0.488
LOT #79	20,806	0.478
LOT #80	26,061	0.598
LOT #81	25,620	0.588
LOT #82	41,910	0.962
LOT #83	31,182	0.716
LOT #84	22,055	0.506
LOT #85	17,909	0.411
LOT #86	16,169	0.371
LOT #87	16,143	0.371

SHEET 5 OF 7 - PROJECT TABLES

GENERAL S/D PLAN BY:
PHELAN
ENGINEERING LLC

SWAN LANDING ESTATES

SOUTH SWAN ROAD - GULFPORT, MS

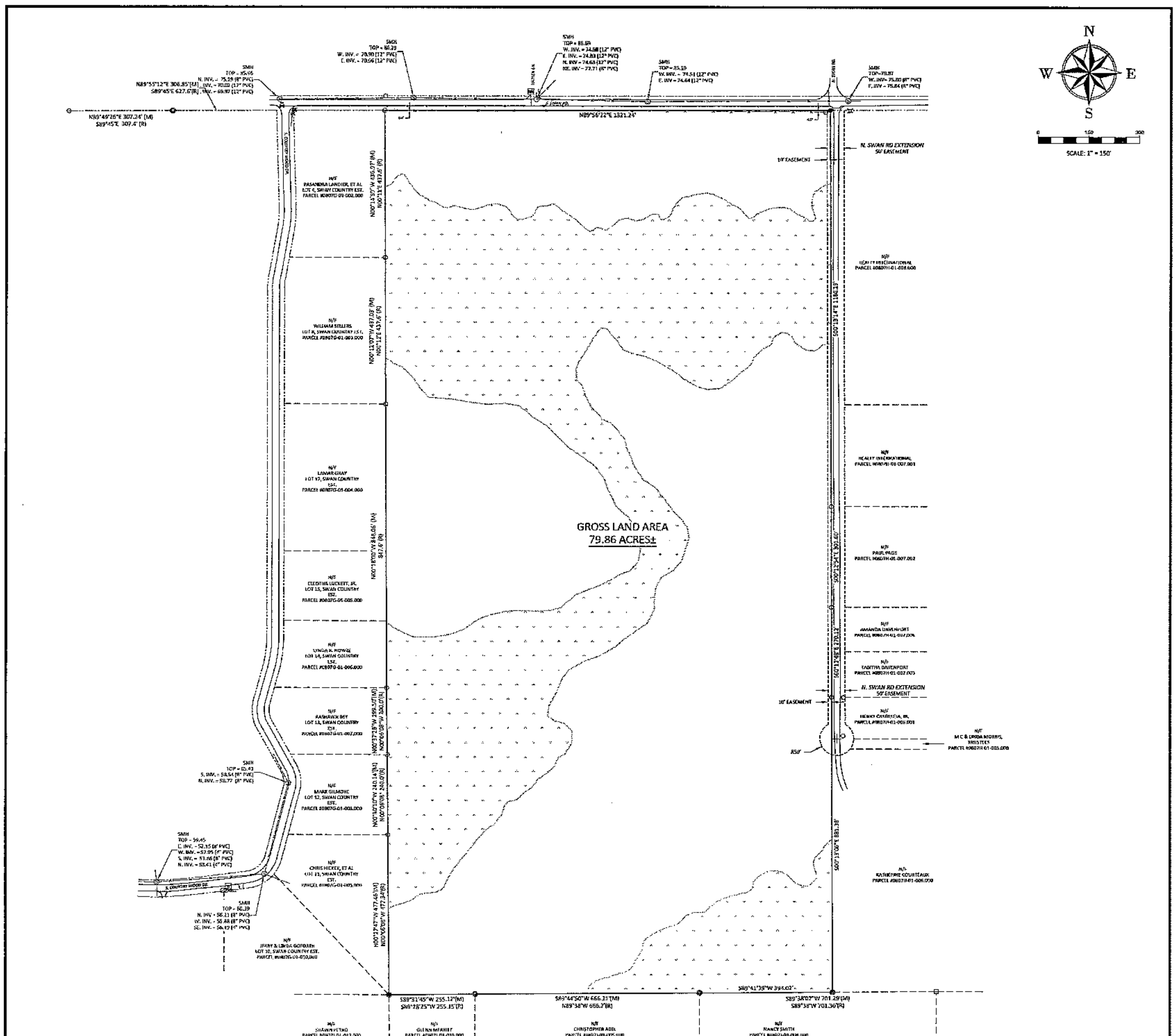
DECEMBER 28, 2023

SHEET 6 OF 7 - BOUNDARY SURVEY

GENERAL S/D PLAN BY:
PHELAN
ENGINEERING LLC

SWAN LANDING ESTATES

SOUTH SWAN ROAD - GULFPORT, MS



ZONING INFORMATION:

1. ZONING DISTRICT: AS PER THE CITY OF GULFPORT ZONING REPORT, PROVIDED BY KENNETH JONES. THIS PROPERTY IS LOCATED IN ZONING DISTRICT R-1-15 (SINGLE-FAMILY RESIDENCE) (LOW DENSITY)
2. MAXIMUM BUILDING HEIGHT: 35'
3. SETBACK REQUIREMENTS:
   - FRONT YARD = 25'
   - SIDE YARD = 15'
   - REAR YARD = 15'

IN RESPONSE TO OUR 811 REQUEST THERE WERE SOME UTILITIES NOT MARKED BY THEIR OWNERS OR REPRESENTATIVES. HOWEVER, WE FOUND SITE CONDITIONS THAT INDICATED THEIR UTILITIES DO EXIST IN THIS AREA. (TICKET #230911085605666)

UTILITY OWNERS:		MARKED
WATER -	CITY OF GULFPORT	YES
SEWER -	CITY OF GULFPORT	YES
FIBER -	TELEPAK DBA C SPIRE FIBER	NO
POWER -	MS POWER CO COAST	NO
PHONE -	AT&T DISTRIBUTION	YES
CABLE -	SPARKLIGHT GULFPORT	NO
HARRISON COUNTY UTILITY		NO

LEGEND

(M)	AS MEASURED
(R)	AS PER RECORD
N/F	NOW OR FORMERLY OWNED BY
○	FOUND IRON ROD
⊡	CONCRETE MONUMENT FOUND
●	SET IRON ROD
Ⓢ	SEWER MANHOLE
⊘CO	SEWER CLEAN OUT
	FIRE HYDRANT
	WATER METER
	WATER VALVE
	FIBER OPTIC MARKER
	TELEPHONE PEDESTAL
	UTILITY POLE
	DOWN GUY (ANCHOR)
	LIGHT POLE POLE
	RIGHT-OF-WAY
	OUT PARCEL LINE
	COUTOUR LINE
	DITCH W/DIRECTION OF FLOW
	WATER LINE
	SEWER LINE
	OVERHEAD ELECTRIC
	UNDERGROUND FIBER OPTIC
	WIRE FENCE

WETLANDS

REFERENCES

1. Harrison County Tax Map
2. Plat of South Swan Country Estates, Plat Book 34, Page 14
3. Plat of South Swan Country Estates, 1st Addition, Plat Book 36, Page 7
4. Plat of Duckworth Road Estates, Plat Book 58, Page 24
5. Deed Book 1494, Page 561
6. Deed Book 2008, Page 8989 D-II
7. Deed Book 2016, Page 9565 D-II
8. Deed Book 2011, Page 3690 D-II
9. Deed Book 2014, Page 7553 D-II
10. Deed Book 2019, Page 9495 D-II
11. Deed Book 2021, Page 1174 D-II
12. Deed Book 2021, Page 8136 D-II
13. Deed Book 2012, Page 7858 D-II
14. Deed Book 2012, Page 7827 D-II
15. Deed Book 2010, Page 3325 D-II
16. Deed Book 2004, Page 10963 D-II
17. Deed Book 1552, Page 213

GENERAL NOTES:

1. ALL BEARINGS ON THIS PLAT ARE REFERENCED TO AND BASED ON MISSISSIPPI STATE PLANE GRID NORTH (EAST ZONE - NAD 83) AS DERIVED BY HIGH PRECISION GPS SURVEY USING TRIMBLE R-10 BASE AND R-12 ROVER IN REAL TIME KINEMATIC MODE.
2. DATE OF FIELD SURVEY 10/23/2023.
3. IN PROVIDING THIS BOUNDARY SURVEY NO ATTEMPT HAS BEEN MADE TO OBTAIN OR SHOW DATA CONCERNING EXISTENCE, SIZE, DEPTH, CONDITION, CAPACITY OR LOCATION OF ANY UTILITY EXISTING ON THE SITE, WHETHER PRIVATE, MUNICIPAL OR PUBLIC OWNED EXCEPT AS SHOWN HEREON.
4. NO ABSTRACT OF TITLE, NOR TITLE COMMITMENT, OR RESULTS OF A TITLE SEARCH WERE FURNISHED TO THE SURVEYOR. ALL DOCUMENTS OF RECORD REVIEWED ARE NOTED HEREON. THERE MAY EXIST OTHER DOCUMENTS OF RECORD THAT MAY AFFECT THIS SURVEYED PARCEL.
5. THE PROFESSIONAL SURVEYOR HAS MADE NO INVESTIGATION OR INDEPENDENT SEARCH FOR EASEMENTS OF RECORD, ENCUMBRANCES, RESTRICTIVE COVENANTS, OWNERSHIP TITLE EVIDENCE, OR ANY OTHER FACTS THAT AN ACCURATE AND CURRENT TITLE SEARCH MAY DISCLOSE.
6. THE LOCATION OF UNDERGROUND UTILITIES ARE SHOWN ON THIS SURVEY AS THEY WERE MARKED ON THE GROUND BY THE OWNER OF THAT SPECIFIC UTILITY OR THEIR REPRESENTATIVES AS PER MS 881 LOCATE TICKET NUMBER 230911085605666.
7. NO EFFORT WAS MADE TO EXCAVATE "POT HOLES" TO LOCATE ANY UTILITIES. W ENGINEERING, P.A. ASSUMES NO RESPONSIBILITY FOR THE ACCURACY OF THE LOCATION OF THE UNDERGROUND UTILITIES SHOWN ON THIS DRAWING.
8. SUBSURFACE AND ENVIRONMENTAL CONDITIONS WERE NOT SURVEYED OR EXAMINED OR CONSIDERED AS PART OF THIS SURVEY. NO EVIDENCE OR STATEMENT IS MADE CONCERNING THE EXISTENCE OF UNDERGROUND OR OVERHEAD CONDITIONS, CONTAINERS OR FACILITIES THAT MAY AFFECT THE USE OR DEVELOPMENT OF THIS PROPERTY.
9. THIS SURVEY IS VALID ONLY IF THE DRAWING INCLUDES THE ORIGINAL SEAL AND ORIGINAL SIGNATURE OF THE SURVEYOR.

ALTA/NSPS NOTE:

1. SUBJECT PROPERTY HAS NOT YET BEEN ASSIGNED AN ADDRESS.
2. SAID DESCRIBED PROPERTY IS LOCATED WITHIN AN AREA HAVING ZONE DESIGNATIONS OF "X" UNSHADED (Areas determined to be outside the 0.2% annual chance floodplain) AS PER THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA), ON FLOOD INSURANCE MAP NO. 28047C0255H WITH AN EFFECTIVE DATE OF DEC. 21, 2017 IN CITY OF GULFPORT (COMMUNITY NUMBER 285253), WHICH IS THE CURRENT FLOOD INSURANCE RATE MAPS.
3. GROSS LAND AREA OF SUBJECT PROPERTY : 79.86 ACRES±
4. SUBJECT PROPERTY IS LOCATED IN ZONE R-1-15 AS PER PROVIDED ZONING REPORT.
5. NO OBSERVED EVIDENCE OF CURRENT EARTH MOVING WORK, BUILDING CONSTRUCTION OR BUILDING ADDITIONS AT THE TIME OF SURVEY
6. NO OBSERVED CHANGES IN STREET RIGHT-OF-WAY LINES OR OBSERVED EVIDENCE OF RECENT STREET OR SIDEWALK CONSTRUCTION OR REPAIRS AT THE TIME OF SURVEY
7. NO OBSERVED EVIDENCE OF SITE USED AS A SOLID WASTE DUMP, SUMP OR SANITARY LANDFILL AT THE TIME OF SURVEY.
8. THE ACCOMPANYING SURVEY WAS MADE ON THE GROUND AND CORRECTLY SHOWS THE LOCATION OF ALL OBSERVED BUILDING, STRUCTURES AND OTHER IMPROVEMENTS SITUATED ON THE ABOVE PREMISES AT THE TIME OF THE SURVEY; THERE ARE NO VISIBLE ENCROACHMENTS OBSERVED ON THE SUBJECT PROPERTY OR UPON ADJACENT LAND ABUTTING SAID PROPERTY EXCEPT AS SHOWN HEREON AS ENCROACHMENTS AND WAS MADE IN ACCORDANCE WITH THE LAWS AND/OR STANDARDS OF CARE OF THE STATE OF MISSISSIPPI.

CERTIFICATE OF TITLE PREPARED BY DONALD R. JONES, ATTORNEY, PLLC, DATED OCTOBER 13, 2023

1. The accrued portion of the 2023 ad valorem taxes which are not yet due and payable until January 1, 2024 - [NOT PLOTTABLE]
2. All applicable city and county zoning, use and ordinances and regulations and all applicable building code requirements. - [NONE PLOTTABLE]
3. Any prior reservation or conveyance or minerals of every kind and character, including, but not limited to, oil, gas, sand and gravel, in, on and under subject property. - [NONE OBSERVED]
4. Rights of parties in possession and all matters, facts and conditions which an accurate survey and inspection of the property would reveal. - [NONE OBSERVED]
5. Any and all valid existing rights of way an easements for public utility lines, roads and highway. - [NONE OBSERVED]
6. The accuracy of the Sectional and/or Subdivision Index Records, and other records, of the Chancery Clerk of the First Judicial District of Harrison County, Mississippi, and of those records maintained by the Circuit Clerk, Tax Collector and Tax Assessor of the First Judicial District of Harrison County, Mississippi. [NOT PLOTTABLE]
7. This certificate attempts to make no statement as to the effect of the Consumer Credit Protection Act, bankruptcy laws, or any state of federal Truth-in-Lending laws and all federal and state environmental laws. [NOT PLOTTABLE]
8. Those federal tax liens not of record in the office of the Chancery Clerk of the First Judicial District of County, Mississippi. [NOT PLOTTABLE]
9. Whether or not the documents in chain of title were executed on a Sunday or legal holiday or were executed to or from a party of sound and disposing mind and memory, or a non-existing corporation, person or entity. - [NONE PLOTTABLE]
10. Subject to the determination by the Corps of Engineers or other appropriate governmental agency as to whether any portion of subject property is located a "Wetland" area which would restrict the use of that portion of subject property or if subject property is located in a "Tideland" area. (SHOWN ON SURVEY)
11. This certificate is based on the assumption that all parties in the above referred to chain of title were above the age of twenty-one (21) years and under no further legal disabilities at the time of the execution and delivery of the various instruments contained in said chain of title. (NOT PLOTTABLE)
12. In addition to the matters set out hereinabove, the undersigned expresses no opinion concerning the presence or absence of any petroleum products, toxic or hazardous substances within the meaning of any federal, state or local laws or regulations having been stored or existing in, on or under any portion of the above described property. [NOT PLOTTABLE]

EXCEPTIONS FOR SUBJECT PROPERTY

1. This Certificate of Title is prepared for the sole use and benefit of Gulf Coast Development & Design, LLC., and it shall not be transferred to, used by, or in any way be relied upon by any other individual or entity whatsoever. If this opinion is used for the issuance of title insurance, our total liability hereunder will be limited to the amount paid for this opinion. - [NOT PLOTTABLE]

LEGAL DESCRIPTION - AS PER CERTIFICATE OF TITLE PREPARED BY DONALD R. JONES, ATTORNEY, PLLC, DATED OCTOBER 13, 2023.

THE EAST ONE-HALF OF THE SOUTHWEST ONE-QUARTER (E1/2 OF SW1/4) OF SECTION 27, TOWNSHIP 6 SOUTH, RANGE 11 WEST, FIRST JUDICIAL DISTRICT OF HARRISON COUNTY, MISSISSIPPI, BEING THE SAME PROPERTY AS PREVIOUSLY CONVEYED IN DEED BOOK 1494 AT PAGE 561 THEREOF AND DEED BOOK 412 AT PAGE 105 THEREOF.

SURVEYOR'S CERTIFICATE

To Gulf Coast Development & Design, LLC and/or assigns:

This is to certify that this map or plat and the survey which it is based were made in accordance with the 2021 Minimum Standard Detail Requirements for ALTA/NSPS Land Title Surveys, jointly established and adopted by ALTA and NSPS, and includes Items 1, 2, 3, 4, 6(a), 7(a), 7(b)(1), 7(c), 8, 9, 11(b), 13, 16, 17 and 18. And is the same property as conveyed in the vesting deeds of the provided.

The field work was completed on October 23, 2023
Plat of Survey Date: November 09, 2023.

11-09-23
HOLLIS S. "PETE" WILLIAMS, PE/PS

Project No.: 2292	REVISIONS			
DATE: 11/09/23	NO.	DATE	DESCRIPTION	BY
Scale: 1" = 150'				
Drawn By: SCL				
Checked By: HSW				

2292 SOUTH SWAN RD.

ALTA / NSPS Survey for:

Swan Landing Estates Subdivision

Situated in Section 27, Township 6 South, Range 11 West
City of Gulfport, Harrison County, Mississippi

W ENGINEERING, P.A.

301 Central Ave East
Wiggins, MS 39577

Office 601-928-5981
pw@weng-ms.com

01
Sheet No.

NOTE:

THIS SURVEY HAS BEEN SCALED TO FIT THIS SHEET

DECEMBER 28, 2023

SHEET 7 OF 7 - TOPO SURVEY

GENERAL S/D PLAN BY:
PHELAN
ENGINEERING LLC

SWAN LANDING ESTATES

SOUTH SWAN ROAD - GULFPORT, MS

NOTE:

THIS SURVEY HAS BEEN SCALED TO FIT THIS SHEET

DECEMBER 28, 2023

DONALD R. JONES, ATTORNEY, PLLC
ATTORNEY AT LAW
1605 23RD AVENUE
P.O. BOX 7555
GULFPORT, MS 39506

donaldjonesatty@gmail.com
Telephone 228-864-8965 Fax 228-864-3252

January 2, 2024

Mr. Kenneth L. Jones, II
Gulf Coast Development & Design, LLC

RE: THE FLAIR FAMILY, LLC
E1/2 of SW1/4, Sec. 27-6-11,
Harrison County, Miss.
Tax Parcel # 0807G-01-001.000
Our file no. 235090

Dear Mr. Jones:

This is to confirm that I have this date made an examination of the deed records of the above referenced property and have determined that the current owner of said property is The Flair Family, LLC. Further, the documents furnished to me show that the current owners of The Flair Family, LLC are Beatrice Flair, Gustave Flair and Alan Timothy Flair.

This letter is limited to the current ownership of said property and does not reflect any liens, easements or other encumbrances that may be applicable to subject property.

Thank you for your attention and courtesies in this matter.

Sincerely,

DONALD R. JONES, ATTORNEY, PLLC

Donald R. Jones

DRJ:gh

BOOK 1494 PAGE 561

ACT OF EXCHANGE

BETWEEN BETTY BLANCAND FLAIR

AND THE FLAIR FAMILY L.L.C.

UNITED STATES OF AMERICA

STATE OF LOUISIANA

PARISH OF ORLEANS

BE IT KNOWN, that on this 26th day of December, 1999,

BEFORE ME, Patricia G. Breckenridge, a Notary Public duly commissioned and qualified in and for the State of Louisiana, and in the presence of the witnesses hereinafter named and undersigned,

PERSONALLY CAME AND APPEARED:

BETTY BLANCAND FLAIR, a person of the full age of majority and a resident of and domiciled in the Parish of Orleans, State of Louisiana, appearing herein in her individual capacity, and who declared that her mailing address is 2538 Calhoun Street, New Orleans, LA 70118, and that her social security number is 437-38-0662; and also appearing herein in her capacity as the subscribing member and manager of The Flair Family L.L.C., a limited liability company formed on December 26, 1999 under the laws of the State of Louisiana

(hereinafter "Appearer")

who further declared that she does hereby make an exchange of the following described real property on the express terms and conditions hereinafter set forth, as follows, to-wit:

For and in consideration of the issuance and transfer to Appearer individually of a membership interest in The Flair Family L.L.C., Appearer individually does hereby transfer, grant, bargain, assign, and deliver with all legal warranties and with full substitution and subrogation in and to all the rights and actions of warranty which she has or may have unto the Flair Family L.L.C., which she represents herein in her capacity as subscribing member and manager, the following described property:

> A CERTAIN PIECE OR PORTION OF GROUND, together with all the improvements thereon, containing eighty (80) acres, situated in the East one-half of the Southwest quarter of Section 27, Township 6, South of Range 11 West, of the First Judicial District of Harrison County, Mississippi; and bounded on the North by South Swan Road, on the East by North Swan Road Extension, on the South by property formerly owned by Robert Barber et al, and on the West by Country Wood Drive.
>
> Being the same property acquired by Mrs. Betty Blancand Flair by an act of transfer dated August 14, 1956 pursuant to an Order dated August 9, 1956 of the Chancery Court of Harrison County, Mississippi in Proceedings No. 35,851, entitled Estate of Gus Blancand.
>
> (hereinafter "The Mississippi Property").

BOOK 1494 PAGE 562

Act of Exchange Between
Betty Blancand Flair and The Flair
Family L.L.C.
December 26, 1999
Page two

Now for and in consideration of the transfer of The Mississippi Property to The Flair Family L.L.C., Appearer in her capacity as manager and subscribing member thereof does issue, grant, bargain, assign, convey, transfer, and deliver to Appearer in her individual capacity, with all legal warranties and with full rights of substitution and subrogation, the following described property, to-wit:

TWO HUNDRED (200) UNITS OF VOTING MEMBERSHIP INTEREST AND ONE THOUSAND (1,000) UNITS OF NON-VOTING MEMBERSHIP INTEREST IN THE FLAIR FAMILY L.L.C.

This exchange is made and mutually accepted by the Appearer in her dual capacities.

THUS DONE AND PASSED in New Orleans, Louisiana, on this 26th day of December, 1999, in the presence of the undersigned competent witnesses and me, Notary, after due reading of the whole.

WITNESSES:

Marguerite C. Dupéré

Judith Sabato

BETTY B. FLAIR, Individually, and as Manager and Subscribing Member of The Flair Family L.L.C.

PATRICIA G. BRECKENRIDGE
NOTARY PUBLIC
MY COMMISSION IS ISSUED FOR LIFE

This act prepared by:
Patricia G. Breckenridge
Attorney at Law
2824 Calhoun Street
New Orelans, LA 70-118
504-866-3702

Grantor: Betty B. Flair, 2538 Calhoun Street, New Orleans, LA 70118; 504-861-9084

Grantee: The Flair Family LLC, 2538 Calhoun Street, New Orleans, LA 70118; 504-861-9084

Instrument No. 3704

STATEMENT OF FEES

Recording Fee $6.00
Records Management Fee $1.00
Abstraction Search Fee
$1.00 each
1.00
Marginal Entry at 50¢ each
Other
TOTAL FEES COLLECTED 8.00

STATE OF MISSISSIPPI, COUNTY OF HARRISON, FIRST JUDICIAL DISTRICT:

I hereby certify that this instrument was received and filed for record at 12 o'clock and 51 minutes P. M. on 4th day of May, A.D. 2000 YEAR and recorded May 5 2000 YEAR in Records of Deeds _____ Book 1494 Pages 561-562

JOHN McADAMS, Chancery Clerk

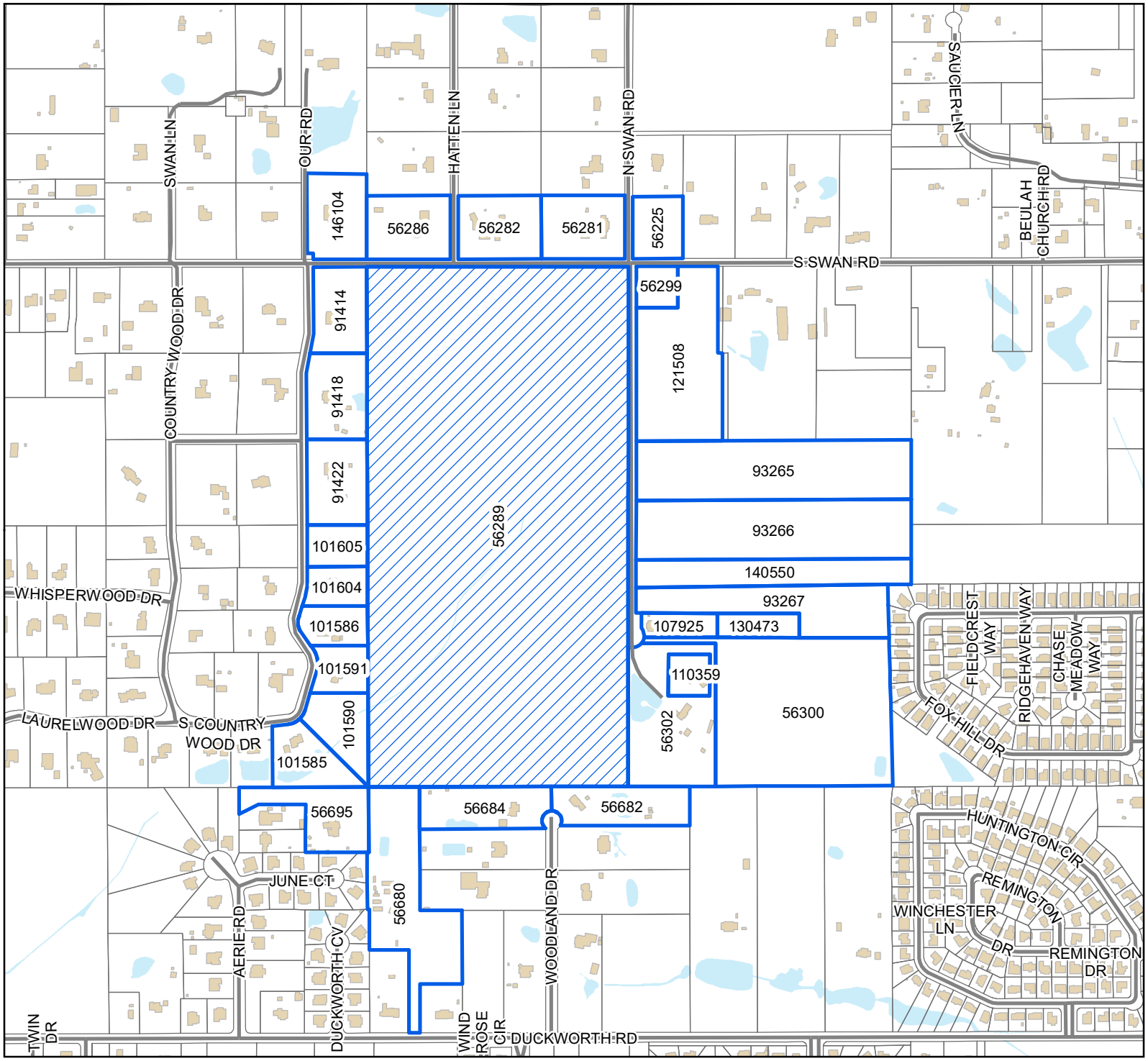
By Debbie Boulla, D.C.

LAWRENCE-GREENWOOD D0066

Mail	PPIN	Parcel ID	Name	Address	City	State	ZIP
Y		0807G-01-001.000	THE FLAIR FAMILY LLC (OWNER)	614 WILLOWRIDGE DRIVE	LULING	LA	70070
			KENNETH JONES (AGENT)	919 2ND ST	GULFPORT	MS	39501
			Adjacent Property Owners (2402PC014)				
	107925	0807H-01-006.001	CASTILLEJA HENRY MATTHEW JR	14241 S SWAN RD	GULFPORT	MS	39503
	56286	0807B-01-017.000	PALMORE CARROLL A JR	14386 S SWAN RD	GULFPORT	MS	39503
	93266	0807H-01-007.002	PAGE PAUL B	14349 4TH AVE	GULFPORT	MS	39503
	56225	0807A-01-027.000	MIXON PAMELA M & WILLIAM K	14250 NORTH SWAN RD	GULFPORT	MS	39503
	56289	0807G-01-001.000	FLAIR FAMILY LLC THE	225 GULF DR	WAVELAND	MS	39576
	91414	0807G-01-002.000	LADNIER PASANDRA A & JEFFREY ETAL	14221 COUNTRY WOOD DR	GULFPORT	MS	39503
	56300	0807H-01-005.000	MORRIS M C & LINDA -TRUSTEES-	13862 GULF HAVEN ROAD	GULFPORT	MS	39503
	56680	0807J-01-010.000	MERRITT GLENN B & VALERI M	14380 DUCKWORTH RD	GULFPORT	MS	39503
	56281	0807B-01-005.000	SWEEBE CHRISTOPHER L & ADDISON	14247 N SWAN RD	GULFPORT	MS	39503
	91422	0807G-01-004.000	GRAY LAMAR S & SUSAN A	14501 S COUNTRYWOOD DR	GULFPORT	MS	39503
	93265	0807H-01-007.001	REALTY INTERNATIONAL LLC	9122 VICTORIA CIR	GULFPORT	MS	39503
	101591	0807G-01-008.000	GILMORE MARK S & KARLA G	14593 COUNTRYWOOD DR	GULFPORT	MS	39503
	110359	0807H-01-006.003	JARVIS JANET BRICKLEY & DAVID MARK	14251 S SWAN RD	GULFPORT	MS	39503
	56682	0807J-01-004.000	SMITH NANCY E	13516 WOODLAND DR	GULFPORT	MS	39503
	56684	0807J-01-005.000	ABEL CHRISTOPHER J	13517 WOODLAND DR	GULFPORT	MS	39503
	101590	0807G-01-009.000	HICKEY CHRIS & ANITA ETAL	2002 STONEBRIDGE CT	MANSFEILD	TX	76063
	101585	0807G-01-010.000	GOFORTH JERRY & LINDA	14661 COUNTRY WOOD DR	GULFPORT	MS	39503
	101604	0807G-01-006.000	HOWZE LYNDA RUTH & KIP DUDLEY	14553 S COUNTRY WOOD DR	GULFPORT	MS	39503
	91418	0807G-01-003.000	SELLERS WILLIAM R & SANDRA N	14263 COUNTRY WOOD DRIVE	GULFPORT	MS	39503
	101605	0807G-01-005.000	LUCKETT CLEOTHA JR & CONNIE R	14525 S COUNTRY WOOD DR	GULFPORT	MS	39503
	56282	0807B-01-006.000	BOZANT PAUL & HEATHER	14300 HATTEN LANE	GULFPORT	MS	39503
	101586	0807G-01-007.000	BEY RASHAWN	14575 S COUNTRYWOOD DR	GULFPORT	MS	39503
	56302	0807H-01-006.000	COURTEAUX MILTON A JR -TOD-	14241 S SWAN RD	GULFPORT	MS	39503
	93267	0807H-01-007.003	DAVENPORT TABITHA	14361 CARRIAGE CIRCLE	GULFPORT	MS	39503
	56695	0807J-01-013.000	PETRO SHAWN M	14440 DUCKWORTH RD	GULFPORT	MS	39503
	146104	0807B-01-018.001	MIXON JAMES ADAM & ASHLEY	14363 HATTEN LN	GULFPORT	MS	39503

2402PC014

General Plan



Legend

- Site
- Adjacent Properties
- Street
- Buildings
- Water Features

0 110 220 330

Yards

1 inch = 700 feet

N W E S

DATA DISCLAIMER: All information that is provided on this map is believed to be correct. However, no liability is assumed by the City of Gulfport for errors in substance or form of any of the materials published on this map. The GIS Division, City of Gulfport, provides the information represented on this map as a service to the community and makes every effort possible to provide quality information. However, no claims, promises, or guarantees about the accuracy, completeness, or adequacy of the information contained on this map are expressed or implied.

RE: General Plan 2402PC014, by agent Kenneth Jones, seeking approval for an 87-lot subdivision with five outparcels (Swan Landing Estates), Tax Parcel 0807G-01-001.000, South Swan Road, Zoned R-1-15 (Single-family), Ward 7

To Applicants and Adjacent Property Owners:

The City of Gulfport Planning Commission will hold a public hearing to consider the above application at 4:30 P.M. on **Thursday, February 22, 2024**, in the Council Chambers at the Gulfport City Hall located at 2309 15th Street.

For more information, visit http://www.gulfport-ms.gov/agenda/ then click the City of Gulfport Planning Commission for **Thursday, February 22, 2024.** A map showing the location of the property involved is located at this website. If you have any questions or comments, please contact this office at the phone number 228-868-5710 or email planners@gulfport-ms.gov. The application is available for viewing in the Planning Division office at 1410 24th Avenue.

McClatchy

The Beaufort Gazette
The Belleville News-Democrat
Bellingham Herald
Centre Daily Times
Sun Herald
Idaho Statesman
Bradenton Herald
The Charlotte Observer
The State
Ledger-Enquirer
Durham | The Herald-Sun
Fort Worth Star-Telegram
The Fresno Bee
The Island Packet
The Kansas City Star
Lexington Herald-Leader
The Telegraph - Macon
Merced Sun-Star
Miami Herald
El Nuevo Herald
The Modesto Bee
The Sun News - Myrtle Beach
Raleigh News & Observer
Rock Hill | The Herald
The Sacramento Bee
San Luis Obispo Tribune
Tacoma | The News Tribune
Tri-City Herald
The Wichita Eagle
The Olympian

AFFIDAVIT OF PUBLICATION

Account #	Order Number	Identification	Order PO	Amount	Cols	Depth
36845	513910	Print Legal Ad-IPL01569880 - IPL0156988		$70.45	2	42 L

Attention: Matilda Welch

GULFPORT URBAN DEVELOPMENT
PO BOX 1780
GULFPORT, MS 39502

accountspayable@gulfport-ms.gov

LEGAL NOTICE
PUBLIC HEARING

In conformance with Section VIII of the Comprehensive Zoning Ordinance of the City of Gulfport, Mississippi, 1979 as amended, notice is hereby given advising that the Gulfport City Planning Commission will hold a public hearing in the City of Gulfport, Mississippi at 4:30 P.M., Thursday, February 22, 2024 in the Council Chambers of the Gulfport City Hall located at 2309 15 th Street to consider the following requests. A copy of the requests will be available for public review at the office of the Department of Urban Development, Planning Division, located on first floor of the William H. Hardy Building, 1410 24 th Avenue.

Planning Commission Approval 2312PC147, by agent Deberah Couvillion, seeking approval for a mobile home use, at Tax Parcel 0810E-03-048.000, Ohio Ave, Zoned R-1-5 (Single-family), Ward 3

Planning Commission Approval 2402PC010, by agent Damien Pardoe, seeking approval for a medical cannabis processing facility, Tax Parcel 0809A-02-009.000, 14092 Fastway Lane, Zoning I-2 (Heavy Industry), Ward 5

Planning Commission Approval 2402PC011, by agent M2 Enterprises, Inc., seeking approval for auto sales of less than fifty vehicles, Tax Parcel 0910M-03-058.000, 941 Pass Rd, Zoned B-2 (General Business), Ward 3

Special Exception 2402SE013, by owner Riaan LLC, seeking approval for liquor store use, Tax Parcel 1008M-01-007.000, 11268 Lorraine Rd, Zoned B-2 (General Business), Ward 6

General Plan 2402PC014, by agent Kenneth Jones, seeking approval for an 87-lot subdivision with five outparcels (Swan Landing Estates), Tax Parcel 0807G-01-001.000, South Swan Road, Zoned R-1-15 (Single-family), Ward 7

Zoning Map Amendment 2402PC015, by owner Ben W. Childers, requesting to rezone to T4+ (General Urban Zone "Plus"), Tax Parcels 1010E-02-006.000, 1010E-02-007.000, 1123 Bridge Street & 1115 Bridge Street, Zoned T3 (Sub-Urban Zone), Ward 4

This the 24th day of January 2024

Keith Williams, Chairman
City of Gulfport Planning Commission
PO210200
IPL0156988
Feb 7 2024

STATE OF MISSISSIPPI
COUNTY OF HARRISON

Before me, the undersigned Notary of Dallas County, Texas personally appeared Stefani Beard, who, being by me first duly sworn, did depose and say that she is a clerk of The Sun Herald, a daily newspaper published in the city of Gulfport, in Harrison County, Mississippi and the publication of the notice, a copy of which is hereto attached, has been made in said paper in the issue(s) of:

1 insertion(s) published on:
02/07/24

Affidavit further states on oath that said newspaper has been established and published continuously in said county for a period of more than twelve months next prior to the first publication of said notice.

Stefani Beard

Sworn to and subscribed before me this 7th day of February in the year of 2024

Stephanie Hatcher

Notary Public
* The Sun Herald has been deemed eligible for publishing legal notices in Jackson County to meet the requirements of Miss. Code 1972 Section 13-3-31 and 13-3-32.

STEPHANIE HATCHER
My Notary ID # 133534406
Expires January 14, 2026

Extra charge for lost or duplicate affidavits.
Legal document please do not destroy!

MEMORANDUM

To: City of Gulfport Planning Commission

From: Su-Lin Featherston, Planning Administrator
Urban Development Department

Date of Hearing: February 22, 2024

Re: Planning Commission Recommendation

MEMORANDUM

To: City of Gulfport Planning Commission

From: Su-Lin Featherston, Planning Administrator
Urban Development Department

Date of Hearing: February 22, 2024

Re: **Zoning Map Amendment 2402PC015:**

Zoning Map Amendment 2402PC015, by owner Ben W. Childers, requesting to rezone to T4+ (General Urban Zone "Plus"), Tax Parcels 1010E-02-006.000, 1010E-02-007.000, 1123 Bridge Street & 1115 Bridge Street, Zoned T3 (Sub-Urban Zone), Ward 4

Technical Report

Zoning Map Amendment

GENERAL INFORMATION

Case File Number: 2402PC015

Hearing Date: February 22, 2024

Current Zoning/Use: T3 / Vacant Structure & Vacant Lot

Legal: Zoning Map Amendment 2402PC015, by owner Ben W. Childers, requesting to rezone to T4+ (General Urban Zone "Plus"), Tax Parcels 1010E-02-006.000, 1010E-02-007.000, 1123 Bridge Street & 1115 Bridge Street, Zoned T3 (Sub-Urban Zone), Ward 4

TECHNICAL DETAILS

Amendment of the Zoning Ordinance, including the zoning map, is intended to carry out the objective of a sound, stable, and desirable environment. Casual amendment of the ordinance would be detrimental to the achievement of that objective. Therefore, the ordinance dictates that a property should be considered for rezoning only when one or more of the following conditions prevail according to the Mississippi case law:

When requesting rezoning of real property, **an applicant must prove**, by **clear and convincing evidence**, one of the following:

1. That there was a mistake in the original zoning, or
2. That the character of the neighborhood has changed to such an extent as to justify reclassification, **and** that there was a public need for rezoning.

The applicant requests to rezone approximately 40,073.23 square feet of property from T3 (Sub-Urban zone) to a T4+ (General Urban Zone "Plus") zone. Currently, the property is being used as a single-family residence with an abandoned home on site and with the other lot being vacant. As presented, the applicant requests to rezone the property from T3 (Sub-Urban zone) to a T4+ (General Urban Zone "Plus") zone for the purpose of developing one mixed use facility with retail and office space by combining these two lots. Furthermore, the applicant states, "To accommodate the character of the neighborhood being changed over time, and allowing T4+ usage will open doors to more opportunity to serve our neighbors and visitors that demand more retail and office space in the area." They plan to begin design and development (for the building) upon approval of the zoning change by the Planning Commission. The surrounding consistency of the neighborhood are areas containing general business districts, one-family, two-family and multiple-family dwellings.

The applicant has not provided as justifications for change of the current zoning district.

1. Mistake or error is not addressed by the applicant.

2. Need is addressed by the applicant as this zoning change would accommodate the character of the neighborhood being changed over time, and allowing T4+ usage will open doors to more opportunity to serve our neighbors and visitors that demand more retail and office space in the area.

EXECUTIVE SUMMARY

The applicant wishes to rezone the subject site from T3 to T4+ in order to open doors to more opportunity to serve the neighbors and visitors that demand more retail and office space in the area.

The applicant has not proven with clear and convincing evidence for a zoning change as required by the state, however, the staff notes that there are more single-family homes in the surrounding neighborhood than commercial uses, (to the east of the properties are business uses), and rezoning to T4+ would be in harmony with the existing neighborhood.

Any approval should consider these conditions:

1. Must meet all current building Codes and City of Gulfport Ordinances.
2. Must comply with all Planning & Zoning rules and regulations.
3. Planning Commission only gives recommendation. This will require approval from City Council.

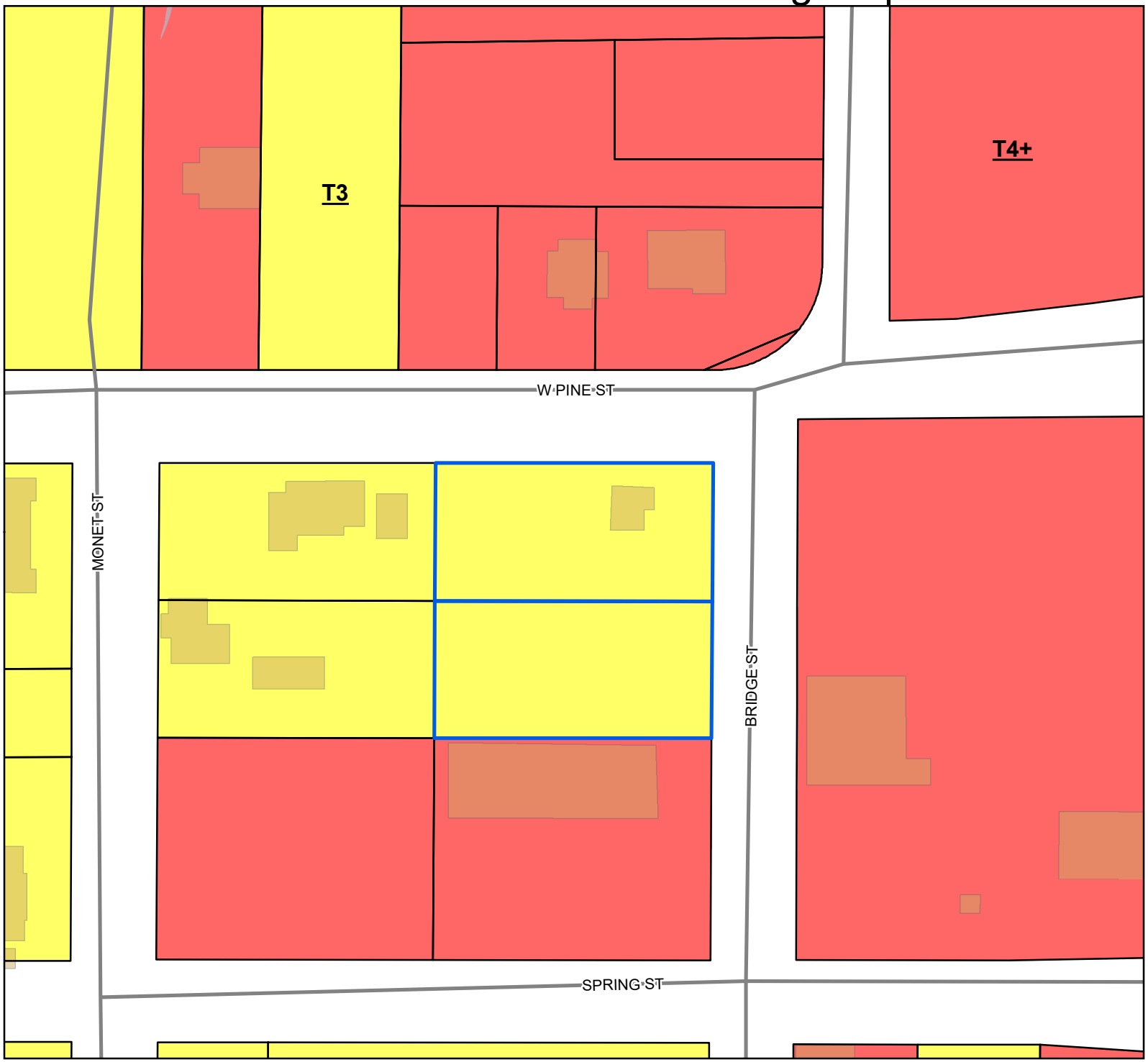
DIRECTOR APPROVAL

This report has been reviewed and approved by:

Greg Holmes
Director of Urban Development Department

2402PC015

Zoning Map Amendment



Street
Parcels
Buildings
Water Features

Smart Code

T4+
T3

Site Information

1010E-02-006.000
1010E-02-007.000
Zoning:T3 (Sub-Urban Zone)
Size:1.37 Acres
Flood:X

0 10 20 30
Yards

1 inch = 100 feet

N
W E
S

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CITY OF GULFPORT
Urban Development - Planning Division
1410 24th Avenue
Gulfport, MS 39501
(228) 868-5710

APPLICATION FOR ZONING MAP AMENDMENT/LAND USE RECLASSIFICATION (SMARTCODE)

For Staff Use Only

Case File #: 2402PC015

Date Received: 1/2/2024

Receipt #:

Received By: LJ

Zoning: T3

Ward: 4 Flood: X

Size: 40,073.23 sqft.

Property Information

TAX PARCEL #

1	0	1	0	E	-	0	2	-	0	0	6	.	0	0	0
1	0	1	0	E	-	0	2	-	0	0	7	.	0	0	0
					-			-				.			

(If necessary, use separate sheet of paper)

Address of Property Involved: 1123 Bridge St., 1115 Bridge St.

Lot(s)_____, Block(s)_____, Subdivision Monet Survey SEC 30-7-10

General Location: Corner of Bridge and Pine, Near Cowan behind Woody's Restaurant

GENERAL DESCRIPTION OF REQUEST:

Request a rezone from T3 to T4+ to accomodate more retail tenants after development of my multiuse building.

OWNERSHIP AND CERTIFICATION:

I hereby certify that I have read and understand this application and that all information and attachments are true and correct. I also certify that I agree to comply with all applicable city codes, ordinances and state laws. Finally, I certify that I am the owner of the property involved in this request or have authorization to act as the owner's agent for the herein described request.

OWNER

Ben W. Childers
Printed Name Of Owner

22 Greenbriar Dr.
Mailing Address

Gulfport MS 39507
City State Zip code

281-240-1701 281-785-6155
Home Phone Work/Cell Phone

judgebudchilders@gmail.com
Email

Ben W Childers
Signature Of Owner

AGENT

Printed Name Of Agent

Mailing Address

City State Zip code

Home Phone Work/Cell Phone

Email

Signature Of Agent

If the property or properties listed above have more than one owner, please check this box. In the case of multiple owners, reverse side must be completed. Each additional owner will need to complete and sign the reverse side of this application. We can only accept applications with original signatures. ☐

SECTIONS A. THROUGH G. MUST BE SUBMITTED FOR A COMPLETE APPLICATION.

1/2/2024

Regarding my recently purchased lots, 1115 and 1123 Bridge St, I feel that these lots should be rezoned from T3 to T4+. My goal is to develop one mixed use facility with retail and office space by combining these two lots, similar to the building I recently developed at 2572 Pass Rd in Biloxi. These lots abut properties that have already been rezoned T4+. I feel the character of the neighborhood has changed over time, and allowing T4+ usage will open the door to more opportunity to serve our neighbors and visitors that demand more retail and office space in the area. I also do not feel the rezoning this land will have any negative effect on adjoining landowners. If rezoning is approved, I intend to have my building designed immediately, with a goal to begin development by summer, and completed by year end. I feel that demand for mixed use light retail/office use centers is increasing, as testament to the limited availability of unoccupied retail space in the area. Traffic Count data indicates that 32,000 cars travel Cowan per day, and all the land for retail or office space along this corridor is either currently developed and full or being developed currently. Rezoning these lots will open the door for more business and development. Thank you for your consideration for the rezone of these two lots.

(1) Ben W. Childers

22 Greenbriar Dr

Gulfport, MS 39507

100% interest

~~A list of adjoining landowners is included on the following page.~~

(2) Start immediately, finish by 12-31-23

(3) I wish to rezone the lots from T3 to T4+. The effects on adjoining landowners should be positive. We wish to develop a multiuse office and retail center for tenants. Rezoning will allow a broader scope of tenants.

(4) No error

1st JUDICIAL DISTRICT
INSTRUMENT 2023-0025425-D-J1
FILED/RECORDED 12/19/2023 2:53:01 PM
TOTAL FEES $26.00
3 PAGES RECORDED

Our File #B230931
Prepared by & Return To: Schwartz, Orgler, Jordan & Williams, PLLC
2137 E Pass Rd, Ste B Gulfport MS 39507, 228-388-7441
STATE OF MISSISSIPPI
COUNTY OF HARRISON

INDEX: PT SQUARE 2, MONET SURVEY, S 100FT OF N200FT OF E1/2 SQUARE 2, IN SEC. 30-7-10, HARRISON COUNTY, MS 1ST JD.

WARRANTY DEED

FOR AND IN CONSIDERATION of the sum of Ten Dollars ($10.00), cash in hand paid, and other good and valuable consideration, the receipt and sufficiency of all of which is hereby acknowledged, the undersigned,

Steven D. Peters,

37 Compass Point Way #425, Inlet Beach, FL 32461, 228-669-4626

does hereby sell, convey and warrant unto

Ben W. Childers

22 Greenbriar, Gulfport, MS 39507, 281-785-6155

the following described land and property being located in the First Judicial District of Harrison County, Mississippi, being more particularly described as follows, to-wit:

See Attached Exhibit "A".

THIS CONVEYANCE is subject to any and all recorded restrictive covenants, rights-of-way and easements applicable to subject property, and subject to any and all prior recorded reservations, conveyances and leases of oil, gas and minerals by previous owners.

TAXES for the current year have been pro-rated as of this date and are hereby assumed by the Grantee herein.

THE ABOVE described property is no part of the Homestead of the Grantor herein.

WITNESS THE SIGNATURE of the undersigned, on this the 16th day of December, 2023.

Steven D. Peters

STATE OF FLORIDA

COUNTY OF Walton

THIS DAY PERSONALLY CAME AND APPEARED BEFORE ME, the undersigned authority in and for the jurisdiction aforesaid, Steven D. Peters, who acknowledged that the above and foregoing instrument was signed and delivered as the free and voluntary act and deed of the Grantor on the day and in the year therein mentioned.

GIVEN UNDER MY HAND AND OFFICIAL SEAL OF OFFICE, this the 16 day of December, 2023.

Chris C Dance
NOTARY PUBLIC

My Commission Expires: 04/11/2026

Notary Public State of Florida
Chris C. Dance
My Commission
HH 251506
Exp. 4/11/2026

EXHIBIT "A"

A parcel of land situated in the southwest One-fourth of the southeast One-fourth (SW ¼ of SE ¼), Section 30, Township 7 South, Range 10 West, First Judicial District of Harrison County, Mississippi, and being more particularly described as follows, to-wit: Beginning at the Northeast corner of Square Two (2), MONET SURVEY of Town of Handsboro, as recorded in Deed Book 7 at Page 325, in the office of the Chancery Clerk of the First Judicial District of Harrison County, Mississippi; thence run in a Southerly direction along the East line of said Square a distance of 100 feet to the point of Beginning; thence run South a distance of 100 feet; thence run West a distance of 200 feet; thence run North a distance of 100 feet; thence run East a distance of 200 feet to the Point of Beginning.

CERTIFIED TRUE COPY
ANGELA THRASH
CHANCERY CLERK
HARRISON COUNTY, MISS.
First Judicial District

By _____ DC

CHANCERY CLERK
HARRISON COUNTY, MS

1st JUDICIAL DISTRICT
INSTRUMENT 2023-0004608-D-J1
FILED/RECORDED 3/20/2023 1:50:01 PM
TOTAL FEES $26.00
3 PAGES RECORDED

Our File #B230206
Prepared by & Return To:
Schwartz, Orgler & Jordan, PLLC
PO Box 4682
Biloxi MS 39535, 228-388-7441

STATE OF MISSISSIPPI
COUNTY OF HARRISON

Index: Pt of Lts 3, 4 & 5, Square 2, Monet Survey, Harrison County, MS, 1st JD.

WARRANTY DEED

FOR AND IN CONSIDERATION of the sum of Ten Dollars ($10.00), cash in hand paid, and other good and valuable consideration, the receipt and sufficiency of all of which is hereby acknowledged, the undersigned,

Ben Defibaugh,

22263 Riverline Drive, Saucier, MS 39574, 228-596-2651

does hereby sell, convey and warrant unto

Ben W. Childers

19 Tiffany Square, Sugar Land, TX 77478, 281-785-6155

the following described land and property being located in the First Judicial District of Harrison County, Mississippi, being more particularly described as follows, to-wit:

See Attached Exhibit "A".

THIS CONVEYANCE is subject to any and all recorded restrictive covenants, rights-of-way and easements applicable to subject property, and subject to any and all prior recorded reservations, conveyances and leases of oil, gas and minerals by previous owners.

TAXES for the current year have been pro-rated as of this date and are hereby assumed by the Grantee herein.

THE ABOVE described property is no part of the Homestead of the Grantor herein.

WITNESS MY SIGNATURE, on this the 17th day of March, 2023.

Ben Defibaugh

STATE OF MISSISSIPPI

COUNTY OF HARRISON

THIS DAY PERSONALLY CAME AND APPEARED BEFORE ME, the undersigned authority in and for the jurisdiction aforesaid, Ben Defibaugh , who acknowledged that the above and foregoing instrument was signed and delivered as the free and voluntary act and deed of the Grantor on the day and in the year therein mentioned.

GIVEN UNDER MY HAND AND OFFICIAL SEAL OF OFFICE, this the 17th day of March, 2023.

NOTARY PUBLIC

My Commission Expires:

STATE OF MISSISSIPPI
NOTARY PUBLIC
ID # 56287
JAY K. JORDAN
Commission Expires
June 14, 2023
HARRISON COUNTY

EXHIBIT "A"

A lot or parcel of land located in Lots 3, 4, and 5, Square 2 of the Monet Survey, in the Town of Handsboro, which survey is recorded in Deed Book 7, page 325 of the Land Records of Harrison County, Mississippi. The land hereby conveyed is described as beginning at the NE corner of said Square, at the intersection of Pine Street and Bridge Street, running thence in a Southerly direction along the East line of said Lot 5, Square 2 aforesaid, a distance of 100 feet, thence in a Westerly direction and parallel with Pine Street, 200 feet, thence in a Northerly direction, 100 feet to Pine Street, thence in an Easterly direction and along the North boundary line of said Lots 3, 4 and 5, Square 2, aforesaid a distance of 200 feet to the NE corner of said Square 2, the point or place of beginning.

This conveyance is made subject to the the reservation of an undivided ½ interest in all the oil, gas and minerals in, on and under insured property retained in the deed from Bernard S. Shields, et al to H.C. Barnes, dated May 1, 1940, recorded in deed Book 233 pages 235-36 in Harrison County, Mississippi.

CERTIFIED TRUE COPY
ANGELA THRASH
CHANCERY CLERK
HARRISON COUNTY, MISS.
First Judicial District

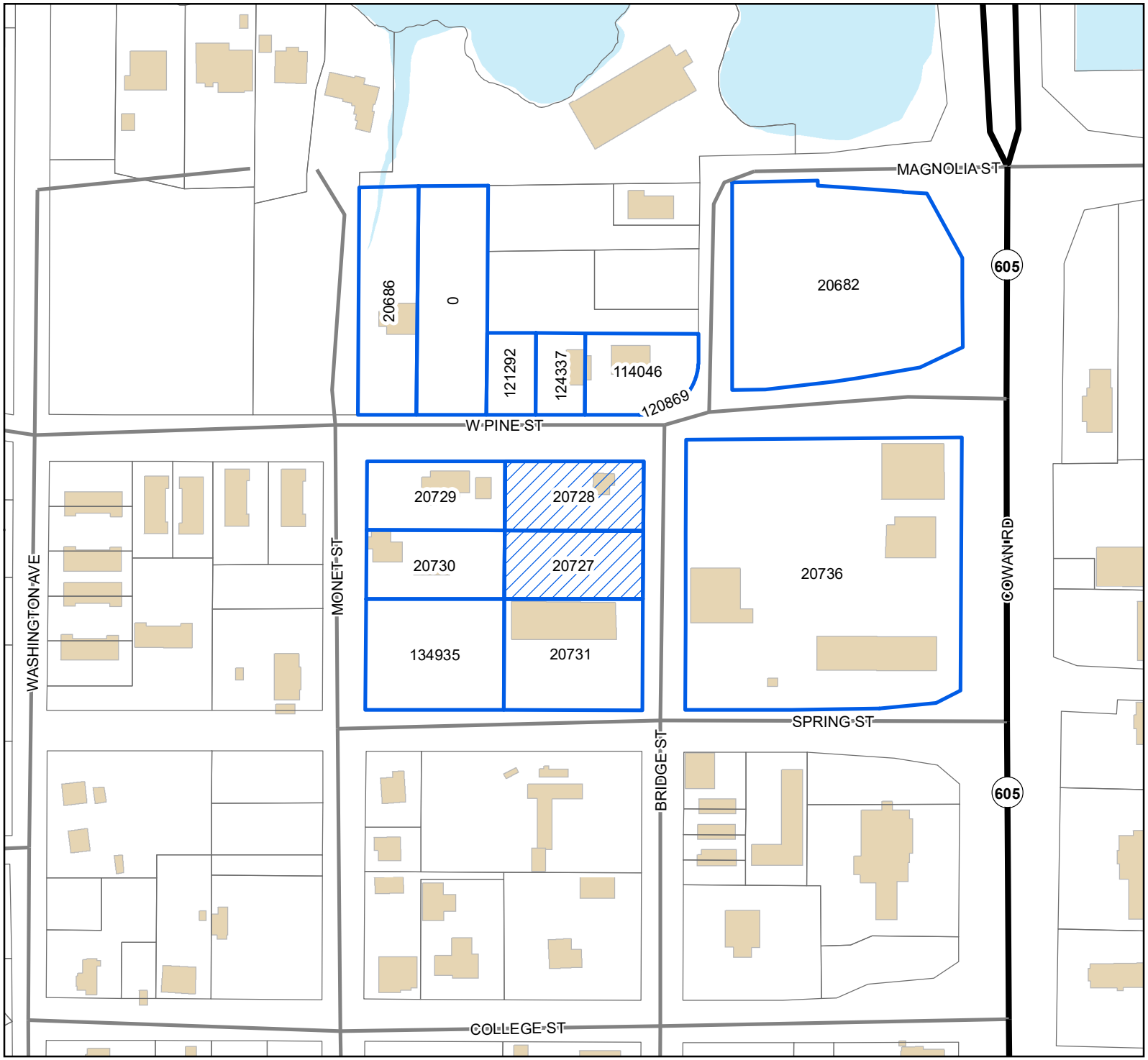
By awalker DC

CHANCERY CLERK
HARRISON COUNTY, MS

Mail	PPIN	Parcel ID	Name	Address	City	State	ZIP
Y		1010E-02-006.000	BEN W CHILDERS (OWNER)	22 GREENBRIAR DR	GULFPORT	MS	39507
			Adjacent Property Owners (2402PC015)				
	20727	1010E-02-007.000	PETERS STEVEN D	37 COMPASS POINT WAY S #425	INLET BEACH	FL	32461
	20682	1010E-01-006.000	MAGNOLIA PLEX LLC	2208 18TH ST STE B	GULFPORT	MS	39501
	20730	1010E-02-009.000	PASSMAN BRUCE A	1114 MONET ST	GULFPORT	MS	39507
	20686	1010E-01-012.000	IG DEVELOPMENT LLC	9591 BAYOU BEND	GULFPORT	MS	39503
	20729	1010E-02-010.000	PETTEY WILLIAM H JR	P O BOX 1326	GULFPORT	MS	39502
	20736	1010E-02-001.000	DEDEAUX UTILITY CO INC	1317 24TH AVE SUITE C	GULFPORT	MS	39501
	20728	1010E-02-006.000	DEFIBAUGH BEN	1123 BRIDGE ST	GULFPORT	MS	39501
	121292	1010E-01-010.005	MARSHALL ELIZABETH & JON BERRY ETAL	16 RIVERS BEND DR	GULFPORT	MS	39507
	114046	1010E-01-010.001	DANIELS RIP MICHAEL	1230 W PINE ST	GULFPORT	MS	39507
	124337	1010E-01-010.006	WENTWORTH JUDY	1226 W PINE ST	GULFPORT	MS	39507
	20731	1010E-02-008.000	HAMMOND HOLDINGS LLC	P O BOX 990	MONTROSE	AL	36559
	134935	1010E-02-008.001	SPRING STREET LLC	53 SHORELINE LANE	GULFPORT	MS	39503

2402PC015

Zoning Map Ammendment



Legend

- Site
- Adjacent Properties
- US or State Highway
- Street
- Buildings
- Water Features

0 30 60 90
Yards

1 inch = 200 feet

N
W E
S

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RE: Zoning Map Amendment 2402PC015, by owner Ben W. Childers, requesting to rezone to T4+ (General Urban Zone "Plus"), Tax Parcels 1010E-02-006.000, 1010E-02-007.000, 1123 Bridge Street & 1115 Bridge Street, Zoned T3 (Sub-Urban Zone), Ward 4

To Applicants and Adjacent Property Owners:

The City of Gulfport Planning Commission will hold a public hearing to consider the above application at 4:30 P.M. on **Thursday, February 22, 2024**, in the Council Chambers at the Gulfport City Hall located at 2309 15th Street.

For more information, visit http://www.gulfport-ms.gov/agendas/ then click the City of Gulfport Planning Commission for **Thursday, February 22, 2024.** A map showing the location of the property involved is located at this website. If you have any questions or comments, please contact this office at the phone number 228-868-5710 or email planners@gulfport-ms.gov. The application is available for viewing in the Planning Division office at 1410 24th Avenue.

McClatchy

The Beaufort Gazette
The Belleville News-Democrat
Bellingham Herald
Centre Daily Times
Sun Herald
Idaho Statesman
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The Fresno Bee
The Island Packet
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The Telegraph - Macon
Merced Sun-Star
Miami Herald
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Attention: Matilda Welch

GULFPORT URBAN DEVELOPMENT
PO BOX 1780
GULFPORT, MS 39502

accountspayable@gulfport-ms.gov

LEGAL NOTICE
PUBLIC HEARING

In conformance with Section VIII of the Comprehensive Zoning Ordinance of the City of Gulfport, Mississippi, 1979 as amended, notice is hereby given advising that the Gulfport City Planning Commission will hold a public hearing in the City of Gulfport, Mississippi at 4:30 P.M., Thursday, February 22, 2024 in the Council Chambers of the Gulfport City Hall located at 2309 15 th Street to consider the following requests. A copy of the requests will be available for public review at the office of the Department of Urban Development, Planning Division, located on first floor of the William H. Hardy Building, 1410 24 th Avenue.

Planning Commission Approval 2312PC147, by agent Deberah Couvillion, seeking approval for a mobile home use, at Tax Parcel 0810E-03-048.000, Ohio Ave, Zoned R-1-5 (Single-family), Ward 3

Planning Commission Approval 2402PC010, by agent Damien Pardoe, seeking approval for a medical cannabis processing facility, Tax Parcel 0809A-02-009.000, 14092 Fastway Lane, Zoning I-2 (Heavy Industry), Ward 5

Planning Commission Approval 2402PC011, by agent M2 Enterprises, Inc., seeking approval for auto sales of less than fifty vehicles, Tax Parcel 0910M-03-058.000, 941 Pass Rd, Zoned B-2 (General Business), Ward 3

Special Exception 2402SE013, by owner Riaan LLC, seeking approval for liquor store use, Tax Parcel 1008M-01-007.000, 11268 Lorraine Rd, Zoned B-2 (General Business), Ward 6

General Plan 2402PC014, by agent Kenneth Jones, seeking approval for an 87-lot subdivision with five outparcels (Swan Landing Estates), Tax Parcel 0807G-01-001.000, South Swan Road, Zoned R-1-15 (Single-family), Ward 7

Zoning Map Amendment 2402PC015, by owner Ben W. Childers, requesting to rezone to T4+ (General Urban Zone "Plus"), Tax Parcels 1010E-02-006.000, 1010E-02-007.000, 1123 Bridge Street & 1115 Bridge Street, Zoned T3 (Sub-Urban Zone), Ward 4

This the 24th day of January 2024

Keith Williams, Chairman
City of Gulfport Planning Commission
PO210200
IPL0156988
Feb 7 2024

STATE OF MISSISSIPPI
COUNTY OF HARRISON

Before me, the undersigned Notary of Dallas County, Texas personally appeared Stefani Beard, who, being by me first duly sworn, did depose and say that she is a clerk of The Sun Herald, a daily newspaper published in the city of Gulfport, in Harrison County, Mississippi and the publication of the notice, a copy of which is hereto attached, has been made in said paper in the issue(s) of:

1 insertion(s) published on:
02/07/24

Affidavit further states on oath that said newspaper has been established and published continuously in said county for a period of more than twelve months next prior to the first publication of said notice.

Stefani Beard

Sworn to and subscribed before me this 7th day of February in the year of 2024

Stephanie Hatcher

Notary Public
* The Sun Herald has been deemed eligible for publishing legal notices in Jackson County to meet the requirements of Miss. Code 1972 Section 13-3-31 and 13-3-32.

STEPHANIE HATCHER
My Notary ID # 133534406
Expires January 14, 2026

Extra charge for lost or duplicate affidavits.
Legal document please do not destroy!