

The Minutes of the City of Ocean Springs
Planning Commission
Tuesday February 11, 2025

1. Call Meeting to Order

A meeting of the City of Ocean Springs Planning Commission was called to order by Vice Chairman Matthew Hinton at 6:00 p.m. on Tuesday February 11, 2025. The members present were Matthew Hinton, Joseph McCormick, Kevin O'Connell, Marshall Johnson, Joey Conwill and Nicholaus Geiser. Absent was Andy Phelan. Also present was Wade Morgan Planning Director, Planner Elizabeth Dill, Planning Administrator Hannah Sullivan, and City Attorney Will Norman.

2. Approval of Minutes:

- a) January 14, 2025

A motion was made by Kevin O'Connell, seconded by Marshall Johnson to accept the minutes from January 14, 2025, as submitted. The motion carried unanimously.

3. Old Business:

- a) None.

4. New Business:

- a. **Public Hearing: Approve a request for Madison Place Phase II / PIDN: 60124060.000 – Elliott Land Development – Requesting Preliminary Plat approval of a 51-lot subdivision**

A motion was made by Kevin O'Connell, seconded by Marshall Johnson to accept email into public records. The motion carried unanimously. A motion was made by Joseph McCormick and seconded by Kevin O'Connell to open public hearing. The motion carried unanimously. Amanda Crose with Elliot Homes presented her application. Four residents (Easy Rider, Samantha Mcnell, William Edmonson, Steven Parker) spoke in opposition of the connector road from Madison Place subdivision to Lakeview subdivision. A motion was made by Kevin O'Connell and seconded by Marshall Johnson to close public hearing.

A motion was made by Kevin O'Connell and seconded by Marshall Johnson to recommend approval of the preliminary plat for Madison Place Phase 2 contingent upon the developer providing a transition in the sidewalk on Madison place drive at its west end where it terminates at the alley to Westwind Court, the developer providing an easement by lot 22 for access to clean the concrete ditch, a pedestrian circulation system with a minimum of 5 feet width to connect to other sidewalks/trails and conservation areas, and that the developer provide approvals from outside agencies of Mississippi Department of Environmental Quality, Mississippi Department of Health, Army Core of Engineers and all other required agencies. Also, the motion to recommend approval is contingent upon the removal of the truncation or alteration of the connector road between Gibson and

Pinehaven, which will be reviewed and resolved if necessary at the time of the final plat. The motion passed unanimously.

b. 5717 Peacock Street/PIDN: 61057134.940 – Gulf Coast Digs, LLC – Requesting a lot split. The property is zoned R-4

A motion was made by Kevin O'Connell and seconded by Joey Conwill to recommend approval of the lot split. The motion carried unanimously. One resident (Stacey Jessman) spoke in opposition to the lot split.

5. General Public Comment

- a) Mark Garriga addressed the commission concerning property setbacks.

6. Commissioners Forum

- A) Discussion concerning the comprehensive plan

7. Adjourn

A motion was made by Marshall Johnson, seconded by Kevin O'Connell to adjourn the meeting. The motion carried unanimously.

Comment on Public Hearing: Approve a request for Madison Place Phase II / PIDN: 60124060.000 – Elliott Land Development – Requesting Preliminary Plat approval of a 51-lot subdivision.

Stephen Parker, a resident of Madison Place I, who resides at 106 Westwind Court, Ocean Springs, MS, adjacent to Madison Place II and is a current member of the 39 member Madison Place I HOA and will be a member of the 91 member Madison Place I + II HOA, request that the preliminary plat approval be conditioned to:

1-Require that the **current and ultimate Covenantor of the Declaration of Restrictive Covenants on the Conservation Easement**¹, be required to mitigate and manage the current fire hazard that exists directly adjacent to the lots/future homes abutting the conservation easement by implementation of on-going forestry management practices on the conservation easement (see Figure 1).

2-Construction shall not commence until USACE Permit # SAM-2004-03387-RCV has been amended at the discretion of the USACE and the resource agencies to allow for forestry management as specified in request #1².

3-Construction shall not commence until an agreement has been established on how the Covenantorship would be transferred and how on-going forestry management will be paid for to ensure the long-term elimination of fire hazard exposure to residences of Madison Place .

Additional information:

- Elliott Homes is the current Covenantor of the Declaration of Restrictive Covenants with the intention to convey the Covenantor title to the HOA;
- The Covenantorship allows for modification of terms in coordination with the USACE and resource agency and allows for management of fire hazards/forestry management practices. Any changes to the Restrictive Covenants with regard to forestry management activities would require a modification that would need to be agreed to by the USACE (See Attachment A correspondence with USACE dated January 16, 2025)
- Without the modification of the Restrictive Covenants, mitigation of the current fire hazard is prohibited (See Attachment B-Restrictive Covenants).
- Forestry management practices would need to be on-going in order to establish and keep manageable fuel loads in the vicinity of proposed homes.
- Costs for the on-going forestry management activities could substantially increase HOA fees.

¹ Declaration of Restrictive Covenants was made on the 11 day of October 2024, by Elliott Land Developmetns, LLC (Covenantor); #202424117 BK: 2194 PG: 86-93; 12/30/2024 12:19:17 PM; 8 Pgs.

² Madison Place II Restrictive Covenants Conditions 1 c.; 2; 4 b.

Comment on Public Hearing: Approve a request for Madison Place Phase II / PIDN: 60124060.000 – Elliott Land Development – Requesting Preliminary Plat approval of a 51-lot subdivision.

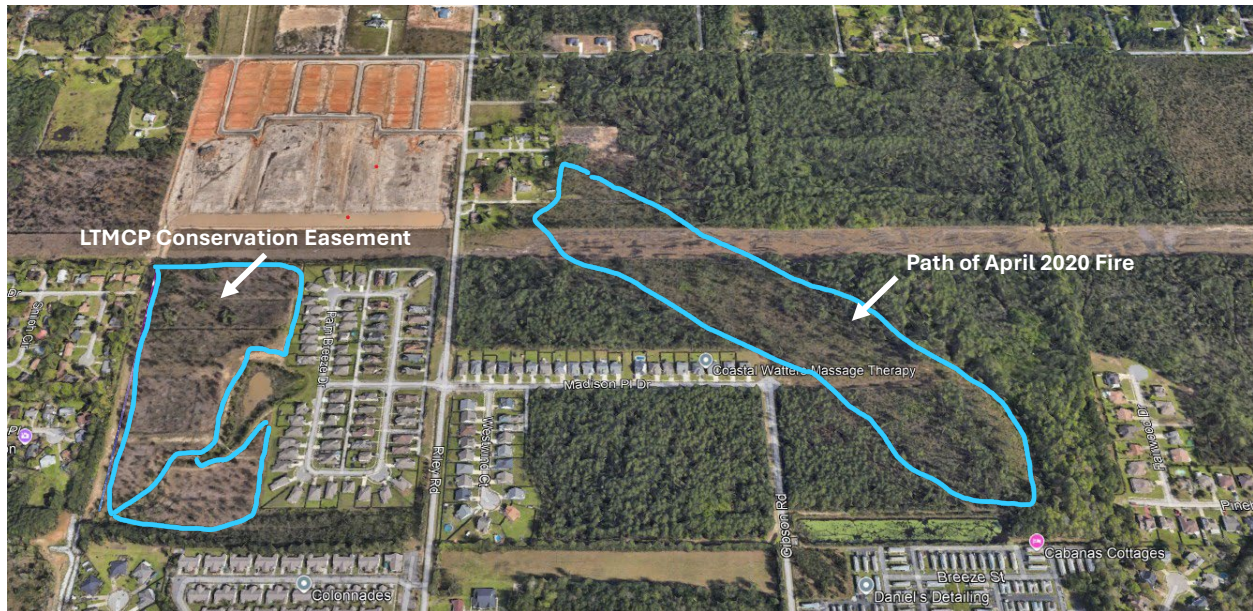
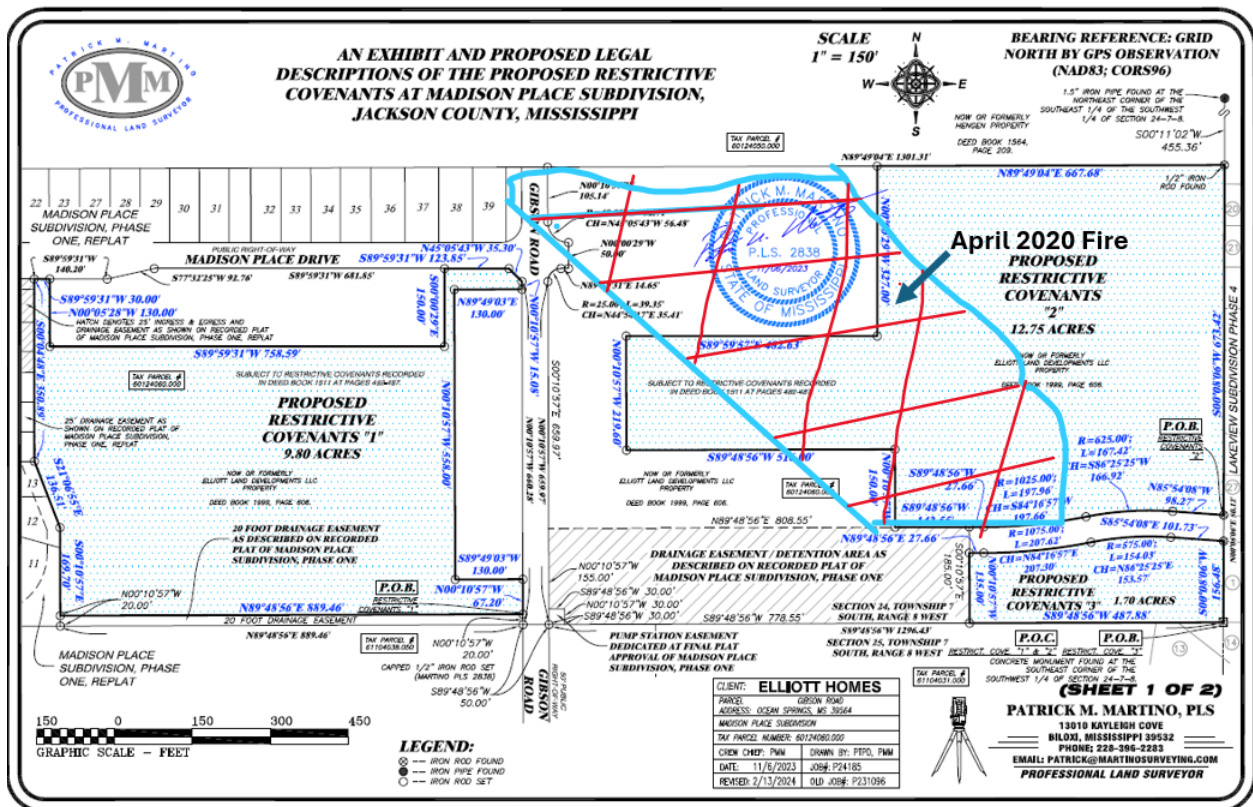


Figure 1: Path of April 2020 Fire through the Conservation Easement; A local example of a conservation easement managed by the Land Trust for the Mississippi Coastal Plain



Comment on Public Hearing: Approve a request for Madison Place Phase II / PIDN: 60124060.000 – Elliott Land Development – Requesting Preliminary Plat approval of a 51-lot subdivision.

Figure 2: Approximate swath of April 202 Fire through the current conservation easement



Figure 3: Various stages of Pine savanna growth, fire exposure, and forestry management.

Comment on Public Hearing: Approve a request for Madison Place Phase II / PIDN: 60124060.000 – Elliott Land Development – Requesting Preliminary Plat approval of a 51-lot subdivision.

Attachment A: USACE Correspondence

Neumann, Kaaren M CIV USARMY CESAM (USA) <Kaaren.M.Neumann@usace.army.mil>

To: Stephen Parker

Cc: Hendrix, Dylan C CIV USARMY CESAM (USA) <Dylan.C.Hendrix@usace.army.mil>

Thu 1/16/2025 6:54 AM

Good Morning Mr. Parker,

A change in permittee's would require a modification. (There is a place on the bottom of the permit for a Transferee Signature.)

Any changes to the Restrictive Covenant would also require a modification and would need to be agreed upon by our office and our attorney prior to finalization.

An additional public notice wouldn't typically be required for those types of actions.

The phone number listed below is correct.

Please let us know if we can be of any further assistance.

Thanks,

Kaaren

Kaaren M. Neumann
Biologist
South Mississippi Branch
Regulatory Division
USACE-Mobile District

Government Cell Phone Number: 228-386-8293

From: Stephen Parker <sparker@symbiotic-enterprises.com>

Sent: Wednesday, January 15, 2025 4:03 PM

To: Neumann, Kaaren M CIV USARMY CESAM (USA) <Kaaren.M.Neumann@usace.army.mil>

Cc: Hendrix, Dylan C CIV USARMY CESAM (USA) <Dylan.C.Hendrix@usace.army.mil>

Subject: [Non-DoD Source] Re: FOIA Requests to Mobile District

Kaaren,

Thank you for the follow up. Would permit modifications as a result of ownership change OR changes in management practices require a public notice? Also, could I follow up with you by phone? Is your listed cell phone the best number to call OR is there a better number where I can reach out to you for a conversaiton? Appreciate any information that you can provide. Thank you, steve

Comment on Public Hearing: Approve a request for Madison Place Phase II / PIDN: 60124060.000 – Elliott Land Development – Requesting Preliminary Plat approval of a 51-lot subdivision.

Stephen W. Parker

Principal Scientist

Symbiotic Enterprises, LLC

Maximizing your effectiveness

sparker@symbiotic-enterprises.com

(228) 224-9057; schedule a 30 minute call

www.symbiotic-enterprises.com

From: Neumann, Kaaren M CIV USARMY CESAM (USA) <Kaaren.M.Neumann@usace.army.mil>

Sent: Wednesday, January 8, 2025 2:18 PM

To: Stephen Parker <sparker@symbiotic-enterprises.com>

Cc: Hendrix, Dylan C CIV USARMY CESAM (USA) <Dylan.C.Hendrix@usace.army.mil>

Subject: RE: FOIA Requests to Mobile District

Good Afternoon Mr. Parker,

If the Permittee wants to sell the property to another entity the Restrictive Covenant would still be binding on the site. If for example the Permittee was to sell the property to another entity and the new entity wants to place the site into a conservation easement instead of the existing restrictive covenant then that would require a permit modification.

The bottom line is if the permittee decides to sell the property to another group for management purposes then it would be best for them to come in and meet with our upper management and our attorney to determine the best way forward.

Thanks,

Kaaren

Kaaren M. Neumann

Biologist

South Mississippi Branch

Regulatory Division

USACE-Mobile District

Government Cell Phone Number: 228-386-8293

From: Stephen Parker <sparker@symbiotic-enterprises.com>

Sent: Wednesday, January 8, 2025 11:08 AM

To: Neumann, Kaaren M CIV USARMY CESAM (USA) <Kaaren.M.Neumann@usace.army.mil>

Subject: [Non-DoD Source] Fw: FOIA Requests to Mobile District

Kaaren,

Comment on Public Hearing: Approve a request for Madison Place Phase II / PIDN: 60124060.000 – Elliott Land Development – Requesting Preliminary Plat approval of a 51-lot subdivision.

Thank you for the conversation this morning. I am interested in what amendments to the attached Restrictive Covenants would be required to have the Land Trust for the Mississippi Gulf Coastal Plain or a similar entity assume management responsibilities for this site. Appreciate whatever insight you can provide. I have been in conversation with Brandon Elliott and am working to see if we can implement some nuisance species control in the area to reduce the risk of fire adjacent to newly constructed homes. Thank you again.
steve

Stephen W. Parker

Principal Scientist

Symbiotic Enterprises, LLC

Maximizing your effectiveness

sparker@symbiotic-enterprises.com

(228) 224-9057; schedule a 30 minute call

www.symbiotic-enterprises.com

From: Neumann, Kaaren M CIV USARMY CESAM (USA) <Kaaren.M.Neumann@usace.army.mil>

Sent: Friday, November 22, 2024 10:52 AM

To: Stephen Parker <sparker@symbiotic-enterprises.com>

Subject: FOIA Requests to Mobile District

Good Morning Mr. Parker,

The below link will take you to the area to complete a FOIA request from Mobile District.

<https://www.sam.usace.army.mil/Business-With-Us/FOIA/>

Please let us know if we can be of any further assistance.

Thanks,

Kaaren

Kaaren M. Neumann

Biologist

South Mississippi Branch

Regulatory Division

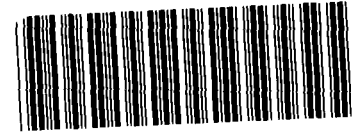
USACE-Mobile District

Government Cell Phone Number: 228-386-8293

Comment on Public Hearing: Approve a request for Madison Place Phase II / PIDN: 60124060.000 – Elliott Land Development – Requesting Preliminary Plat approval of a 51-lot subdivision.

Attachment B: Madison Place 2 Restrictive Covenants

8
OFFICIAL RECORDS JACKSON CO. TY
Josh Eldridge
CHANCERY CLERK
RECORDING FEE: \$39.00
#202424117 BK: 2194 PG: 86-93
12/30/2024 12:19:17 PM 8 PGS
AC0BB.DC Rcpt#27942



202424117 8 PGS

STATE OF MISSISSIPPI

COUNTY OF JACKSON

**DECLARATION OF
RESTRICTIVE COVENANTS**

THIS DECLARATION OF RESTRICTIVE COVENANTS is made this 11th day of October, 2024 by ELLIOTT LAND DEVELOPMENTS, LLC, a Mississippi limited liability company ("Covenantor").

RECITALS

WHEREAS, Covenantor is the owner of one parcel of real property located in Jackson County, State of Mississippi, more particularly described as Parcel Number 60124060.000 as:

Legal Description and Survey attached hereto as Exhibit "A"; and

WHEREAS, the said Property possesses significant ecological values of aesthetic and environmental benefit to the people of the State of Mississippi and the United States; and

WHEREAS, in consideration of the issuance of Permit Number SAM-2004-03387-RCV ("Permit") by the U.S. Army Corps of Engineers, Mobile District ("Corps" or "Mobile District," to include any successor agency) pursuant to Section 404 of the Clean Water Act and /or Section 10 of the Rivers and Harbors Act authorizing certain activities in waters of the United States, and in recognition of the continuing benefit to the property, and for the protection of waters of the United States and scenic, resource, environmental, and general property values, Covenantor has agreed to perform certain mitigation and to place certain restrictive covenants on the Property, in order that the Property shall remain substantially in its natural condition forever;

NOW THEREFORE, Covenantor hereby declares that the Property shall be held, transferred, conveyed, leased, occupied or otherwise disposed of and used subject to the following restrictive covenants, which shall run with the land and be binding on all heirs, successors, assigns (they are included in the term, "Covenantor," below), lessees, or other occupiers and users.

1. **Prohibitions & Restrictions.**

- a. **General.** There shall be no filling, flooding, excavating, mining or drilling; no removal of natural materials; no dumping of materials; and no alteration of the topography in any manner except as specifically provided for in the Mitigation Plan of the Permit.
- b. **Waters and Wetlands.** There shall be no draining, dredging, damming, or impounding; no changing the grade or elevation, impairing the flow or circulation of waters, reducing the reach of waters; and no other discharge or activity requiring a permit under applicable clean water or water pollution control laws and regulations except as specifically provided for in the Mitigation Plan of the Permit.
- c. **Trees/Vegetation.** There shall be no clearing, burning, cutting or destroying of trees or vegetation, except as expressly authorized in the Reserved Rights; there shall be no planting or introduction of non-native or exotic species of trees or vegetation.
- d. **Uses.** No agricultural, industrial, or commercial activity shall be undertaken or allowed.
- e. **Structures.** There shall be no construction, erection, or placement of buildings, billboards, or any other structures, nor any additions to existing structures.
- f. **New Roads.** There shall be no construction of new roads or trails without the prior written approval of the Mobile District Engineer, including the manner in which they are constructed.
- g. **Use of Off Road Vehicles.** There shall be no use of off road vehicles, 4 wheel drive vehicles, all terrain vehicles or similar vehicles except on existing roads and trails and except as necessary to manage the Property.
- h. **Utilities.** There shall be no construction or placement of utilities or related facilities without the prior approval of the Mobile District Engineer.
- i. **Pest Control.** There shall be no application of pesticides or biological controls, including for problem vegetation, without prior written approval from the Mobile District Engineer.
- j. **Other Prohibitions.** Any other use of, or activity on, the protected property which is or may become inconsistent with the purposes of this grant, the preservation of the protected property substantially in its natural condition, or the protection of its environmental systems, is prohibited.

2. **Amendment.** After recording, these restrictive covenants may only be amended by a recorded document signed by the Corps and Covenantor. Amendment shall be allowed at the discretion of the Corps, in consultation with resource agencies as appropriate, and then only in exceptional circumstances. Mitigation for amendment impacts will be required at the time of amendment. There shall be no obligation to allow an amendment.

3. **Notice to Government.** Any permit application, or request for certification or modification, which may affect the Property, made to any governmental entity with authority over wetlands or other waters of the United States, shall expressly reference and include a copy (with the recording stamp) of these restrictive covenants.

4. **Reserved Rights.** It is expressly understood and agreed that these restrictive covenants do not grant or convey to members of the general public any rights of ownership, entry or use of the Property. These restrictive covenants are created solely for the protection of the Property, and for the consideration and values set forth above. The Covenantor reserves the right to engage in all acts or uses not prohibited by the Restrictions and which are not inconsistent with the conservation purposes of this covenant, that is to preserve the protected property substantially in its natural condition, and to protect its environmental systems. Notwithstanding the foregoing Restrictions, Covenantor reserves for itself, its heirs, successors, administrators, and assigns the following Reserved Rights, which may be exercised upon providing prior written notice to the Mobile District Engineer, except where expressly provided otherwise:

- a. **Landscape Management.** Landscaping by the Covenantor to prevent severe erosion or damage to the protected property or portions thereof, or significant detriment to existing or permitted uses, is allowed, provided that such landscaping is generally consistent with preserving the natural condition of the protected property.
- b. **Wildlife and Forestry Management.** The Covenantor will naturally manage these lands to preserve and improve the existing forest and wildlife resources. Timber harvesting and management by Covenantor is limited to the extent necessary to protect the natural environment in areas where the forest is damaged by natural forces such as fire, flood, storm, insects or infectious organisms. Timber management is expressly understood to include periodic controlled burning or mowing when deemed advisable to mitigate the risk of wildfires. Such timber harvest and/or management shall be carried out only after approval by the Mobile District Engineer.
- c. **Recreation.** Covenantor reserves the right to engage in any outdoor, non-commercial recreational activities, including hunting (excluding planting or burning) and fishing, with cumulatively very small impacts, and which are consistent with the continuing natural condition of the protected property. No written notice required.
- d. **Mineral Interests.** Covenantor specifically reserves a qualified mineral interest in subsurface oil, gas, or other minerals and the right to access such minerals. However, there shall be no extraction or removal of, or exploration for, minerals by any surface mining method, nor by any method which results in subsidence or which otherwise interferes with the continuing natural condition of the protected property.
- e. **Road Maintenance.** Covenantor reserves the right to maintain existing roads or trails. Maintenance shall be limited to: removal or pruning of dead or hazardous vegetation; application of permeable materials (e.g., sand, gravel, crushed) necessary to correct or impede erosion; grading; replacement of culverts, water control structures, or bridges; and, maintenance or roadside ditches.

- f. **Other Reserved Rights.** Covenantor reserves the right to engage in all acts or uses not prohibited by the Restrictions and which are not inconsistent with the conservation purposes of this covenant, the preservation of the protected property substantially in its natural condition, and the protection of its environmental systems.
5. **Compliance Inspections.** The Corps, and its authorized agents shall have the right to enter and go upon the lands of Covenantor, to inspect the Property and take actions necessary to verify compliance with these restrictive covenants.
6. **Enforcement.** The Covenantor grants to the Corps and/or the U.S. Department of Justice, a discretionary right to enforce these restrictive covenants in a judicial action against any person(s) or other entity(ies) violating or attempting to violate these restrictive covenants; provided, however, that no violation of these restrictive covenants shall result in a forfeiture or reversion of title. In any enforcement action, an enforcing agency shall be entitled to a complete restoration for any violation, as well as any other judicial remedy such as civil penalties. These enforcement rights are cumulative, in addition to, and shall not limit enforcement rights available under other provisions of law or equity, or under any permit or certification.
7. **Marking of Property.** The perimeter of the Property shall at all times be plainly marked by permanent signs saying, "Protected Natural Area," or by an equivalent, permanent marking system.
8. **Recording of Plat.** A plat depicting the boundaries of the Property subject to these restrictive covenants shall be recorded in the deed records office for each county in which the Property is situated prior to the recording of these restrictive covenants. The plat is recorded at:
- PLAT BOOK 24 AT PAGE 80 AS PER THE OFFICIAL MAP OR PLAT ON FILE AND OF RECORD IN THE OFFICE OF THE CHANCERY CLERK OF JACKSON COUNTY, MISSISSIPPI.
9. **Separability Provision.** Should any separable part of these restrictive covenants be held contrary to law, the remainder shall continue in full force and effect.

SIGNATURE PAGE TO FOLLOW.

IN WITNESS WHEREOF, the Covenantor has duly executed this Declaration of Restrictive Covenants this the date written above.

IN THE PRESENCE OF:

Covenantor
ELLIOTT LAND DEVELOPMENTS, LLC

Print Name: _____

By: _____
Brandon Elliott

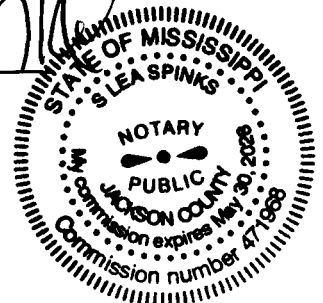
Print Name: _____

Its: Managing member
Member

STATE OF MISSISSIPPI
COUNTY OF Jefferson

PERSONALLY appeared before me Brandon Elliott, the undersigned witness, and made oath that he/she saw the within named Elliott Land Developments, LLC, a Mississippi limited liability company, by Brandon Elliott, its Member, sign, seal and as his act and deed, deliver the within named Declaration of Restrictive Covenants; and that he with the other witness named above witnessed the execution thereof.

Signature



**PROPOSED LEGAL DESCRIPTION:
RESTRICTIVE COVENANTS "1"**

A PARCEL OF LAND SITUATED IN THE SOUTHWEST 1/4 OF SECTION 24, TOWNSHIP 7 SOUTH, RANGE 8 WEST, CITY OF OCEAN SPRINGS, JACKSON COUNTY, MISSISSIPPI AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A CONCRETE MONUMENT FOUND AT THE SOUTHEAST CORNER OF THE SOUTHWEST 1/4 OF SECTION 24, TOWNSHIP 7 SOUTH, RANGE 8 WEST, CITY OF OCEAN SPRINGS, JACKSON COUNTY, MISSISSIPPI; THENCE ALONG THE ESTABLISHED SECTION LINE COMMON TO SECTIONS 24 AND 25, TOWNSHIP 7 SOUTH, RANGE 8 WEST, S89°48'56"W 1296.43 FEET TO A CAPPED 1/2" IRON ROD SET, LYING ON THE EAST MARGIN OF GIBSON ROAD, SAID IRON ROD ALSO LYING ON THE BOUNDARY OF THE REPLAT OF MADISON PLACE SUBDIVISION, PHASE 1, RECORDED IN PLAT BOOK 24 AT PAGE 80 AS PER THE OFFICIAL MAP OR PLAT ON FILE AND OF RECORD IN THE OFFICE OF THE CHANCERY CLERK OF JACKSON COUNTY, MISSISSIPPI; THENCE FURTHER ALONG SAID SECTION LINE, S89°48'56"W 50.00 FEET TO A CAPPED 1/2" IRON ROD SET, LYING ON THE WEST MARGIN OF SAID GIBSON ROAD AND THE BOUNDARY OF THE REPLAT OF MADISON PLACE SUBDIVISION, PHASE 1; THENCE ALONG THE WEST MARGIN OF GIBSON ROAD AND ALONG SAID BOUNDARY OF THE REPLAT OF MADISON PLACE SUBDIVISION, PHASE 1, N00°10'57"W 20.00 FEET TO A SET 1/2" IRON ROD AT THE NORTHEAST CORNER OF A 20 FOOT PLATTED DRAINAGE EASEMENT, AS SHOWN ON THE REPLAT OF MADISON PLACE SUBDIVISION, PHASE 1, SAID IRON ROD ALSO BEING THE POINT OF BEGINNING; THENCE ALONG SAID WEST MARGIN OF GIBSON ROAD AND ALONG SAID BOUNDARY OF REPLAT OF MADISON PLACE SUBDIVISION, PHASE 1, N00°10'57"W 67.20 FEET TO A CAPPED 1/2" IRON ROD SET; THENCE LEAVING THE WEST MARGIN OF GIBSON ROAD AND SAID BOUNDARY OF THE REPLAT OF MADISON PLACE SUBDIVISION, PHASE 1, S89°49'03"W 130.00 FEET TO A SET 1/2" IRON ROD; THENCE ALONG A LINE BEING PARALLEL WITH THE WEST MARGIN OF GIBSON ROAD AND SAID BOUNDARY OF THE REPLAT OF MADISON PLACE SUBDIVISION, PHASE 1, N00°10'57"W 558.00 FEET TO A SET 1/2" IRON ROD; THENCE N89°49'03"E 130.00 FEET TO A SET 1/2" IRON ROD LYING ON THE WEST MARGIN OF GIBSON ROAD AND SAID BOUNDARY OF THE REPLAT OF MADISON PLACE SUBDIVISION, PHASE 1; THENCE ALONG THE WEST MARGIN OF GIBSON ROAD AND SAID BOUNDARY OF THE REPLAT OF MADISON PLACE SUBDIVISION, PHASE 1, N00°10'57"W 15.08 FEET TO A SET 1/2" IRON ROD; THENCE CONTINUE ALONG THE WEST MARGIN OF GIBSON ROAD AND SAID BOUNDARY OF THE REPLAT OF MADISON PLACE SUBDIVISION, PHASE 1, N45°05'43"W 35.30 FEET TO A SET 1/2" IRON ROD LYING ON THE SOUTH MARGIN OF MADISON PLACE DRIVE AND THE BOUNDARY OF THE REPLAT OF MADISON PLACE SUBDIVISION, PHASE 1; THENCE ALONG THE SOUTH MARGIN OF MADISON PLACE DRIVE AND THE BOUNDARY OF THE REPLAT OF MADISON PLACE SUBDIVISION, PHASE 1, S89°59'31"W 123.85 FEET TO A SET 1/2" IRON ROD; THENCE LEAVING THE SOUTH MARGIN OF MADISON PLACE DRIVE AND THE BOUNDARY OF THE REPLAT OF MADISON PLACE SUBDIVISION, PHASE 1, S00°00'29"E 150.00 FEET TO A SET 1/2" IRON ROD; THENCE ALONG A LINE BEING PARALLEL WITH THE SOUTH MARGIN OF MADISON PLACE DRIVE AND SAID BOUNDARY OF THE REPLAT OF MADISON PLACE SUBDIVISION, PHASE 1, S89°59'31"W 758.59 FEET TO A SET 1/2" IRON ROD; THENCE N00°05'28"W 130.00 FEET TO A SET 1/2" IRON ROD LYING ON THE SOUTH MARGIN OF MADISON PLACE DRIVE AND THE BOUNDARY OF THE REPLAT OF MADISON PLACE SUBDIVISION, PHASE 1, S89°59'31"W 30.00 FEET TO A SET 1/2" IRON ROD; THENCE FURTHER ALONG SAID BOUNDARY OF THE REPLAT OF MADISON PLACE SUBDIVISION, PHASE 1, S00°04'48"E 350.89 FEET TO A SET 1/2" IRON ROD; THENCE FURTHER ALONG SAID SUBDIVISION BOUNDARY, S21°06'55"E 136.51

FEET TO A SET 1/2" IRON ROD; THENCE FURTHER ALONG SAID SUBDIVISION BOUNDARY, S00°10'57"E 169.70 FEET TO A SET 1/2" IRON ROD, LYING AT THE NORTHWEST CORNER OF THE AFOREMENTIONED PLATTED 20 FOOT DRAINAGE EASEMENT; THENCE ALONG THE NORTH LINE OF SAID PLATTED 20 FOOT DRAINAGE EASEMENT, N89°48'56"E 889.46 FEET TO THE POINT OF BEGINNING. CONTAINING 9.80 ACRES, MORE OR LESS. REFERENCE MERIDIAN FOR BEARINGS BASED ON GRID NORTH BY GPS OBSERVATION. (CONVERGENCE ANGLE: 0°02'34.9717" - SCALE FACTOR: 0.999950823). ALL SET 1/2" IRON RODS ARE CAPPED AND STAMPED WITH "MARTINO PLS 02838".

**PROPOSED LEGAL DESCRIPTION:
RESTRICTIVE COVENANTS "2"**

A PARCEL OF LAND SITUATED IN THE SOUTHWEST 1/4 OF SECTION 24, TOWNSHIP 7 SOUTH, RANGE 8 WEST, CITY OF OCEAN SPRINGS, JACKSON COUNTY, MISSISSIPPI AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT A CONCRETE MONUMENT FOUND AT THE SOUTHEAST CORNER OF THE SOUTHWEST 1/4 OF SECTION 24, TOWNSHIP 7 SOUTH, RANGE 8 WEST, CITY OF OCEAN SPRINGS, JACKSON COUNTY, MISSISSIPPI, SAID POINT ALSO LYING AT THE SOUTHWEST CORNER OF LAKEVIEW SUBDIVISION, PHASE 4, BEING RECORDED IN PLAT BOOK 22 AT PAGE 9 AS PER THE OFFICIAL MAP OR PLAT ON FILE AND OF RECORD IN THE OFFICE OF THE CHANCERY CLERK OF JACKSON COUNTY, MISSISSIPPI; THENCE ALONG THE WESTERN BOUNDARY OF SAID LAKEVIEW SUBDIVISION, PHASE 4, N00°08'06"E 156.48 FEET TO A 1/2" IRON ROD FOUND AT THE SOUTHWEST CORNER OF PINEHAVEN DRIVE; THENCE CONTINUE ALONG THE WESTERN BOUNDARY OF SAID LAKEVIEW SUBDIVISION, PHASE 4, N00°08'06"E 50.12 FEET TO A 1/2" IRON ROD FOUND LYING AT THE NORTHWEST CORNER OF PINEHAVEN DRIVE, SAID POINT BEING THE POINT OF BEGINNING; THENCE LEAVING THE WESTERN BOUNDARY OF SAID LAKEVIEW SUBDIVISION, PHASE 4, N85°54'08"W 98.27 FEET TO A SET 1/2" IRON ROD; THENCE ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF 625.00 FEET, ARC LENGTH OF 167.42 FEET, AND A CHORD BEARING AND DISTANCE OF S86°25'25"W 166.92 FEET TO A SET 1/2" IRON ROD; THENCE ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 1025.00 FEET, AN ARC LENGTH OF 197.96 FEET, AND A CHORD BEARING AND DISTANCE OF S84°16'57"W 197.66 FEET TO A SET 1/2" IRON ROD; THENCE S89°48'56"W 27.66 FEET TO A SET 1/2" IRON ROD AT THE NORTHEAST CORNER OF A PLATTED DRAINAGE EASEMENT/DETENTION AREA AS SHOWN ON THE REPLAT OF MADISON PLACE SUBDIVISION, PHASE 1, RECORDED IN PLAT BOOK 24 AT PAGE 80 AS PER THE OFFICIAL MAP OR PLAT ON FILE AND OF RECORD IN THE OFFICE OF THE CHANCERY CLERK OF JACKSON COUNTY, MISSISSIPPI; THENCE ALONG THE NORTH LINE OF SAID PLATTED DRAINAGE EASEMENT/DETENTION AREA, S89°48'56"W 142.55 FEET TO A SET 1/2" IRON ROD; THENCE LEAVING THE NORTH LINE OF SAID PLATTED DRAINAGE EASEMENT/DETENTION AREA, N00°10'57"W 150.00 FEET TO A SET 1/2" IRON ROD; THENCE S89°48'56"W 516.00 FEET TO A SET 1/2" IRON ROD; THENCE N00°10'57"W 219.60 FEET TO A SET 1/2" IRON ROD; THENCE S89°59'57"E 482.63 FEET TO A SET 1/2" IRON ROD; THENCE N00°00'29"W 327.00 FEET TO A SET 1/2" IRON ROD ON THE SOUTH LINE OF THE PROPERTY NOW OR FORMERLY OF HENGEN, AS DESCRIBED IN DEED BOOK 1564 AT PAGE 209; THENCE ALONG THE SOUTH LINE OF SAID HENGEN PROPERTY, N89°49'04"E 667.68 FEET TO A 1/2" IRON ROD FOUND LYING

ON THE WESTERN BOUNDARY OF AFOREMENTIONED LAKEVIEW SUBDIVISION, PHASE 4; THENCE ALONG SAID WESTERN BOUNDARY, S00°08'06"W 673.42 FEET TO THE POINT OF BEGINNING. CONTAINING 12.75 ACRES, MORE OR LESS. REFERENCE MERIDIAN FOR BEARINGS BASED ON GRID NORTH BY GPS OBSERVATION. (CONVERGENCE ANGLE: 0°02'34.9717" - SCALE FACTOR: 0.999950823) ALL SET 1/2" IRON RODS ARE CAPPED AND STAMPED WITH "MARTINO PLS 02838".

**PROPOSED LEGAL DESCRIPTION:
RESTRICTIVE COVENANTS "3"**

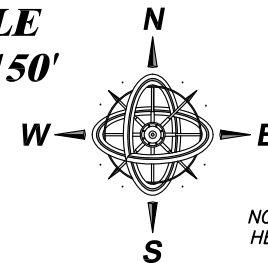
A PARCEL OF LAND SITUATED IN THE SOUTHWEST 1/4 OF SECTION 24, TOWNSHIP 7 SOUTH, RANGE 8 WEST, CITY OF OCEAN SPRINGS, JACKSON COUNTY, MISSISSIPPI AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A CONCRETE MONUMENT FOUND AT THE SOUTHEAST CORNER OF THE SOUTHWEST 1/4 OF SECTION 24, TOWNSHIP 7 SOUTH, RANGE 8 WEST, CITY OF OCEAN SPRINGS, JACKSON COUNTY, MISSISSIPPI; THENCE ALONG THE ESTABLISHED SECTION LINE COMMON TO SECTIONS 24 AND 25, TOWNSHIP 7 SOUTH, RANGE 8 WEST, S89°48'56"W 487.88 FEET TO A CAPPED 1/2" IRON ROD SET, LYING AT THE SOUTHEAST CORNER OF THE PLATTED DRAINAGE EASEMENT/DETENTION AREA AS SHOWN ON THE REPLAT OF MADISON PLACE SUBDIVISION, PHASE 1, RECORDED IN PLAT BOOK 24 AT PAGE 80 AS PER THE OFFICIAL MAP OR PLAT ON FILE AND OF RECORD IN THE OFFICE OF THE CHANCERY CLERK OF JACKSON COUNTY, MISSISSIPPI; THENCE ALONG THE EAST LINE OF SAID PLATTED DRAINAGE EASEMENT/DETENTION AREA, N00°10'57"W 135.00 FEET TO A SET 1/2" IRON ROD; THENCE LEAVING THE EAST LINE OF SAID PLATTED DRAINAGE EASEMENT/DETENTION AREA, N89°48'56"E 27.66 FEET TO A SET 1/2" IRON ROD; THENCE ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF 1075.00 FEET, AN ARC LENGTH OF 207.62 FEET, AND A CHORD BEARING AND DISTANCE OF N84°16'57"E 207.30 FEET TO A SET 1/2" IRON ROD; THENCE ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 575.00 FEET, AN ARC LENGTH OF 154.03 FEET, AND A CHORD BEARING AND DISTANCE OF N86°25'25"E 153.57 FEET TO A SET 1/2" IRON ROD; THENCE S85°54'08"E 101.73 FEET TO A 1/2" IRON ROD FOUND AT THE SOUTHWEST CORNER OF PINEHAVEN DRIVE, SAID POINT ALSO LYING ON THE WESTERN BOUNDARY OF LAKEVIEW SUBDIVISION, PHASE 4, BEING RECORDED IN PLAT BOOK 22 AT PAGE 9 AS PER THE OFFICIAL MAP OR PLAT ON FILE AND OF RECORD IN THE OFFICE OF THE CHANCERY CLERK OF JACKSON COUNTY, MISSISSIPPI; THENCE ALONG SAID WESTERN BOUNDARY, S00°08'06"W 156.48 FEET TO THE POINT OF BEGINNING. CONTAINING 1.70 ACRES, MORE OR LESS. REFERENCE MERIDIAN FOR BEARINGS BASED ON GRID NORTH BY GPS OBSERVATION. (CONVERGENCE ANGLE: 0°02'34.9717" - SCALE FACTOR: 0.999950823) ALL SET 1/2" IRON RODS ARE CAPPED AND STAMPED WITH "MARTINO PLS 02838".



AN EXHIBIT AND PROPOSED LEGAL
DESCRIPTIONS OF THE PROPOSED RESTRICTIVE
COVENANTS AT MADISON PLACE SUBDIVISION,
JACKSON COUNTY, MISSISSIPPI

SCALE
1" = 150'



BEARING REFERENCE: GRID
NORTH BY GPS OBSERVATION
(NAD83; CORS96)

1.5" IRON PIPE FOUND AT THE
NORTHEAST CORNER OF THE
SOUTHEAST 1/4 OF THE SOUTHWEST
1/4 OF SECTION 24-7-8.

NOW OR FORMERLY
HENGEN PROPERTY

DEED BOOK 1564,
PAGE 209.

S00°11'02"W
455.36'

TAX PARCEL #
60124050.000

22 23 27 28 29 30 31 32 33 34 35 36 37 38 39
MADISON PLACE
SUBDIVISION, PHASE
ONE, REPLAT

S89°59'31"W 140.20'
S77°32'25"W 92.76'
S89°59'31"W 681.85'
S89°59'31"W 30.00'
N00°05'28"W 130.00'
HATCH DENOTES 25' INGRESS & EGRESS AND
DRAINAGE EASEMENT AS SHOWN ON RECORDED PLAT
OF MADISON PLACE SUBDIVISION, PHASE ONE, REPLAT
S89°59'31"W 758.59'
S00°04'48"E 350.89'
S00°00'29"E 150.00'
N89°49'03"E 130.00'
N00°10'57"W 15.08'
N00°10'57"W 659.97'
N00°10'57"W 660.28'

TAX PARCEL #
60124060.000

SUBJECT TO RESTRICTIVE COVENANTS RECORDED
IN DEED BOOK 1511 AT PAGES 482-487.

**PROPOSED
RESTRICTIVE
COVENANTS "1"**
9.80 ACRES

NOW OR FORMERLY
ELLIOTT LAND DEVELOPMENTS LLC
PROPERTY

DEED BOOK 1999, PAGE 606.

20 FOOT DRAINAGE EASEMENT
AS DESCRIBED ON RECORDED
PLAT OF MADISON PLACE
SUBDIVISION, PHASE ONE

N00°10'57"W
20.00'

20 FOOT DRAINAGE EASEMENT

N89°48'56"E 889.46'

MADISON PLACE
SUBDIVISION, PHASE
ONE, REPLAT

150 0 150 300 450

GRAPHIC SCALE - FEET

LEGEND:

- ⊗ -- IRON ROD FOUND
- -- IRON PIPE FOUND
- -- IRON ROD SET

GIBSON ROAD
50' PUBLIC
RIGHT-OF-WAY

N00°10'57"W
105.14'
R=40.00', L=62.71'
CH=N45°05'43"W 56.48'
N00°00'29"W
50.00'
N89°59'31"E 14.65'
R=25.00', L=39.35'
CH=N44°54'17"E 35.41'



S89°59'57"E 482.63'

SUBJECT TO RESTRICTIVE COVENANTS RECORDED
IN DEED BOOK 1511 AT PAGES 482-487.

NOW OR FORMERLY
ELLIOTT LAND DEVELOPMENTS LLC
PROPERTY

DEED BOOK 1999, PAGE 606.

DRAINAGE EASEMENT / DETENTION AREA AS
DESCRIBED ON RECORDED PLAT OF
MADISON PLACE SUBDIVISION, PHASE ONE

N00°10'57"W
155.00'
S89°48'56"W 30.00'
N00°10'57"W 30.00'
S89°48'56"W 30.00'

PUMP STATION EASEMENT
DEDICATED AT FINAL PLAT
APPROVAL OF MADISON PLACE
SUBDIVISION, PHASE ONE

TAX PARCEL #
61104038.050

N00°10'57"W
20.00'
CAPPED 1/2" IRON ROD SET
(MARTINO PLS 2838)
S89°48'56"W
50.00'

TAX PARCEL #
60124060.000

N89°48'56"E 808.55'

N89°48'56"E 27.66'

SECTION 24, TOWNSHIP 7
SOUTH, RANGE 8 WEST

SECTION 25, TOWNSHIP 7
SOUTH, RANGE 8 WEST

CLIENT: ELLIOTT HOMES	
PARCEL	GIBSON ROAD
ADDRESS:	OCEAN SPRINGS, MS 39564
MADISON PLACE SUBDIVISION	
TAX PARCEL NUMBER: 60124060.000	
CREW CHIEF: PMM	DRAWN BY: PTPD, PMM
DATE: 11/6/2023	JOB#: P24185
REVISED: 2/13/2024	OLD JOB#: P231096

**PROPOSED
RESTRICTIVE
COVENANTS
"2"**
12.75 ACRES

NOW OR FORMERLY
ELLIOTT LAND DEVELOPMENTS LLC
PROPERTY

DEED BOOK 1999, PAGE 606.

P.O.B.
RESTRICTIVE
COVENANTS
"2"

R=625.00';
L=167.42'
CH=S86°25'25"W
166.92'

R=1025.00';
L=197.96'
CH=S84°16'57"W
197.66'

R=1075.00';
L=207.62'
CH=N84°16'57"E
207.30'

R=575.00';
L=154.03'
CH=N86°25'25"E
153.57'
**PROPOSED
RESTRICTIVE
COVENANTS "3"**
1.70 ACRES
S89°48'56"W 487.88'

P.O.C.

P.O.B.

RESTRICT. COVE. "1" & "2" RESTRICT. COVE. "3"
CONCRETE MONUMENT FOUND AT THE
SOUTHWEST 1/4 OF SECTION 24-7-8.

(SHEET 1 OF 2)

PATRICK M. MARTINO, PLS

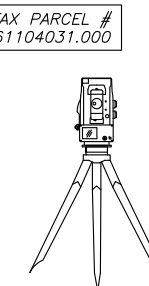
13010 KAYLEIGH COVE

BILOXI, MISSISSIPPI 39532

PHONE: 228-396-2283

EMAIL: PATRICK@MARTINOSURVEYING.COM

PROFESSIONAL LAND SURVEYOR



**PROPOSED LEGAL DESCRIPTION:
RESTRICTIVE COVENANTS "1"
(AS PER SURVEY DIMENSIONS)**

A PARCEL OF LAND SITUATED IN THE SOUTHWEST 1/4 OF SECTION 24, TOWNSHIP 7 SOUTH, RANGE 8 WEST, CITY OF OCEAN SPRINGS, JACKSON COUNTY, MISSISSIPPI AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
COMMENCING AT A CONCRETE MONUMENT FOUND AT THE SOUTHEAST CORNER OF THE SOUTHWEST 1/4 OF SECTION 24, TOWNSHIP 7 SOUTH, RANGE 8 WEST, CITY OF OCEAN SPRINGS, JACKSON COUNTY, MISSISSIPPI; THENCE ALONG THE ESTABLISHED SECTION LINE COMMON TO SECTIONS 24 AND 25, TOWNSHIP 7 SOUTH, RANGE 8 WEST, S89°48'56"W 1296.43 FEET TO A CAPPED 1/2" IRON ROD SET, LYING ON THE EAST MARGIN OF GIBSON ROAD, SAID IRON ROD ALSO LYING ON THE BOUNDARY OF THE REPLAT OF MADISON PLACE SUBDIVISION, PHASE 1, RECORDED IN PLAT BOOK 24 AT PAGE 80 AS PER THE OFFICIAL MAP OR PLAT ON FILE AND OF RECORD IN THE OFFICE OF THE CHANCERY CLERK OF JACKSON COUNTY, MISSISSIPPI; THENCE FURTHER ALONG SAID SECTION LINE, S89°48'56"W 50.00 FEET TO A CAPPED 1/2" IRON ROD SET, LYING ON THE WEST MARGIN OF SAID GIBSON ROAD AND THE BOUNDARY OF THE REPLAT OF MADISON PLACE SUBDIVISION, PHASE 1; THENCE ALONG THE WEST MARGIN OF GIBSON ROAD AND ALONG SAID BOUNDARY OF THE REPLAT OF MADISON PLACE SUBDIVISION, PHASE 1, N00°10'57"W 20.00 FEET TO A SET 1/2" IRON ROD AT THE NORTHEAST CORNER OF A 20 FOOT PLATTED DRAINAGE EASEMENT, AS SHOWN ON THE REPLAT OF MADISON PLACE SUBDIVISION, PHASE 1, SAID IRON ROD ALSO BEING THE POINT OF BEGINNING; THENCE ALONG SAID WEST MARGIN OF GIBSON ROAD AND ALONG SAID BOUNDARY OF REPLAT OF MADISON PLACE SUBDIVISION, PHASE 1, N00°10'57"W 67.20 FEET TO A CAPPED 1/2" IRON ROD SET; THENCE LEAVING THE WEST MARGIN OF GIBSON ROAD AND SAID BOUNDARY OF THE REPLAT OF MADISON PLACE SUBDIVISION, PHASE 1, S89°49'03"W 130.00 FEET TO A SET 1/2" IRON ROD; THENCE ALONG A LINE BEING PARALLEL WITH THE WEST MARGIN OF GIBSON ROAD AND SAID BOUNDARY OF THE REPLAT OF MADISON PLACE SUBDIVISION, PHASE 1, N00°10'57"W 558.00 FEET TO A SET 1/2" IRON ROD; THENCE N89°49'03"E 130.00 FEET TO A SET 1/2" IRON ROD LYING ON THE WEST MARGIN OF GIBSON ROAD AND SAID BOUNDARY OF THE REPLAT OF MADISON PLACE SUBDIVISION, PHASE 1; THENCE ALONG THE WEST MARGIN OF GIBSON ROAD AND SAID BOUNDARY OF THE REPLAT OF MADISON PLACE SUBDIVISION, PHASE 1, N00°10'57"W 15.08 FEET TO A SET 1/2" IRON ROD; THENCE CONTINUE ALONG THE WEST MARGIN OF GIBSON ROAD AND SAID BOUNDARY OF THE REPLAT OF MADISON PLACE SUBDIVISION, PHASE 1, N45°05'43"W 35.30 FEET TO A SET 1/2" IRON ROD LYING ON THE SOUTH MARGIN OF MADISON PLACE DRIVE AND THE BOUNDARY OF THE REPLAT OF MADISON PLACE SUBDIVISION, PHASE 1; THENCE ALONG THE SOUTH MARGIN OF MADISON PLACE DRIVE AND THE BOUNDARY OF THE REPLAT OF MADISON PLACE SUBDIVISION, PHASE 1, S89°59'31"W 123.85 FEET TO A SET 1/2" IRON ROD; THENCE LEAVING THE SOUTH MARGIN OF MADISON PLACE DRIVE AND THE BOUNDARY OF THE REPLAT OF MADISON PLACE SUBDIVISION, PHASE 1, S00°00'29"E 150.00 FEET TO A SET 1/2" IRON ROD; THENCE ALONG A LINE BEING PARALLEL WITH THE SOUTH MARGIN OF MADISON PLACE DRIVE AND SAID BOUNDARY OF THE REPLAT OF MADISON PLACE SUBDIVISION, PHASE 1, S89°59'31"W 758.59 FEET TO A SET 1/2" IRON ROD; THENCE N00°05'28"W 130.00 FEET TO A SET 1/2" IRON ROD LYING ON THE SOUTH MARGIN OF MADISON PLACE DRIVE AND THE BOUNDARY OF THE REPLAT OF MADISON PLACE SUBDIVISION, PHASE 1, S89°59'31"W 30.00 FEET TO A SET 1/2" IRON ROD; THENCE FURTHER ALONG SAID BOUNDARY OF THE REPLAT OF MADISON PLACE SUBDIVISION, PHASE 1, S00°04'48"E 350.89 FEET TO A SET 1/2" IRON ROD; THENCE FURTHER ALONG SAID SUBDIVISION BOUNDARY, S21°06'55"E 136.51 FEET TO A SET 1/2" IRON ROD; THENCE FURTHER ALONG SAID SUBDIVISION BOUNDARY, S00°10'57"E 169.70 FEET TO A SET 1/2" IRON ROD, LYING AT THE NORTHWEST CORNER OF THE AFOREMENTIONED PLATTED 20 FOOT DRAINAGE EASEMENT; THENCE ALONG THE NORTH LINE OF SAID PLATTED 20 FOOT DRAINAGE EASEMENT, N89°48'56"E 889.46 FEET TO THE POINT OF BEGINNING. CONTAINING 9.80 ACRES, MORE OR LESS. REFERENCE MERIDIAN FOR BEARINGS BASED ON GRID NORTH BY GPS OBSERVATION. (CONVERGENCE ANGLE: 0°02'34.9717" – SCALE FACTOR: 0.999950823). ALL SET 1/2" IRON RODS ARE CAPPED AND STAMPED WITH "MARTINO PLS 02838".

**PROPOSED LEGAL DESCRIPTION:
RESTRICTIVE COVENANTS "2"
(AS PER SURVEY DIMENSIONS)**

A PARCEL OF LAND SITUATED IN THE SOUTHWEST 1/4 OF SECTION 24, TOWNSHIP 7 SOUTH, RANGE 8 WEST, CITY OF OCEAN SPRINGS, JACKSON COUNTY, MISSISSIPPI AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
COMMENCING AT A CONCRETE MONUMENT FOUND AT THE SOUTHEAST CORNER OF THE SOUTHWEST 1/4 OF SECTION 24, TOWNSHIP 7 SOUTH, RANGE 8 WEST, CITY OF OCEAN SPRINGS, JACKSON COUNTY, MISSISSIPPI, SAID POINT ALSO LYING AT THE SOUTHWEST CORNER OF LAKEVIEW SUBDIVISION, PHASE 4, BEING RECORDED IN PLAT BOOK 22 AT PAGE 9 AS PER THE OFFICIAL MAP OR PLAT ON FILE AND OF RECORD IN THE OFFICE OF THE CHANCERY CLERK OF JACKSON COUNTY, MISSISSIPPI; THENCE ALONG THE WESTERN BOUNDARY OF SAID LAKEVIEW SUBDIVISION, PHASE 4, N00°08'06"E 156.48 FEET TO A 1/2" IRON ROD FOUND AT THE SOUTHWEST CORNER OF PINEHAVEN DRIVE; THENCE CONTINUE ALONG THE WESTERN BOUNDARY OF SAID LAKEVIEW SUBDIVISION, PHASE 4, N00°08'06"E 50.12 FEET TO A 1/2" IRON ROD FOUND LYING AT THE NORTHWEST CORNER OF PINEHAVEN DRIVE, SAID POINT BEING THE POINT OF BEGINNING; THENCE LEAVING THE WESTERN BOUNDARY OF SAID LAKEVIEW SUBDIVISION, PHASE 4, N85°54'08"W 98.27 FEET TO A SET 1/2" IRON ROD; THENCE ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF 625.00 FEET, ARC LENGTH OF 167.42 FEET, AND A CHORD BEARING AND DISTANCE OF S86°25'25"W 166.92 FEET TO A SET 1/2" IRON ROD; THENCE ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 1025.00 FEET, AN ARC LENGTH OF 197.96 FEET, AND A CHORD BEARING AND DISTANCE OF S84°16'57"W 197.66 FEET TO A SET 1/2" IRON ROD; THENCE S89°48'56"W 27.66 FEET TO A SET 1/2" IRON ROD AT THE NORTHEAST CORNER OF A PLATTED DRAINAGE EASEMENT/DETENTION AREA AS SHOWN ON THE REPLAT OF MADISON PLACE SUBDIVISION, PHASE 1, RECORDED IN PLAT BOOK 24 AT PAGE 80 AS PER THE OFFICIAL MAP OR PLAT ON FILE AND OF RECORD IN THE OFFICE OF THE CHANCERY CLERK OF JACKSON COUNTY, MISSISSIPPI; THENCE ALONG THE NORTH LINE OF SAID PLATTED DRAINAGE EASEMENT/DETENTION AREA, S89°48'56"W 142.55 FEET TO A SET 1/2" IRON ROD; THENCE LEAVING THE NORTH LINE OF SAID PLATTED DRAINAGE EASEMENT/DETENTION AREA, N00°10'57"W 150.00 FEET TO A SET 1/2" IRON ROD; THENCE S89°48'56"W 516.00 FEET TO A SET 1/2" IRON ROD; THENCE N00°10'57"W 219.60 FEET TO A SET 1/2" IRON ROD; THENCE S89°59'57"E 482.63 FEET TO A SET 1/2" IRON ROD; THENCE N00°00'29"W 327.00 FEET TO A SET 1/2" IRON ROD ON THE SOUTH LINE OF THE PROPERTY NOW OR FORMERLY OF HENGEN, AS DESCRIBED IN DEED BOOK 1564 AT PAGE 209; THENCE ALONG THE SOUTH LINE OF SAID HENGEN PROPERTY, N89°49'04"E 667.68 FEET TO A 1/2" IRON ROD FOUND LYING ON THE WESTERN BOUNDARY OF AFOREMENTIONED LAKEVIEW SUBDIVISION, PHASE 4; THENCE ALONG SAID WESTERN BOUNDARY, S00°08'06"W 673.42 FEET TO THE THE POINT OF BEGINNING. CONTAINING 12.75 ACRES, MORE OR LESS. REFERENCE MERIDIAN FOR BEARINGS BASED ON GRID NORTH BY GPS OBSERVATION. (CONVERGENCE ANGLE: 0°02'34.9717" – SCALE FACTOR: 0.999950823) ALL SET 1/2" IRON RODS ARE CAPPED AND STAMPED WITH "MARTINO PLS 02838".

**AN EXHIBIT AND PROPOSED LEGAL
DESCRIPTIONS OF THE PROPOSED RESTRICTIVE
COVENANTS AT MADISON PLACE SUBDIVISION,
JACKSON COUNTY, MISSISSIPPI**

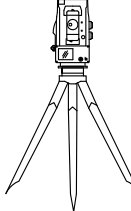


**PROPOSED LEGAL DESCRIPTION:
RESTRICTIVE COVENANTS "3"
(AS PER SURVEY DIMENSIONS)**

A PARCEL OF LAND SITUATED IN THE SOUTHWEST 1/4 OF SECTION 24, TOWNSHIP 7 SOUTH, RANGE 8 WEST, CITY OF OCEAN SPRINGS, JACKSON COUNTY, MISSISSIPPI AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
BEGINNING AT A CONCRETE MONUMENT FOUND AT THE SOUTHEAST CORNER OF THE SOUTHWEST 1/4 OF SECTION 24, TOWNSHIP 7 SOUTH, RANGE 8 WEST, CITY OF OCEAN SPRINGS, JACKSON COUNTY, MISSISSIPPI; THENCE ALONG THE ESTABLISHED SECTION LINE COMMON TO SECTIONS 24 AND 25, TOWNSHIP 7 SOUTH, RANGE 8 WEST, S89°48'56"W 487.88 FEET TO A CAPPED 1/2" IRON ROD SET, LYING AT THE SOUTHEAST CORNER OF THE PLATTED DRAINAGE EASEMENT/DETENTION AREA AS SHOWN ON THE REPLAT OF MADISON PLACE SUBDIVISION, PHASE 1, RECORDED IN PLAT BOOK 24 AT PAGE 80 AS PER THE OFFICIAL MAP OR PLAT ON FILE AND OF RECORD IN THE OFFICE OF THE CHANCERY CLERK OF JACKSON COUNTY, MISSISSIPPI; THENCE ALONG THE EAST LINE OF SAID PLATTED DRAINAGE EASEMENT/DETENTION AREA, N00°10'57"W 135.00 FEET TO A SET 1/2" IRON ROD; THENCE LEAVING THE EAST LINE OF SAID PLATTED DRAINAGE EASEMENT/DETENTION AREA, N89°48'56"E 27.66 FEET TO A SET 1/2" IRON ROD; THENCE ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF 1075.00 FEET, AN ARC LENGTH OF 207.62 FEET, AND A CHORD BEARING AND DISTANCE OF N84°16'57"E 207.30 FEET TO A SET 1/2" IRON ROD; THENCE ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 575.00 FEET, AN ARC LENGTH OF 154.03 FEET, AND A CHORD BEARING AND DISTANCE OF N86°25'25"E 153.57 FEET TO A SET 1/2" IRON ROD; THENCE S85°54'08"E 101.73 FEET TO A 1/2" IRON ROD FOUND AT THE SOUTHWEST CORNER OF PINEHAVEN DRIVE, SAID POINT ALSO LYING ON THE WESTERN BOUNDARY OF LAKEVIEW SUBDIVISION, PHASE 4, BEING RECORDED IN PLAT BOOK 22 AT PAGE 9 AS PER THE OFFICIAL MAP OR PLAT ON FILE AND OF RECORD IN THE OFFICE OF THE CHANCERY CLERK OF JACKSON COUNTY, MISSISSIPPI; THENCE ALONG SAID WESTERN BOUNDARY, S00°08'06"W 156.48 FEET TO THE THE POINT OF BEGINNING. CONTAINING 1.70 ACRES, MORE OR LESS. REFERENCE MERIDIAN FOR BEARINGS BASED ON GRID NORTH BY GPS OBSERVATION. (CONVERGENCE ANGLE: 0°02'34.9717" – SCALE FACTOR: 0.999950823) ALL SET 1/2" IRON RODS ARE CAPPED AND STAMPED WITH "MARTINO PLS 02838".

THE PURPOSE OF THIS EXHIBIT IS TO PROVIDE LEGAL DESCRIPTIONS OF THE PROPOSED RESTRICTIVE COVENANTS IN MADISON PLACE SUBDIVISION. THIS IS NOT A COMPLETED BOUNDARY SURVEY AT THIS TIME.

(SHEET 2 OF 2)

THIS SURVEY WAS PREPARED FROM INFORMATION PROVIDED BY CLIENT, WITHOUT THE BENEFIT OF A CURRENT TITLE REPORT OR AN ENVIRONMENTAL STUDY.		NO FLOOD ZONE DETERMINATION WAS PERFORMED AS A PART OF THIS EXHIBIT. AN ACCURATE DETERMINATION CAN BE MADE BY ORDERING A FEMA ELEVATION CERTIFICATE.	
CLIENT: ELLIOTT HOMES		LEGAL DESCRIPTION EXHIBIT	BEARINGS SHOWN HEREON ARE DERIVED BY: GRID NORTH BY GPS OBSERVATION (DATUM=NAD 83; CORS 96); ALL LINES RELATIVE TO.
PARCEL: GIBSON ROAD ADDRESS: OCEAN SPRINGS, MS 39564 MADISON PLACE SUBDIVISION		SCALE: 1"=150'	 PATRICK M. MARTINO, PLS 13010 KAYLEIGH COVE BILOXI, MISSISSIPPI 39532 PHONE: 228-396-2283 EMAIL: PATRICK@MARTINOSURVEYING.COM PROFESSIONAL LAND SURVEYOR
TAX PARCEL NUMBER: 60124060.000 CRD#: P9585			
CREW CHIEF: PMM	DRAWN BY: PTPD, PMM		
DATE: 11/6/2023	JOB#: P231096		
REVISED: 2/13/2024	OLD JOB#: P24185		