

Book 579

EASEMENT

323

BK # 579
5th Addition

Filing .05
 70.0 words
 Certificate .50
 Indexing .15
 1.75

STATE OF MISSISSIPPI, COUNTY OF HARRISON:

I, C. J. Darby, Clerk of the Chancery Court of said County and State, certify that the instrument of which the foregoing is a record was delivered to me to be recorded at 8:10 o'clock a M. on the 22 day of Nov. 1966 and recorded Dec 5th, 1966

C. J. DARBY, Clerk,

By Pauline Smith D. C.

STATE OF MISSISSIPPI
COUNTY OF HARRISON

AGREEMENT

WHEREAS, under date of April 17, 1963, the City of Gulfport, by Special Warranty Deed recorded in Book 513, pages 260-260A, conveyed to Clayton E. Lehman and Ralph D. Young a tract of land described as follows, to-wit:

Commencing at the intersection of the South line of Gulfport Bayou View Subdivision, Fifth Addition, with the west line of Courthouse Road, thence westerly along the South line of said Gulfport Bayou View Subdivision, Fifth Addition, to the East margin of an alley, thence Southeasterly along the East margin of said alley to the intersection of a Northeasterly extension of the South margin of 51st Street if extended in a straight line, thence Northeasterly along such extension of the South margin of 51st Street to the intersection of such extension with the West margin of Courthouse Road, thence North along the West line of Courthouse Road to the point of beginning. It is the intention of the grantor herein to convey, and there is hereby conveyed, all land owned by grantor in Blocks 68 and 69 of Gulfport Bayou View Subdivision, per map or plat in Plat Book 17, page 9, South of the South line of Gulfport Bayou View Subdivision, Fifth Addition, in the City of Gulfport, County of Harrison, State of Mississippi, and,

WHEREAS, said deed contained a reservation unto the Grantor of a 40 foot easement on the north and west of existing drainage ditch for ingress and egress and

WHEREAS, by instrument dated April 17, 1963, recorded in Book 514, pages 121-23 the City of Gulfport and Clayton E. Lehman and Ralph D. Young created protective covenants applicable to the above referenced land and

WHEREAS, the interest of Clayton E. Lehman and Ralph D. Young has been conveyed to Lehman Land Company and

WHEREAS, the City of Gulfport and Lehman Land Company wish to enter into this agreement for the purpose of the City of Gulfport releasing the 40 foot easement for ingress and egress set forth above, and the parties further desire to amend the restrictive covenants in the manner hereinafter set forth, witnesseth:

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NOW THEREFORE, for and in consideration of the mutual benefits to be derived from this agreement, the receipt of which being acknowledged by both parties, the parties agree as follows, to-wit:

1. The City of Gulfport hereby releases the 40 foot easement on the north and west of the drainage ditch extending through the above described property, but not including the easement for the ditch itself.

The restrictive covenants as set forth above are hereby amended so that the first sentence of Paragraph 1 which reads, "The land shall not be subdivided so as to create lots having an area of less than 12,500 square feet," shall be changed to read, "The land shall not be subdivided so as to create lots having an area of less than 8,000 square feet."

Except as may be amended by this agreement restrictive covenants remain in full force and effect, and further that this agreement does not affect in any manner the other reservations contained in Special Warranty Deed recorded in Book 513, pages 260-260A of the Land Deed Records, Harrison County, Mississippi.

Dated this the 15th day of November, 1966.

ATTEST

[Signature]
CITY CLERK

ATTEST:

[Signature]
Secretary

STATE OF MISSISSIPPI

COUNTY OF HARRISON

CITY OF GULFPORT

BY: *[Signature]*
Mayor

LEHMAN LAND COMPANY

BY: *[Signature]*
CLAYTON E. LEHMAN, Pres.

Before me the undersigned authority in and for above said County and State, this day personally appeared R. B. Meadows, Mayor, and J. H. McManus, City Clerk, who each in my presence acknowledged that they signed, sealed, and delivered the above and foregoing instrument on the day, month, and year therein shown as the act and deed of and for and on behalf of the City of Gulfport, Mississippi, and for all purposes therein shown, being duly authorized so to do.

WITNESS my signature and seal of office this the 15 day of November, 1966.

My commission expires:

7-22-1970



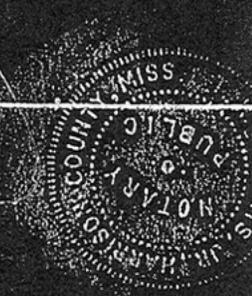
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STATE OF MISSISSIPPI
COUNTY OF HARRISON

Personally appeared before me, the undersigned authority in and for the State and County aforesaid, CLAYTON E. LEHMAN and BETTY LEHMAN, president and secretary of Lehman Land Company, who each in my presence acknowledged that they signed, sealed, and delivered the above and foregoing instrument on the day, month, and year therein shown as the act and deed of and for and on behalf of Lehman Land Company, and for all purposes therein shown, being duly authorized to do so.

WITNESS my signature and seal of office this the 15th day of November, 1966.

[Handwritten Signature]
NOTARY PUBLIC



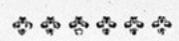
My commission expires: 7-22-67

Filing 600 words 1.20
Certificate 50
Indexing 1.05
2.80

STATE OF MISSISSIPPI, COUNTY OF HARRISON:

I, C. J. Darby, Clerk of the Chancery Court of said County and State, certify that the instrument of which the foregoing is a record was delivered to me to be recorded at 8:54 o'clock a M. on the 22 day of Nov. 19 66 and recorded Dec 5th, 19 66
C. J. DARBY, Clerk,

By Pauline Smith D. C.



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