

\$3.

Lot 5  
Blk 43

BOOK 1510 PAGE 472



*J. [Signature]* 1st Judicial District  
Instrument Number 2000 7229 D  
Filed 9 13 2000 2 26 P  
Total Fees 8.00  
Book 1510 Page 472-472 Recorded 9-14-00

AMENDMENT TO RESTRICTIVE COVENANTS GULFPORT BAYOU VIEW  
SUBDIVISION, LOT FIVE (5) BLOCK FORTY-THREE (43)



WHEREAS the City of Gulfport, Harrison County, Mississippi, as the owner of that certain property known and identified as Gulfport Bayou View Subdivision in the City of Gulfport, First Judicial District of Harrison County, Mississippi, as shown by map or plat thereof on file and of record in the office of the Chancery Clerk of said County and State, did heretofore on or about the 16th day of March, 1950, execute and file for record in the office of the Chancery Clerk aforesaid certain restrictive or protective covenants pertaining to said subdivision. Said covenants recorded in Deed Book 329 at Pages 485-486 thereof; and

WHEREAS the aforesaid covenants provide that same shall "attach to the title to said land and be binding on all persons claiming under the said City's title until January 1, 1975, which time said covenants shall be automatically extended successive periods of ten years unless by vote of the majority of the then owners of the Lots or Parcels of land therein described, it be agreed to change said covenants in whole or in part, each Block involved to be considered as a separate unit in voting such change"; and

WHEREAS the undersigned, being a majority of the present owners of Block Forty Three (43) of a majority of said Gulfport Bayou View Subdivision, First Judicial District of Harrison County Mississippi, do hereby agree that the aforesaid Lot Five (5), Block Forty Three, Bayou View Subdivision may be subdivided for the purpose of creating two building sites identified as Lots 5A and 5B, as shown on Exhibit "A" which is attached hereto and made a part hereof by reference the same as if copied herein in full in words and figures; and subject covenants are hereby amended to permit same.

Except as herein or heretofore modified, the aforesaid restrictive covenants shall remain in full force and effect.



WITNESS OUR SIGNATURES AND OWNERSHIP AS FOLLOWS:

NAME AND ADDRESS

PROPERTY OWNERSHIP

1. Patrick Wadsworth  
3716 Washington Ave (same)  
Gulfport, MS 39507 Patrick Wadsworth
2. Ruth H Collins  
40-37<sup>th</sup> St Gpt MS 39507 Ruth H Collins
3. Ruth P Collins Ruth P Collins  
42-37<sup>th</sup> St. GPT, MS 39507
4. FRANCES P. Reed Frances P Reed  
40-37<sup>th</sup> St Gpt MS 39507
5. Jaclye E. Ballard JACLYE E. BALLARD  
3711 JACKSON AVE.  
GULFPORT, MS 39507
6. \_\_\_\_\_
7. \_\_\_\_\_



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8.

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This Document Prepared By:

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Meadows Riley Law Firm  
P.O. Box 550  
Gulfport, MS 39502  
(601) 864-4511



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AFFIDAVIT

STATE OF MISSISSIPPI  
COUNTY OF HARRISON

PERSONALLY came and appeared before me, the undersigned authority in and for the jurisdiction aforesaid, Tammy Smith, who, being by me first duly sworn, makes oath to the following:

THAT she personally witnessed each and every signature of the property owners listed in the attached amendment to Restrictive Covenants to Gulfport, Bayou View Subdivision pertaining to Block Forty Three (43), Lots 5A and 5B, as hereinabove mentioned.

Tammy Smith

SWORN to and subscribed before me, this the 11<sup>th</sup> day of Sept.

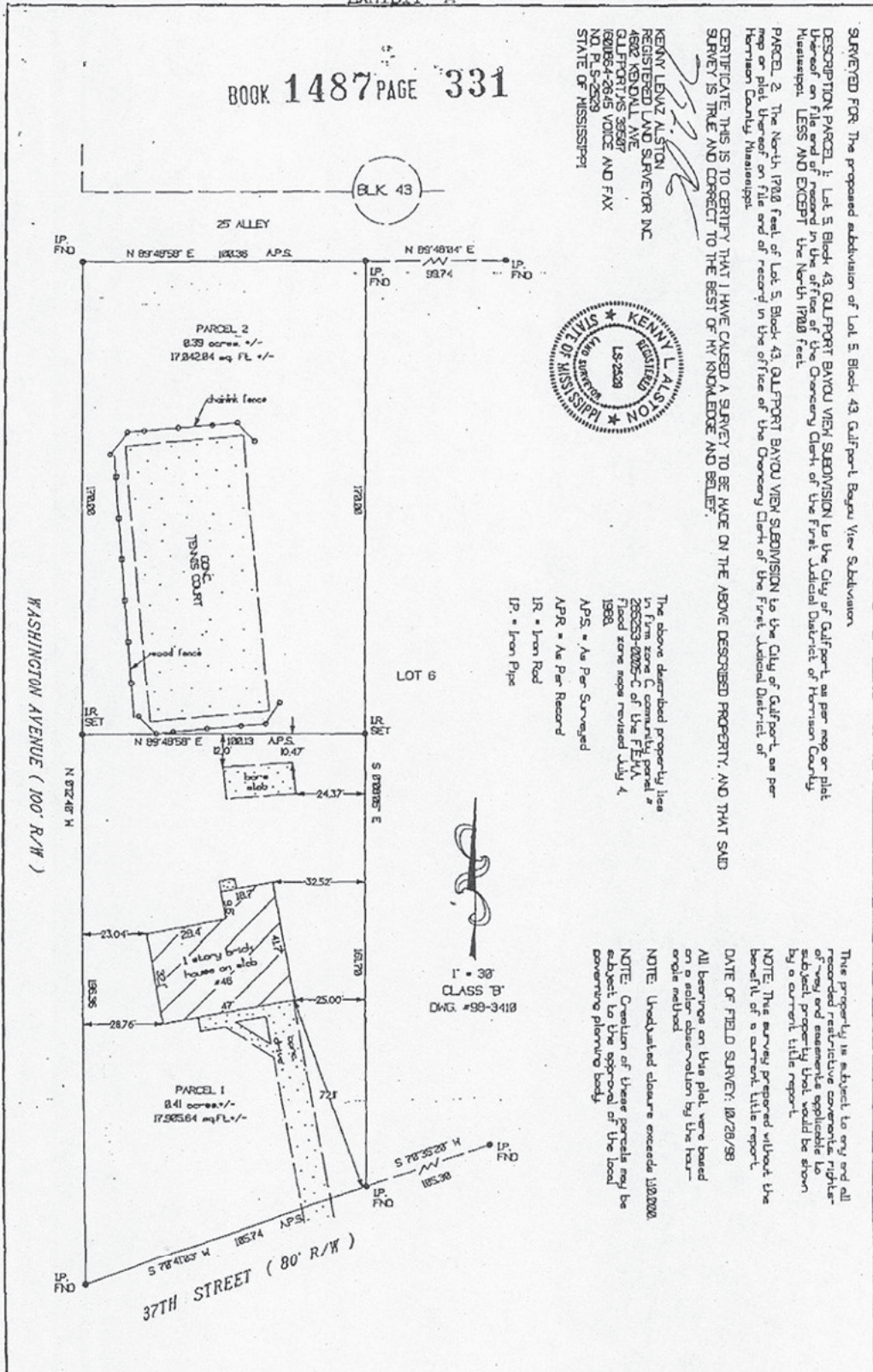
Shun Welch  
Notary Public



MISSISSIPPI STATEWIDE NOTARY PUBLIC  
My Commission Expires COMMISSION EXPIRES JULY 13, 2001



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2/22/00

KENNY LEVIZ ALSTON  
REGISTERED LAND SURVEYOR NO. 15-2438  
4802 KENDALL AVE  
GULFPORT, MISSISSIPPI 39507  
800854-2645 VOICE AND FAX  
NO. 15-2438  
STATE OF MISSISSIPPI

PARCEL 2: The North 1700 feet of Lot 5, Block 43, GULFPORT BAYOU VIEW SUBDIVISION to the City of Gulfport, as per map on file on file end of record in the office of the Chancery Clerk of the First Judicial District of Harrison County, Mississippi.

DESCRIPTION: PARCEL 1: Lot 5, Block 43, GULFPORT BAYOU VIEW SUBDIVISION to the City of Gulfport, as per map on file on file end of record in the office of the Chancery Clerk of the First Judicial District of Harrison County, Mississippi. LESS AND EXCEPT the North 1700 feet.

CERTIFICATE: THIS IS TO CERTIFY THAT I HAVE CAUSED A SURVEY TO BE MADE ON THE ABOVE DESCRIBED PROPERTY, AND THAT SAID SURVEY IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.



The above described property lies in Firm zone C community parcel # 280253-0025-C of the FEMA Flood zone maps revised July 4, 1988.

APS = As Per Surveyed  
APR = As Per Record  
IR = Iron Rod  
IP = Iron Pipe

This property is subject to any and all recorded restrictive covenants, easements, rights of way and easements applicable to subject property that would be shown by a current title report.

NOTE: This survey prepared without the benefit of a current title report.

DATE OF FIELD SURVEY: 10/28/99

All bearings on this plat were based on a solar observation by the hair-angle method.

NOTE: Unobstructed clearance exceeds 100,000.

NOTE: Condition of these parcels may be subject to the approval of the local governing planning body.

Instrument No. 2148

STATEMENT OF FEES

Recording Fee	\$6.00
Records Management Fee	\$1.00
Abstracting Fee	\$1.00
Marginal Entry	\$1.00
Other	

STATE OF MISSISSIPPI, COUNTY OF HARRISON, FIRST JUDICIAL DISTRICT:

I hereby certify that this instrument was received and filed for record at 1 o'clock and 41 minutes P. M. on 9th day of March, A.D. 2000 and recorded March 10 2000 in Records of Deeds 1487 Book 330-331 Pages

JOHN McADAMS, Chancery Clerk

*John McAdams* D.C.