

There came on for consideration at a duly constituted meeting of the Mayor and Members of the City Council of the City of Gulfport, Mississippi, held on the ____ day of April, 2014, the following Resolution:

**A RESOLUTION BY THE GULFPORT CITY COUNCIL ACKNOWLEDGING
AND MEMORIALIZING RECEIPT OF SIGNED AND RECORDED
AGREEMENTS AND DOCUMENTS IN CONNECTION WITH THE BERT
JONES YACHT BASIN (GULFPORT SMALL CRAFT HARBOR) AND
ADJACENT PARK DEDICATED AREAS**

WHEREAS, on July 23, 1935, Grace Jones Stewart conveyed various lands and areas to the City of Gulfport, Mississippi (“City”) by way of Deed in conjunction with the creation of a recreational center and park and adjacent harbor, said Deed being recorded on January 1, 1936, in Deed Book 208 at pages 202-204 in the Land Records of the Chancery Clerk in the First Judicial District of Harrison County, Mississippi and such park and recreation area was dedicated and is now known as the “Joseph T. Jones Memorial Park”) (also commonly referred to as “Jones Park”); and

WHEREAS, in 1935, the Legislature of the State of Mississippi enacted what is commonly referred to as the “Small Water Craft Harbors Act,” codified now at Miss. Code Ann. §§ 59-15-1, et seq. (1972), which authorized and empowered the City to, among other things, construct, operate, and maintain a small craft harbor for the benefit of the public; and

WHEREAS, on July 23, 1936, the City leased lands, waters, and areas from the Gulf & Ship Island Railroad Company, Inc., predecessor to the Illinois Central Railroad Company, Inc., which such lands, waters, and areas were used in connection with the City’s harbor and amenities related thereto; and

WHEREAS, from 1935 until 1937, the City did construct, erect, and ultimately establish a municipal harbor, named the “Bert Jones Yacht Basin” (also referred to as the

“Gulfport Small Craft Harbor”) and other facilities and amenities for use and benefit of the public for fishing, observation, amusement, recreational use, entertainment, and boating, with such harbor, facilities, and amenities being officially dedicated by the City on September 5, 1937, with Hugh L. White, then Governor of the State of Mississippi, also in attendance on such date; and

WHEREAS, the City has maintained, supported, and operated the harbor and adjacent areas, facilities, and amenities and has promoted and sponsored public events for entertainment and recreation continuously since 1937 for the overall good and benefit of its residents and citizens and those of the general public; and

WHEREAS, the City’s harbor and adjoining park and recreational amenities, grounds, and resources, which constitute integral parts of the City’s public recreational assets, resources and tourist attraction areas, were damaged beyond public use by the Hurricane Katrina natural disaster on August 29, 2005; and the City by securing a combination of insurance, government restoration grant assistance, and use of its public funds has been in the process of completing its restoration and improvements thereto, complimenting the City's public recreational assets, resources and tourist attraction areas; and

WHEREAS, for purposes of assuring perpetual use of the areas constituting the City’s recreational venues, park, and facilities, the City has dedicated in perpetuity such an area and has entered into agreements with the Secretary of State entitled “Boundary Agreement” and “Use Agreement” and has recently adopted a “Perpetual Dedication and Grant for Public Use and Park,” all of which documents have since been executed by the respective parties and since which have each been filed and recorded in the Land Records of the Chancery Clerk of Harrison County, First Judicial District, Mississippi; and

WHEREAS, the City is now in receipt of the filed-stamped and recorded agreements and “Perpetual Dedication and Grant for Public Use and Park” and the City’s Governing Authority is now desirous that these executed and filed documents, copies of which are collectively attached as Exhibit “A” hereto, be received and spread across its minutes.

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

Section 1. That the matters, facts and things recited in the Preamble hereto are hereby adopted as the official findings of the Governing Authority.

Section 2. That the Governing Authority of the City of Gulfport, Mississippi does hereby memorialize, accept, and acknowledge receipt of the filed-stamped “Boundary Agreement” and “Use Agreement,” both signed by the City and the Secretary of State for the State of Mississippi, and the “Perpetual Dedication and Grant for Public Use and Park,” all of which were recorded in the Land Records of the Chancery Clerk of Harrison County, Mississippi, First Judicial District on March 25, 2014, and are collectively attached hereto as Exhibit “A,” which the same shall now be spread upon its minutes.

The above and foregoing Resolution, after having been first reduced to writing and ready by the Clerk, was introduced by _____, seconded by _____, and was adopted by the following roll call vote:

AYES

NAYS

ABSENT

WHEREUPON, the President declared the motion carried and the Resolution adopted this the _____ day of _____, 2014.

(SEAL)

ATTEST:

ADOPTED:

CLERK OF THE COUNCIL

PRESIDENT

The above and foregoing Resolution was submitted to and approved by the Mayor, this

the _____ day of _____, 2014.

APPROVED:

MAYOR

EXHIBIT “A” TO

**A RESOLUTION BY THE GULFPORT CITY COUNCIL ACKNOWLEDGING AND
MEMORIALIZING RECEIPT OF SIGNED AND RECORDED AGREEMENTS AND
DOCUMENTS IN CONNECTION WITH THE BERT JONES YACHT BASIN (GULFPORT
SMALL CRAFT HARBOR) AND ADJACENT PARK DEDICATED AREAS**

Comprised of the following:

- (1) “Boundary Agreement” recorded on March 25, 2014, in the Land Records of the Chancery Clerk of Harrison County, First Judicial District, Mississippi;
- (2) “Use Agreement” recorded on March 25, 2014, in the Land Records of the Chancery Clerk of Harrison County, First Judicial District, Mississippi; and
- (3) the City of Gulfport, Mississippi’s “Perpetual Dedication and Grant for Public Use and Park” recorded on March 25, 2014, in the Land Records of the Chancery Clerk of Harrison County, First Judicial District.