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OFFICIAL RECORDS JACKSON COUNTY  
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Phone: (228) 864-1170

Grantor:  
Tom Reynolds, Sr., LLC  
1599-A Bienville Blvd.  
Ocean Springs, MS 39564  
Phone: (228) 875-2759

Grantee:  
Mississippi Department of Marine Resources  
1141 Bayview Ave.  
Biloxi, MS 39530  
Phone: (228) 374-5000

Indexing Instructions: Parcel located in Claim Section 37, Township 7 South, Range 8 West, Jackson County, Mississippi

STATE OF MISSISSIPPI  
COUNTY OF JACKSON

**WARRANTY DEED**

FOR AND IN CONSIDERATION OF the sum of Ten dollars (\$10.00), cash in hand paid, and other good and valuable considerations, the receipt and sufficiency of which are hereby acknowledged, Tom Reynolds, Sr., LLC, a Mississippi limited liability company, (hereinafter referred to as GRANTOR)

Tom Reynolds, Sr., LLC  
1599 A Bienville Boulevard  
Ocean Springs, MS 39564  
Telephone: 228-875-2759

does hereby sell, convey, bargain and warrant to:

The STATE OF MISSISSIPPI, by and through the MISSISSIPPI DEPARTMENT OF MARINE RESOURCES (hereinafter referred to as GRANTEE).

Mississippi Department of Marine Resources  
1141 Bayview Avenue  
Biloxi, MS 39530  
Telephone: 228-374-5000



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the following described real property together with all of Grantors' riparian and littoral rights, uses and easements, if any, and the bayous, estuaries, and rivers thereof which may now be owned by Grantors connected with and appurtenant to said land, if any, and all of Grantors' right, title and interest, if any, in and to the bank, shore and bed of said Bay, bayous, estuaries and rivers situated and located in Jackson County, Mississippi, more particularly and certainly described as follows: (hereinafter collectively referred to as the "Property"):

**LEGAL DESCRIPTION:** SEE EXHIBIT "A", containing a legal description and EXHIBIT "B", being a survey of said property.

THIS PROPERTY HAS BEEN ACQUIRED WITH FUNDS FROM A FEDERAL FINANCIAL ASSISTANCE AWARD -- THE COASTAL IMPACT ASSISTANCE PROGRAM (CIAP). TITLE OF THE PROPERTY CONVEYED BY THIS DEED SHALL VEST IN THE STATE OF MISSISSIPPI BY AND THROUGH THE DEPARTMENT OF MARINE RESOURCES SUBJECT TO THE CONDITION THAT THE PROPERTY SHALL BE MANAGED CONSISTENT WITH THE PURPOSES FOR WHICH IT WAS ENTERED INTO UNDER CIAP, AND SHALL NOT CONVERT TO OTHER USES. IN THE EVENT THE PROPERTY IS SOLD, EXCHANGED OR CONVERTS TO OTHER USES, THE BUREAU OF OCEAN ENERGY MANAGEMENT, REGULATION, AND ENFORCEMENT SHALL CONSULT WITH THE RECIPIENT BEFORE DECIDING TO EXERCISE ANY OF THE RIGHTS REGARDING DISPOSITION OF THE REAL PROPERTY UNDER 43 CFR 12.71.

THE PROPERTY HEREIN CONVEYED SHALL BE USED FOR THE CONSERVATION AND PRESERVATION OF ITS NATURAL FEATURES IN RECOGNITION OF THE PUBLIC BENEFITS IN PROTECTING IT AS A COASTAL AREA AND ASSOCIATED ECOSYSTEMS IN THE INTEREST OF PRESENT AND FUTURE GENERATIONS. THE PROPERTY SHALL BE USED AND MAINTAINED FOREVER AS A NATURAL AREA FOR THE PRESERVATION, PROTECTION, RESTORATION AND SUSTENANCE OF ITS NATURAL CHARACTERISTICS AND FEATURES, AND OF ITS ECOLOGICAL INTEGRITY AND ASSOCIATED HABITATS AND FOR COMPATIBLE USE PURPOSES. GRANTEE ACKNOWLEDGES THAT THE PROPERTY IS BEING ACQUIRED FOR PERMANENT PRESERVATION AND PUBLIC PURPOSES ONLY. GRANTEE SHALL NOT DIRECTLY OR INDIRECTLY CONVEY THE PROPERTY TO ANY PERSON OR ENTITY FOR USE IN A COMMERCIAL ENTERPRISE OR OTHER NON-PUBLIC USE, AND GRANTEE SHALL MAKE NO USE OF THE PROPERTY THAT IS INCONSISTENT WITH THE RESTRICTIONS AND USES CONTEMPLATED BY THE COVENANT. THE PROPERTY SHALL BE MANAGED AND MAINTAINED TO THE FULLEST EXTENT POSSIBLE IN ITS NATURAL STATE, EXCEPT FOR PUBLIC OUTDOOR RECREATIONAL PURPOSES CONSISTENT WITH PRESERVATION OF THE PROPERTY IN ITS NATURAL STATE, INCLUDING BUT NOT NECESSARILY LIMITED TO THE UNDERTAKING OF SCIENTIFIC AND EDUCATION RESEARCH, EDUCATION AND NATURE STUDY, AESTHETIC ENJOYMENT, ECOLOGICAL MANAGEMENT, AND MAINTENANCE OF FENCES, A PARK, BOAT LANDINGS AND FOOT TRAILS AS MAY BE APPROPRIATE TO EFFECTUATE THE FOREGOING PURPOSES WITHOUT

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IMPAIRING THE ESSENTIAL NATURAL CHARACTER OF THE PROPERTY. THESE CONDITIONS SHALL RUN WITH THE LAND IN PERPETUITY. THE GRANTOR OR ANY CITIZEN OF THE STATE OF MISSISSIPPI MAY ENFORCE THESE COVENANTS AND CONDITIONS USING ALL REMEDIES AVAILABLE AT LAW OR EQUITY, INCLUDING INJUNCTIVE RELIEF.

The conveyance is made subject to the following:

1. Ad valorem taxes for the year 2010 and assessments, said taxes and assessments not due or payable until January 1, 2011.
2. All oil, gas and other minerals of whatever kind located in, on and under subject Property.
3. Zoning ordinances, restrictions and any covenants or similar matters pertaining to subject Property.
4. Any unrecorded easements or claims of easements or rights of way not shown in the public records.
5. Any portion of the Property constituting State Tide or Trust Lands or property lying in beds or below mean high tide or any other river, bayou or other waterway in, running through or adjoining the Property.
6. The fact that part of the Property may constitute wetlands and may be subject to the provisions of applicable State and Federal law.

It is agreed to and understood that taxes and assessments for the above-described property for the current year shall be pro-rated and that the Grantors shall reimburse Grantee for taxes and assessments for that portion of the current year up until the date of the execution of this Deed. The Grantee shall be responsible for payment of the taxes and special assessments for the current year.

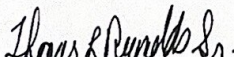
Executed on the date first written below.

WITNESS OUR SIGNATURES, this the 10<sup>th</sup> day of September, 2010.

GRANTOR:

Tom Reynolds, Sr., LLC

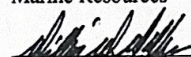
By:

  
Thomas L. Reynolds, Sr., Member

GRANTEE:

State of Mississippi, by and Through  
the Mississippi Department of  
Marine Resources

By:

  
William W. Walker, Executive Director



STATE OF MISSISSIPPI  
COUNTY OF Leflore

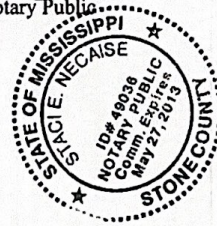
PERSONALLY appeared before me, the undersigned authority, in and for the said county and state, on this the 10th day of September, 2010, within my jurisdiction, the within named Thomas L. Reynolds, Sr., who acknowledged that he is a Member of Tom Reynolds, Sr., LLC, a Mississippi limited liability company, 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 having been duly authorized by said limited liability company to do so.

[Signature]

Notary Public

{SEAL}

My Commission Expires:  
Jackson



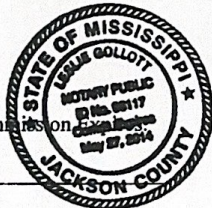
STATE OF MISSISSIPPI  
COUNTY OF HARRISON

PERSONALLY appeared before me, the undersigned authority in and for said state and county, on this the 10th day of September, 2010, within my jurisdiction, the within named WILLIAM W. WALKER, who acknowledged that he is Executive Director of the Mississippi Department of Marine Resources, and that in said representative capacity he executed the above and foregoing instrument, after first having been duly authorized so to do.

[Signature]  
Notary Public

{SEAL}

My Commission Expires on





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EXHIBIT "A"

A parcel of land situated and being located in a part of Block 5 of the OCEAN SPRINGS HOTEL TRACT, as shown by the plat of said subdivision on file and of record in the Office of the Chancery Clerk of Jackson County in Plat Book 1 at Page 27 and lying in Claim Section 37, Township 7 South, Range 8 West, being part of Block 123 as shown on the Ocean Springs Town Map, Jackson County, Mississippi and also containing the South ½ of Back Street (vacated by City of Ocean Springs ordinance number 11-2006) lying immediately north and adjacent to said Block 5 and all being more particularly described as follows, to-wit:

Beginning at the Northeast corner of said Block 5, being a point on the westerly margin of Jackson Avenue; thence run North 07 degrees 44 minutes 48 seconds East 20.00 feet along the westerly margin of Jackson Avenue to the centerline of said vacated Back Street; thence run North 85 degrees 34 minutes 15 seconds West 225.75 feet along the centerline of vacated Back Street; thence run South 00 degrees 43 minutes 01 seconds East 115.98 feet along the west line of said Block 5 to the northerly margin of Beach Drive; thence run South 52 degrees 48 minutes 14 seconds East 125.09 feet along the northerly margin of Beach Drive; thence run South 50 degrees 32 minutes 45 seconds East 116.82 feet along the northerly margin of Beach Drive to the westerly margin of Jackson Avenue; thence run North 07 degrees 44 minutes 48 seconds East 230.68 feet along the westerly margin of Jackson Avenue to the POINT OF BEGINNING.

Gulfport 479695v1



