

## **ORDINANCE NO. 2166**

**AN ORDINANCE ENLARGING, EXTENDING, AND  
DEFINING THE CORPORATE LIMITS AND  
BOUNDARIES OF THE CITY OF BILOXI,  
HARRISON COUNTY, MISSISSIPPI; SPECIFYING  
THE IMPROVEMENTS TO BE MADE IN THE  
ANNEXED TERRITORY AND THE MUNICIPAL OR  
PUBLIC SERVICES TO BE RENDERED THEREIN;  
AND FOR OTHER PURPOSES RELATED THERETO.**

**BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF  
BILOXI, MISSISSIPPI:**

**SECTION 1.** It is hereby found and determined that the public convenience and necessity requires that the corporate boundaries of the City of Biloxi, Mississippi, be and the same are hereby extended and enlarged so as to embrace the adjacent and unincorporated land and territory in Harrison County, Mississippi hereinafter described.

**SECTION 2.** The unincorporated land and territory which is added to and included in the corporate limits of the City of Biloxi, Mississippi, is situated in Harrison County, Mississippi, and is more particularly described as follows:

### **CITY OF BILOXI, MISSISSIPPI PROPOSED ANNEXATION AREA**

Beginning at point of intersection of the Biloxi River with the Western boundary of Section 30, Township 6 South, Range 10 West, said point being along the existing corporate limits of the City of Biloxi and being the POINT OF BEGINNING;  
Thence leaving the existing corporate limits of the City of Biloxi, run in a Northwesterly direction following the meanderings of the thread of the Biloxi River to its intersection with the North boundary of Section 14, Township 6 South, Range 11 West;  
Thence run Easterly along the northern boundary of said Section 14 to its intersection with the West right-of-way line of Carson Road;  
Thence run Northerly along said right-of-way line to an extension of the North right-of-way line of White Star Road;  
Thence run Easterly along said North right-of-way line and extension thereof to its intersection with the East right-of-way line of Three Rivers Road;  
Thence run Southerly along said East right-of-way line to the North line of Section 18, Township 6 South, Range 10 West;  
Thence run Easterly to the Northeast corner of said Section 18;  
Thence run Southerly along the Eastern boundary of said Section 18 to the Northwest corner of Section 20, Township 6 South, Range 10 West;  
Thence run Easterly along the North line of said Section 20 to the Northeast corner of said Section 20;

Thence run Southerly along the East line of said Section 20 to the Northeast corner of the Southeast Quarter of said Section 20;  
Thence run Easterly along the North line of the South half of Section 21, Township 6 South, Range 10 West to the Northeast corner of the Southeast quarter of said Section 21;  
Thence run Southerly along the East line of said Section 21 for a distance of 1,659.27 feet to a point;  
Thence run South 89 Degrees 49 Minutes 56 Seconds East to the West right-of-way of Lorraine Road;  
Thence run Southwesterly along the said West right-of-way of Lorraine Road to its intersection with the South line of Section 22, Township 6 South, Range 10 West;  
Thence run Westerly along the South line of said Section 22 and continuing along the South line of said Section 21 to its intersection with the centerline of Mill Creek;  
Thence run southerly along the meanderings of the centerline of said Mill Creek to a point on the North line of the South half of Section 28, Township 6 South, Range 10 West, said point lying along the existing corporate limits of the City of Biloxi;  
Thence run Westerly along the Northern line of the South half of said Section 28, and continue along the North line of the South half of Sections 29 and 30, Township 6 South, Range 10 West to the Western boundary of said Section 30;  
Thence run Southerly along the Western boundary of said Section 30 to its intersection with the center thread of the Biloxi River, said point being the POINT OF BEGINNING.

**SECTION 3.** After the addition of the lands and territory described in Section 2 hereof, the corporate limits and boundaries of the City of Biloxi, Mississippi, shall be and are described as follows:

**(a).** If the Findings of Fact, Conclusions of Law, and Final Judgment of the Chancery Court of Harrison County, Mississippi, entered on May 25, 2010, in Cause Number C2402-07-628(1), consolidated with Cause Number C2402-07-693(2) (currently on appeal to the Mississippi Supreme Court) is affirmed by the Mississippi Supreme Court, the corporate limits and boundaries of the City of Biloxi, Mississippi, shall be and are described as follows:

**CITY OF BILOXI, MISSISSIPPI  
RESULTANT ENLARGED CITY**

**(Including Area Annexed Pursuant to Judgment of the  
Harrison County Chancery Court Dated May 25, 2010)**

All of that property consisting of land and water in Harrison County, Mississippi, BEGINNING at a point where the marked channel of the Back Bay of Biloxi or Big Lake, as the same may be designated, intersects a line common to Sections 20 and 21, Township 7 South, Range 10 West, and, from said POINT OF BEGINNING, run northerly, along said line common to Sections 20 and 21, Township 7 South, Range 10 West, and the line common to Sections 16 and 17, Township 7 South, Range 10 West, which said line is also the east boundary line of the City of Gulfport, to the point of intersection with the thread of Big Biloxi River;

Thence, following the meanderings of the thread of said Big Biloxi River, run in a general northerly and northwesterly direction, through Sections 17, 8, and 5, Township 7 South, Range 10 West, and Sections 32, 31, and 30, Township 6 South, Range 10 West, and Sections 25, 24, 23 and 14 Township 6 South, Range 11 West to the Northern Boundary of said Section 14;

Thence run Easterly along the northern boundary of said Section 14 to its intersection with the West right-of-way line of Carson Road;

Thence run Northerly along said right-of-way line to an extension of the North right-of-way line of White Star Road;

Thence run Easterly along said North right-of-way line and extension thereof to its intersection with the East right-of-way line of Three Rivers Road;

Thence run Southerly along said East right-of-way line to the North line of Section 18, Township 6 South, Range 10 West;

Thence run Easterly to the Northeast corner of said Section 18;

Thence run Southerly along the Eastern boundary of said Section 18 to the Northwest corner of Section 20, Township 6 South, Range 10 West;

Thence run Easterly along the North line of said Section 20 to the Northeast corner of said Section 20;

Thence run Southerly along the East line of said Section 20 to the Northeast corner of the Southeast Quarter of said Section 20;

Thence run Easterly along the North line of the South half of Section 21, Township 6 South, Range 10 West to the Northeast corner of the Southeast quarter of said Section 21;

Thence run Southerly along the East line of said Section 21 for a distance of 1,659.27 feet to a point;

Thence run South 89 Degrees 49 Minutes 56 Seconds East to the West right-of-way of Lorraine Road;

Thence run Southwesterly along the said West right-of-way of Lorraine Road to its intersection with the South line of Section 22, Township 6 South, Range 10 West;

Thence run Westerly along the South line of said Section 22 and continuing along the South line of said Section 21 to its intersection with the centerline of Mill Creek;

Thence run southerly along the meanderings of the centerline of said Mill Creek to a point on the North line of the South half of Section 28, Township 6 South, Range 10 West,

Thence run easterly, along the north line of the south half of said Section 28, and continue easterly along the north line of the south half of Sections 27, 26 and 25, Township 6 South, Range 10 West, to the point of intersection with the west line of Section 30, Township 6 South, Range 9 West;

Thence run northerly along the west line of said Section 30, and continue northerly along the west line of Section 19, Township 6 South, Range 9 West to a point being the southwest corner of the northwest quarter of said Section 19;

Thence run easterly along south line of said northwest quarter of Section 19 to the southeast corner of the west half of the said northwest quarter of Section 19;

Thence run northerly along the east line of the west half of northwest quarter of said Section 19 to its intersection with the southern right-of-way line of Lamey Bridge Road;

Thence run southeasterly along said southern right-of-way line of Lamey Bridge Road through said Sections 19 and 30, and continue through Section 29, Township 6 South, Range 9 West to its

intersection with the east line of the west half of the west half of said Section 29;

Thence run southerly along said east line of the west half of the west half of said Section 29 to a point on the north line of the south half of the south half of said Section 29;

Thence run easterly along north line of the south half of the south half of said Section 29 to its intersection with the west line of the east half of the east half of said Section 29;

Thence run southerly along west line of east half of east half of said Section 29 to the north line of Section 32, Township 6 South, Range 9 West;

Thence run easterly along north line of said Section 32 to the northeast corner of said Section 32, said point also being along the existing corporate limits of the City of D'Iberville;

Thence run southerly along east line of said Section 32 and existing corporate limits of the City of D'Iberville to the northeast corner of Section 5, Township 7 South, Range 9 West;

Thence run southerly, along the east line of said Section 5 to its point of intersection with the thread of the Tchoutacabouffa River;

Thence, following the meanderings of the thread of said Tchoutacabouffa River, run in a general southerly and westerly direction through Sections 4, 5, 6 and 8, Township 7 South, Range 9 West, to the point of intersection with the east line of the west half of said Section 6, Township 7 South, Range 9 West;

Thence run southerly along the east line of the west half of Sections 6 and 7, Township 7 South, Range 9 West, to the point of intersection with the south right-of-way line of U.S. Interstate Highway No. 10;

Thence run easterly, along the south right-of-way line of U.S. Interstate Highway No. 10 to the point of intersection with the east line of Section 7, Township 7 South, Range 9 West, which said line is also the west boundary line of the City of D'Iberville;

Thence run southerly, along the east line of Sections 7 and 18, Township 7 South, Range 9 West, which said line is also the west

boundary line of the City of D'Iberville, to the point of intersection with the center of the marked channel of the Back Bay of Biloxi;

Thence run in a general easterly direction, along the center of the marked channel of the Back Bay of Biloxi, which said line is also the south boundary line of the City of D'Iberville, to the point of intersection with the line common to Harrison County and Jackson County, if extended southerly into the Back Bay of Biloxi;

Thence run northerly, along the line common to Harrison County and Jackson County, if extended southerly into the Back Bay of Biloxi, which said line is also the east boundary line of the City of D'Iberville, to the point of intersection with the line common to Harrison County and Jackson County;

Thence run in a general easterly and southeasterly direction, along the line common to Harrison County and Jackson County, to a point being situated in the middle of Biloxi Bay as per description of Jackson County boundary line, Mississippi Code Book, 1972, Volume 5, Section 19-1-59, said point being situated in Township 8 South, Range 8 West;

Thence run in a general southwesterly direction, to a point being 5,000 feet south of the southern shoreline at the east end of Deer Island;

Thence run in a general northwesterly direction, 5,000 feet south of and parallel to the southern shoreline of Deer Island, to a point being 5,000 feet southerly of the south line of the Harrison County Seawall;

Thence run westerly, along a line being 5,000 feet southerly of and parallel to the south line of the Harrison County Seawall, to the point of intersection with the west boundary line of the City of Biloxi, if extended southerly;

Thence run northerly, along the boundary line common to the City of Gulfport and the City of Biloxi, if extended southerly to the south line or extension thereof of that certain tract of land conveyed by Great Southern Development Company, Incorporated, to the trustees of the Fernwood Rural Separate School District, as recorded in Deed Book 412, pages 276 and 277, First Judicial District Courthouse, Harrison County, Mississippi;

Thence run westerly along the south line and extension thereof of that certain tract of land conveyed by Great Southern Development Company, Incorporated, to the Trustees of the Fernwood Rural Separate School District, which said line is the boundary line of the City of Gulfport, to the southwest corner of said property conveyed by Great Southern Development Company, Incorporated, to the Trustees of the Fernwood Rural Separate School District;

Thence North 1 degree 10 minutes East, 656.3 feet, more or less, along the west line of said property conveyed by Great Southern Development Company, Incorporated, to the Trustees of the Fernwood Rural Separate School District, which said line is the boundary line of the City of Gulfport, to the northwest corner of that certain tract of land conveyed by Great Southern Development Company, Incorporated, to the Trustees of the Fernwood Rural Separate School District; said point also being on the section line common to Sections 29 and 32, Township 7 South, Range 10 West;

Thence run easterly, along the section line common to Sections 29 and 32, Township 7 South, Range 10 West, which said line is the boundary line of the City of Gulfport, to the southwest corner of that certain tract of land conveyed by Wiley Rolfe Moore, Sr. and Mrs. Allie Y. Moore, to the Trustees of the Fernwood Rural Separate School District, as recorded in Deed Book 358, Pages 515 and 516, First Judicial District Courthouse, Harrison County, Mississippi;

Thence run northerly, along the west line of said property conveyed by Wiley Rolfe Moore, Sr. and Mrs. Allie Y. Moore, to the Trustees of the Fernwood Rural Separate School District, which said line is the boundary line of the City of Gulfport, to the northwest corner of that certain tract of land conveyed by Wiley Rolfe Moore, Sr. and Mrs. Allie Y. Moore, to the Trustees of the Fernwood Rural Separate School District, which point is also the southwest corner of said property conveyed by the Trustees of the Bowen Memorial Baptist Church to the Trustees of the Fernwood Separate School District, as recorded in Deed Book 191, Pages 50 and 51, First Judicial District Courthouse, Harrison County, Mississippi;

Thence run northerly, along the west line of said property conveyed by the Trustees of the Bowen Memorial Baptist Church to the Trustees of the Fernwood Separate School District, which said line is the boundary line of the City of Gulfport, to the northwest corner of said property conveyed by the Trustees of the Bowen Memorial



Baptist Church to the Trustees of the Fernwood Separate School District;

Thence run easterly, a distance of 50 feet, more or less, which said line is the boundary line of the City of Gulfport, to the northeast corner of said property conveyed by the Trustees of the Bowen Memorial Baptist Church to the trustees of the Fernwood Separate School District;

Thence run northerly, along the east line of that certain tract of land conveyed by Kathleen T. and R.B. Billingslea to the Trustees of the Bowen Memorial Baptist Church, as recorded in Deed Book 186, Pages 117 and 118, First Judicial District Courthouse, Harrison County, Mississippi, which said line is the boundary line of the City of Gulfport, to the point of intersection with the south right-of-way line of a public road known as Pass Christian Road;

Thence run easterly, along the south right-of-way line of Pass Christian Road, which said line is the boundary line of the City of Gulfport, to the east line of that certain tract of land conveyed by Mrs. Mattie Lou Taylor to the Trustees of the Fernwood Separate School District, as recorded in Deed Book 222, Pages 466 and 467, First Judicial District Courthouse, Harrison County, Mississippi, which point also lies on the west right-of-way line of a public road known as Debuys Road;

Thence run southerly, along the west right-of-way line of Debuys Road, which is also the east line of said property conveyed by Mrs. Mattie Lou Taylor to the Trustees of the Fernwood Separate School District, which said line is the boundary line of the City of Gulfport, to a point being on the north property line of that certain tract of land conveyed by Mrs. Katherine Price Finley to Andrew Weidert and Mary Ladnier Weidert, as recorded in Deed Book 324, Pages 22 and 23, First Judicial District Courthouse, Harrison County, Mississippi, said point also being on the boundary line of the City of Gulfport;

Thence run westerly, along the north property line of said property conveyed by Mrs. Katherine Price Finley to Andrew Weidert and Mary Ladnier Weidert, which said line is the boundary line of the City of Gulfport, which line also defines the south property line of that certain tract of land conveyed by Mrs. Mattie Lou Taylor to the Trustees of the Fernwood Separate School District, to the northeast corner of that certain tract of land conveyed by H.B. Longest to the



Trustees of Fernwood Separate School, as recorded in Deed Book 228, Pages 140 and 141, First Judicial District Courthouse, Harrison County, Mississippi;

Thence run southerly, 485 feet, more or less, along the east line of said property conveyed by H.B. Longest to the Trustees of Fernwood Separate School District, which said line is the boundary line of the City of Gulfport, to the southeast corner of that certain tract of land conveyed by Mr. W.R. Moore and Mrs. W.R. Moore to the Trustees of the Fernwood Separate School District, as recorded in Deed Book 371, Pages 340 and 341, First Judicial District Courthouse, Harrison County, Mississippi;

Thence run easterly, 285 feet, more or less, along the south line of that certain tract of land conveyed by Mrs. Wiley Rolfe Moore, Sr., and Wiley R. Moore, Jr., to Rufus Jackson Moore and Mary Burwell Moore, and along the line common to Sections 29 and 32, Township 7 South, Range 10 West, which said line is the boundary line of the City of Gulfport, to the southeast corner of the southeast quarter of the southeast quarter of Section 29, Township 7 South, Range 10 West, Harrison County, Mississippi, said point also being on the boundary line of the City of Biloxi;

Thence run northerly, along the line common to Sections 28 and 29, Township 7 south, Range 10 West, and Sections 20 and 21, Township 7 South, Range 10 West, which said line is also the boundary line common to the City of Gulfport and the City of Biloxi, to the point of intersection with the marked channel of the Back Bay of Biloxi or Big Lake, as the same may be designated, and to the POINT OF BEGINNING.

**(b).** If the Findings of Fact, Conclusions of Law, and Final Judgment of the Chancery Court of Harrison County, Mississippi, entered on May 25, 2010, in Cause Number C2402-07-628(1), consolidated with Cause Number C2402-07-693(2) (currently on appeal to the Mississippi Supreme Court) is reversed by the Mississippi Supreme Court, the corporate limits and boundaries of the City of Biloxi, Mississippi, shall be and are described as follows:

**CITY OF BILOXI, MISSISSIPPI**  
**RESULTANT ENLARGED CITY**

**(Excluding Area Annexed Pursuant to Judgment of the  
Harrison County Chancery Court Dated May 25, 2010)**

All of that property consisting of land and water in Harrison County, Mississippi, BEGINNING at a point where the marked channel of the Back Bay of Biloxi or Big Lake, as the same may be designated, intersects a line common to Sections 20 and 21, Township 7 South, Range 10 West, and, from said POINT OF BEGINNING, run northerly, along said line common to Sections 20 and 21, Township 7 South, Range 10 West, and the line common to Sections 16 and 17, Township 7 South, Range 10 West, which said line is also the east boundary line of the City of Gulfport, to the point of intersection with the thread of Big Biloxi River;

Thence, following the meanderings of the thread of said Big Biloxi River, run in a general northerly and northwesterly direction, through Sections 17, 8, and 5, Township 7 South, Range 10 West, and Sections 32, 31, and 30, Township 6 South, Range 10 West, and Sections 25, 24, 23 and 14 Township 6 South, Range 11 West to the Northern Boundary of said Section 14;

Thence run Easterly along the northern boundary of said Section 14 to its intersection with the West right-of-way line of Carson Road;

Thence run Northerly along said right-of-way line to an extension of the North right-of-way line of White Star Road;

Thence run Easterly along said North right-of-way line and extension thereof to its intersection with the East right-of-way line of Three Rivers Road;

Thence run Southerly along said East right-of-way line to the North line of Section 18, Township 6 South, Range 10 West;

Thence run Easterly to the Northeast corner of said Section 18;

Thence run Southerly along the Eastern boundary of said Section 18 to the Northwest corner of Section 20, Township 6 South, Range 10 West;

Thence run Easterly along the North line of said Section 20 to the Northeast corner of said Section 20;

Thence run Southerly along the East line of said Section 20 to the Northeast corner of the Southeast Quarter of said Section 20;

Thence run Easterly along the North line of the South half of Section 21, Township 6 South, Range 10 West to the Northeast corner of the Southeast quarter of said Section 21;

Thence run Southerly along the East line of said Section 21 for a distance of 1,659.27 feet to a point;

Thence run South 89 Degrees 49 Minutes 56 Seconds East to the West right-of-way of Lorraine Road;

Thence run Southwesterly along the said West right-of-way of Lorraine Road to its intersection with the South line of Section 22, Township 6 South, Range 10 West;

Thence run Westerly along the South line of said Section 22 and continuing along the South line of said Section 21 to its intersection with the centerline of Mill Creek;

Thence run southerly along the meanderings of the centerline of said Mill Creek to a point on the North line of the South half of Section 28, Township 6 South, Range 10 West,

Thence run easterly, along the north line of the south half of said Section 28, and continue easterly along the north line of the south half of Sections 27, 26 and 25, Township 6 South, Range 10 West, and Section 30, Township 6 South, Range 9 West to the point of intersection with the east line of the west half of said Section 30;

Thence run southerly, along the east line of the west half of Sections 30 and 31, Township 6 South, Range 9 West, to the point of intersection with the north line of Section 6, Township 7 South, Range 9 West;

Thence run easterly along the north line of Sections 6 and 5, Township 7 South, Range 9 West, to the northeast corner of said Section 5;

Thence run southerly, along the east line of Section 5, Township 7 South, Range 9 West, to the point of intersection with the thread of the Tchoutacabouffa River;

Thence, following the meanderings of the thread of said Tchoutacabouffa River, run in a general southerly and westerly direction through Sections 4, 5, 6 and 8, Township 7 South, Range 9

West, to the point of intersection with the east line of the west half of said Section 6, Township 7 South, Range 9 West;

Thence run southerly along the east line of the west half of Sections 6 and 7, Township 7 South, Range 9 West, to the point of intersection with the south right-of-way line of U.S. Interstate Highway No. 10;

Thence run easterly, along the south right-of-way line of U.S. Interstate Highway No. 10 to the point of intersection with the east line of Section 7, Township 7 South, Range 9 West, which said line is also the west boundary line of the City of D'Iberville;

Thence run southerly, along the east line of Sections 7 and 18, Township 7 South, Range 9 West, which said line is also the west boundary line of the City of D'Iberville, to the point of intersection with the center of the marked channel of the Back Bay of Biloxi;

Thence run in a general easterly direction, along the center of the marked channel of the Back Bay of Biloxi, which said line is also the south boundary line of the City of D'Iberville, to the point of intersection with the line common to Harrison County and Jackson County, if extended southerly into the Back Bay of Biloxi;

Thence run northerly, along the line common to Harrison County and Jackson County, if extended southerly into the Back Bay of Biloxi, which said line is also the east boundary line of the City of D'Iberville, to the point of intersection with the line common to Harrison County and Jackson County;

Thence run in a general easterly and southeasterly direction, along the line common to Harrison County and Jackson County, to a point being situated in the middle of Biloxi Bay as per description of Jackson County boundary line, Mississippi Code Book, 1972, Volume 5, Section 19-1-59, said point being situated in Township 8 South, Range 8 West;

Thence run in a general southwesterly direction, to a point being 5,000 feet south of the southern shoreline at the east end of Deer Island;

Thence run in a general northwesterly direction, 5,000 feet south of and parallel to the southern shoreline of Deer Island, to a point being 5,000 feet southerly of the south line of the Harrison County Seawall;

Thence run westerly, along a line being 5,000 feet southerly of and parallel to the south line of the Harrison County Seawall, to the point of intersection with the west boundary line of the City of Biloxi, if extended southerly;

Thence run northerly, along the boundary line common to the City of Gulfport and the City of Biloxi, if extended southerly to the south line or extension thereof of that certain tract of land conveyed by Great Southern Development Company, Incorporated, to the trustees of the Fernwood Rural Separate School District, as recorded in Deed Book 412, pages 276 and 277, First Judicial District Courthouse, Harrison County, Mississippi;

Thence run westerly along the south line and extension thereof of that certain tract of land conveyed by Great Southern Development Company, Incorporated, to the Trustees of the Fernwood Rural Separate School District, which said line is the boundary line of the City of Gulfport, to the southwest corner of said property conveyed by Great Southern Development Company, Incorporated, to the Trustees of the Fernwood Rural Separate School District;

Thence North 1 degree 10 minutes East, 656.3 feet, more or less, along the west line of said property conveyed by Great Southern Development Company, Incorporated, to the Trustees of the Fernwood Rural Separate School District, which said line is the boundary line of the City of Gulfport, to the northwest corner of that certain tract of land conveyed by Great Southern Development Company, Incorporated, to the Trustees of the Fernwood Rural Separate School District; said point also being on the section line common to Sections 29 and 32, Township 7 South, Range 10 West;

Thence run easterly, along the section line common to Sections 29 and 32, Township 7 South, Range 10 West, which said line is the boundary line of the City of Gulfport, to the southwest corner of that certain tract of land conveyed by Wiley Rolfe Moore, Sr. and Mrs. Allie Y. Moore, to the Trustees of the Fernwood Rural Separate School District, as recorded in Deed Book 358, Pages 515 and 516, First Judicial District Courthouse, Harrison County, Mississippi;

Thence run northerly, along the west line of said property conveyed by Wiley Rolfe Moore, Sr. and Mrs. Allie Y. Moore, to the Trustees of the Fernwood Rural Separate School District, which said line is the boundary line of the City of Gulfport, to the northwest corner of that certain tract of land conveyed by Wiley Rolfe Moore, Sr. and

Mrs. Allie Y. Moore, to the Trustees of the Fernwood Rural Separate School District, which point is also the southwest corner of said property conveyed by the Trustees of the Bowen Memorial Baptist Church to the Trustees of the Fernwood Separate School District, as recorded in Deed Book 191, Pages 50 and 51, First Judicial District Courthouse, Harrison County, Mississippi;

Thence run northerly, along the west line of said property conveyed by the Trustees of the Bowen Memorial Baptist Church to the Trustees of the Fernwood Separate School District, which said line is the boundary line of the City of Gulfport, to the northwest corner of said property conveyed by the Trustees of the Bowen Memorial Baptist Church to the Trustees of the Fernwood Separate School District;

Thence run easterly, a distance of 50 feet, more or less, which said line is the boundary line of the City of Gulfport, to the northeast corner of said property conveyed by the Trustees of the Bowen Memorial Baptist Church to the trustees of the Fernwood Separate School District;

Thence run northerly, along the east line of that certain tract of land conveyed by Kathleen T. and R.B. Billingslea to the Trustees of the Bowen Memorial Baptist Church, as recorded in Deed Book 186, Pages 117 and 118, First Judicial District Courthouse, Harrison County, Mississippi, which said line is the boundary line of the City of Gulfport, to the point of intersection with the south right-of-way line of a public road known as Pass Christian Road;

Thence run easterly, along the south right-of-way line of Pass Christian Road, which said line is the boundary line of the City of Gulfport, to the east line of that certain tract of land conveyed by Mrs. Mattie Lou Taylor to the Trustees of the Fernwood Separate School District, as recorded in Deed Book 222, Pages 466 and 467, First Judicial District Courthouse, Harrison County, Mississippi, which point also lies on the west right-of-way line of a public road known as Debuys Road;

Thence run southerly, along the west right-of-way line of Debuys Road, which is also the east line of said property conveyed by Mrs. Mattie Lou Taylor to the Trustees of the Fernwood Separate School District, which said line is the boundary line of the City of Gulfport, to a point being on the north property line of that certain tract of land conveyed by Mrs. Katherine Price Finley to Andrew Weidert and Mary Ladnier Weidert, as recorded in Deed Book 324, Pages 22

and 23, First Judicial District Courthouse, Harrison County, Mississippi, said point also being on the boundary line of the City of Gulfport;

Thence run westerly, along the north property line of said property conveyed by Mrs. Katherine Price Finley to Andrew Weidert and Mary Ladnier Weidert, which said line is the boundary line of the City of Gulfport, which line also defines the south property line of that certain tract of land conveyed by Mrs. Mattie Lou Taylor to the Trustees of the Fernwood Separate School District, to the northeast corner of that certain tract of land conveyed by H.B. Longest to the Trustees of Fernwood Separate School, as recorded in Deed Book 228, Pages 140 and 141, First Judicial District Courthouse, Harrison County, Mississippi;

Thence run southerly, 485 feet, more or less, along the east line of said property conveyed by H.B. Longest to the Trustees of Fernwood Separate School District, which said line is the boundary line of the City of Gulfport, to the southeast corner of that certain tract of land conveyed by Mr. W.R. Moore and Mrs. W.R. Moore to the Trustees of the Fernwood Separate School District, as recorded in Deed Book 371, Pages 340 and 341, First Judicial District Courthouse, Harrison County, Mississippi;

Thence run easterly, 285 feet, more or less, along the south line of that certain tract of land conveyed by Mrs. Wiley Rolfe Moore, Sr., and Wiley R. Moore, Jr., to Rufus Jackson Moore and Mary Burwell Moore, and along the line common to Sections 29 and 32, Township 7 South, Range 10 West, which said line is the boundary line of the City of Gulfport, to the southeast corner of the southeast quarter of the southeast quarter of Section 29, Township 7 South, Range 10 West, Harrison County, Mississippi, said point also being on the boundary line of the City of Biloxi;

Thence run northerly, along the line common to Sections 28 and 29, Township 7 south, Range 10 West, and Sections 20 and 21, Township 7 South, Range 10 West, which said line is also the

boundary line common to the City of Gulfport and the City of Biloxi, to the point of intersection with the marked channel of the Back Bay of Biloxi or Big Lake, as the same may be designated, and to the POINT OF BEGINNING.

**SECTION 4.** The City of Biloxi, Mississippi shall make the following improvements in said annexed territory to be completed within a reasonable time, not to



exceed five (5) years from the effective date of the Ordinance, unless delayed by war or military preparedness:

- (a) Repair, replace or upgrade improved and in use streets to municipal standards as warranted by their age, condition and ability to accommodate traffic demands;
- (b) Develop such new major streets as required by increased traffic demands to City standards in conformance with the City's Comprehensive Plan;
- (c) Make intersection improvements, improve surface water drainage, install traffic control and safety devices, and install curbs, gutters, sidewalks, street signs, lighting and other related improvements to municipal standards where needed;
- (d) Develop and improve storm-water drainage facilities consistent with applicable laws in a manner adequate to accommodate development to be protected;
- (e) Construct and equip such additional public safety facilities as warranted by concentration of population and non-residential activities, proximity requirements and the operational realities of delivering public safety services;
- (f) Develop additional parks, recreation and public assembly facilities based on an assessment of needs for such improvements and in conformance with the Comprehensive Plan and established City-wide standards for such improvements; and
- (g) Acquire, upgrade and interconnect public water and sewer utility lines and extend new municipal utility services into developed areas annexed as necessary, where legally permissible and financially feasible. Provide adequate water pressure and volume for fire fighting purposes in areas developed at sufficient density to be required consistent with standards established by the Mississippi State Rating Bureau. Municipal investment in new water and sewer infrastructure is to be determined through the feasibility of such development on a case by case basis. The extent of municipal financial commitment to utility system development is to be limited to securing of available Federal and State grants and loans for new facilities, organizing special improvement districts to fund private components of such infrastructures, and use of capital improvement reserves and revenue bond

issues for system-wide improvements which will enhance the utility system's financial viability.

**SECTION 5.** The City of Biloxi, Mississippi shall furnish to the said annexed territory the following municipal and public services in the same manner and to the same extent as such services are being furnished to the present citizens of the municipality, such services to begin on the effective date of this Ordinance, to wit:

- (a) police protection;

- (b) municipal court services;
- (c) animal control services;
- (d) first response fire protection and fire prevention services;
- (e) emergency medical services;
- (f) emergency preparedness and civil defense services;
- (g) engineering services;
- (h) maintenance of streets and related structures;
- (i) right of way maintenance services;
- (j) traffic systems maintenance services;
- (k) storm-water drainage maintenance services;
- (l) street lighting;
- (m) administration of sanitation service;
- (n) access to the City's cultural facilities, services and programs;
- (o) access to the City's parks and recreation facilities and programs;
- (p) water and sewer utility services at in-city rates for those who are customers of the City utility services;
- (q) municipal planning and zoning services;
- (r) municipal code enforcement and building inspection services;
- (s) the right to fully participate in the affairs of the municipality through direct involvement and the right to exercise the ballot (vote) in municipal elections upon registering and meeting all statutory and constitutional requirements; and
- (t) the use and benefit of all other municipal services and facilities furnished to all present citizens of the City of Biloxi, Mississippi.

**SECTION 6.** The City of Biloxi, Mississippi shall undertake the following re-districting, planning and zoning activities following the effective date of the Ordinance, to wit:

- (a) Within six (6) months of the effective date of this Ordinance, the City of Biloxi will prepare and the City Council will adopt a Redistricting Plan for the City Council so as to include all territory and persons annexed into the City. The Redistricting Plan shall conform with the Voting Rights Act of 1965, as amended, and shall be submitted for pre-clearance as required. This Redistricting Plan will provide for proportional representation of all persons annexed and will in all other ways conform with applicable Federal regulations;
- (b) The City of Biloxi shall enlarge, update, revise and amend its Comprehensive Plan to include all territory annexed into the municipality and the City Council shall adopt such revisions fulfilling all legal requirements to do so including public notice and a public hearing on enlargement, updating, revision and amendment of the Comprehensive Plan; and
- (c) Following modification of the Comprehensive Plan to include territories annexed, the City of Biloxi shall prepare and adopt an Official Zoning Map and such Zoning Ordinance text amendments, as are warranted to implement an adopted Comprehensive Plan. All territory annexed shall be included on the City's Official Zoning Map and shall be classified thereon in conformance with the City's adopted Comprehensive Plan. Adoption of Zoning Ordinance text amendments to the City's official Zoning Map by the City Council shall occur after proper notice and public hearing(s).

**SECTION 7.** This Ordinance shall become effective ten (10) days after the date of the entry of decree of the Chancery Court of Harrison County, Mississippi, approving, ratifying and confirming the enlargement and extension of the municipal boundaries of the City of Biloxi, Mississippi as established by this Ordinance and the final judgment of the said Chancery Court or, in the event an appeal is taken there from, within ten (10) days from the final determination of such appeal. All other prior ordinances or enactments in conflict with this Ordinance are hereby repealed.

**SECTION 8.** The City of Biloxi, Mississippi, through its attorneys, shall file a petition in the Chancery Court of Harrison County, Mississippi, which petition shall pray for the approval, ratification and confirmation by said Court of the enlargement and extension of the municipal boundaries and limits of the City of Biloxi, Mississippi, as herein fixed and determined. The petition shall have attached thereto a certified copy of this Ordinance and a plat showing the boundaries of the said City of Biloxi, Mississippi, as they will exist in the event such enlargement and extension becomes effective pursuant to this Ordinance; and that the attorneys for the City of Biloxi, Mississippi, and the governing authorities are hereby authorized to file such other pleadings in the Chancery Court of Harrison County, Mississippi, and take all other necessary steps such that the expansion of the municipal boundaries authorized hereby be ratified, approved and confirmed according to the laws of the State of Mississippi.

There came on for consideration AN ORDINANCE ENLARGING, EXTENDING, AND DEFINING THE CORPORATE LIMITS AND BOUNDARIES OF THE CITY OF BILOXI, HARRISON COUNTY, MISSISSIPPI; SPECIFYING THE IMPROVEMENTS TO BE MADE IN THE ANNEXED TERRITORY AND THE MUNICIPAL OR PUBLIC SERVICES TO BE RENDERED THEREIN; AND FOR OTHER PURPOSES RELATED THERETO; having been introduced and considered (no member of the governing authority having requested a reading of the ordinance) on August 5, 2010, at a Special City Council Meeting.

The foregoing Ordinance having first been reduced to writing, was read by the Clerk and moved by Councilmember Lawrence seconded by Councilmember Fayard and was adopted by the following vote:

YEAS:	Lawrence Denton	Wall Gemmil Fayard	NAYS:	None
ABSENT:	Stallworth Griffith			

The Vice-President then declared the Ordinance adopted this the 5<sup>th</sup> day of August, 2010.

ATTEST:

/s/ Karen Brashier  
CLERK OF COUNCIL

APPROVED:

/s/ Lucy Denton  
VICE-PRESIDENT OF THE COUNCIL

Submitted to and approved by the Mayor, this the 9<sup>th</sup> day of August, 2010.

APPROVED:  
/s/ A.J. Holloway  
MAYOR