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BOOK 46 PAGE 257

DECLARATION OF RESTRICTIONS, CONDITIONS, EASEMENTS,
COVENANTS, AGREEMENTS, LIENS AND CHARGES
DIAMONDHEAD, PHASE 2

THIS DECLARATION, made this 15th day of May, 1972,
by DIAMONDHEAD CORPORATION, (formerly DIAMONDHEAD PROPERTIES,
INC.), a Delaware corporation, hereinafter called "Declarant";

WITNESSETH:

WHEREAS, Declarant is the owner of that certain real
property located in Hancock County, Mississippi, as set forth
on that certain survey map or plat entitled:

"DIAMONDHEAD
UNIT 5, PHASE 2,
HANCOCK COUNTY, MISSISSIPPI"

consisting of four (4) sheets (hereinafter sometimes referred
to as "map"), which map or plat is recorded in Plat Book 4,
commencing on page 57, in the Office of the Chancery Clerk of
Hancock County Mississippi, said property also being particularly
described on said map; and

WHEREAS, Declarant is the owner of that certain real
property located in Hancock County, Mississippi, as set forth
on that certain survey map or plat entitled:

"DIAMONDHEAD
UNIT 6, PHASE 2,
HANCOCK COUNTY, MISSISSIPPI"

consisting of two (2) sheets (hereinafter sometimes referred
to as "map"), which map or plat is recorded in Plat Book 4,
commencing on page 41, in the Office of the Chancery Clerk of
Hancock County Mississippi, said property also being particularly
described on said map; and

WHEREAS, it is the desire and intention of Declarant
to sell the above described real property and to impose upon
it mutual beneficial restrictions, conditions, easements,
covenants, agreements, liens and charges under a general
plan or scheme of improvement for the benefit of all the
said lands, and the future owners of said lands; and

WHEREAS, Declarant has heretofore imposed certain res-
trictions, conditions, easements, covenants, agreements, liens
and charges on certain other property owned by it in Hancock
County, Mississippi, by instrument entitled "DECLARATION OF
RESTRICTIONS, CONDITIONS, EASEMENTS, COVENANTS, AGREEMENTS,
LIENS AND CHARGES - DIAMONDHEAD, PHASE 1", recorded in Book 08,
at pages 476 through 502, inclusive, of the records in the
Office of the Chancery Clerk of Hancock County, Mississippi;
which instrument was thereafter amended by instrument entitled
"AMENDMENT TO DECLARATION OF RESTRICTIONS, CONDITIONS, EASEMENTS
COVENANTS, AGREEMENTS, LIENS AND CHARGES", recorded in Book 09,
at pages 401 and 402, of the records in the Office of the
Chancery Clerk of Hancock County, Mississippi; and

WHEREAS, it is the desire of the Declarant to adopt by reference certain portions of the hereinabove described DECLARATION OF RESTRICTIONS, CONDITIONS, EASEMENTS, COVENANTS, AGREEMENTS, LIENS AND CHARGES - DIAMONDHEAD, PHASE 1", as amended and impose the same on the hereinabove described property;

NOW, THEREFORE, Declarant hereby declares that all of the property described above is held and shall be held, conveyed, hypothecated or encumbered, leased, rented, used, occupied and improved subject to the following provisions, restrictions, conditions, easements, covenants, agreements, liens and charges, all of which are declared and agreed to be in furtherance of a plan for the subdivision, improvement and sale of the said real property and are established and agreed upon for the purpose of enhancing and protecting the value, desirability and attractiveness of said real property and every part thereof, and all of which shall run with the land and shall be binding on all parties having or acquiring any right, title or interest in the described lands or any part thereof;

I

All of the provisions of Paragraphs I through XXII, inclusive, of that certain instrument entitled "DECLARATION OF RESTRICTIONS, CONDITIONS, EASEMENTS, COVENANTS, AGREEMENTS, LIENS AND CHARGES - DIAMONDHEAD, PHASE 1", recorded in Book V8, at pages 476 through 502, inclusive, of the records in the Office of the Chancery Clerk of Hancock County, Mississippi, and all of provisions of Paragraphs I and II of that certain instrument entitled "AMENDMENT TO DECLARATION OF RESTRICTIONS, CONDITIONS, EASEMENTS, COVENANTS, AGREEMENTS, LIENS AND CHARGES", recorded in Book W9, at pages 415 through 416, of the records in the Office of the Chancery Clerk of Hancock County, Mississippi, are hereby adopted by reference and made a part hereof as if fully set out herein.

II

In accordance with the zoning classifications contained in the matters adopted by reference in Paragraph I above, in the following lots are zoned RSG and shall be improved only in strict conformance with the definitions and restrictions of that zoning classification:

NONE.

III

In accordance with the zoning classifications contained in the matters adopted by reference in Paragraph I above, in the following lots are zoned PCD and shall be improved only in strict conformance with the definitions and restrictions of that zoning classification:

NONE.

IV

In accordance with the zoning classifications contained in the matters adopted by reference in Paragraph I above, in the following lots are zoned R-S-1-2, 000 and shall be improved only in strict conformance with the definitions and restrictions of that zoning classification:

NONE.

V

In accordance with the zoning classifications contained in the matters adopted by reference in Paragraph I above, the following lots are zoned R-S-1-1, 600 and shall be improved only in strict conformance with the definitions and restrictions of that zoning classification in UNIT 5, PHASE 2, DIAMONDHEAD:

- Block 5: Lots 11, 12, 13, and 14
- Block 6: Lots 1, 6, 7 and 24-41 inclusive
- Block 7: Lots 6-11 inclusive; 13-17 inclusive;
- 20-25 inclusive; 70-79 inclusive, and 95.

VI

In accordance with the zoning classifications contained in the matters adopted by reference in Paragraph I above, the following lots are zoned R-S-1-1, 400 and shall be improved only in strict conformance with the definitions and restrictions of that zoning classification, in UNIT 5, PHASE 2, DIAMONDHEAD:

- Block 1: Lots 1-5 inclusive;
- Block 2: Lots 1-35 inclusive;
- Block 3: Lots 1-18 inclusive;
- Block 4: Lots 1-29 inclusive;
- Block 5: Lots 1-10 inclusive and 15 and 42-65 inclusive.
- Block 6: Lots 2-5 inclusive; 8-23 inclusive;
- Block 7: Lots 1-5 inclusive; 12, 18, 19, 26-69 inclusive; and 80-94 inclusive;
- Block 8: Lots 1-69 inclusive
- Block 9: Lots 1-118 inclusive

VII

In accordance with the zoning classifications contained in the matters adopted by reference in Paragraph I above, the following lots are zoned R-S-1-1, 200 and shall be improved only in strict conformance with the definitions and restrictions of that zoning classification:

NONE.

VIII

In accordance with the zoning classifications contained in the matters adopted by reference in Paragraph I above, the following lots are zoned R-S-1-1, 000 and shall be improved only in strict conformance with the definitions and restrictions of that zoning classification in UNIT 6, PHASE 2, DIAMONDHEAD:

- Block 1: Lots 1-8, inclusive;
- Block 2: Lots 1-14 inclusive;
- Block 3: Lots 1-5, inclusive;
- Block 4: Lots 1-55 inclusive;
- Block 5: Lots 1-77 inclusive;
- Block 6: Lots 1-95 inclusive;
- Block 7: Lots 1-4, inclusive;
- Block 8: Lots 1-14 inclusive;
- Block 9: Lots 1-100 inclusive;
- Block 10: Lots 1-50 inclusive;
- Block 11: Lots 1-7, inclusive;

IX

In accordance with the zoning classifications contained in the matters adopted by reference in Paragraph I above, the following lots are zoned R-S-1-720 and shall be improved only in strict conformance with the definitions of that zoning classification:

NONE.

X

In accordance with the zoning classifications contained in the matters adopted by reference in Paragraph I above, the following lots are zoned R-S-2-1,600 and shall be improved only in strict conformance with the definitions and restrictions of that zoning classification:

NONE.

XI

In accordance with the zoning classifications contained in the matters adopted by reference in Paragraph I above, the following lots are zoned R-S-2A-1,600 and shall be improved only in strict conformance with the definitions and restriction of that zoning classification:

NONE.

XII

Paragraph XXI of the matter adopted by reference in Paragraph I above is hereby amended insofar as this Declaration is concerned so that the words "Phase 1" contained in said Paragraph XXI adopted by reference shall read "Phase 2", herein.

IN WITNESS WHEREOF, the Declarant has caused this Declaration to be executed by its officers thereunto duly authorized, on the day and year first above written.



DIAMONDHEAD CORPORATION
BY [Signature]
As its Vice President

(AFFIX CORPORATE SEAL)

ADVERSE
[Signature]
As its Asst. Secretary

STATE OF NEW JERSEY

BOOK X 6 PAGE 261

COUNTY OF UNION

I, the undersigned Notary Public in and for said County of Union in said State, hereby certify that ROBERT A. CHUTE and JACK A. FURMAN, whose names as Vice President and Assistant Secretary, respectively, of DIAMONDHEAD CORPORATION, a corporation, are signed to the foregoing instrument, and who are known to me, acknowledged before me on this day that, being informed of the contents of the instrument, they, as such officers and with full authority, executed the same voluntarily for and as the act of said corporation.

Given under my hand and Notarial Seal on this the 25th day of July, 1972.

Walter Collopy
NOTARY PUBLIC, UNION COUNTY, NEW JERSEY

(AFFIX NOTARIAL SEAL)

My Commission Expires:
NOTARY PUBLIC OF NEW JERSEY
My Commission Expires September 29, 1976