

RESOLUTION REGARDING SECTION "C"
SOUTHAVEN COMMERCIAL & INDUSTRIAL PARK

WHEREAS, Section "C" Southaven Commercial & Industrial Park is subject to a restrictive covenant pertaining to improving Stateline Road; and

WHEREAS, An agreement was entered into between the City of Southaven and with one of the developers of said subdivision, Milton Schaeffer; and

WHEREAS, The specifics of said agreement are ambiguous and need to be specified, signed by the City and all developers of said subdivision, and recorded among the deed records of the Chancery Clerk of DeSoto County, MS; and

WHEREAS, The agreement pertaining to the improvements to Stateline Road should apply only to the lots bounded by Stateline Road.

THEREFORE, BE IT RESOLVED by the Mayor and Board of Aldermen of the City of Southaven as follows, to-wit:

1. That Lots 40, 41, and 42, Section "C" Southaven Commercial & Industrial Park, in Section 22, Township 1 South, Range 8 West, Southaven, DeSoto County, Mississippi, as recorded in Plat Book 45, Page 42, of the records of the Chancery Clerk of DeSoto County, Mississippi, are hereby released from restrictive covenant number 4 of the Plat of Subdivision as recorded in Plat Book 45, Page 42, of the records of the Chancery Clerk of DeSoto County, MS.

2. That Lots 43, 44, 45, 46, 47, 48, 49, and 50, Section "C" Southaven Commercial & Industrial Park, in Section 22, Township 1 South, Range 8 West, Southaven, DeSoto County, Mississippi, as recorded in Plat Book 45, Page 42, of the records of the Chancery Clerk of DeSoto County, Mississippi, all of which are bounded by Stateline Road, shall remain under the restrictive covenant number 4 of said Plat of subdivision and subject to more specific and definite terms to be hereafter agreed between the Developers, Milton Schaeffer and First American Bank, and the City of Southaven, said Agreement which shall be recorded of record among the records of the Chancery Clerk of DeSoto County, MS, at a later date.

3. That this resolution shall be filed among the land records of the Chancery Clerk of DeSoto County, MS.

This Resolution was introduced by Alderman T. Utroska and seconded by Alderman Stark for adoption and said Resolution was put to a roll call vote by the Mayor Pro Tempore, with the following results, to-wit:

ALDERMAN STARK	YEA
ALDERMAN SEWELL	YEA
ALDERMAN PATTERSON	YEA
ALDERMAN JOBES	YEA
ALDERMAN UTROSKA	YEA

The Resolution having received the unanimous vote of all the Aldermen present was declared to be carried and adopted on this the 4th day of October, 1994.

J. A. Cates
J. A. CATES, MAYOR

ATTEST:

Marlene Sprinkle
MARLENE SPRIKLE, CITY CLERK

STATELINE COMM CO.
OCT 25 10 19 AM '94

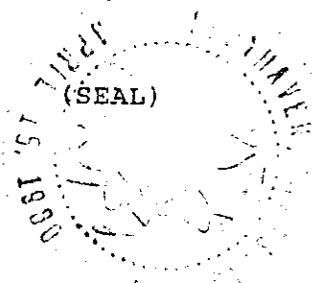
BOOK 277 PG 501
W. E. ...
by ...

CERTIFICATE OF CITY CLERK

STATE OF MISSISSIPPI
COUNTY OF DESOTO
CITY OF SOUTHAVEN

I, Marlene Sprinkle, the duly appointed City Clerk of the City of Southaven, do hereby certify that the above and foregoing is a true and correct copy of the Resolution of the Mayor and Board of Alderman of the City of Southaven, MS, passed by them in a meeting held on the 4th day of October, 1994.

This the 4 th day of October, 1994.



Marlene Sprinkle
MARLENE SPRINKLE, CITY CLERK

STATE OF MISSISSIPPI
COUNTY OF DESOTO

PERSONALLY appeared before me the undersigned authority for the State and County aforesaid, the within named, J. A. CATES, Mayor of the City of Southaven, Mississippi, who after first being duly sworn, acknowledged that he signed and delivered the foregoing Resolution for and on behalf of the City of Southaven, after first being authorized so to do, said Board of Aldermen having properly passed said Resolution by unanimous vote.

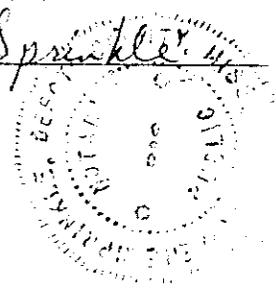
J. A. Cates
J. A. CATES, MAYOR

SWORN AND SUBSCRIBED before me this the 18 th day of October, 1994.

Marlene Sprinkle
Notary Public

My Commission Expires:

Feb 25 1995



Document prepared by: Smith, Phillips,
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