

ORDINANCE NO. 561

AN ORDINANCE BY THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF LONG BEACH, MISSISSIPPI, AMENDING SECTION 4 OF ORDINANCE NO. 354 OF THE CITY, AS AMENDED BY ORDINANCE NOS. 387, 401, 428, 463, 496 and 504, TO PROVIDE DIFFERENT VOTING PLACES FOR WARDS 1, 2 AND 3, TO PROVIDE A VOTING PLACE FOR EACH SAID WARD WITHIN THE VOTING PRECINCT, AND TO AMEND BOUNDARIES OF VOTING PRECINCTS 5 AND 6 TO INCLUDE ANNEXED AREAS, AND FOR RELATED PURPOSES

The Mayor and Board of Aldermen of the City of Long Beach, Mississippi, having made due investigation therefore, to now find and determine as follows:

a. That by Ordinance No. 428, adopted January 29, 1993, Section 4 of Ordinance No. 354, as amended by Ordinance Nos. 387 and 401, was heretofore amended to establish voting places and voting precincts uniform with Harrison County voting places and voting precincts within the City of Long Beach, Mississippi, and that such Ordinance was submitted to the Department of Justice of the United States for approval, in response to which submission the United States Attorney General gave notice that no objection would be interposed to the proposed changes.

b. That by Ordinance No. 504, adopted April 5, 2005, Ordinance No. 354, as amended by Ordinance No. 387, 401, 428, 463 and 496, was heretofore amended to amend the boundaries of Voting Precinct 6 to include a commercially developed area annexed into the City, which annexed area was commercially developed and in which annexed area no inhabitants resided either at the time of adoption of the said Annexation Ordinance, being Ordinance No. 476, nor at the time same was ratified and approved by the Chancery Court of the First Judicial District of Harrison County, Mississippi, by its judgment entered on February 19, 2004, in Cause No. 03-00903-1, nor are there any inhabitants currently residing in said Annexation Territory, and no voting rights were or have been affected by said annexation nor was there or has there been any dilution of voting strength as a result thereof, and such annexation was not a change effecting voting at the time of adoption of said ordinance No. 476, or the approval of same by the aforesaid Chancery Court, or to the present time, nor is any anticipated.

c. That by Ordinance No. 532, adopted November 7, 2006, the Mayor and Board of Aldermen enlarged and extended the corporate limits and boundaries of the City of Long Beach, Mississippi, by annexation of a parcel of land adjacent to Ward 6 of the City and described as follows, to-wit:

LEGAL DESCRIPTION: (ANNEXATION TERRITORY)

Beginning at the Northeast corner of Section 9, Township 8 South, Range 12 West, Harrison County, Mississippi; thence southerly along the east line of said Section 9 to the centerline of Canal Number 3 as presently constructed; thence southwesterly along said centerline of Canal Number 3 a distance of 1450 feet more or less to the southerly extension of the east margin of an unimproved right-of-way sometimes known as Wisewood Lane, also being the west line of Block 9, Andrew's Land Company's Subdivision of the SE ¼ of Section 4 and The Fractional Part of the NE ¼ of Section 10 (sic), T. 8S, R. 12W; thence northerly along said east margin a distance of 1,020 feet more or less to the north line of the south ½ of Block 10 of said Andrew's Land Company Subdivision; thence easterly along said north line of the south ½ of Block 10 and the north line of the south ½ of Block 8 of said Andrew's Land Company Subdivision a distance of 1,310 feet more or less to the East line of Section 4, Township 8 South, Range 12 West, Harrison County, Mississippi; thence southerly along said east Section line 345 feet more or less to the Point of Beginning.

Being partially within and a part of the SE ¼ of the SE ¼ of Section 4, Township 8 South, Range West, and partially within the NE ¼ of the NE ¼ of Section 9, Township 8 South, Range 12 West, Harrison County, Mississippi. Contains approximately 21 acres.

which Ordinance was ratified and approved by the Chancery Court of the First Judicial District of

Harrison County, Mississippi, by judgment entered March 23, 2007 in Cause No. 07-00156-1 and that no inhabitants resided in said annexation territory, nor do any inhabitants now reside in same, and no voting rights were affected by said annexation nor was there any dilution of voting strength as a result thereof, and such annexation was not a Achange effecting voting at the time of adoption of said Ordinance No. 532, or the approval of same by the aforesaid Chancery Court.

That the enlargement and extension the corporate limits and boundaries of the City of Long Beach, Mississippi, by said Ordinance No. 532, requires that the Voting Precinct (Ward) boundaries of the City of Long Beach, Mississippi, be amended to include the Annexation Territory, even though no voters inhabit said Annexation Territory.

d. That by Ordinance No. 555, adopted May 6, 2008, the Mayor and Board of Aldermen enlarged and extended the corporate limits and boundaries of the City of Long Beach, Mississippi, by annexation of three parcels of land, Parcel 1 of which is adjacent to Wards 5 and 6 and Parcels 2 and 3 of which are adjacent to Ward 6 of the City, which parcels are described as follows, to-wit:

LEGAL DESCRIPTION: (ANNEXATION TERRITORY)

Parcels of land lying and being situated in the First Judicial District of Harrison County, Mississippi, being more particularly described as follows, to-wit:

PARCEL NO. 1: (R.W. Day Development LLC Parcel)

Those certain parcels of property located in the First Judicial District of Harrison County, Mississippi, which is more particularly described as follows:

Lots 24, 25, 28, 39, 40, 43, 44, and 45, Andrews Land Company Subdivision; and those portions of Lots 26 and 27, Andrews Land Company Subdivision which lie North of Canal Number 3, as per the map or plat thereof on file and of record in the office of the Chancery Clerk for the First Judicial District of Harrison County, Mississippi; and also

North one-half (N1/2) of Blocks (Lots) 8 & 10, Andrews Land Company Subdivision as per plat thereof of record in the Office of the Chancery Clerk of the First Judicial District of Harrison County, Mississippi, less and except the East 242 feet of the North 180 feet of Block (Lot) 8, Andrews Land Company Subdivision, Section 4, Township 8 South, Range 12 West, First Judicial District, Harrison County, Mississippi.

PARCEL NO. 2: (Coast Investments, Inc. and The Schrogin and Harber 1996 Trust Parcel)

Beginning at a point on the east line of the SW ¼ of the SW ¼ of Section 36, Township 7 South, Range 12 West, Harrison County, Mississippi where it intersects the north margin of 28th Street thence run S89°40'04"W along the north margin of 28th Street for a distance of 235.01 feet; thence N00°09'10"E a distance of 1242.63 feet; thence N89°56'57"W a distance of 1095.22 feet to a point on the east margin of North Klondyke Road; thence N00°06'34"W along the east margin of North Klondyke Road for a distance of 60 feet; thence S89°56'57"E a distance of 1330.50 feet; thence S00°09'10"W a distance of 1301.06 feet to the Point of Beginning.

Said parcel contains 8.53 acres more or less and is made subject to a 60' easement along the north portion as described:

Commencing at a point on the east line of the SW ¼ of the SW ¼ of Section 36, Township 7 South, Range 12 West, Harrison County, Mississippi where it intersects the north margin of 28th Street thence run S89°40'04"W along the north margin of 28th Street for a distance of 235.01 feet; thence N00°09'10"E a distance of 1242.63 feet to the Point of Beginning; thence N89°56'57"W a distance of 1095.22 feet to a point on the east margin of North Klondyke

Road; thence N00°06'34"W along the east margin of North Klondyke Road for a distance of 60 feet; thence S89°56'57"E a distance of 1095.50 feet; thence S00°09'10"W a distance of 60 feet to the Point of Beginning.

PARCEL NO. 3: (John R. Lankford parcel)

Lots 3 & 4, Block 32, Cox Subdivision, Sec. 35-7-12 SE ¼ as per record plat.

which Ordinance was ratified and approved by the Chancery Court of the First Judicial District of Harrison County, Mississippi, by judgment entered October 7, 2008, in Cause No. 07-00156-1 and that no inhabitants resided in said annexation territory, nor do any inhabitants now reside in same, and no voting rights were affected by said annexation nor was there any dilution of voting strength as a result thereof, and such annexation was not a change effecting voting at the time of adoption of said Ordinance No. 555, or the approval of same by the aforesaid Chancery Court.

That the enlargement and extension the corporate limits and boundaries of the City of Long Beach, Mississippi, by said Ordinance No. 555, requires that the Voting Precinct (Ward) boundaries of the City of Long Beach, Mississippi, be amended to include the Annexation Territory, even though no voters inhabit said Annexation Territory.

e. That the Governing Authority of the City of Long Beach, Mississippi, is comprised of the Mayor, elected at large, and a Board of Seven Aldermen, one of whom is elected at large with the remaining six being elected one, each, from each of six wards.

f. That buildings housing voting places in Wards 1, 2 and 3 were destroyed by Hurricane Katrina in 2005, requiring the establishment of new voting places for voting precincts 1, 2 and 3.

g. That in order to include the above annexed areas into the City, it is necessary to amend part of the boundary description of Ward 5 to clarify same with respect to the annexed area and to clarify part of the common boundary between Wards 5 and 6, and to amend the boundary description of Ward 6 to include the annexed areas, though no inhabitants reside in any of the annexed areas, nor do any habitable residential structures exist in the aforesaid annexed areas. NOW THEREFORE,

BE IT ORDAINED BY THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF LONG BEACH, MISSISSIPPI, AS FOLLOWS:

SECTION 1. VOTING PRECINCTS AND VOTING PLACES

In order to provide the citizens of Wards 1, 2 and 3 of the City of Long Beach, Mississippi, with a voting place to replace the voting place of each said ward destroyed by Hurricane Katrina in 2005, and to make voting more accessible and convenient and to include the Annexation Territories described in Ordinance No. 532 and described in Ordinance No. 555 within a voting precinct (Ward), even though there are no persons presently residing in such Annexation Territories, nor are there any habitable residential structures presently located in such Annexation Territories, nor or any persons expected to inhabit such annexation territories within the near future, Section 4 of Ordinance No. 354 of the City of Long Beach, Mississippi, as amended by Ordinance Nos. 387, 401, 428, 463, 496 and 504 is hereby amended to read as follows:

ASECTION 4. VOTING OR POLLING PLACES

The voting or polling places for the electorate in each of the aforesaid Wards 1, 2, 3, 4, 5 and 6, respectively, are hereby fixed and established as follows:

(a) Long Beach Precinct 1 - Ward 1.

Qualified electors residing in Ward 1 shall vote and cast their ballots for all elections in Long Beach Precinct 1, described more particularly in part (g), hereafter, which Precinct is hereby established as the voting precinct for Ward 1, and said electors shall vote at United Methodist Church – Christian Life Center, at 208 Pine Street, Long Beach, Mississippi.

(b) Long Beach Precinct 2 - Ward 2.

Qualified electors residing in Ward 2 shall vote and cast their ballots for all elections in Long Beach Precinct 2, described more particularly in part (g), hereafter, which Precinct is hereby established as the voting precinct for Ward 2, and said electors shall vote at the Long Beach Public Library at 209 Jeff Davis Avenue, Long Beach, Mississippi.

(c) Long Beach Precinct 3 - Ward 3.

Qualified electors residing in Ward 3 shall vote and cast their ballots for all elections in Long Beach Precinct 3, described more particularly in part (g), hereafter, which Precinct is hereby established as the voting precinct for Ward 3, and said electors shall vote at the Technology Learning Center, The University of Southern Mississippi Gulf Park Campus, 703 East Beach Blvd., Long Beach, Mississippi.

(d) Long Beach Precinct 4 - Ward 4.

Qualified electors residing in Ward 4 shall vote and cast their ballots for all elections in Long Beach Precinct 4, described more particularly in part (g), hereafter, which Precinct is hereby established as the voting precinct for Ward 4, and said electors shall vote at the Thomas L. Reeves Elementary School (formerly Green Acres Elementary School) at St. Augustine Drive, Long Beach, Mississippi.

(e) Long Beach Precinct 5 - Ward 5.

Qualified electors residing in Ward 5 shall vote and cast their ballots for all elections in Long Beach Precinct 5, described more particularly in part (g), hereafter, which Precinct is hereby established as the voting precinct for Ward 5, and said electors shall vote at the Grace Lutheran Church at 19221 Pineville Road, Long Beach, Mississippi.

(f) Long Beach Precinct 6 - Ward 6.

Qualified electors residing in Ward 6 shall vote and cast their ballots for all elections

in Long Bach Precinct 6, described more particularly in part (g), hereafter, which Precinct is hereby established as the voting precinct for Ward 6, and said electors shall vote at the Quarles Elementary School on Commission Road, Long Beach, Mississippi.

(g) The descriptions of the Long Beach Precincts (Wards) 1, 2, 3, 4, 5 and 6 hereby established are as follows:

(1) LONG BEACH VOTING PRECINCT 1 - (WARD 1)

Beginning at the junction of the shoreline of the Gulf of Mexico or Mississippi Sound and an extension of the centerline of Shelter Rock Drive in the City of Long Beach, Harrison County, Mississippi; thence run northwesterly along the said centerline of Shelter Rock Drive to the centerline of Magnolia Street; thence run southwesterly along the centerline of Magnolia Street to its intersection with the centerline of Dearman Avenue; thence run northwesterly along the centerline of Dearman Avenue to its intersection with the centerline of West First Street; thence run northeasterly along the centerline of West First Street to its intersection with the centerline of Girard Avenue; thence run northwesterly along the centerline of Girard Avenue to its intersection with the centerline of the Louisville & Nashville Railroad right-of-way; thence run southwesterly along the said centerline of the Louisville & Nashville Railroad right-of-way to its intersection with the western City Limits line of the City of Long Beach; thence run Southerly along the western City Limits line of the City of Long Beach to its intersection with the shoreline of the Gulf of Mexico or the Mississippi Sound; thence run northeasterly along said shoreline of the Gulf of Mexico or the Mississippi Sound to its intersection with an extension of Shelter Rock Drive, said point being the Point of Beginning.

(2) LONG BEACH VOTING PRECINCT 2 - (WARD 2)

Beginning at the junction of the shoreline of the Gulf of Mexico or Mississippi Sound and an extension of the centerline of Shelter Rock Drive in the City of Long Beach, Harrison County, Mississippi; run thence northwesterly and along the centerline of Shelter Rock Drive to its intersection with the centerline of Magnolia Street; thence run southwesterly along the centerline of Magnolia Street to its intersection with the centerline of Dearman Avenue; thence run northwesterly along the centerline of Dearman Avenue to its intersection with the centerline of West First Street; thence run northeasterly along the centerline of West First Street to its intersection with the centerline of Girard Avenue; thence run northwesterly

along the centerline of Girard Avenue to the centerline of the Louisville & Nashville Railroad; thence continuing across the Louisville & Nashville railroad and northerly along the centerline of Girard Avenue, thence westerly along the centerline of Girard Avenue to its intersection with the centerline of 4th Avenue; thence northerly along the centerline of 4th Avenue to its intersection with the centerline of West Old Pass Road; thence northeasterly along the centerline of West Old Pass Road to its intersection with the centerline of Pineville Road; thence northwesterly along the centerline of Pineville Road to a point of intersection with the centerline of Canal No. 1; thence northeasterly along the centerline of Canal No. 1 to a point of intersection with the centerline of Commission Road; thence east along the centerline of Commission Road to its intersection with the centerline of Gates Avenue; thence South along the centerline of Gates Avenue to its intersection with the centerline of Allen Road; thence southwesterly along the centerline of Allen Road to its intersection with the centerline of Nicholson Avenue; thence Southeasterly along the centerline of Nicholson Avenue and an extension thereof to the shoreline of the Gulf of Mexico or Mississippi Sound; thence southwesterly and along the shoreline of the Gulf of Mexico or Mississippi Sound to its intersection with the extension of the centerline of Shelter Rock Drive and the Point of Beginning.

(3) LONG BEACH VOTING PRECINCT 3- (WARD 3)

Beginning at the junction of the shoreline of the Gulf of Mexico or Mississippi Sound and an extension of the centerline of Nicholson Avenue; thence running northwesterly along the centerline of Nicholson Avenue to the point of intersection with the centerline of Allen Road; thence running northeasterly along the centerline of Allen Road to the point of intersection with the centerline of Gates Avenue; thence North along the centerline of Gates Avenue to the point of intersection with the centerline of Commission Road; thence West along the centerline of Commission Road to the point of intersection with the centerline of Canal No. 1; thence northeasterly along the centerline of Canal No. 1 to the point of intersection with the East City Limits of the City of Long Beach; thence following said east City Limits of the City of Long Beach southeasterly, thence easterly, thence southerly, thence northeasterly, thence southeasterly, thence northeasterly, thence southeasterly along and with said East City Limits of the City to the shoreline of the Gulf of Mexico or Mississippi Sound; thence southwesterly along the shoreline of the Gulf of Mexico or

Mississippi Sound to the Point of Beginning, being the intersection of the shoreline of the Gulf of Mexico or Mississippi Sound and the extension of the centerline of Nicholson Avenue.

(4) LONG BEACH VOTING PRECINCT 4 - (WARD 4)

Beginning at a point where the Louisville & Nashville Railroad intersects with the West City Limits line of the City of Long Beach; thence along said railroad in a northeasterly direction to its intersection with the centerline of Girard Avenue; thence northerly along the centerline of Girard Avenue, thence westerly along the centerline of Girard Avenue to its intersection with the centerline of 4th Avenue; thence northerly along the centerline of 4th Avenue to its intersection with the centerline of West Old Pass Road; thence northeasterly along the centerline of West Old Pass Road to its intersection with the centerline of Pineville Road; thence northwesterly along the centerline of Pineville Road to the point of intersection with the centerline of Canal No. 1; thence in a southwesterly direction along the centerline of Canal No. 1 to the west City Limits line of the City of Long Beach; thence South, East and South along the West City Limits line of the City of Long Beach to the Point of Beginning.

(5) LONG BEACH VOTING PRECINCT 5 - (WARD 5)

Beginning at a point where Canal No. 1 intersects with the West City Limits line of the City of Long Beach south of Kux Road; running thence in a northeasterly direction along the centerline of Canal No. 1 to its intersection with the centerline of Pineville Road; thence meandering in a northwesterly direction along the centerline of Pineville Road to its intersection with the centerline of Daugherty Road; thence North along the centerline of Daugherty Road to its intersection with the centerline of Canal No. 2; thence southwesterly along the centerline of Canal No. 2 to its intersection with the centerline of Beatline Road; thence South along the centerline of Beatline Road to its intersection with the South line of the North ½ of the North ½ of the Northeast ¼ of Section 9; thence west and along said South line of said North ½ of the North ½ of the Northeast ¼ of Section 9 to its intersection with the centerline of a drainage canal known as Canal Number 3; thence westerly following the meanderings of said Canal Number 3 to its intersection with the west line of said Section 9; thence following the existing West City Limits South, East, South, East and South to the Point of Beginning where the centerline of Canal No. 1 intersects the West City Limits of the City of Long Beach.

(6) LONG BEACH VOTING PRECINCT 6 - (WARD 6)

Beginning at the northeast corner of the City Limits line of the City of Long Beach, being the centerline of 28th Street; thence running South and East and southeasterly, along the eastern City Limits line of the City of Long Beach to a point where the City Limits line intersects the centerline of Canal No. 1; thence in a southwesterly direction along the centerline of Canal No. 1 to a point where the centerline of said canal No. 1 intersects with the centerline of Pineville Road; thence northwesterly along the centerline of Pineville Road to a point where said centerline intersects the centerline of Daugherty Road; thence North along the centerline of Daugherty Road to its intersection with the centerline of Canal No. 2; thence southwesterly along the centerline of Canal No. 2 to the centerline of Beatline Road; thence southwesterly following the meanderings of Canal Number 3 a distance of 1450 feet more or less to the southerly extension of the east margin of an unimproved right-of-way sometimes known as Wisewood Lane, also being the west line of Block 9, Andrew's Land Company's Subdivision of the SE ¼ of Section 4 and The Fractional Part of the NE ¼ of Section 10 (sic), T. 8S, R. 12W; thence continue southwesterly following the meanderings of Canal Number 3 as presently constructed a distance of 1806 feet more or less to the intersection of the South line of Block 40, said Andrew's Land Company Subdivision; thence Southwest along said South line of Block 40 and Block 43 a distance of 920.77 feet to the East margin of a 30 foot roadway; thence North along said East margin a distance of 2009.83 feet to the north corner of Block 45 of said Andrew's Land Company Subdivision; thence Easterly along the Northern line of said Block 45 a distance of 651.09 feet to the Northeast corner of said Block 45; thence South along the Eastern line of said Block 45 a distance of 659.89 feet to the Southeast corner of said Block 45, said point being on the Northern margin of a 30 foot roadway sometimes known as Prattwood Lane; thence continue South a distance of 30 feet to the Southern margin of said roadway, said point being the Northwest corner of Block 39 of said Andrew's Land Company Subdivision; thence Easterly along the said Southern margin of Prattwood Lane a distance of 1332.78 feet to the Northeast corner of Block 28 of said Andrew's Land Company Subdivision; thence Northerly a distance of 30 feet to the Southwest corner of Block 24 of said Andrew's Land Company Subdivision, said point being on the Northern margin of said Prattwood Lane; thence Northerly along the Western line of said Block 24 a distance of 663.74 feet to the Northwest corner of Block 24; thence Easterly along the Northern line of said Block 24 a distance of 644.33 feet to the said East margin of Wisewood Lane; thence Easterly a distance of 30 feet to the Northwest corner of Block 10 of said Andrew's Land Company Subdivision; thence easterly along said north line of said Block 10 and the north line of Block 8 of said Andrew's Land Company

Subdivision a distance of 1,043.21 feet; thence South a distance of 179.29 feet; thence Easterly a distance of 271 feet more or less to the East line of Section 4, Township 8 South, Range 12 West, Harrison County, Mississippi; thence Northerly along the East line of said Section 4, Township 8 South, Range 12 West to a point on the south margin of 28th Street, approximately 25 feet south of the Northeast corner of said Section 4; thence westerly 25 feet, more or less, to the southwest corner of the intersection of Beatline Road with 28th Street; thence northerly 25 feet, more or less, to the centerline of 28th Street; thence westerly along said centerline of 28th Street 468 feet, more or less, to the southerly extension of a line drawn parallel with and 453.47 feet west of the west margin of Beatline Road; thence northerly parallel with said west margin of Beatline Road 328.21 feet, more or less, to the north line of Lot 4, Block 4, Cox's Subdivision of the E 1/2 of the SE 1/4 of Section 32, Township 7 South, Range 12 West, Harrison County, Mississippi; thence S 89° 57' 18" E along said north line of Lot 4 a distance of 300.0 feet to a point 153.47 feet west of the west margin of Beatline Road; thence south parallel with Beatline Road 150.0 feet; thence east parallel with said north line of Lot 4 a distance of 193.47 feet to the centerline of Beatline Road; thence south along said centerline 153 feet, more or less, to the north margin of 28th Street; thence east 40 feet to the northeast corner of the intersection of Beatline Road and 28th Street; thence south 25 feet to the North line of Section 3, Township 8 South, Range 12 West, Harrison County Mississippi; thence Easterly along the North line of Section 3 and Section 2 to a point, said point being the intersection of the southerly extension of the west line of Lot 4, Block 32, Cox Subdivision, Section 35, Township 7 South, Range 12 West, Harrison County, Mississippi with North line of Section 2; thence northerly along said southerly extension a distance of 25 feet, more or less, to a point on the north margin of 28th Street at the southwest corner of said Lot 4, said point also being on the east margin of a 25 foot alley; thence continue Northerly along said east margin a distance of 647.5 feet to the northwest corner of Lot 3, Block 32, of said Cox's Subdivision; thence Easterly along said North lot line a distance of 657.7 feet to a point on the west margin of North Klondyke Road; thence Southerly along said west margin a distance of 647.5 feet to a point on said north margin of 28th Street; thence continue Southerly a distance of 25 feet more or less to the said North line of Section 2; thence Easterly along the said North line of Section 2 and Section 1, Township 8 South, Range 12 West to a point, said point being 235.01 feet west of the east line of the SW ¼ of the SW ¼ of Section 36, Township 7 South, Range 12 West; then Northerly along a line parallel with the east line of the SW ¼ of the SW ¼ of said Section 36 a distance of 25' more or less to the north margin of 28th Street; thence continue N 00° 09' 10" E a distance of 1302.63 feet; thence S 89° 56' 57" E a distance of 235.01 feet; thence S 00° 09' 10" W along the east line of the SW ¼ of the SW ¼ of said Section 36 a distance of 1301.06 feet to a point on the north margin of 28th Street, thence Southerly a distance of 25 feet more or less to the

North line of Section 1, Township 8 South, Range 12 West; thence Easterly along said North line of Section 1 to the North mid-section corner of said Section 1, said point also being the Northwest corner of the U.S. Naval Reservation and the Northeast corner of the City Limits line of the City of Long Beach, being the point of beginning.”

SECTION 2. CONFLICTS

Ordinance Nos. 387, 401, 428, 463, 496 and 504 of the City of Long Beach, Mississippi, be, and said Ordinances and all other ordinances or parts thereof in conflict with the provisions of this Ordinance are hereby repealed, to the extent of such conflict, as of the effective date of this Ordinance.

SECTION 3. CAPTIONS

The captions of sections of this Ordinance are intended solely to facilitate referencing and reading and shall not be construed to alter or change the meaning or interpretation of the provisions therein contained.

SECTION 4. SEVERABILITY

If any section, subsection, sentence, clause or phrase of this Ordinance, or the application thereof, be held by any Court of competent jurisdiction to be invalid or unconstitutional, such holding shall not affect the remaining portions of this Ordinance.

SECTION 5. EFFECTIVE DATE

This Ordinance shall take effect and be in force thirty (30) days after its adoption, publication and enrollment thereof as provided by law; provided further, that the same shall be submitted to the Department of Justice of the United States of America for approval as provided by the Civil Rights Voting Act.

The foregoing Ordinance No. 561 was introduced in writing by Alderman Lishen, who moved its adoption. Alderman McNary seconded the motion to adopt the ordinance, and after a discussion, and no member of the Board of Aldermen having requested the Ordinance to be read by the City Clerk, and the question being put to a roll call vote by the Mayor, the result was as follows:

Alderman Richard Notter	voted Absent, Not Voting
Alderman Richard Burton	voted Absent, Not Voting
Alderman Charles Boggs	voted Aye
Alderman Carolyn Anderson	voted Absent, Not Voting
Alderman Allen D. Holder	voted Aye
Alderman Joseph McNary	voted Aye
Alderman Mark Lishen	voted Aye

The question having received the affirmative vote of all the Aldermen present and voting, the Mayor declared the said Ordinance No. 561 adopted and approved this the 3rd day of February, 2009.

APPROVED:

WILLIAM SKELLIE, JR., MAYOR

ATTEST:

REBECCA E. SCHRUFF, CITY CLERK

C E R T I F I C A T E

STATE OF MISSISSIPPI
COUNTY OF HARRISON
CITY OF LONG BEACH

I, the undersigned, Rebecca E. Schruff, City Clerk within and for the City of Long Beach, Mississippi, do hereby certify that the above and foregoing is a true and correct copy of that certain Ordinance #561 of the City of Long Beach, Mississippi, adopted by the Mayor and Board of Aldermen at a regular meeting duly held and convened on the 3rd day of February, 2009, as the same appears of record in Ordinance Book #7, pages 381-391 inclusive, in my office at the City Hall in said City.

Given under my hand and the official seal of my office this the 3rd day of February, 2009.

(SEAL)

Rebecca E. Schruff, City Clerk