

**CITY OF BILOXI
AGENDA ITEM
FACT SHEET**

Item No.: 5F

Council Meeting Date: July 28, 2026

ITEM TITLE: **RESOLUTION**

INTRODUCED BY: **Mayor Andrew "FoFo" Gilich**

CONTACT PERSON: **Richard Weaver, Chief Administrative Officer**
Peter Abide, City Attorney

SUMMARY EXPLANATION:

Resolution authorizing acceptance of donation of land from Pitcher Point Investments, LLC in connection with the Belle la Vie Development

Resolution ✓ Ordinance _____ Public Hearing _____ Routine Agenda _____

Exhibits for Review

Contract ✓ Minutes _____ Plans/Maps _____ Deed _____ Lease _____

Other (Specify): **Exhibit A: Warranty Deed**

Submittal Authorization: Council President _____ Mayor ✓

STAFF RECOMMENDATION: Staff recommends approval

COUNCIL ACTION: Motion By: _____ Second By: _____

<u>Vote:</u>	<u>Councilmember</u>	<u>Yes</u>	<u>No</u>	<u>AFR</u>	<u>ABST</u>	<u>Councilmember</u>	<u>Yes</u>	<u>No</u>	<u>AFR</u>	<u>ABST</u>
	Gray	_____	_____	_____	_____	Tisdale	_____	_____	_____	_____
	Marshall	_____	_____	_____	_____	Glavan	_____	_____	_____	_____
	Nail	_____	_____	_____	_____	Shoemaker	_____	_____	_____	_____
	Creel	_____	_____	_____	_____					

ACTION TAKEN:

072826fcon

Resolution No.

RESOLUTION AUTHORIZING ACCEPTANCE OF DONATION OF LAND FROM
PITCHER POINT INVESTMENTS, LLC IN CONNECTION WITH THE BELLE LA VIE
DEVELOPMENT

WHEREAS, by Resolution No. 607-17, the governing authorities of the City of Biloxi (the “City”) authorized entry into that certain Agreement Regarding Trunk Structure and Roadways (the “Agreement”) with Pitcher Point Investments, LLC (“PPI”) and WM MS Investments, LLC (“WMMS”);

WHEREAS, in connection with the building of infrastructure in the Belle la Vie area, by the Warranty Deed, attached hereto as Exhibit “A,” PPI is deeding the City an additional seventy (70) feet of real property, dedicating an additional portion of Belle la Vie right-of-way for the purposes of connecting Belle la Vie Parkway to the Falcon Glen Subdivision; and

WHEREAS, it is the recommendation of Peter C. Abide, City Attorney, that the City accept the donation of real property from PPI.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BILOXI, MISSISSIPPI, THAT:

SECTION ONE: The findings, conclusions, and statement of fact contained in the foregoing preamble are hereby adopted, ratified, and incorporated herein.

SECTION TWO: The donation of the real property described in the Warranty Deed attached hereto as Exhibit “A,” is hereby accepted and approved.

SECTION THREE: The Mayor, or his designee, is hereby authorized to record the Warranty Deed, attached hereto as Exhibit “A,” in the land records of Harrison County, Mississippi.

SECTION FOUR: This resolution shall take effect and be in force from and after adoption.



PREPARED BY and RETURN TO:
David A. Wheeler, Esquire•
Wheeler & Wheeler, PLLC
P.O. Box 264
Biloxi, MS 39533
(228) 374-6720
MSB 7126

INDEXING: SE1/4 & SW1/4
Sec 28-T7S-R1OW
Harrison County, 2nd J.D., MS

STATE OF MISSISSIPPI
COUNTY OF HARRISON
SECOND JUDICIAL DISTRICT

WARRANTY DEED

FOR AND IN CONSIDERATION of the sum of Ten and No/100 Dollars (\$10.00), cash in hand paid and other good and valuable consideration, the receipt of which is hereby acknowledged, PITCHER POINT INVESTMENTS, LLC, a Mississippi limited liability company, 15039 Lorraine Road, Biloxi, MS 39532 (228) 264-0806, *GRANTOR*, does hereby GRANT, CONVEY and WARRANT to the **CITY OF BILOXI, MISSISSIPPI**, 140 Lameuse Street, *Biloxi*, MS 39530 (228) 435-6257, *GRANTEE*, all right, title and interest in and to the following described real property, together with all improvements owned by Grantee situated thereon, lying and being situated in the Second Judicial District of Harrison County, Mississippi, more particularly described as follows, to-wit:

SEE EXHIBIT "A" ATTACHED

The Grantor herein intends, and by its execution of this instrument does, transfer unto Grantee all right, title and interest it presently has in and to the above described property, subject to all restrictions, easements and rights of way of record.

It is agreed and understood that the taxes for the current year will be paid by Grantor. This conveyance and Grantor's warranty of title is subject to: (a) all restrictions of record, (b) all easements and rights of way of record; (c) prior reservations of oil, gas and mineral rights; (d) current year taxes, if any; and (e) all matters which would be revealed by an accurate inspection and/or survey of the subject property.

WITNESS MY SIGNATURE, this the 9th day of July, 2026.

PITCHER POINT INVESTMENTS, LLC

BY: NORTH SLOPE, LLC, Its Managing Member

BY: 
PHILIP J. FRISBY, Managing Member

STATE OF MISSISSIPPI
COUNTY OF HARRISON

Personally appeared before me, the undersigned authority in and for said county and state, on this the 9th day of July, 2026, within my jurisdiction, the within named PHILIP J. FRISBY, who acknowledged to me that he is the Managing Member of North Slope, LLC, the Managing Member of PITCHER POINT INVESTMENTS, LLC, a Mississippi limited liability company, and that for and on behalf of said company and as the act and deed of said company, he executed the above and foregoing instrument, after first having been duly authorized by said company so to do.



Holly E. Cox
NOTARY PUBLIC

JOINDER AND CONSENT OF DEVELOPER

68V Hidden Springs (MS) 2024, LLC, joins in this Warranty Deed solely for the limited purpose of acknowledging and consenting to the conveyance by Pitcher Point Investments, LLC to the City of Biloxi, Mississippi, of the real property described herein.

68V Hidden Springs (MS) 2024, LLC acknowledges that it constructed or caused to be constructed certain road, water, sewer, utility, drainage, and related infrastructure improvements upon, within, or serving the above-described real property. 68V Hidden Springs (MS) 2024, LLC consents to the conveyance of the above-described real property to the City of Biloxi, Mississippi, and to the City's acceptance, ownership, operation, maintenance, and/or use of such improvements, to the extent accepted by the City.

This joinder is made solely for the purposes stated herein. Pitcher Point Investments, LLC is conveying only its right, title, and interest in and to the above-described real property and does not, by this instrument, represent, warrant, covenant, or certify that any improvements located upon, within, or serving the property were designed, permitted, constructed, installed, inspected, approved, or completed by Pitcher Point Investments, LLC.

Nothing contained herein shall be construed to impose upon Pitcher Point Investments, LLC any duty, responsibility, liability, warranty, maintenance obligation, repair obligation, construction obligation, or indemnity obligation with respect to any road, water, sewer, utility, drainage, or related infrastructure improvements constructed or caused to be constructed by 68V Hidden Springs (MS) 2024, LLC or any other party.

By executing this joinder, 68V Hidden Springs (MS) 2024, LLC does not convey fee title to the above-described real property, does not make any warranty of title to the real property, and does not assume any obligation except to the extent expressly set forth in a separate written agreement, if any, with the City of Biloxi, Mississippi.

WITNESS MY SIGNATURE, this the 8th day of July, 2026.

68V HIDDEN SPRINGS (MS) 2024, LLC

BY: 

PRINTED NAME: NATHAN L COX

TITLE: MANAGER

Alabama
STATE OF MISSISSIPPI
COUNTY OF HARRISON
Baldwin

Personally appeared before me, the undersigned authority in and for said county and state, on this the 8th day of July, 2026, within my jurisdiction, the within named Nathan Cox, who acknowledged to me that he is the Managing Member of 68V Hidden Springs (MS) 2024, LLC, a Mississippi limited liability company, and that for and on behalf of said company and as the act and deed of said company, he executed the above and foregoing instrument, after first having been duly authorized by said company so to do.

CATHERINE HOLLADAY
NOTARY PUBLIC, ALABAMA STATE AT LARGE
MY COMMISSION EXPIRES MAY, 08, 2027



NOTARY PUBLIC

EXHIBIT A

ADDITIONAL BELLE LA VIE PARKWAY RIGHT-OF-WAY SITUATED IN THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 28, TOWNSHIP 6 SOUTH, RANGE 10 WEST, CITY OF BILOXI, HARRISON COUNTY, MISSISSIPPI, AS SHOWN ON THE PLAT OF SURVEY PREPARED BY PATRICK MARTINO PLS INC. DATED AUGUST 5, 2022 (REFERENCE MERIDIAN FOR BEARINGS BASED ON GEODETIC NORTH BY GPS OBSERVATION (NAD83;CORS96), ALL LINES RELATIVE TO) AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A 4"X4" CONCRETE MONUMENT FOUND AT THE NORTHWEST CORNER OF THE SOUTHWEST 1/4 OF SECTION 28, TOWNSHIP 6 SOUTH, RANGE 10 WEST, CITY OF BILOXI, HARRISON COUNTY, MISSISSIPPI; THENCE S89°37'20"E 77.38 FEET TO A 1/2" IRON ROD FOUND LYING ON THE EAST MARGIN OF WOODLANDS HILLS DRIVE, SAID POINT LYING ON THE SOUTH MARGIN OF A PROPOSED 72 FOOT RIGHT-OF-WAY; THENCE LEAVING THE EAST MARGIN OF WOODLANDS HILLS DRIVE ALONG THE SOUTH MARGIN OF SAID PROPOSED 72 FOOT RIGHT-OF-WAY, N89°21'49"E 219.76 FEET TO A SET 1/2" IRON ROD WITH CAP STAMPED MARTINO PLS 02838; THENCE CONTINUE ALONG SAID SOUTH MARGIN, ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 842.09 FEET, AN ARC LENGTH OF 282.69 FEET, AND A CHORD BEARING AND DISTANCE OF S80°24'46"E 281.36 FEET TO A SET 1/2" IRON ROD WITH CAP STAMPED MARTINO PLS 02838; THENCE CONTINUE ALONG THE SOUTH MARGIN, ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF 552.62 FEET, AN ARC LENGTH OF 112.94 FEET, AND A CHORD BEARING AND DISTANCE OF S72°44'47"E 112.74 FEET TO A SET 1/2" IRON ROD WITH CAP STAMPED MARTINO PLS 02838; THENCE CONTINUE ALONG SAID SOUTH MARGIN, ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF 552.62 FEET, AN ARC LENGTH OF 434.02 FEET, AND A CHORD BEARING AND DISTANCE OF N78°53'56"E 422.95 FEET TO A SET 1/2" IRON ROD WITH CAP STAMPED MARTINO PLS 02838; THENCE CONTINUE ALONG SAID SOUTH MARGIN, ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF 552.62 FEET, AN ARC LENGTH OF 377.81 FEET, AND A CHORD BEARING AND DISTANCE OF N36°48'47"E 370.50 FEET TO 1/2" IRON ROD SET; THENCE CONTINUE ALONG SAID SOUTH MARGIN, N17°55'02"E 629.24 FEET TO A 1/2" IRON ROD SET; THENCE CONTINUE ALONG SAID SOUTH MARGIN, ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 553.00 FEET, AN ARC LENGTH OF 250.01 FEET AND A CHORD BEARING AND DISTANCE OF N30°53'25"E 247.89 FEET TO A 1/2" IRON ROD SET; THENCE CONTINUE ALONG SAID SOUTH MARGIN, ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 1064.50 FEET, AN ARC LENGTH OF 309.12 FEET AND A CHORD BEARING AND DISTANCE OF N52°09'40"E 308.03 FEET TO A 1/2" IRON ROD SET; THENCE CONTINUE ALONG SAID SOUTH MARGIN, N62°42'53"E 143.03 FEET TO A 1/2" IRON ROD SET AT THE INTERSECTION OF THE SOUTH MARGIN OF A PROPOSED 72 FOOT RIGHT-OF-WAY AND THE WEST MARGIN OF A PROPOSED 72 FOOT RIGHT-OF-WAY; THENCE ALONG THE WEST MARGIN OF SAID 72 FOOT RIGHT-OF-WAY, S27°17'07"E 105.72 FEET TO A 1/2" IRON ROD SET; THENCE ALONG SAID WEST MARGIN, ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF 1236.00 FEET, AN ARC LENGTH OF 662.18 FEET AND A CHORD BEARING AND DISTANCE OF S42°37'59"E 654.29 FEET TO A 1/2" IRON ROD SET; THENCE CONTINUE ALONG SAID WEST MARGIN, ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 764.00 FEET, AN ARC LENGTH OF 750.43 FEET, AND A CHORD BEARING AND DISTANCE OF S29°50'32"E 720.62 FEET TO A FOUND 1/2" IRON ROD WITH CAP STAMPED "W ENG PLS 02946" LYING ON THE NORTH MARGIN OF BELLE LA VIE PARKWAY, BEING AN EXISTING 72 FOOT DEDICATED PUBLIC RIGHT-OF-WAY, AS PER DEED INSTRUMENT 2020-00449-D-J2, SAID POINT BEING THE POINT OF BEGINNING; THENCE ALONG THE NORTH MARGIN OF BELLE LA VIE PARKWAY, N88°33'50"E 72.00 FEET TO A FOUND 1/2" IRON ROD WITH CAP STAMPED "W ENG PLS 02946"; THENCE LEAVING SAID NORTH MARGIN, ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF 836.00 FEET, AN ARC LENGTH OF 109.84 FEET, AND A CHORD BEARING AND DISTANCE OF N05°26'40"W 109.76 FEET TO A SET 1/2" IRON ROD WITH CAP STAMPED "EASEMENT PLS 02838"; THENCE S80°47'30"W 72.00 FEET TO A SET 1/2" IRON ROD WITH CAP STAMPED "EASEMENT PLS 02838" LYING ON THE WEST MARGIN OF SAID 72 FOOT RIGHT-OF-WAY; THENCE ALONG SAID WEST MARGIN, ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 764.00 FEET, AN ARC LENGTH OF 100.07 FEET, AND A CHORD BEARING AND DISTANCE OF S05°27'22"E 100.00 FEET TO THE POINT OF BEGINNING. SAID EASEMENT CONTAINS 7,557 SQUARE FEET. ALL 1/2" IRON RODS SETS ARE CAPPED AND STAMPED "EASEMENT PLS 02838" UNLESS NOTED OTHERWISE.

**"EXHIBIT FOR AN
ADDITIONAL PORTION OF
BELLE LA VIE RIGHT-OF-WAY
TO BE DEDICATED TO THE
CITY OF BILOXI"**

