

LEGAL NOTICE
NOTICE OF INTENT TO APPLY
FOR A GAMING LICENSE
MISSISSIPPI GAMING COMMISSION
POST OFFICE BOX 23577
JACKSON, MISSISSIPPI 39225-3577

We, the owners of the property described in the attached legal descriptions, intend to make application for a gaming license for an on-shore gaming establishment to be located in Biloxi, Harrison County, Mississippi pursuant to the provisions of the Mississippi Gaming Control Act. No portion of the gaming area of the establishment will be located more than eight hundred (800) feet (excluding public easements and rights-of-way for public streets and highways) from the nineteen (19) year mean high water line as defined by Mississippi Code Annotated Section 29-15.1. The approximately 32 acres comprising the site is located at 490 Beach Boulevard Biloxi, Harrison County, Mississippi.

Description:

Parcel "A" (BCL CONTROLLED PROPERTY NORTH OF US HWY. 90 FEE SIMPLE OWNED BY BCL)

Beginning at the intersection of the East margin of Holley Street and the apparent North margin of U.S. Highway 90, having Mississippi State Plane Coordinates of: N=324985.2686 feet, E=970627.9823 feet (datum NAD83); thence run N-00°51'01"-W along said East margin of Holley Street, 1081.29 feet to an "X" Mark in concrete at the intersection of said East margin of Holley Street and the South margin of Howard Avenue; thence run N-85°39'24"-E along said South margin of Howard Avenue, 226.58 feet to a point; thence run N-88°21'03"-E along said South margin of Howard Avenue, 67.09 feet to a point; thence run Southeasterly along said South margin of Howard Avenue and a curve to the right having a radius of 262.68 feet, a chord of which bears S-78°47'55"-E, 98.66 feet, an distance of 99.25 feet to a point; thence run Southeasterly along said South margin of Howard Avenue and a curve to the right having a radius of 1108.42 feet, a chord of which bears S-65°45'28"-E, 44.32 feet, an distance of 44.32 feet to a point; thence run S-60°05'31"-E Southeasterly along said South margin of Howard Avenue, 93.46 feet to a point; thence run S-53°14'41"-E along said South margin of Howard Avenue, 75.25 feet to a point; thence run S-48°58'05"-E along said South margin of Howard Avenue, 92.23 feet to a point; thence run S-48°59'33"-E along said South margin of Howard Avenue, 280.89 feet to a point; thence run Southeasterly along said South margin of Howard Avenue and a curve to the left having a radius of 350.00 feet, a chord of which bears S- 69°27'26"-E, 244.74 feet, an arc distance of 250.02 feet to a point; thence run S-89°55'19"-E along said South margin of Howard Avenue, 205.71 feet to the intersection of said South margin of Howard Avenue and the West margin of Kuhn Street; thence run S-00°18'28"-E along said West margin of Kuhn Street, 159.51 feet to a point; thence run S-89°58'09"-W leaving said West margin of Kuhn Street, 108.70 feet to a point; thence run S-00°56'03"-E, 264.05 feet to a point on the North margin of Meaut Street; thence run N-89°47'12"-W along said North margin of Meaut Street, 89.26 feet to a point; thence run S-01°53'38"-W leaving said North margin of Meaut Street, 318.64 feet to a point on said North margin of U.S. Highway 90; thence run N-85°11'56"-W along said North margin of U.S. Highway 90, 331.55 feet to a point; thence run N-89°06'53"-W along said North margin of U.S. Highway 90, 313.04 feet to a point; thence run N-80°47'54"-W along said North margin of U.S. Highway 90, 430.70 feet to the Point of Beginning, containing 25.80 acres, more or less.

Parcel "B" (BCL CONTROLLED PROPERTY SOUTH OF US HWY. 90 LITTORIAL RIGHTS OWNED BY BCL)

Commencing at the intersection of the East margin of Holley Street and the apparent North margin of U.S. Highway 90, having Mississippi State Plane Coordinates of: N=324985.2686 feet, E=970627.9823 feet (datum NAD83); thence run S-00°51'01"-E leaving said North margin of U.S. Highway 90, 157.83 feet to a point on the South margin of said U.S. Highway 90 and the outside face of an existing seawall; thence run Southeasterly along said South margin of said U.S. Highway 90, the outside face of an existing seawall and a curve to the left having a radius of 1859.01 feet, a chord of which bears S-84°09'18"-E, 162.56 feet, an arc distance of 162.61 feet to a point; thence run S-86°36'51"-E along said South margin of said U.S. Highway 90 and the outside face of an existing seawall, 201.77 feet to a point; thence run Southeasterly along said South margin of said U.S. Highway 90, the outside face of an existing seawall and a curve to the

right having a radius of 2863.78 feet, a chord of bears S-83°38'11"-E, 308.70 feet, an arc distance of 308.85 feet to a point; thence run S-80°18'26"-E along said South margin of said U.S. Highway 90 and the outside face of an existing seawall, 396.50 feet to a point; thence run S-01°40'33"-E, 189.57 feet to a point on the North margin of the Mississippi Sound (Gulf of Mexico); thence run along said North margin of the Mississippi Sound (Gulf of Mexico) the following: S-86°56'20"-W, 14.55 feet; S-81°28'59"-W, 108.42 feet; N-79°56'06"-W, 72.69 feet; N-75°59'45"-W, 108.73 feet; N-71°41'10"-W, 51.14 feet; N-63°03'15"-W, 48.27 feet; N-71°05'08"-W, 95.35 feet; N-78°57'22"-W, 45.78 feet; N-82°45'56"-W, 50.91 feet; N-84°51'58"-W, 43.30 feet; N-87°18'12"-W, 52.46 feet; N-88°47'51"-W, 52.39 feet; N-85°56'50"-W, 43.12 feet; S-88°59'08"-W, 101.14 feet; N-88°06'06"-W, 50.24 feet; S-88°22'36"-W, 88.23 feet; N-85°38'57"-W, 45.87 feet to a point; thence run N-00°51'01"-W leaving said North margin of the Mississippi Sound (Gulf of Mexico), 201.40 feet to the Point of Beginning, containing 4.75 acres, more or less.

Parcel "C" (BCL CONTROLLED PROPERTY SOUTH OF US HWY. 90 LEASED FROM THE CITY OF BILOXI)

Commencing at the intersection of the East margin of Holley Street and the apparent North margin of U.S. Highway 90, having the Mississippi State Plane Coordinates of : N=324985.2686 feet, E=970627.9823 feet (datum NAD83); thence run S-00°51'01"-E leaving said North margin of U.S. Highway 90, 157.83 feet to a point on the South margin of said U.S. Highway 90 and the outside face of an existing seawall; thence continue S-00°51'01"-E leaving said South margin of U.S. Highway 90 and the outside face of an existing seawall, 201.40 feet to a point on the North margin of the Mississippi Sound (Gulf of Mexico); thence run N-85°46'50" along said North margin of the Mississippi Sound (Gulf of Mexico), 32.49 feet to a point; thence run N-00°51'01"-W leaving said North margin of the Mississippi Sound (Gulf of Mexico), 203.91 feet to a point on said South margin of U.S. Highway 90 and the outside face of an existing seawall; thence run Southeasterly along said South margin of U.S. Highway 90 and the outside face of an existing seawall and a curve to the left having a radius of 564.78 feet, a chord of which bears S-81°24'09"-E, 32.81 feet, an arc distance of 32.82 feet to the Point of Beginning, containing 6,554.09 square feet, more or less.

The Applicant anticipates that the establishment will contain approximately 100,000 square feet of gaming space and approximately 2000 slot machines and 75 table games. The project will include approximately 1300 hotel rooms; 100,000 square feet of convention space and other amenities as approved by the Mississippi Gaming Commission.

The name and address of the applicant is:

Biloxi Capital, LLC

c/o Daniel O. Conwill, IV, Member

400 Poydras Street

New Orleans, Louisiana 70130

This the 6th day of November, 2019.

APPROVED AS TO FORM:

/s/Allen Godfrey, Director

Mississippi Gaming Commission