

There came on for consideration at a meeting of the Mayor and City Council of the City of Diamondhead, Mississippi, held on the **6th** day of **MAY, 2014**, the following Resolution:

**A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF DIAMONDHEAD, MISSISSIPPI, FINDING AND ADJUDICATING THAT THE HEREIN DESCRIBED PARCEL OF LAND IS IN SUCH A STATE OF UNCLEANLINESS AS TO BE A MENACE TO THE PUBLIC HEALTH, SAFETY, AND WELFARE OF THE CITIZENRY OF THE CITY AND AUTHORIZING ADVERTISEMENT FOR BIDS TO HAVE SAID LAND CLEARED AND CLEANED AND TO ASSESS THE COSTS TO THE SAID PROPERTY**

**WHEREAS**, Mayor and City Council of the City of Diamondhead, Mississippi, (the "City"), pursuant to Mississippi Code Annotated Section 21-19-11, 1972, as amended, finds, determines, and adjudicates, based upon the investigation of the City's Building Department, that the parcel of land described below is in such a state of uncleanliness as to be a menace to the public health, safety and welfare of the citizenry of the City; and

**WHEREAS**, said property, as described herein, is within the corporate boundaries of the City of Diamondhead, Hancock County, Mississippi; and

**WHEREAS**, the parcel investigated by the Building Department and recommended by the Building Official for adjudication as being in such a state of uncleanliness as to be a menace to the public health, safety and welfare of the citizenry of the City is identified as:

Tax Identification Parcel Number 067J-1-36-029.000

9917 Hamakua Street, Diamondhead Phase 2, Unit 7, Block 2, Lot 13

Mow the grass and remove all miscellaneous shrubs i.e. hedge

(Ronna E. O'Connor)

**WHEREAS**, notice to the property owner was provided by the City pursuant to Mississippi Code Annotated Section 21-19-11, 1972, as amended, via legal notice of hearing published in Sea Coast Echo on April 5, 2014, a copy of said proof of publication being attached hereto as Exhibit "A" and incorporated herein by reference; and pictures being attached hereto as Exhibit "B"; and

**WHEREAS**, the Mayor and City Council of the City of Diamondhead further find, determine and adjudicate that advertisement for bids to clean the above referenced properties should be made in the form and manner as provided by law; and

**WHEREAS**, the Mayor and City Council further find, determine and adjudicate that the cost of the demolition and/or lot cleanup shall not exceed the aggregate amount of \$10,000.00 per parcel per calendar year or the fair market value of the property subsequent to cleaning, whichever is less. Said amount shall be assessed as a lien against said property as provided by law and shall be enrolled in the office of the Circuit Clerk of Hancock County, Mississippi as other judgments are enrolled.

**WHEREAS**, the Mayor and City Council of the City of Diamondhead further find, determine and grant authority to the Building Department to re-enter the property not more than five (5) times for a period of one (1) year without any further hearings if notice is posted on this property and at City Hall, 5000 Diamondhead Circle, Diamondhead, MS 39525 at least ten (10) days prior to re-entering the property for resolution of the same type of violation;

**NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF DIAMONDHEAD, MISSISSIPPI, AS FOLLOWS:**

**SECTION 1.** That the matters, facts and things recited in the Preamble hereto are hereby adopted as the official findings of the Governing Authority.

**SECTION 2 .**That the property located at 9917 Hamakua Street, Diamondhead, Mississippi, (Tax Identification Parcel Number 067J-1-36-029.000)

be and hereby is declared to be a menace to the public health, safety and welfare of the citizenry of the City of Diamondhead.

**SECTION 3.** That the City Clerk be and hereby is authorized to advertise for bids to cut and clean the property described hereinabove and lying within corporate boundaries of the City of Diamondhead, Hancock County, Mississippi, as well as remove all trash, rubbish and debris to a proper disposal site.

**SECTION 4.** That the cost of cleanup of the herein described property, including any penalty assessed, shall be a lien against said property as provided by law and shall be enrolled in the office of the Circuit Clerk of Hancock County, Mississippi.

**SECTION 5.** That the Mayor and City Council of the City of Diamondhead further find, determine and hereby grant authority to the Building Department to re-enter

the property not more than five (5) times for a period of one (1) year without any further hearings if notice is posted on this property and at City Hall, 5000 Diamondhead Circle, Diamondhead, MS 39525 at least ten (10) days prior to re-entering the property for resolution of the same type of violation.

Councilmember \_\_\_\_\_ moved the adoption of the Resolution, which motion was seconded by Councilmember \_\_\_\_\_.

Upon being put to a roll call vote, the following ballots were cast:

      YEAS:      NAYS:      ABSENT:

Lopez  
Lafontaine  
Sislow  
Rech  
Knobloch  
Schafer

WHEREUPON the Mayor declared the motion carried and the Resolution adopted, this the \_\_\_\_\_ day of \_\_\_\_\_, 2014.

ATTEST: \_\_\_\_\_ ADOPTED:

CITY CLERK \_\_\_\_\_

MAYOR \_\_\_\_\_

# The Sea Coast Echo

Since 1892

POST OFFICE BOX 2009  
BAY SAINT LOUIS, MS 39521-2009

## PROOF OF PUBLICATION

STATE OF MISSISSIPPI  
HANCOCK COUNTY

PERSONALLY appeared before me the undersigned authority in and for said County and State, JAMES R. PONDER, publisher of THE SEA COAST ECHO, a newspaper printed and published in the City of Bay Saint Louis, said County, who being duly sworn, deposes and says the publication of this notice hereunto annexed has been made in the said publication 1 weeks to-wit:

On the 05 day of April 2014  
On the \_\_\_\_\_ day of \_\_\_\_\_ 2014  
On the \_\_\_\_\_ day of \_\_\_\_\_ 2014  
On the \_\_\_\_\_ day of \_\_\_\_\_ 2014

James R. Ponder

**LEGAL NOTICE OF HEARING**  
Pursuant to Section 21-19-11, Mississippi Code Annotated (1972), MS. RONNA E. O'CONNOR and any and all persons with an interest in the below described property are hereby notified that on May 6, 2014, at 6:00 p.m. in the City Council Chambers at 5000 Diamondhead Circle, Diamondhead, Mississippi, a hearing will be held to adjudicate whether the real property described as Lot 13, Diamondhead Phase 2, Unit 7, Block 2, 8917 Hamakua Street and also Tax Parcel Number 087-1-36-029.000, is in such a state of uncleanness as to be a menace to the public health, safety and general welfare of the community. Section 21-19-11, Mississippi Code of 1972, as amended, an adjudication at the hearing will authorize the City of Diamondhead to re-enter this property for a period of one (1) year without any further hearings if notice is posted on this property and at City Hall, 5000 Diamondhead Circle, Diamondhead, MS for at least seven (7) days before this property is re-entered for resolution of the same type of violation. Adjudication of the existence of such a menace shall empower the City of Diamondhead to clean said property and assess the cost of cleaning to said parcel (assessed to property taxes and/or posted to the Hancock County Judgment Rolls).  
Krislen Ventura, City Clerk  
04/05/14

Sworn to and subscribed before me A NOTARY PUBLIC

Judith A. Ponder  
this April 07 2014

Notary Public State of Mississippi At Large  
My Commission Expires: November 01, 2017



