

A RESOLUTION OF THE CITY COUNCIL FOR THE CITY OF DIAMONDHEAD, MISSISSIPPI  
("THE CITY") AUTHORIZING THE ACQUISITION OF THE DIAMONDHEAD WATER AND SEWER DISTRICT  
(DWSD) SERVICE AREA AND ITS FACILITIES, ASSETS AND INFRASTRUCTURE FOR WATER AND SEWER  
SERVICES WITHIN THE CORPORATE LIMITS OF DIAMONDHEAD, MISSISSIPPI

WHEREAS, the City of Diamondhead was incorporated on January 30, 2012; and

WHEREAS, Diamondhead Water and Sewer District was at the time of incorporation and is currently providing water and sewer service in a service area within the corporate limits of the City; and

WHEREAS, the City finds it is in the best interest of the City and the citizens of Diamondhead to have the City acquire DWSD's service area and its facilities, assets and infrastructure for water and sewer services within the corporate limits of the City; and

WHEREAS, the City is authorized by law to acquire by purchase, negotiations, or condemnation the DWSD's service area and its water and sewer facilities, assets and infrastructure for water and sewer services within the corporate limits of the City; and

NOW, THEREFORE, BE IT RESOLVED AND ORDERED by the City Council for the City of Diamondhead, as follows:

Section 1. That the City Manager and City Attorney begin all steps which are appropriate to acquire DWSD's service area and its facilities, assets and infrastructure for water and sewer services within the corporate limits of the City through negotiations with the DWSD.

Section 2. That in the event said negotiations are unsuccessful, as deemed by the City Manager and City Attorney, the Tindell Law Firm is hereby further authorized to proceed condemnation proceedings of the DWSD's service area and its facilities, assets and infrastructure for water and sewer services within the corporate limits of the City.

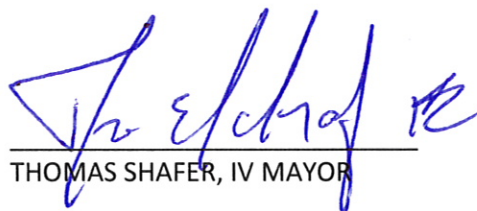
Section 3. That all actions taken prior to the date of the adoption of this resolution in furtherance of the above stated purposes, are hereby, fully ratified and confirmed.

Section 4. That a certified copy of this Order be forwarded to Sean J. Tindell for use in such proceedings and/or in the filing of condemnation proceedings in any court having competent jurisdiction of said cause and subject matter.

Councilmember Lopez moved for adoption of the Resolution, which motion was seconded by Councilmember Rech.

I HEREBY CERTIFY THAT THE ABOVE AND FOREGOING RESOLUTION WAS ADOPTED IN THE AFFIRMATIVE BY THE FOLLOWING VOTE OF COUNCIL OF THE CITY OF DIAMONDHEAD ON THE 28th DAY OF April, 2015.

	Aye	Nay
Mayor Schafer	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Councilmember Knobloch	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Councilmember Lopez	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Councilmember Lafontaine	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Councilmember Rech	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Councilmember Sislow	<input checked="" type="checkbox"/>	<input type="checkbox"/>

  
THOMAS SHAFER, IV MAYOR

ATTEST:   
Kristin Ventura, City Clerk

seal

