

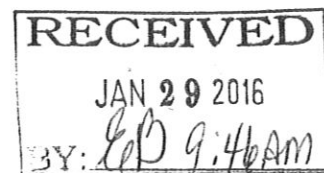
RESOLUTION AUTHORIZING THE MAYOR AND CITY COUNCIL (THE "GOVERNING BODY") OF THE CITY OF DIAMONDHEAD, MISSISSIPPI (THE CITY), TO VACATE AND/OR ABANDON A DRAINAGE/UTILITY EASEMENTS ALONG THE SOUTHEASTERN PROPERTY LINE OF LOT 32 OF BLOCK 4, DIAMONDHEAD SUBDIVISION PHASE 2 UNIT 06 HANCOCK COUNTY LOCATED WITHIN THE CITY

WHEREAS, the Mayor and City Council (the Governing Body) of the City of Diamondhead, Mississippi (the City), acting for and on behalf of the City, hereby finds and determines as follows:

1. The City currently possesses a 5' drainage and utility easement on the southeastern side of lot 32 of Block 4, Diamondhead Subdivision Phase 2 Unit 06;
2. Mike and Terri Truett are the owners of lot 32 of Block 4, Diamondhead Subdivision Phase 2 Unit 06; The physical address is 8420 Kimo Court. The ad valorem tax parcel number is 068J-1-41-075.000. Construction and site plans and a building permit application have been submitted for the construction of a "carport addition"; (See attached legal survey).
3. Comments from the Diamondhead Water and Sewer District reflect no water and sewer in the selected easements. Comments from the Diamondhead Public Works Department and CEPA reflected selected easement are not needed; (See attached comments). Note: Kendall Ladner with CEPA has stated that existing electrical facilities between Lots 32 & 33 will remain in the ground and does not agree with the abandonment of that drainage and utility easement.
4. Further, the City hereby abandons and/or vacates the drainage/utility easement as petitioned due to no apparent need for the drainage/utility easement. These drainage/utility easement is a 5' drainage and utility easement on the southeastern property line of lot of Block 4, Diamondhead Subdivision Phase 2 Unit 06 less and except the width of the 10' drainage easement of the front and rear property line; (See attached highlighted legal survey).

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY, AS FOLLOWS:

SECTION 1. That the Governing Body of the City will hereby abandon the selected drainage/utility easement with respect to Lots 32 described in bullet #4.



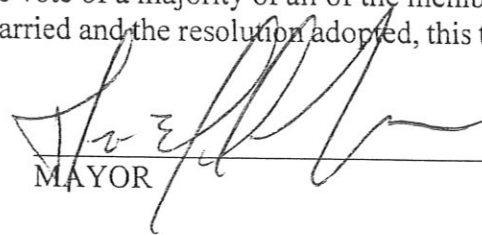
Resolution 2016-004
Agenda Item 2016-011

SECTION 2. It is agreed and understood that Mike /Terri Truett or their representative will be responsible for the filing of all necessary documents with the Chancery Clerk of Hancock County, Mississippi.

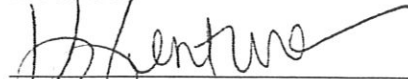
The above and foregoing resolution, after having been first reduced to writing, was introduced by Councilmember Knobloch, seconded by Councilmember Woolbright and the question being put to a roll call vote, the result was as follows:

	Aye	Nay	Absent
Councilmember Knobloch	✓	—	—
Councilmember Lopez	✓	—	—
Councilmember Woolbright	✓	—	—
Councilmember Sislow	✓	—	—
Councilmember Rech	—	—	✓
Mayor Schafer	✓	—	—

The motion having received the affirmative vote of a majority of all of the members of the Governing Body, the Mayor declared the motion carried and the resolution adopted, this the 19th day of January, 2016.

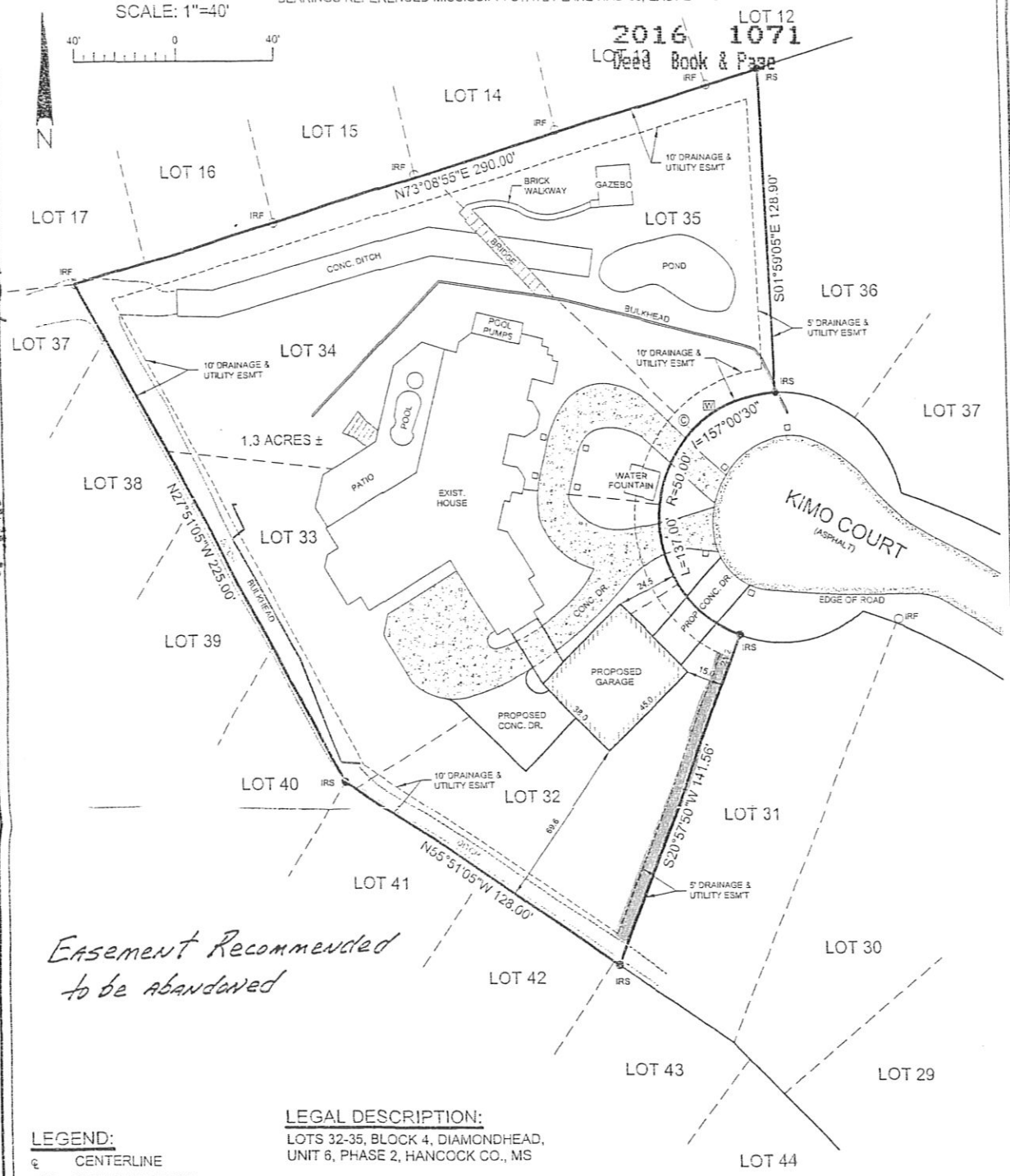
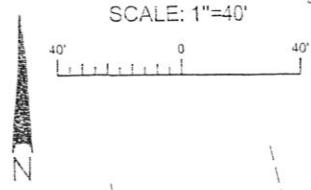

MAYOR

ATTEST:


CITY CLERK



2016 1071
 Deed Book & Page



*Easement Recommended
 to be abandoned*

LEGEND:

- ☉ CENTERLINE
- IRF IRON ROD FOUND
- IRS IRON ROD SET
- ⊗ IPF IRON PIPE FOUND
- ⊞ FCP FENCE CORNER POST
- ⊝ PP POWER POLE

LEGAL DESCRIPTION:

LOTS 32-35, BLOCK 4, DIAMONDHEAD, UNIT 6, PHASE 2, HANCOCK CO., MS

REFERENCES:

PLAT OF RECORD, DIAMONDHEAD UNIT 6, PHASE 2
 D.B. 2006, PG. 707

Surveyor has made no investigation or independent search for easements of record, encumbrances, restrictive covenants, ownership title evidence, or any other facts that an accurate and current title search may disclose. No attempt has been made as a part of this boundary survey to obtain or show data concerning existence, size, depth, condition, capacity, or location of any utility or municipal/public service facility. This survey meets Mississippi minimum requirements for a class "B" survey. Survey is valid only if print has original seal and signature of surveyor. No flood zone determination was performed as a part of this survey. An accurate determination can be made by ordering a FEMA Elevation Certificate.

digital engineering
DUKE LEVY
 PROFESSIONAL LAND SURVEYOR
 314 COLEMAN AVENUE, WAVELAND, MS 39576
 PH: (228) 463-0130 - FAX: (228) 463-0160

In consideration of the fee paid, I declare that this survey made by me or under my immediate supervision is true and correct to the best of my professional knowledge, information, and belief.

[Signature]
 Duke Levy, RLS #1722



Hancock County
 I certify this instrument was filed on
 01-27-2016 01:47:40 PM
 and recorded in Deed Book
 2016 at pages 1067 - 1071
 Timothy A Keller