

RESOLUTION AUTHORIZING THE VACATION OF THE PLAT OF  
DIAMONDHEAD SUBDIVISION, PHASE 1, LOTS 4, 5, 6 and 7, BLOCK 1, UNIT 6,  
HANCOCK COUNTY, MISSISSIPPI  
(TAX PARCEL NOS. 068K-0-41-021.000; 068K-0-41-022.000;  
068K-0-41-023.000 & 068K-0-41-024.000)

**WHEREAS**, CANDR PROPERTIES, L.L.C., INC., a Mississippi limited liability company ("the Company"), is the owner of Lots 4, 5 and 6, Block 1, Unit 6, Diamondhead Subdivision, Phase 1 and WILLIAM D. HOWELL, JR. AND MARGARET B. HOWELL ("the Howells") are the owners of Lot 7, Block 1, Unit 6, Diamondhead Subdivision, Phase 1 ("the property") which are located in Hancock County, City of Diamondhead, Mississippi; and

**WHEREAS**, the Company and the Howells have requested that the City of Diamondhead, Mississippi ("the City") and Diamondhead Country Club and Homeowners Association ("the Association") vacate the plat of the subdivision as to the property in order to facilitate the donation of the lots to the Land Trust for the Mississippi Coastal Plain, a Mississippi non profit corporation ("Land Trust"); and

**WHEREAS**, the Company and the Howells propose to donate the lots to the Land Trust so that the property will not be developed and so that it will be preserved in its natural state; and

**WHEREAS**, the Company and the Howells believe that preserving the lots in their natural state will prevent potential drainage problems that might result from development of the lots; and

**WHEREAS**, the vacation of the subdivision plat as to those lots will eliminate the necessity of paying future dues to the Association; and

**WHEREAS**, the Company and the Howells will be filing a Complaint to Vacate the plat of Diamondhead Subdivision, Phase 1 as to the property in the Chancery Court of Hancock County, Mississippi pursuant to Section 17-1-23 of the Mississippi Code

Annotated; and

**WHEREAS**, Section 17-1-23 of the Code requires that all persons who could be adversely affected and the City be made aware of the filing of the Complaint and that approval of all interested parties is required prior to the filing of the Complaint; and

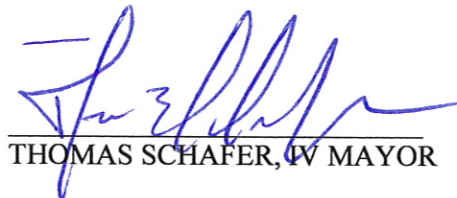
**WHEREAS**, owners of adjoining lots and the Board of Directors of the Association have indicated that they have no objection to the vacation of the plat as to the lots; and

**WHEREAS**, the City Council has reviewed the request and concurs that preserving the lots in their natural state is in the best interest of adjoining property owners and the City.

**NOW THEREFORE**, be it hereby resolved by the City Council of the City of Diamondhead, Mississippi that the findings, conclusions and statements of fact contained in the foregoing preamble are hereby adopted, ratified and incorporated herein; and that the Mayor is hereby authorized to execute a consent and joinder on behalf of the City in the Complaint to Vacate Plat proceeding that will be filed in the Chancery Court of Hancock County, Mississippi by the Company and the Municipal Clerk is directed to file a copy of this resolution in the land records of the Chancery Clerk of Hancock County, Mississippi.

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 18<sup>th</sup> DAY OF August, 2015.

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

  
THOMAS SCHAFER, IV MAYOR

ATTEST:   
Kristin Ventura, City Clerk



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