

RESOLUTION AUTHORIZING THE MAYOR AND CITY COUNCIL (THE "GOVERNING BODY") OF THE CITY OF DIAMONDHEAD, MISSISSIPPI (THE CITY), TO VACATE AND/OR ABANDON TWO DRAINAGE/UTILITY EASEMENTS OF BETWEEN LOTS 4 AND 5 OF BLOCK 10, DIAMONDHEAD SUBDIVISION UNIT 2 PHASE 1 AMENDED PLAT 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 7' utility easement along the north property of lot 4 and a 10' drainage and utility easement along the south property line of lot 5 of Block 10, Diamondhead Subdivision Unit 2 Phase 1 Amended Plat Hancock County);
2. The Karen P. Tiner is the owner of lots 3, 4, and 5 of Block 10, Diamondhead Subdivision Unit 2 Phase 1 Amended Plat Hancock County; The physical address is 72686 Diamondhead Drive North. The ad valorem tax parcel number is 068Q-1-41-005.000. Construction and site plans and a building permit application have been submitted for the construction of a "new" single family home; (See attached letter of request, site plan and 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 reflected selected easements are not needed; (See attached comments).
4. Further, the City hereby abandons and/or vacates the drainage/utility easements as petitioned to allow for the construction of a single family residence and due to no apparent need for the drainage/utility easements. These drainage/utility easements are a 7' utility easement along the north property of lot 4 and a 10' drainage and utility easement along the south property line of lot 5 of Block 10, Diamondhead Subdivision Unit 2 Phase 1 Amended Plat Hancock County 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:

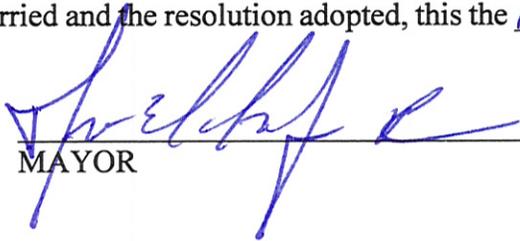
SECTION 1. That the Governing Body of the City will hereby abandon the selected drainage/utility easements with respect to Lots 4 and 5 described in bullet #4.

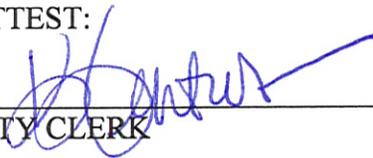
SECTION 2. It is agreed and understood that Karen P. Tiner. will be responsible for the filing of all necessary documents with the Chancery Clerk of Hancock County, Mississippi.

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

	Aye	Nay	Absent
Councilmember Knobloch	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Councilmember Lopez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ward 2 - Vacant	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Councilmember Sislow	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Councilmember Rech	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Schafer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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 15th day of September, 2015.

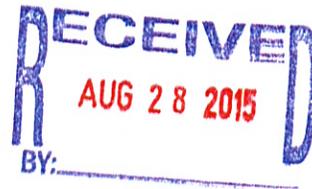

MAYOR

ATTEST:

CITY CLERK

(SEAL)



Karen P. Tiner



August 27, 2015

Mr. Ronald Jones
City of Diamondhead
Building Department
5000 Diamondhead Circle
Diamondhead, MS 39525

RE: Lot #10210004
Lot #10210005

Dear Mr. Jones:

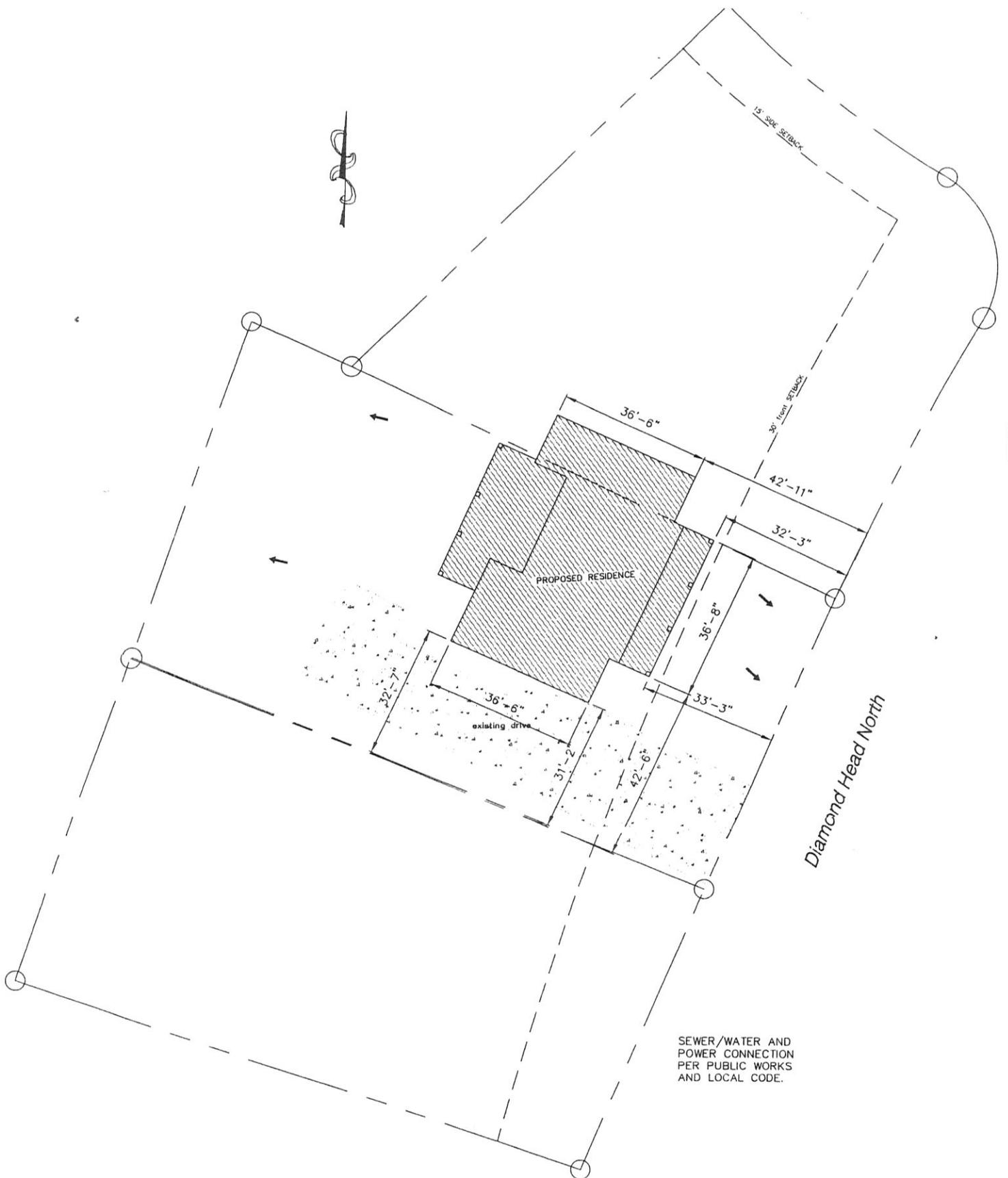
My husband and I are planning to build a residence on the above-referenced property and have submitted the required documentation and plans. Please accept this letter as our written request that the drainage and utility easements between lots 4 and 5 be abandoned. Consideration of this request is greatly appreciated.

If you have any questions or need additional information , please do not hesitate to contact me.

Very truly yours,

A handwritten signature in blue ink that reads "Karen Tiner". The signature is written in a cursive, flowing style.

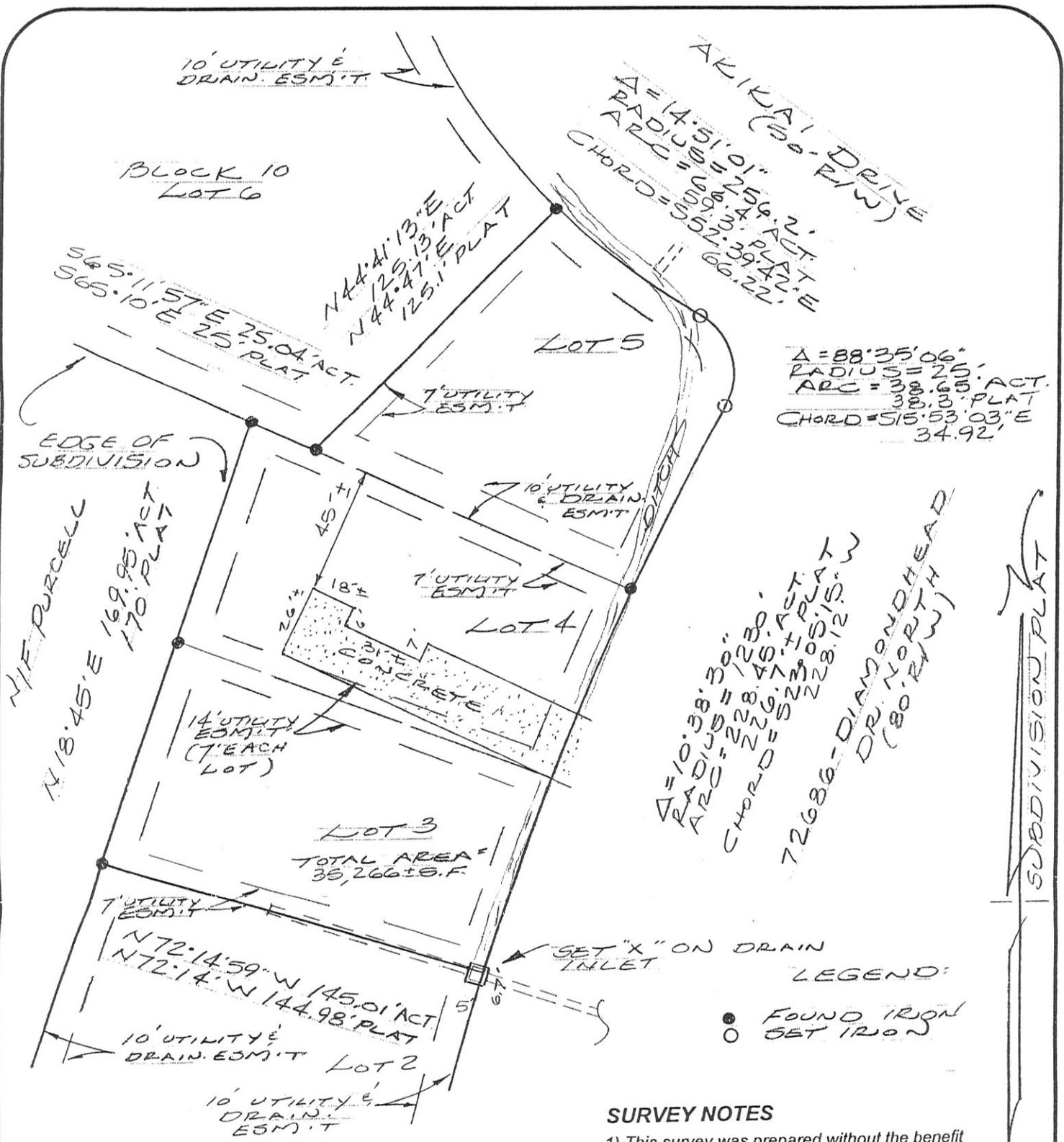
Karen P. Tiner



1
CI **SITE LAYOUT PLAN**
SCALE: 1"=20'-0"

ADT

DRAWN BY



SURVEY MAP OF
 LOTS 3, 4 AND 5
 BLOCK 10
 DIAMONDHEAD
 UNIT 2 - PHASE 1
 AMENDED PLAT
 HANCOCK COUNTY, MS.
 FOR: TINER

SURVEY NOTES

- 1) This survey was prepared without the benefit of a current title report.
- 2) Building offsets are for reference only and not for construction of any kind.
- 3) This survey meets "Mississippi Minimum Standards" for a Class B Survey.
- 4) By graphic plotting, this property is located in FIRM Flood Zone AE, elev. 17' per Community Panel 28045C-02440 dated OCT. 16, 2009.
- 5) Wetlands, if any, not shown, unless noted.
- 6) Topography, if any, is for general drainage purposes only and not intended to meet map accuracy standards, unless noted.

Revisions:

Sidney F. Fournet & Associates

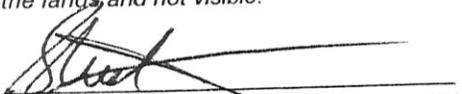
Post Office Box 6003
 Diamondhead, MS. 39525
 Telephone: (228) 255-5867
 Facsimile: (228) 255-5855

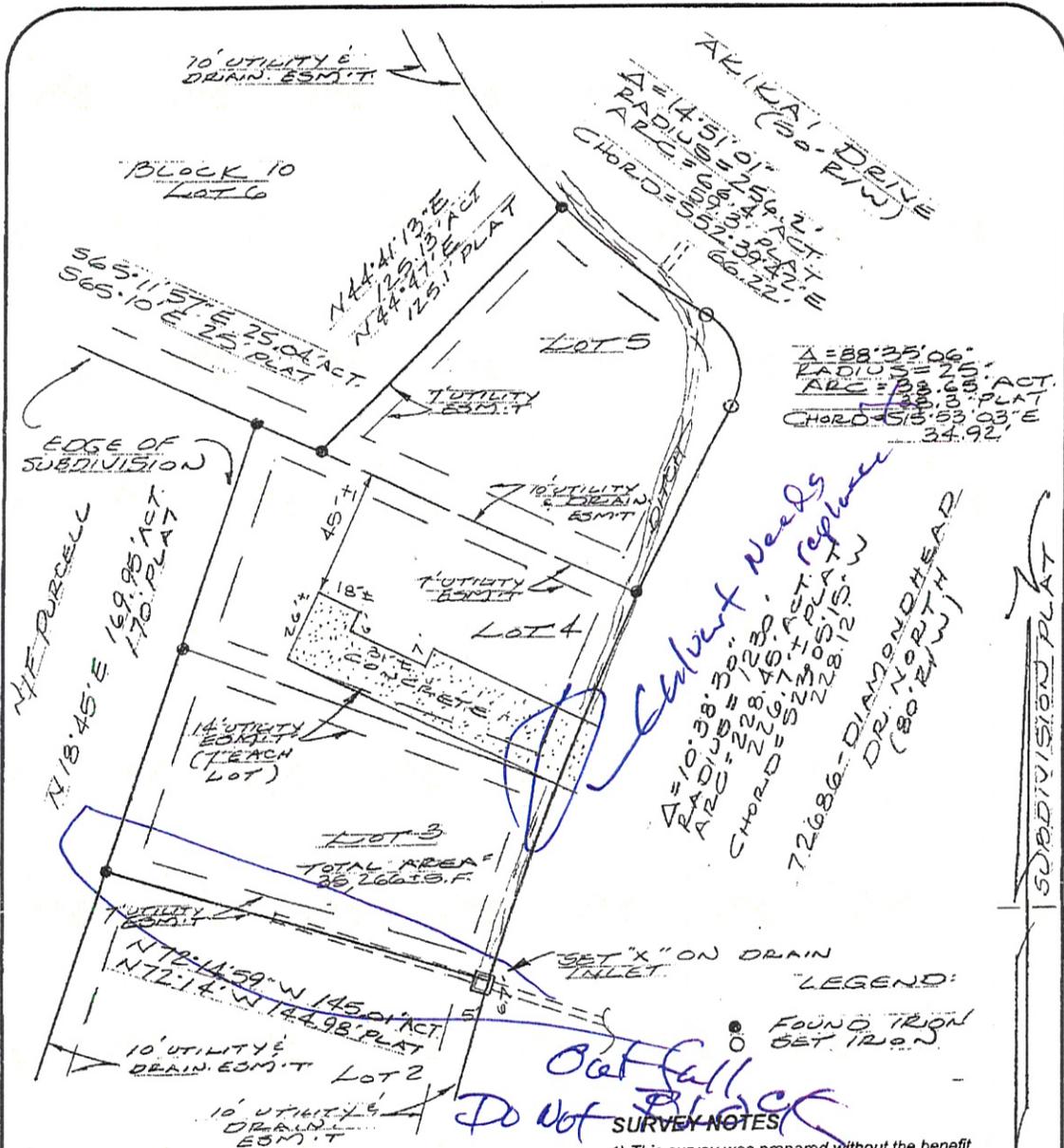


Scale: 1" = 50' Date: Nov. 29, 2010

W.O.#10-15,691 Drawn by: L.S.F.

In consideration of the fee paid, I declare that this survey, made by me, or under my immediate supervision, correctly represents to the best of my professional knowledge, information and belief, the conditions as found on the date of the field survey, except such easements, if any, below the surface of the lands or on the surface of the lands, and not visible.


 Sidney F. Fournet, Jr., MS P.L.S. No. 2571



**SURVEY MAP OF
 LOTS 3, 4 AND 5
 BLOCK 10
 DIAMONDHEAD
 UNIT 2 - PHASE 1
 AMENDED PLAT
 HANCOCK COUNTY, MS.
 FOR: TINER**

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[Signature]
 Sidney F. Fournet, Jr., MS P.L.S. No. 2571

Sidney F. Fournet & Associates

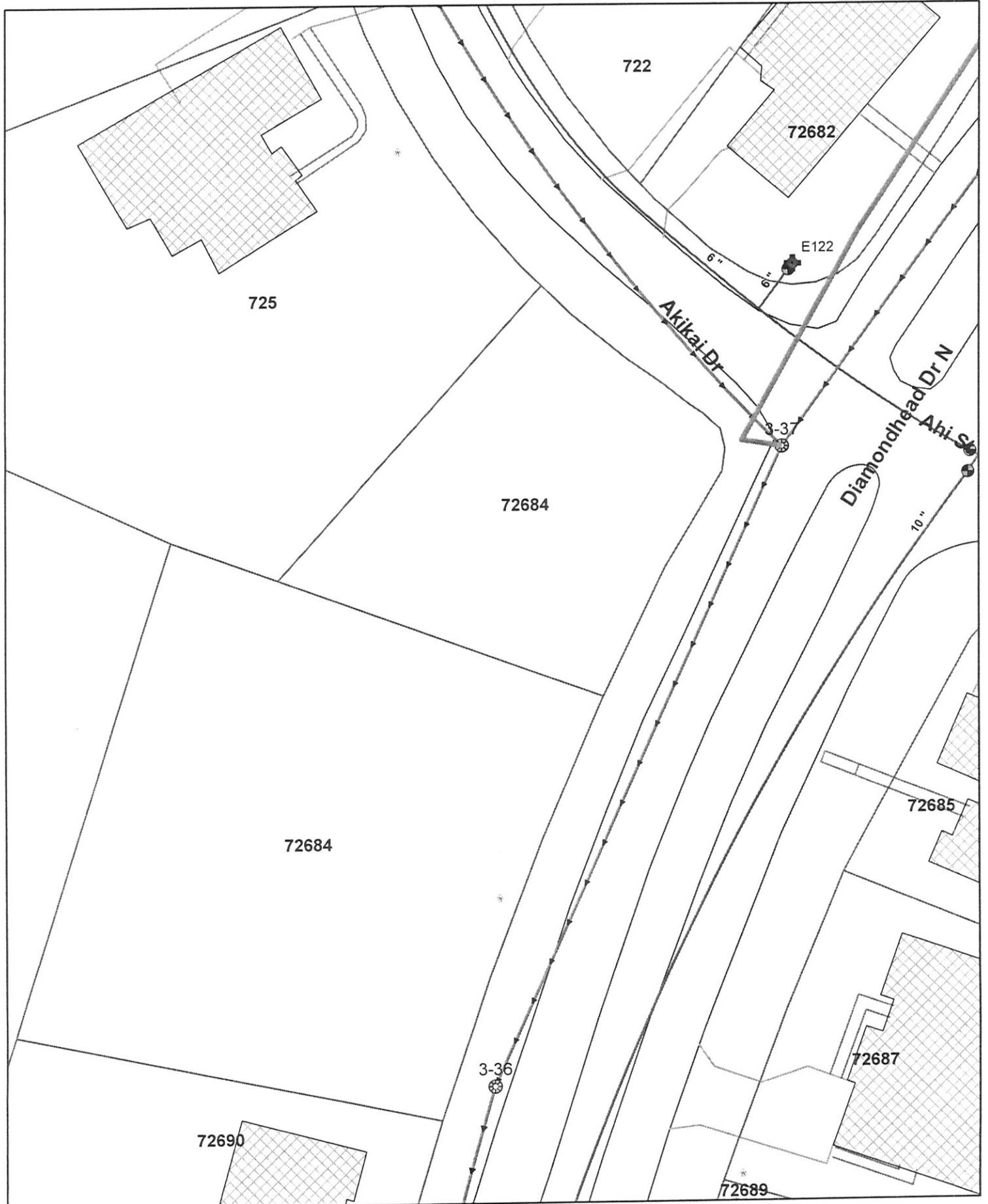
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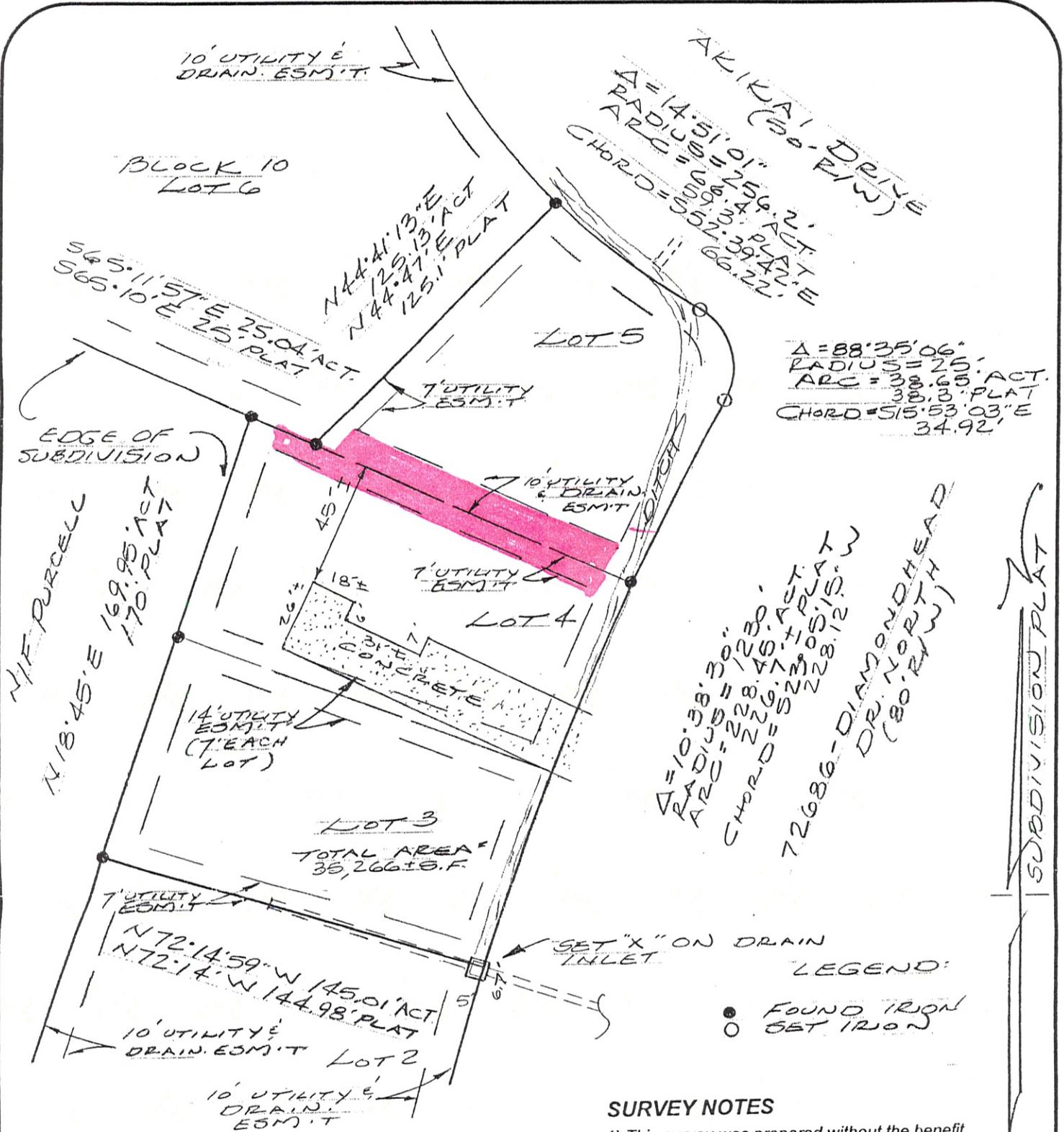


Scale: 1" = 50'	Date: Nov. 29, 2010
W.O.#10-15,691	Drawn by: L.S.F.



Diamondhead Water & Sewer District





**SURVEY MAP OF
LOTS 3, 4 AND 5
BLOCK 10
DIAMONDHEAD
UNIT 2 - PHASE I
AMENDED PLAT
HANCOCK COUNTY, MS.
FOR: TINER**

*Proposed easements to be
ABANDONED*

In consideration of the fee paid, I declare that this survey, made by me, or under my immediate supervision, correctly represents to the best of my professional knowledge, information and belief, the conditions as found on the date of the field survey, except such easements, if any, below the surface of the lands or on the surface of the lands, and not visible.

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