

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 EACH SIDE OF THE COMMON PROPERTY LINE OF LOTS 94 AND 95, DIAMONDHEAD SUBDIVISION PHASE 2, UNITS 6, BLOCK 9, 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 5' drainage and utility easements on each side of the common property line of lots 94 and 95, Diamondhead Subdivision Phase 2, Unit 6, Block 9, Lot 94 and 95;
2. Raymond and Tegan are the "new" owners of lots 94 and 95, Diamondhead Subdivision Phase 2, Unit 6, Block 9.
;
The physical address is 94164 Bayou Drive. The ad valorem tax parcel numbers are 067E-1-26-140.000 and 067E-1-26-141.000. A building permit has been submitted for the construction of a single family home.
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, CEPA and the POA reflect "no problem" with the abandonment (See attached comments).
4. Further, the City hereby abandons and/or vacates the drainage/utility easement as petitioned due to no apparent need for the drainage/utility easements. These drainage/utility easements are 5' in width drainage and utility easements on each side of the common property lines of lots 94 and 95, Diamondhead Subdivision Phase 2, Unit 6, Block 9 except the full width and length of the 10' drainage easements of the front and rear property lines.

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 94 and 95 described in bullet #4.

SECTION 2. It is agreed and understood that Raymond Pucheu 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 _____, seconded by Councilmember _____ and the question being put to a roll call vote, the result was as follows:

	Aye	Nay	Absent
Councilmember Knobloch	___	___	___
Councilmember Depreo	___	___	___
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 _____ day of _____, 2016.

MAYOR

ATTEST:

CITY CLERK

(SEAL)



5000 Diamondhead Circle • Diamondhead, MS 39525-3260

Phone: 228.222.4626 Fax: 228-222-4390

www.diamondhead.ms.gov

TO: Mayor, City Council and City Manager

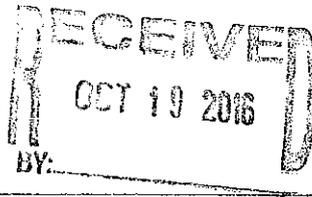
FROM: Ronald R. Jones, CBO *Ronald*
Building Official

DATE: October 28, 2016

SUBJECT: Request to abandon interior 5' drainage and utility easements by Raymond and Tegan Pucheu;
94164 Bayou Drive

Raymond and Tegan Puchue have submitted a request to abandon the 5' drainage and utility easements along each side of the common property line of lots 94 and 95 located at 94164 Bayou Drive for the purpose of constructing of a new single family home. The tax parcel numbers are 067E-1-26-140.000 and 067E-1-26-141.000. The legal description is Diamondhead Phase 2, Unit 6, Block 9, Lots 94 and 95.

attachment



Oct. 19, 2016

Raymond + Tegan Pucher
9559 Kolb Way
Diamondhead, MS 39525

Dear Mayor and City Council,

We request to vacate the 5 foot drainage and utility easement along the common property line of lots 94 + 95 Diamondhead Phase 2, Unit 6, Block 9.

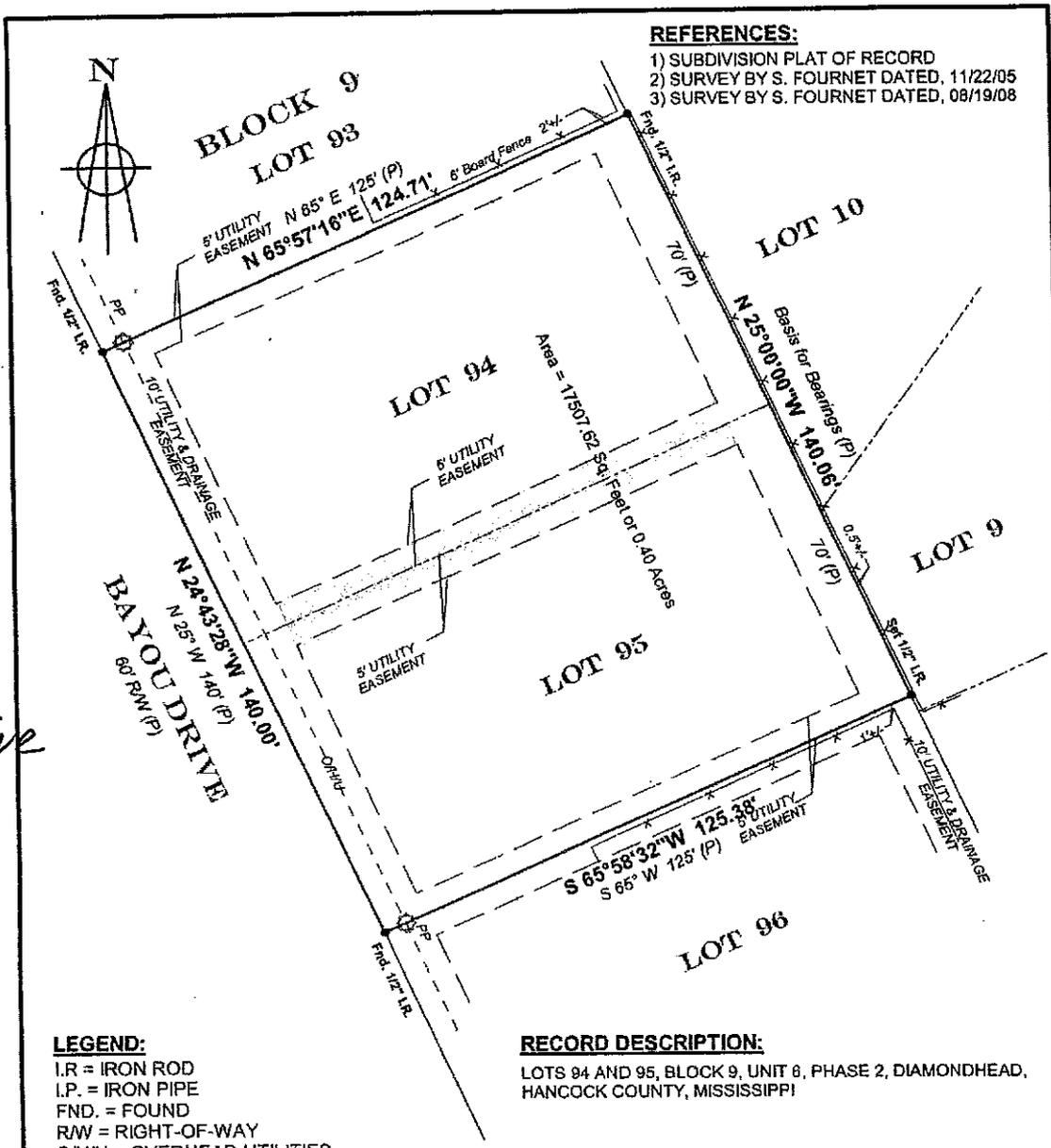
The purpose of this request is to construct a new single family dwelling.

Thank You,

Raymond + Tegan Pucher

Raymond Pucher *Tegan Pucher*

Raymond Pucheu
94164
Bayou Drive



- REFERENCES:**
- 1) SUBDIVISION PLAT OF RECORD
 - 2) SURVEY BY S. FOURNET DATED, 11/22/05
 - 3) SURVEY BY S. FOURNET DATED, 08/19/08

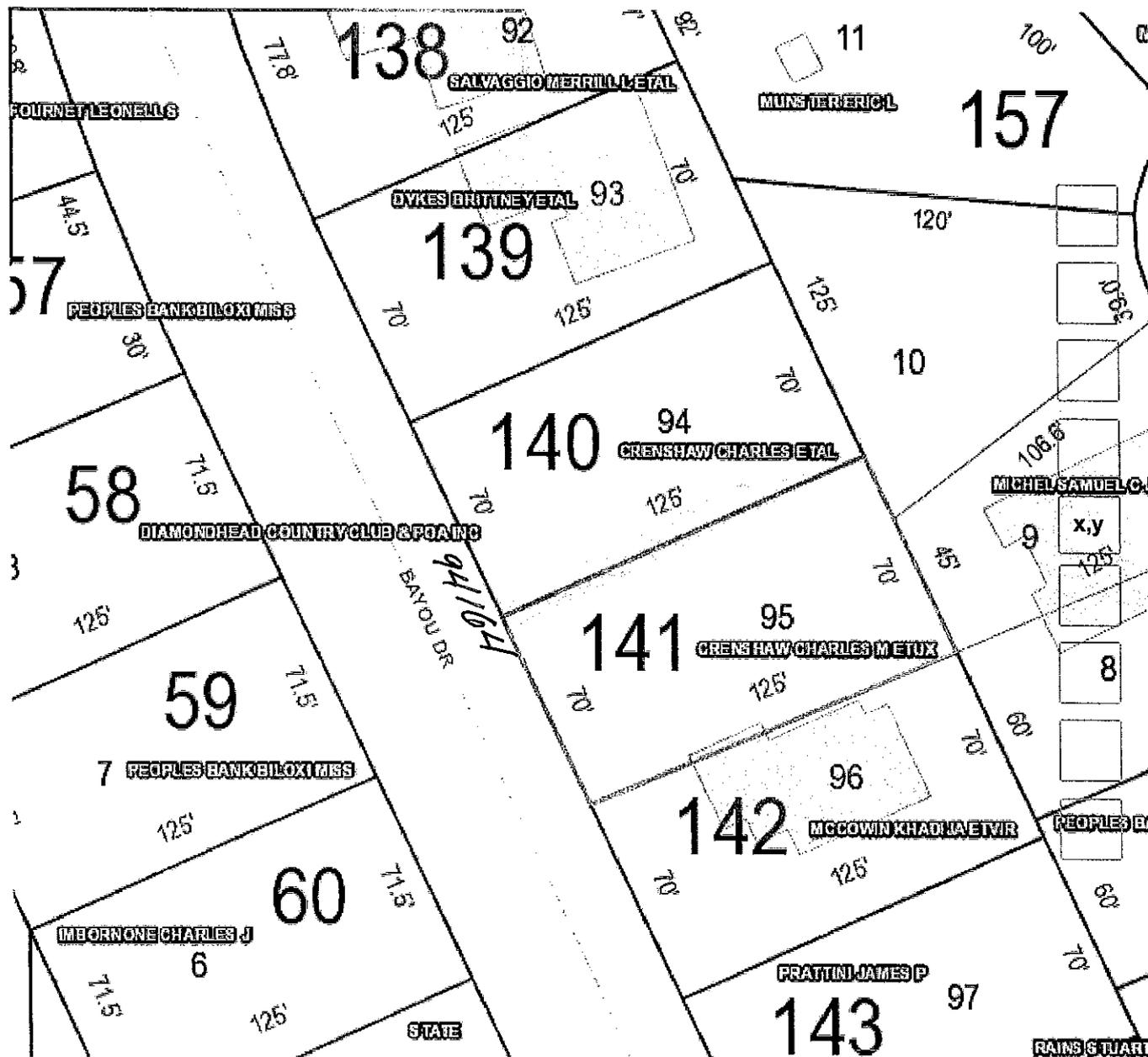
- LEGEND:**
- I.R. = IRON ROD
 - I.P. = IRON PIPE
 - FND. = FOUND
 - R/W = RIGHT-OF-WAY
 - O/H/U = OVERHEAD UTILITIES
 - PP = POWER POLE
 - P.O.B. = POINT OF BEGINNING
 - P.O.C. = POINT OF COMMENCEMENT
 - (P) = PLAT OF RECORD
 - (D) = DEED OF RECORD
 - TBM = TEMPORARY BENCHMARK

RECORD DESCRIPTION:
 LOTS 94 AND 95, BLOCK 9, UNIT 6, PHASE 2, DIAMONDHEAD,
 HANCOCK COUNTY, MISSISSIPPI

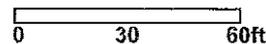
- NOTES:**
1. Lot location, orientation, & bearings indicated are based on recorded data and monumentation found available.
 2. Survey considered a Class "B" survey.
 3. Only visible roads, lanes, driveways, drains, utilities, etc., over and across said premises are shown hereon.
 4. Values in () per deed, subdivision plat, or as noted.
 5. This survey was prepared without a current title report nor were County records researched for easements by this surveyor.



Rev. 3 Date:	PLAT OF SURVEY OF LOTS 94 AND 95, BLOCK 9, UNIT 6, PHASE 2, DIAMONDHEAD, HANCOCK COUNTY, MISSISSIPPI	JAMES J. CHINICHE, PA, INC. Civil Engineer Land Surveyor 
Rev. 2 Date:		
Rev. 1 Date:		
Date: 09/14/16		
Scale: 1" = 30'		
Drawn by: dmr	Job # 2016-295 Sht. 1 of 1 FOR: PUCHUE	Office: 412 Hwy. 90, Suite 2 Bay St. Louis, MS 39520 (228) 493-0679 (228) 467-8755



Raymond Pucher



Ronald Jones

From: Richard Sullivan
Sent: Monday, October 24, 2016 7:40 AM
To: Ronald Jones
Subject: Re: REQUEST TO ABANDON DRAINAGE AND UTILITY EASEMENT BY PUCHEU

Follow Up Flag: Follow up
Flag Status: Flagged

I don't have a problem with the vacating of this easement.

Sent from my iPhone

> On Oct 21, 2016, at 2:11 PM, Ronald Jones <rjones@diamondhead.ms.gov> wrote:

>

> Good afternoon,

>

> Raymond and Tegan Pucheu are requesting to abandon the 5 ' drainage and utility easement along the common (interior) property line of lots 94 and 95, Diamondhead Phase 2, Unit 6, Block 9. The street address is 94164 Bayou Drive. The purpose of this request is to construct a new single family dwelling.

>

> Does your company presently need as well as in the future to provide services? Would you provide your written comments no later than Friday, October 28, 2016 in order to make the November 1st City Council meeting agenda?

>

> Thanks,

> Ronald Jones

>

> -----Original Message-----

> From: sharp.scanner@diamonhead.ms.gov [mailto:dheadscans@gmail.com]

> Sent: Friday, October 21, 2016 2:54 PM

> To: Ronald Jones <rjones@diamondhead.ms.gov>

> Subject: Scanned image from MX-6201N

>

> Reply to: sharp.scanner@diamonhead.ms.gov <sharp.scanner@diamonhead.ms.gov> Device Name: City of Diamondhead Device Model: MX-6201N

> Location: City Admin

>

> File Format: PDF (Medium)

> Resolution: 200dpi x 200dpi

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> Attached file is scanned image in PDF format.

> Use Acrobat(R)Reader4.0 or later version, or Adobe(R)Reader(TM) of Adobe Systems Incorporated to view the document.

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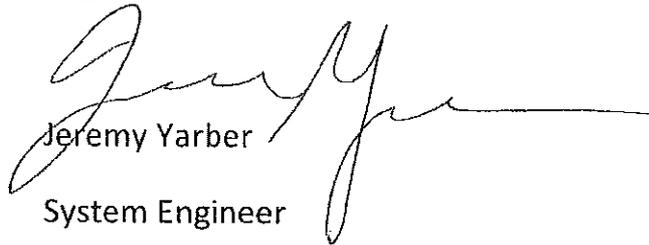
> <http://www.adobe.com/>

> <PUCHEU UTILITY EASEMENT ABANDONMENT.pdf>

Mr. Ronald Jones,

I have reviewed the request to abandon the easement on Bayou Drive (between Lots 94 & 95). Coast Electric Power Association agrees to abandon the easement as described above and shown below in the original request letter. Abandonment area is highlighted on survey copy and Geoportal Map. If you have any additional questions or concerns, please contact me.

Regards,



Jeremy Yarber
System Engineer

(228) 860-7966

Ronald Jones

From: Nancy Depreo <ndepreo@seymouren.com>
Sent: Monday, October 24, 2016 12:12 PM
To: Ronald Jones
Subject: Fwd: REQUEST TO ABANDON DRAINAGE AND UTILITY EASEMENT BY PUCHEU
Attachments: 94164 Bayou Drive.pdf

Ron,

The District does not have utilities located in this easement.

Thank you,
Nancy

----- Forwarded message -----

From: John Cumberland <jcumberland@dwsd.us>
Date: Mon, Oct 24, 2016 at 11:39 AM
Subject: RE: REQUEST TO ABANDON DRAINAGE AND UTILITY EASEMENT BY PUCHEU
To: Nancy Depreo <ndepreo@seymouren.com>

Nancy,

The district does not have utilities in the easement between lot 94 & 94.

Thank you,

John

From: Nancy Depreo [<mailto:ndepreo@seymouren.com>]
Sent: Friday, October 21, 2016 4:18 PM
To: John Cumberland
Subject: Fwd: REQUEST TO ABANDON DRAINAGE AND UTILITY EASEMENT BY PUCHEU

John,

Could you please verify that we do not have utilities located in easement?

Thank you,

Nancy

From: Ronald Jones

Sent: Friday, October 21, 2016 2:11:11 PM

To: Darrell Kinchen (DARRELLKINCHEN@CABLEONE.NET); Richard Sullivan; Kendall Ladner (kendallladner@coastepa.com); Cheryl Ladner - Diamondhead Water and Sewer District (cladner@dwsd.us); Nancy Depreo; Robin Reiter - Diamondhead water & Sewer District (rreiter@dwsd.us)

Cc: Clovis Reed

Subject: REQUEST TO ABANDON DRAINAGE AND UTILITY EASEMENT BY PUCHEU

Good afternoon,

Raymond and Tegan Pucheu are requesting to abandon the 5' drainage and utility easement along the common (interior) property line of lots 94 and 95, Diamondhead Phase 2, Unit 6, Block 9. The street address is 94164 Bayou Drive. The purpose of this request is to construct a new single family dwelling.

Does your company presently need as well as in the future to provide services? Would you provide your written comments no later than Friday, October 28, 2016 in order to make the November 1st City Council meeting agenda?

Thanks,
Ronald Jones

-----Original Message-----

From: sharp.scanner@diamonhead.ms.gov [<mailto:dheadscans@gmail.com>]

Sent: Friday, October 21, 2016 2:54 PM

To: Ronald Jones <rjones@diamonhead.ms.gov>

Subject: Scanned image from MX-6201N

Reply to: sharp.scanner@diamonhead.ms.gov <sharp.scanner@diamonhead.ms.gov> Device Name: City of Diamondhead Device Model: MX-6201N
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<http://www.adobe.com/>

Ronald Jones

From: Darrell Kinchen <darrellkinchen@cableone.net>
Sent: Monday, October 24, 2016 9:22 AM
To: Ronald Jones
Subject: RE: REQUEST TO ABANDON DRAINAGE AND UTILITY EASEMENT BY PUCHEU

Ronald, Good morning. The POA has no problem with Abandon of this Easement.
R/

Darrell Kinchen

-----Original Message-----

From: Ronald Jones [mailto:rjones@diamondhead.ms.gov]
Sent: Friday, October 21, 2016 2:11 PM
To: Darrell Kinchen (DARRELLKINCHEN@CABLEONE.NET); Richard Sullivan; Kendall Ladner (kendallladner@coastepa.com); Cheryl Ladner - Diamondhead Water and Sewer District (cladner@dwsd.us); Nancy Depreo; Robin Reiter - Diamondhead water & Sewer District (rreiter@dwsd.us)
Cc: Clovis Reed
Subject: REQUEST TO ABANDON DRAINAGE AND UTILITY EASEMENT BY PUCHEU

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Thanks,
Ronald Jones

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