

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 EASEMENT ALONG THE COMMON PROPERTY LINE BETWEEN LOTS 19 AND PART 20, DIAMONDHEAD SUBDIVISION PHASE 2, 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 each side of the common property line between lots 19 and 20, Diamondhead Subdivision Phase 2, Unit 10, Block 10;
2. James P. Vancleave is the owner of lots 19 and part 20, Diamondhead Subdivision Phase 2, Unit 10, Block 10;

The physical address is 550 Kaiki Circle. The ad valorem tax parcel number is 131D-2-13-061.000. Construction and site plans and a building permit application have not 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 easement. Comments from the Diamondhead Public Works Department and CEPA reflect "no problem" (See attached comments).
4. Further, the City hereby abandons and/or vacates the drainage/utility easements as petitioned due to no apparent need for the drainage/utility easements. These drainage/utility easements are 5' drainage and utility easements on each side of the common property line between lots 19 and part 20, Diamondhead Subdivision Phase 2, Unit 10, Block 10 except the width of the 10' drainage easement of the front and rear property lines.

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

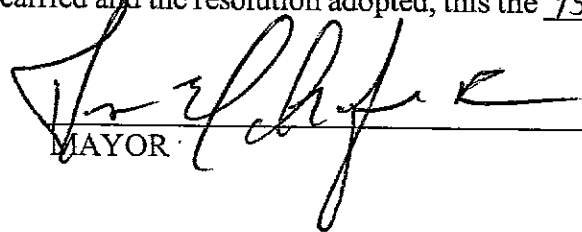
SECTION 1. That the Governing Body of the City will hereby abandon the selected drainage/utility easements with respect to Lots 19 and part 20 described in bullet #4.

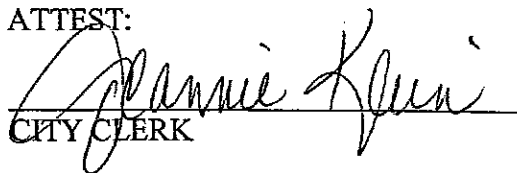
SECTION 2. It is agreed and understood that James P. VanCleave or their representative will be responsible for the filing of all necessary documents with the Chancery Clerk of Hancock County, Mississippi.

The above and foregoing resolution, after having been first reduced to writing, was introduced by Councilmember Rech, seconded by Councilmember Knobloch 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 Depreo	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Councilmember Woolbright	<input checked="" 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 November, 2016.


MAYOR

ATTEST:

CITY CLERK

