

A RESOLUTION OF THE MAYOR AND CITY COUNCIL, ("THE GOVERNING BODY") OF THE CITY OF DIAMONDHEAD, MISSISSIPPI, AUTHORIZING THE DIAMONDHEAD COUNTRY CLUB AND PROPERTY OWNERS ASSOCIATION, INC. ("DPOA") TO RE-ADOPT THE MEDIAN ON GEX DRIVE NORTH AND SOUTH OF THE INTERSTATE.

**WHEREAS**, in 2013 the Governing Body authorized Right-of-Way Adoptions in Ordinance 2012-028 adopted on December 3, 2012; and

**WHEREAS**, Ordinance 2012-028 authorized the form of the Right-of-Way Adoption; and

**WHEREAS**, the attached Adoption Agreement complies with Ordinance 2012-028; and

**WHEREAS**, the City and the DPOA previously entered into an Adoption Agreement authorized by Resolution 2013-043 whereby the DPOA adopted the median on Gex Drive;

**WHEREAS**, DPOA terminated said Adoption Agreement pursuant to the terms of the Agreement and DPOA wishes to re-adopt the median on Gex Drive pursuant to the terms set forth in the attached Adoption Agreement;

**WHEREAS**, the Governing Body of the City of Diamondhead agrees to the terms set forth in the attached Adoption Agreement and find that the adoption by DPOA of the Right-of-Way on Gex Drive is consistent with the reservation of landscape easement contained in the Deed of Dedication of January 7, 2013, that it is in the best interest of the City of Diamondhead that the DPOA adopt the Gex Drive Right-of-Way as described in the attached adoption agreement; and, that it is for the public convenience and necessity of the City of Diamondhead that DPOA adopt the Right-of-Way.

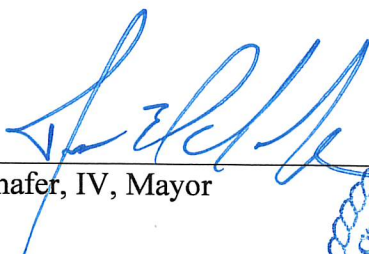
**NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY, AS FOLLOWS:**

That the Mayor and Council approve the form of the attached Right-of-Way Adoption Agreement and hereby authorize the City Manager to execute same; and BE IT FURTHER RESOLVED that a copy of the executed Adoption Agreement will be spread upon the Minutes.

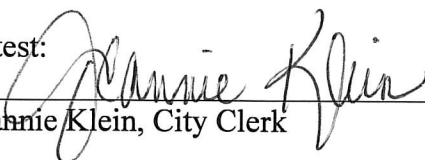
**SO BE IT RESOLVED** this 4<sup>th</sup> day of April, 2017.

The above and foregoing Resolution of the Mayor and Council of the City of Diamondhead, after having been first reduced to writing, was introduced by Councilmember Knobloch, seconded by Councilmember Rech, and the matter being put to a vote, the result was as follows:

	Aye	Nay	Recuse
Councilmember Woolbright	✓	___	___
Councilmember Knobloch	✓	___	___
Councilmember Sislow	___	___	✓
Councilmember Rech	✓	___	___
Councilmember Depreo	✓	___	___
Mayor Schafer	✓	___	___

  
Thomas E. Schafer, IV, Mayor

Attest:

  
Jeannie Klein, City Clerk

