

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 ON EACH SIDE OF THE COMMON PROPERTY LINE BETWEEN LOTS 5, DH PH 1, FIRST ADDITION TO UNIT 7, BLOCK 5 AND LOT 4, DH PH 1, UNIT 7, BLOCK 1, 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 has a 10' drainage/utility easement on each side of the common property line between Lot 5, Diamondhead Phase 1, First Addition to Unit 7, Block 5 and Lot 4, Diamondhead Phase 1, Unit 7, Block 1 in the rear of these lots. Parcel number is 067Q-0-36-253.000. These 2 lots have been combined having just the parcel number referenced (see attached survey). Lot 4 fronts on Manini Way and lot 5 fronts on Golf Club Drive.
2. Jeremiah T. Gerald and Stacy Gerald are the owners of Lot 5, Diamondhead Phase 1, First Addition to Unit 7, Block 5 and Lot 4, Diamondhead Phase 1, Unit 7, Block 1.

The street address is 7734 Manini Way. Parcel number is 067Q-0-36-253.000. These 2 lots have been combined having just the parcel number referenced (see attached survey). Lot 4 fronts on Manini Way and lot 5 fronts on Golf Club Drive.

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 and/or conflicts" and all agree to abandon easements. (See attached comments).
4. Further, the City hereby abandons and/or vacates the drainage/utility easements for the full width and length as petitioned due to no apparent need for the drainage/utility easements. These drainage/utility easements are 10' drainage and utility easements on each side of the common property line between Lot 5, Diamondhead Phase 1, First Addition to Unit 7, Block 5 and Lot 4, Diamondhead Phase 1, Unit 7, Block 1 in the rear of these lots. ( see attached legal survey).

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

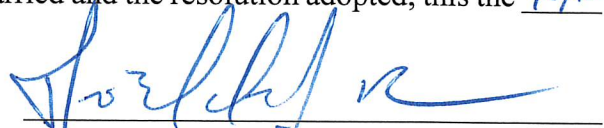
SECTION 1. That the Governing Body of the City will hereby abandon the selected drainage/utility easements with respect to Lots 4 and 5 described in bullet #4.

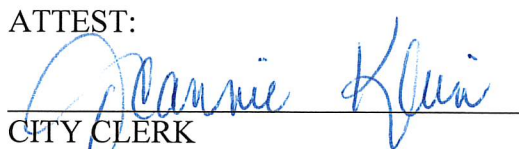
SECTION 2. It is agreed and understood that Jeremiah and/or Stacy Gerald or their representative will be responsible for the filing of all necessary documents with the Chancery Clerk of Hancock County, Mississippi.

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

	Aye	Nay	Absent
Councilmember Depreo	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Councilmember Moran	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Councilmember Morgan	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Councilmember Koenenn	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Councilmember L'Ecuyer	<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 19th day of March, 2019.

  
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MAYOR

ATTEST:  
  
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CITY CLERK

