

RESOLUTION AUTHORIZING THE MAYOR AND CITY COUNCIL (THE AGOVERNING BODY@) OF THE CITY OF DIAMONDHEAD, MISSISSIPPI (THE ACITY), TO ABANDON ITS EXISTING DRAINAGE EASEMENT AND TO ACQUIRE, BY DONATION, A NEW DRAINAGE EASEMENT LOCATED WITHIN THE CITY FROM DONOR, LYNN COX

WHEREAS, the Mayor and City Council (the AGoverning Body@) of the City of Diamondhead, Mississippi (the ACity@), acting for and on behalf of the City, hereby finds and determines as follows:

1. The City currently possesses a drainage easement on two lots owned by Lynn Cox (specifically Lots 8 and 9 of Golf Terrace Estates Phase I Subdivision) and a five foot drainage and utility easement on each side of the common property line between Lots 8 and 9;
2. The City is authorized to acquire real property pursuant to Miss. Code Annotated '21-17-1;
3. Lynn Cox, due to the sizes of the aforementioned lots, has a need to relocate said drainage easement and has expressed a willingness to donate the new drainage easement legally described in a survey completed by Christopher W. Comardelle and attached hereto as Exhibit AA@ to this resolution;
4. The City is willing to accept the donation of the aforementioned drainage easement described in a survey completed by Christopher W. Comardelle and attached hereto as Exhibit AA@ and, further, the City hereby abandons the drainage easements previously donated by Lynn Cox.

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

SECTION 1. That the Governing Body of the City will accept the donation of the aforementioned drainage easement on Lots 8 and 9 of Golf Terrace Estates Phase I Subdivision and the Governing Body of the City will hereby abandon the previous drainage easement with respect to said lots identified in paragraph 1 above. Coast Electric Power, Diamondhead Water and Sewer Department and Diamondhead Public Works have no objection.

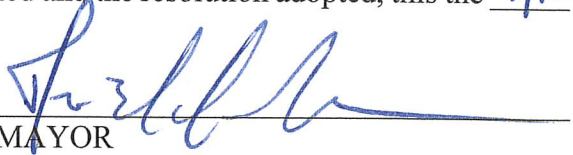
SECTION 2. That the Governing Body of the City does hereby authorize the City Attorney to prepare any and all documentation related to the acquisition of the aforementioned drainage easement by donation and for the City Manager to execute any necessary documentation to effectuate the donation of the subject drainage easement. It is agreed and understood that Lynn Cox will be responsible for the filing of all necessary documents with the Chancery Clerk of Hancock County, Mississippi and further will be responsible for the expense of physically moving

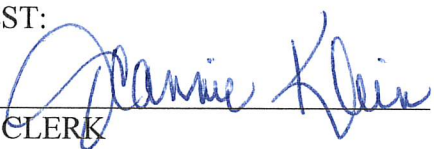
the drainage on said lots to reflect the new survey.

The above and foregoing resolution, after having been first reduced to writing, was introduced by Councilmember Depreo, seconded by Councilmember Morgan 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 Koennen	<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 4th day of June, 2019.


MAYOR

ATTEST:

CITY CLERK

