

RESOLUTION AUTHORIZING THE MAYOR AND CITY COUNCIL (THE "GOVERNING BODY") OF THE CITY OF DIAMONDHEAD, MISSISSIPPI (THE CITY), TO VACATE AND/OR ABANDON 5' DRAINAGE/UTILITY EASEMENTS ON EACH SIDE OF THE COMMON LOT LINE BETWEEN LOTS 24 AND 25 AS WELL AS LOTS 25 AND 26, BLK 2, UNIT 9, PHASE 2, HANCOCK COUNTY, MS LOCATED WITHIN THE CITY OF DIAMONDHEAD

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 Lots 24, 25 and 26, Blk 2, Unit 9, Phase 2. The request is to abandon 5' of drainage and utility easements on each side of the common lot lines between 24 and 25 as well as 25 and 26, Phase 2, Unit 9, Block 2 (see Exhibit A dated 9-01-2020 by David L. Hattaway).
2. Carl Boyanton is the owner of this property and have submitted plans to construct a house. The newly assigned address is 11440 Haleiwa Place.
3. Comments from the Diamondhead Water and Sewer District, Diamondhead Public Works Department, Coast Electric Power Association have no objections.
4. Further, the City hereby abandons and/or vacates the 5' of drainage and utility easements on each side of the common lot lines between lots 24 and 25 as well as 25 and 26, Phase 2, Unit 9, Block 2. (see Exhibit A dated 9-01-2020 by David L. Hattaway), notwithstanding, retaining the 10' drainage and utility easements on the front and rear of the property.

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 as described in bullet #4.

SECTION 2. It is agreed and understood that Carl Boyanton 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 Morgan, seconded by Councilmember Clark

Resolution 2020-072  
Agenda Item 2020-292

and the question being put to a roll call vote, the result was as follows:

	Aye	Nay	Absent
Councilmember Ward 1 (vacant)	___	___	___
Councilmember Moran	✓	___	___
Councilmember Morgan	✓	___	___
Councilmember Clark	✓	___	___
Councilmember L'Ecuyer	✓	___	___
Mayor Depreo	✓	___	___

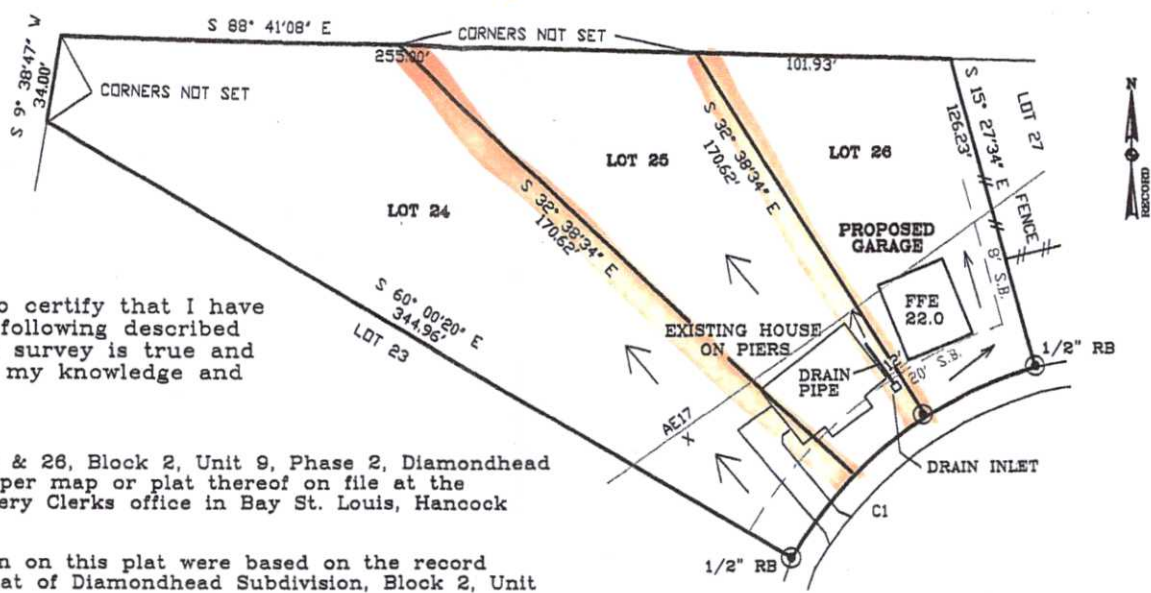
The motion having received the affirmative vote of a majority of all of the members of the Governing Body, the Mayor declared the motion carried and the resolution adopted, this the 3rd day of November, 2020.

*Nancy Depreo*  
\_\_\_\_\_  
MAYOR

ATTEST:  
*Shannie K. Klein*  
\_\_\_\_\_  
CITY CLERK



**EXHIBIT A**



**CERTIFICATE:** This is to certify that I have made a survey of the following described property and that said survey is true and correct to the best of my knowledge and belief.

**DESCRIPTION:** Lot 24, 25 & 26, Block 2, Unit 9, Phase 2, Diamondhead Subdivision, Phase 2, as per map or plat thereof on file at the Courthouse in the Chancery Clerks office in Bay St. Louis, Hancock County, Mississippi.

**NOTE:** All bearings shown on this plat were based on the record bearing of the Official Plat of Diamondhead Subdivision, Block 2, Unit 9, Phase 2.

**REFERENCE MATERIAL:**

- 1) Official Plat of Diamondhead Subdivision, Block 2, Unit 9, Phase 2.

- F.I.P. Found (as listed)
- S.I.P. Set 1/2" Rebar



PROPERTY LINE CURVE DATA				
CURVE	RADIUS	LENGTH	CHORD	BEARING
C1	165.00'	127.40'	75.15'	S08°11'28"E



<b>HATTAWAY ENGINEERING INC.</b>			
P.O. BOX 363 CARRIERS, MISSISSIPPI 39426			
SCALE 1" = 50'	APPROVED BY:	DRAWN BY: DLH	
DATE: 09/01/20	DAVID L. HATTAWAY	CLASS "B" SURVEY	
<b>SURVEY FOR: CARL BOYANTON</b>			
DAVID L. HATTAWAY, P.E. 12611 P.L.S. 3018		DRAWING OFFICE SUB/DIAMONDHEAD/LOT24-26	



*Handwritten signature*



Hancock County  
I certify this instrument was filed on  
11-09-2020 12:33:05 PM  
and recorded in Deed Book  
2020 at pages 13259 - 13261  
Timothy A Kellar