

RESOLUTION AUTHORIZING THE MAYOR AND CITY COUNCIL (THE "GOVERNING BODY") OF THE CITY OF DIAMONDHEAD, MISSISSIPPI (THE "CITY"), TO CONVEY SURPLUS PROPERTY NOT PART OF THE ROADWAY IMPROVEMENTS AND PREVIOUSLY DONATED TO THE CITY TO THE FIRST, A NATIONAL BANKING ASSOCIATION, AS SET FORTH HEREIN.

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 is in need of acquiring certain real properties for roadway improvement purposes that were owned by private property owners, has previously accepted certain properties and, is in need of acquiring certain additional land.
2. Since the time of the initial transfers of properties by and between the property owners and the City, the scope of the design of said roadway improvements has been modified necessitating the additional transfer and acquisition of property by the City.
3. The City is authorized to acquire and convey real property pursuant to Miss. Code Ann. §21-17-1.
4. The property legally described in a survey completed by Jason Chiniche and attached hereto as Exhibit "A" to this resolution was previously donated to the City; however, said property is no longer needed, is surplus and not necessary for the public good and it is therefore necessary and proper for the City to convey and quitclaim said property to The First that the City will not require as part of roadway improvement purposes, is therefore surplus and, that the City will have no use for.

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

SECTION 1. That the Governing Body of the City will convey surplus, unneeded previously donated property back to The First, A National Banking Association.

SECTION 2. That the Governing Body of the City does hereby authorize the City Attorney to prepare any and all documentation related to the conveyance of the aforementioned property, for the City Manager to execute any necessary documentation to effectuate the conveyance of the subject property and, for the City to execute the Quitclaim on behalf of the City attached collectively hereto as Exhibit "B."

The above and foregoing resolution, after having been first reduced to writing, was introduced by Councilmember Clark, seconded by Councilmember Moran

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

	Aye	Nay	Absent
Councilmember Finley	✓	—	—
Councilmember Moran	✓	—	—
Councilmember Sheppard	✓	—	—
Councilmember Clark	✓	—	—
Councilmember Maher	✓	—	—
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 6th day of July, 2021.

Nancy Depreo  
MAYOR

ATTEST:

Ann Marie Klein  
CITY CLERK

