

RESOLUTION AUTHORIZING THE MAYOR AND CITY COUNCIL (THE "GOVERNING BODY") OF THE CITY OF DIAMONDHEAD, MISSISSIPPI (THE CITY), TO VACATE AND/OR ABANDON A 5' DRAINAGE/UTILITY EASEMENT ON EACH SIDE OF THE COMMON PROPERTY LINE BETWEEN LOTS 117 and 118, DIAMONDHEAD PHASE 2, UNIT 5, BLOCK 9, 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 5' drainage/utility easement on each side of the common property line between Lots 117 and 118, Diamondhead Phase 2, Unit 5, Block 9 (see attached survey from Fred C. Barnes as Exhibit A).
2. Christopher J. Marks is the owner of Lots 117 and 118, Diamondhead Phase 2, Unit 5, Block 9. The parcel numbers are 131A-0-01-037.000 and 131A-0-01-038.000. The physical street address is 691 Apona Street.
3. Further, the City hereby abandons and/or vacates the drainage/utility easements for the full width and length as petitioned except for the front and rear drainage and utility easement. These drainage/utility easements are 5' drainage and utility easements on each side of the common property line between Lots 117 and 118, Diamondhead Phase 2, Unit 5, Block 9.

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 117 and 118 described in bullet #3. The Diamondhead Public Works, Diamondhead Water & Sewer District and CEPA do not have any objections.

SECTION 2. It is agreed and understood that Christopher J. Marks 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 Sheppard, seconded by Councilmember Maheer and the question being put to a roll call vote, the result was as follows:

	Aye	Nay	Absent
Councilmember Finley	<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 Clark	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Councilmember L'Ecuyer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Depreo	<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 7th day of September, 2021.

Mayor Narry Depreo  
MAYOR

ATTEST:

Shamie Klein  
CITY CLERK

