

RESOLUTION AUTHORIZING THE MAYOR AND CITY COUNCIL (THE "GOVERNING BODY") OF THE CITY OF DIAMONDHEAD, MISSISSIPPI (THE CITY), TO VACATE AND/OR ABANDON A 10' UTILITY EASEMENT ON THE REAR OF THE PROPERTY AND TO DEDICATE A NEW 10' UTILITY EASEMENT ON THE FRONT OF THE PROPERTY OF LOT 1, BEAUX VUE SUBDIVISION, PHASE 1 AND LOT A, THE PRESERVE SUBDIVISION, PHASE 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' utility easement on the rear of the property of Lot 1, Beaux Vue Subdivision, Phase 1 and Lot A, The Preserve Subdivision, Phase 1.
2. Duke Levy is the owner of Lot 1, Beaux Vue Subdivision, Phase 1 and Lot A, The Preserve Subdivision, Phase 1. The parcel number is 067K-2-36-216.001. The physical street address is 87120 High Point Drive.
3. Further, the City hereby abandons and/or vacates the utility easement for the full width and length as petitioned except for the side drainage/utility easements. This utility easement is a 10' utility easement on the rear of the property of Lot 1, Beaux Vue Subdivision, Phase 1.
4. Duke Levy agrees to dedicate a new 10' utility easement on the front of the property of Lot 1, Beaux Vue Subdivision, Phase 1 and Lot A, The Preserve Subdivision, Phase 1 as shown in orange in Exhibit A.

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 utility easement with respect to Lot 1, Beaux Vue Subdivision, and Lot A, The Preserve Subdivision, Phase 1, described in bullet #3. The Diamondhead Public Works, Diamondhead Water & Sewer District and Coast Electric Power Association do not have any objections.

SECTION 2. That the Governing Body of the City will hereby accept the selected utility easement with respect to Lot 1, Beaux Vue Subdivision, Phase 1 and Lot A, The Preserve Subdivision, Phase 1, described in bullet #4.

SECTION 3. It is agreed and understood that Duke Levy 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 Liese, seconded by Councilmember Cumberland 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 Liese	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Councilmember Cumberland	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Councilmember Clark	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Councilmember Maher	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Depreo	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

The motion having received the affirmative vote of a majority of all the members of the Governing Body, the Mayor declared the motion carried and the resolution adopted, this the 19th day of July, 2022.

Nancy Depreo
MAYOR

ATTEST:

Hannie Klein
CITY CLERK

