

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 8 and 9, DIAMONDHEAD PHASE 1, UNIT 4, BLOCK 3, 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 8 and 9, Diamondhead Phase 1, Unit 4, Block 3.
2. Brian and Diane Weber are the owners of lots 8 and 9, Diamondhead Phase 1, Unit 4, Block 3. The parcel numbers are 067F-1-26-180.000 and 067F-1-26-181.000. The physical street address is 10714 Lilinoe Way.
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 8 and 9, Diamondhead Phase 1, Unit 4, Block 3.

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

4. SECTION 1. That the Governing Body of the City will hereby abandon the selected drainage/utility easements with respect to lots 8 and 9, Diamondhead Phase 1, Unit 4, Block 3, 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 Brian and Diane Weber 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 Clark, seconded by Councilmember Maher and the question being put to a roll call vote, the result was as follows:

Resolution 2022-036  
Agenda Item 2022-169

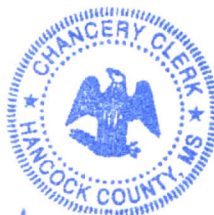
	Aye	Nay	Absent
Councilmember Finley	<u>✓</u>	___	___
Councilmember Clark	<u>✓</u>	___	___
Councilmember Maher	<u>✓</u>	___	___
Mayor Depreo	<u>✓</u>	___	___

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 3rd day of May, 2022.

Mayor Nancy Depreo  
MAYOR

ATTEST:

Dannie Klein  
CITY CLERK



James Meyer

Hancock County  
I certify this instrument was filed on  
06-20-2022 09:47:18 AM  
and recorded in Deed Book  
2022 at pages 9552 - 9553  
Timothy A Kellar