

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 11 AND 12, DIAMONDHEAD PHASE 1, UNIT 2 AMENDED, BLOCK 10, 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 11 and 12, Diamondhead Phase 1, Unit 2 Amended, Block 10.
2. Fred Hanks is the owner of lots 11 and 12, Diamondhead Phase 1, Unit 2 Amended, Block 10. The parcel number is 068K-0-41-028.000. The physical street address is 7215 Akikai Drive.
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 11 and 12, Diamondhead Phase 1, Unit 2 Amended, Block 10.

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 11 and 12, Diamondhead Phase 1, Unit 2 Amended, Block 10, 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 Fred Hanks 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 Maier and the question being put to a roll call vote, the result was as follows:

	Aye	Nay	Absent
Councilmember Finley	<u>✓</u>	—	—
Councilmember Liese	<u>✓</u>	—	—
Councilmember Cumberland	<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 20 day of December, 2022.

Mayor Nancy Depreo  
MAYOR

ATTEST:

Ramie Klein  
CITY CLERK



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