

RESOLUTION AUTHORIZING THE CITY COUNCIL (THE "GOVERNING BODY") OF THE CITY OF DIAMONDHEAD, MISSISSIPPI (THE "CITY"), TO ACQUIRE, BY QUITCLAIM DEED, CERTAIN REAL PROPERTY LOCATED WITHIN THE CITY FROM BARON FOREMAN AND FROM DHP1, LLC

WHEREAS, the 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 property for ROADWAY CONSTRUCTION purposes that is currently owned by BARON FOREMAN and/or DHP1, LLC
2. The City is authorized to acquire real property pursuant to Miss. Code Ann. §21-17-1.
3. Both BARON FOREMAN and DHP1, LLC, have expressed a willingness to sell the property legally described in the Quitclaim Deeds and attached hereto as Exhibit "A" to this resolution
4. The City is willing to accept the aforementioned property by Quitclaim Deed and has previously resolved to pay the purchase price for same which has been deposited into the registry of the Chancery Court in the matter of DHP1, LLC v. Foreman now pending in the Chancery Court of Hancock County.

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

SECTION 1. That the Governing Body of the City will accept the Quitclaim Deeds of the aforementioned property.

SECTION 2. That the Governing Body of the City does hereby authorize the City Attorney to prepare and record any and all documentation related to the acquisition of the aforementioned property and for the City Manager to execute any necessary documentation to effectuate the finalizing of the purchase of the subject property on behalf of the City.

The above and foregoing resolution, after having been first reduced to writing, was introduced by Councilmember Cumberland, seconded by Councilmember Liese and the question being put to a roll call vote, the result was as follows:

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

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 March, 2023.

Mayor Nancy Depreo
MAYOR

ATTEST:

Mamie Klein
CITY CLERK

