

RESOLUTION AUTHORIZING THE MAYOR AND CITY COUNCIL (THE "GOVERNING BODY") OF THE CITY OF DIAMONDHEAD, MISSISSIPPI (THE "CITY"), TO QUITCLAIM, CERTAIN REAL PROPERTY LOCATED WITHIN THE CITY TO THE RIGHTFUL OWNERS, MARY E. SIMONS AND STEVEN B. SIMONS

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 routinely accepts donated property from landowners for preservation, drainage and greenspace.
2. The City is authorized to acquire real property pursuant to Miss. Code Ann. §21-17-1.
3. Previously, the City accepted the donation of certain lots 9 and 10, Block 4, Unit 7A, Diamondhead Phase 2 by a resident who had previously granted her interest in the property to the Diamondhead Country Club and Property Owners Association, Inc.; therefore, the resident did not have the authority or interest in said lots to donate them to the City.
4. The City, through legal counsel, engaged a title opinion to confirm that the attempted dedication of the lots to the City was in error and, therefore, does not now and has not ever had a proper legal interest to the aforementioned lots. The City intends to correct this error and is legally bound and authorized to quitclaim the lots to the rightful owners.

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

SECTION 1. That the Governing Body of the City accepts and makes the findings as set forth herein above.

SECTION 2. That the Governing Body of the City does hereby authorize the City Attorney to prepare any and all documentation related to the quitclaim of the aforementioned property, for the City Manager to execute any necessary documentation to effectuate the quitclaim of the subject property and, for the Mayor to execute the Quitclaim Deed on behalf of the City attached collectively hereto as Exhibit "A."

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

	Aye	Nay	Absent
Councilmember Finley	✓	—	—
Councilmember Liese	✓	—	—
Councilmember Cumberland	✓	—	—
Councilmember Maher	✓	—	—
Mayor Depreo	✓	—	—

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 19 day of December, 2023.

Nancy Depreo

Nancy Depreo, Mayor

ATTEST:

Pammi Klein

CITY CLERK

(SEAL)

