

RESOLUTION AUTHORIZING THE MAYOR AND CITY COUNCIL (THE "GOVERNING BODY") OF THE CITY OF DIAMONDHEAD, MISSISSIPPI (THE CITY), TO VACATE AND/OR ABANDON A DRAINAGE/UTILITY EASEMENT ALONG THE COMMON PROPERTY LINE BETWEEN LOTS 3 AND 4, DIAMONDHEAD 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 possesses a 5' drainage and utility easement on each side of the common property line between lots 3 and 4, Diamondhead Subdivision Phase 1, Unit 4, Block 8;
2. Jack P. and Myrna J. Algeo are the owners of the East ½ of lot 3 and all of lot 4, Diamondhead Subdivision Phase 1, Unit 4, Block 8;

The physical address is 9735 Limu Way. The ad valorem tax parcel number is 067G-1-25-173.000.

3. Comments from the Diamondhead Water and Sewer District reflect no water and sewer in the selected easements. Comments from the Diamondhead Public Works Department, CEPA and POA reflect "no problem or agree to abandon". (See attached comments).
4. Further, the City hereby abandons and/or vacates the drainage/utility easements as petitioned due to no apparent need for the drainage/utility easements. These drainage/utility easements are 5' drainage and utility easements on each side of the common property line between east boundary of lot 3 and the west boundary of lot 4, Diamondhead Subdivision Phase 1, Unit 4, Block 8 except the width of the 10' drainage easement of the front and rear property lines.

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 drainage/utility easements with respect to Lots 3 and 4 described in bullet #4.

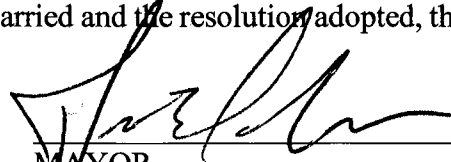
Resolution 2018-005
Agenda Item 2018-022

SECTION 2. It is agreed and understood that Jack P. and Myrna J. Algeo or their representative will be responsible for the filing of all necessary documents with the Chancery Clerk of Hancock County, Mississippi.

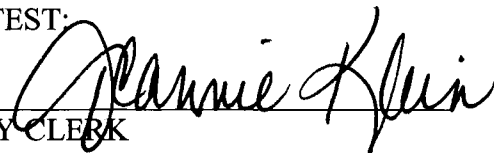
The above and foregoing resolution, after having been first reduced to writing, was introduced by Councilmember Morgan, seconded by Councilmember L'Ecuyer and the question being put to a roll call vote, the result was as follows:

	Aye	Nay	Absent
Councilmember Moran	___	___	✓
Councilmember Depreo	✓	___	___
Councilmember Morgan	✓	___	___
Councilmember Koenenn	___	___	✓
Councilmember L'Ecuyer	✓	___	___
Mayor Schafer	✓	___	___

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 17th day of October, 2017.



MAYOR

ATTEST:


CITY CLERK

