There came on for consideration at a meeting of the Mayor and City Council of the City of Diamondhead, Mississippi, held on the **17th** day of **September, 2019,** the following Resolution:

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF DIAMONDHEAD, MISSISSIPPI, FINDING AND ADJUDICATING THAT THE HEREIN DESCRIBED PARCELS OF LAND ARE IN SUCH A STATE OF UNCLEANLINESS AS TO BE A MENACE TO THE PUBLIC HEALTH, SAFETY, AND WELFARE OF THE CITIZENRY OF THE CITY AND AUTHORIZING ADVERTISEMENT FOR BIDS OR TO OBTAIN QUOTE(S) TO HAVE SAID LANDS CLEARED AND CLEANED AND TO ASSESS THE COSTS TO THE SAID PROPERTIES

WHEREAS, the Mayor and City Council of the City of Diamondhead, Mississippi, (the "City"), pursuant to Mississippi Code Annotated §21-19-11, 1972, as amended, finds, determines, and adjudicates, based upon the investigation of the City's Building Department, that the parcels of land described below are in such a state of uncleanliness as to be a menace to the public health, safety, and welfare of the citizenry of the City; and

WHEREAS, said properties, as described herein, are within the corporate boundaries of the City of Diamondhead, Hancock County, Mississippi; and

WHEREAS, the parcels investigated by the Building Department and recommended by the Building Official for adjudication as being in such a state of uncleanliness including concrete slab(s), as to be a menace to the public health, safety and welfare of the citizenry of the City are identified as: SEE ATTACHED EXHIBIT "A".

- Remove all structures, including concrete slabs (house and/or hangar slabs) and above-ground framing members;
- Remove all trash, rubbish, debris and other materials to a proper disposal site.

WHEREAS, notice to the property owners was provided by the City pursuant to Mississippi Code Annotated §21-19-11, 1972, as amended, i.e. First-Class United States

Mail to Theresa M. Richard, Todd C. Griggs, Charles D. Parker, Jenny, Inc., MyCottage Homes, Stephanie K. Parks, E. Lee Bennett, Patrick J. Murphy, Laszlo bode, Jr., louis G. Arceneaux, Jura Search, Inc., Fairl Morrell, Gregory G. Weachter, Jason P. Delune, Brian Naccari, Roy O. Adcox, Sr. and William Stafford, notice posted on the bulletin board at City Hall, and notice posted on the properties at 2352 and 2434 Airport Drive, 1332 Enos Street, 4315 Gex Drive, 9917 Hamakua Street, 1312, 1316, 1420, and 1444 Hanakealoha Place, 137 and 1323 Kalaepohuku Drive, 1317 and 1344 Kaumakapili Street, 10716 Luawai Place, 138 Paani Court, 320, 1346, and 1348 Poki Placeand 334 Puuani Place, all within Diamondhead, Mississippi; and

WHEREAS, the Mayor and City Council of the City of Diamondhead further find, determine and adjudicate that advertisement for bids or obtaining quotes to clean the above referenced properties should be made in the form and manner as provided by law; and

WHEREAS, the Mayor and City Council further find, determine, and adjudicate that the cost of the demolition and/or lot cleanup shall not exceed the aggregate amount of $10,000.00 per parcel per calendar year or the fair market value of the property subsequent to cleaning, whichever is less. Said amount shall be assessed as a lien against each of said properties as provided by law and shall be enrolled in the office of the Circuit Clerk of Hancock County, Mississippi, as other judgments are enrolled, and in the office of the Chancery Clerk of Hancock County, Mississippi; and

WHEREAS, the Mayor and City Council of the City of Diamondhead further find, determine, and grant authority to the Building Department to re-enter the properties not more than five (5) times for a period of one (1) year without any further hearings if notice is posted on these properties and at City Hall, 5000 Diamondhead Circle, Diamondhead, Mississippi 39525, at least

ten (10) days prior to re-entering the properties for resolution of the same type of violation.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF DIAMONDHEAD, MISSISSIPPI, AS FOLLOWS:

SECTION 1. That the matters, facts, and things recited in the Preamble hereto are hereby adopted as the official findings of the Governing Authority.

SECTION 2. That the properties listed in the attached Exhibit "A" be and hereby are declared to be a menace to the public health, safety, and welfare of the citizenry of the City of Diamondhead.

SECTION 3. That the City Clerk be and hereby is authorized to advertise for bids or obtain quote(s) to remove all structures, including concrete slabs (house and/or hanger slabs) and above ground framing members, and the other items identified in the preamble as well as the violation letter dated August 30, 2019, to the property owners identified in Exhibit "A", and to remove all trash, rubbish, debris, and other materials, including concrete slabs, to a proper disposal site as described hereinabove and lying within the corporate boundaries of the City of Diamondhead, Hancock County, Mississippi.

SECTION 4. That the cost of cleanup of the herein described properties, including any penalty assessed, shall be a lien against said properties as provided by law and shall be enrolled in the office of the Circuit Clerk of Hancock County, Mississippi, and in the office of the Chancery Clerk of Hancock County, Mississippi.

SECTION 5. That the Mayor and City Council of the City of Diamondhead further find, determine, and hereby grant authority to the Building Department to re-enter the properties not more than five (5) times for a period of one (1) year without any further hearings if notice is posted on these properties and at City Hall, 5000 Diamondhead Circle, Diamondhead, Mississippi 39525,

at least ten (10) days prior to re-entering the properties for resolution of the same type of violation.

Councilmember Depreo moved for the adoption of the Resolution, which was seconded by Councilmember Morgan.

Upon being put to a roll call vote, the following ballots were cast:

	YEAS	NAYS	ABSENT
Depreo	✓		
Moran	✓		
Morgan	✓		
Koenenn	✓		
L'Ecuyer	✓		
Schafer	✓		

WHEREUPON, the Mayor declared the Motion carried and the Resolution adopted, this the 17th day of September, 2019.

ATTEST: Jeannie Klein
CITY CLERK

ADOPTED: [signature]
MAYOR

EXHIBIT A

Theresa M. Richard	2352 Airport Drive	
Todd C. Griggs	2434 Airport Drive	
Charles D. Parker	1332 Enos Street	
Jenny,Inc.	4315 Gex Drive	
MyCottage Homes	9917 Hamakua Street	MyCottage Homes has broken the slab but has not removed the concrete from the premises as of 9-12-19
Stephanie K. Parks	1312 Hanakealoha Place	
E. Lee Bennett	1316 Hanakealoha Place	Demolition permit is ready to be issued but payment has not been made.
Patrick J. Murphy	1420 Hanakealoha Place	
Laszlo Bode, Jr.	1444 Hanakealoha Place	Building permit plans are under review; waiting on structural engineer; received returned letter on 9-10-19 from USPO stating "Deceased Unable To Forward"
Louis G. Arceneaux	137 Kalaepohuku Drive	
Patrick J. Murphy	1323 Kalaepohuku Drive	
Jura Search, Inc.	1317 Kaumakapili Street	
Fairl Morrell	1344 Kaumakapili Street	letter from engineer dated 6-18-19 stating slab and driveway incorporated into building plans for new house; proposed construction will begin in 90 days.
Gregory G. Weachter	10716 Luawai Place	
Gregory G. Weachter	138 Paani Court	
Jason P. Deluane	320 Poki Place	
Brian Naccari	1346 Poki Place	Demolition permit is ready to be issued but payment has not been made.
Roy O. Adcox, Sr	1348 Poki Place	
William Stafford	334 Puuani Place	