

RESOLUTION AUTHORIZING THE MAYOR AND CITY COUNCIL (THE “GOVERNING BODY”) OF THE CITY OF DIAMONDHEAD, MISSISSIPPI (THE “CITY”), TO ACQUIRE, BY DONATION, GRANT OR CONVEYANCE, CERTAIN REAL PROPERTY LOCATED WITHIN THE CITY FROM ROUSE’S LAND COMPANY, LLC IN EXCHANGE FOR THE CITY CONVEYING SURPLUS PROPERTY NOT PART OF THE ROADWAY IMPROVEMENTS TO ROUSE’S LAND COMPANY, LLC AS SET FORTH HEREIN.

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 is in need of acquiring certain real properties for roadway improvement purposes that were owned by private property owners, has previously accepted certain properties and, is in need of acquiring certain additional land.
2. Since the time of the initial transfers of properties by and between the property owners and the City, the scope of the design of said roadway improvements has been modified necessitating the additional transfer and acquisition of property by the City.
3. The City is authorized to acquire and convey real property pursuant to Miss. Code Ann. §21-17-1.
4. Rouse’s Land Company, LLC has expressed a willingness to donate, grant or convey the property legally described in surveys completed by Jason Chiniche and attached hereto as Exhibit “A” to this resolution in exchange for the City conveying adjacent land back to Rouse’s Land Company, LLC that the City will not require as part of roadway improvement purposes, is therefore surplus and, that the City will have no use for.
5. The City is willing to accept the donation, grant or conveyance of the aforementioned property in exchange for quitclaiming and conveying surplus property not needed for roadway improvement purposes back to Rouse’s Land Company, LLC.

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 donation, grant or conveyance of the aforementioned property from Rouse’s Land Company, LLC and will convey surplus, unneeded adjacent property to Rouse’s Land Company, LLC.

SECTION 2. That the Governing Body of the City does hereby authorize the City Attorney

to prepare any and all documentation related to the acquisition and conveyance of the aforementioned properties, for the City Manager to execute any necessary documentation to effectuate the acquisition and conveyance of the subject properties and, for the City to execute the Dedication Deeds on behalf of the City attached collectively hereto as Exhibit "B."

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

|                        | Aye | Nay | Absent |
|------------------------|-----|-----|--------|
| Councilmember Finley   | ___ | ___ | ___    |
| Councilmember Moran    | ___ | ___ | ___    |
| Councilmember Sheppard | ___ | ___ | ___    |
| Councilmember Clark    | ___ | ___ | ___    |
| 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 \_\_\_\_\_ day of \_\_\_\_\_, 2021.

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
CITY CLERK

(SEAL)