

RESOLUTION AUTHORIZING THE MAYOR AND CITY COUNCIL (THE “GOVERNING BODY”) OF THE CITY OF DIAMONDHEAD, MISSISSIPPI (THE CITY), TO VACATE AND/OR ABANDON A 7’ DRAINAGE/UTILITY EASEMENT ON EACH SIDE OF THE COMMON PROPERTY LINE BETWEEN LOTS 44 and 45, DIAMONDHEAD PHASE 1, UNIT 2, BLOCK 5 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 has a 7’ drainage/utility easement on each side of the common property line between Lots 44 and 45, Diamondhead Phase 1, Unit 2, Block 5 (see attached survey from J. Michael Cassady as Exhibit A).
2. Douglas J. Maxwell and Betty L. Maxwell are the owners of Lots 44 and 45, Diamondhead Phase 1, Unit 2, Block 5. The parcel number is 068R-3-41-145.000. The physical street address is 7330 Ahia Court.
3. Further, the City hereby abandons and/or vacates the drainage/utility easements for the full width and length as petitioned except for the front and rear drainage and utility easement. These drainage/utility easements are 7’ drainage and utility easements on each side of the common property line between Lots 44 and 45, Diamondhead Phase 1, Unit 2, Block 5.

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 44 and 45 described in bullet #3. The Diamondhead Public Works and CEPA do not have any objections. Diamondhead Water and Sewer District will consider this request at their December 10, 2020 meeting.

SECTION 2. It is agreed and understood that Douglas and Betty Maxwell 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 _____, seconded by Councilmember _____ and the question being put to a roll call vote, the result was as follows:

	Aye	Nay	Absent
Mayor Depreo	___	___	___
Councilmember Moran	___	___	___
Councilmember Morgan	___	___	___
Councilmember Clarke	___	___	___
Councilmember L'Ecuyer	___	___	___

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 _____, 2020.

MAYOR

ATTEST:

CITY CLERK

(SEAL)