

2021-194



June 10, 2021

City of Diamondhead
5000 Diamondhead Circle
Diamondhead, MS 39525

Dear Councilmembers:

RE: ROW Land Purchase – Leisure Time Lane Extension

On December 1, 2020 the Council voted to authorize the City Attorney to file a motion to intervene on behalf of the City of Diamondhead in the matter of DHP1, LLC v. Foreman and further authorized funds to be interplead in the amount of \$9,961 for the purchase of a portion of property at issue in the lawsuit for right of way construction. The subject property is the second tract necessary to extend Leisure Time Lane. The city has already acquired through purchase the necessary right of way from Mrs. Haas.

Foreman acquired the entire parcel through tax sale and the previous owner of record has objected; Case: DHP1, LLC vs. Foreman. Both parties to the case have agreed to sell the part of the parcel for the right of way. The court has agreed to accept payment from the City of Diamondhead for the purchase of the property and to hold those funds in escrow with the Hancock County Chancery Clerk on behalf of the rightful owner as determined by the court. This will allow the City to take ownership of the small portion without delay and move forward with the roadway construction.

I am requesting authorization to issue payment in the amount of \$9,961 for the purchase of the subject parcel to the Chancery Clerk of Hancock County.

Thank you for your favorable consideration in this matter.

Sincerely,

Michael Reso
City Manager

MR:jk