

By: Senator(s) Carter, Burton, Jackson

To: Local and Private

COMMITTEE SUBSTITUTE
FOR
SENATE BILL NO. 3120

1 AN ACT TO AUTHORIZE AND EMPOWER THE BOARD OF SUPERVISORS OF
2 LAUDERDALE COUNTY, MISSISSIPPI, TO MAKE SPECIAL ROAD IMPROVEMENTS
3 PURSUANT TO PETITION BY THE LANDOWNERS BORDERING THE ROAD, TO
4 BORROW THE MONEY TO MAKE SUCH IMPROVEMENTS, TO MAKE ASSESSMENTS ON
5 THE PROPERTY OWNERS FOR SUCH PURPOSE, TO PROVIDE A METHOD OF
6 PAYMENT OF SUCH ASSESSMENTS; AND FOR RELATED PURPOSES.

7 SECTION 1. (1) The Board of Supervisors of Lauderdale
8 County, is hereby authorized and empowered, in its discretion, to
9 cause the local street and road improvements to be made at the
10 cost of the property owners benefited thereby pursuant to petition
11 as provided herein, by levying and collecting special assessments
12 as provided herein, and may finance such improvements in the
13 manner provided in this section.

14 (2) Whenever not less than one-half (1/2) of all landowners
15 bordering on any unpaved, dedicated public street or road located
16 outside the boundaries of any incorporated municipality in
17 Lauderdale County petition for a survey and estimate of the cost
18 of building and paving the street or road in a substantial and
19 permanent manner of asphalt, blacktop, concrete or other such
20 material equally durable, the board of supervisors shall cause a
21 survey and cost estimate thereof to be made by a licensed civil
22 engineer. Thereafter, if at least three-fifths (3/5) of such
23 landowners whose land comprises at least three-fifths (3/5) of the
24 lineal feet that borders such unpaved street or road, sign and
25 file a petition with the board of supervisors, along with a map or
26 description of the land bordering such street or road and
27 designating the owners of all land bordering thereon, requesting
28 such street or road to be paved with the costs thereof to be

29 charged or assessed against the owners of such land bordering
30 thereon, the board of supervisors shall proceed to the paving and
31 permanent construction of such street or road. The entire costs
32 of paving and permanently constructing such street or road shall
33 be paid by the owners of the land bordering on the street or road
34 so improved by either, at the option of each such landowner, a
35 lump sum, one-time payment or by a special tax imposed by the
36 county on the land sufficient to pay such landowner's
37 proportionate share of the total costs. A landowner's share of
38 the total costs for building and improving such street or road
39 shall be determined according to the proportion which the number
40 of lineal feet of the owner's land which borders on the improved
41 street or road bears to the total number of lineal feet of
42 improved street or road. Such street or road shall be maintained
43 by the county.

44 (3) If one or more landowners elect to pay their share of
45 the costs of improving a street or road under subsection (2) of
46 this section by means of a special tax on their land, then the
47 board of supervisors shall provide for the collection of taxes
48 from the landowners thereof in such annual installments as it may
49 determine, extending over not more than twenty (20) years, and may
50 borrow money in advance of the collection of such taxes, in which
51 event an amount sufficient to pay the annual interest shall be
52 collected in addition to the principal. The taxes so assessed and
53 levied shall be a lien upon the land and be collected at the same
54 time and in the same manner that state and county taxes are
55 collected. A separate assessment roll shall be provided by the
56 board of supervisors, and the county assessor shall assess the
57 land of each owner separately, together with the special tax
58 assessed thereon, marking on the general assessment roll the
59 particular land which has been so assessed.

60 (4) The provisions of this section shall not be construed as
61 amending or repealing the provisions of any existing general
62 statute, but shall be supplemental and additional to the
63 provisions contained therein.

64 SECTION 2. This act shall take effect and be in force from
65 and after July 1, 1999.