To: Public Buildings, Grounds and Lands

MISSISSIPPI LEGISLATURE REGULAR SESSION 2002
By: Representative Barnett (92nd)

HOUSE BILL NO. 1139
(As Sent to Governor)

AN ACT TO AUTHORIZE THE DEPARTMENT OF FINANCE AND ADMINISTRATION, ACTING ON BEHALF OF THE MISSISSIPPI FORESTRY COMMISSION, TO SELL AND CONVEY TO THE BOARD OF SUPERVISORS OF LINCOLN COUNTY, MISSISSIPPI, CERTAIN STATE-OWNED REAL PROPERTY LOCATED IN LINCOLN COUNTY, MISSISSIPPI; TO AUTHORIZE THE BOARD OF DIRECTORS OF THE PEARL RIVER VALLEY WATER SUPPLY DISTRICT TO CONVEY CERTAIN REAL PROPERTY TO THE RANKIN COUNTY SCHOOL DISTRICT IN RANKIN COUNTY, MISSISSIPPI; TO AUTHORIZE THE BOARD OF SUPERVISORS OF YALOBUSHA COUNTY, MISSISSIPPI, TO ACQUIRE AND CONVEY CERTAIN REAL PROPERTY LOCATED IN YALOBUSHA COUNTY, MISSISSIPPI; TO AMEND SECTION 51-13-111, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE BOARD OF DIRECTORS OF THE TOMBIGBEE RIVER VALLEY WATER MANAGEMENT DISTRICT TO TRANSFER THE ELVIS PRESLEY PARK TO THE MISSISSIPPI DEPARTMENT OF WILDLIFE, FISHERIES AND PARKS IN LEE COUNTY, MISSISSIPPI; TO AUTHORIZE THE BOARD OF DIRECTORS OF THE TOMBIGBEE RIVER VALLEY WATER MANAGEMENT DISTRICT TO PAY $200,000.00 TO THE MISSISSIPPI DEPARTMENT OF WILDLIFE, FISHERIES AND PARKS AT THE TIME OF SUCH TRANSFER AND TO PROVIDE THAT SUCH FUNDS WILL BE USED FOR THE PURPOSE OF CONSTRUCTING AN OFFICE BUILDING ON THE ELVIS PRESLEY PARK FOR THE MISSISSIPPI DEPARTMENT OF WILDLIFE, FISHERIES AND PARKS; TO REQUIRE THE DEPARTMENT OF WILDLIFE, FISHERIES AND PARKS TO CONVEY CERTAIN STATE-OWNED REAL PROPERTY LOCATED IN SIMPSON COUNTY, MISSISSIPPI, TO THE VETERANS OF FOREIGN WARS POST 9122; TO REPEAL CHAPTER 545, LAWS OF 2001, WHICH AUTHORIZED THE DEPARTMENT OF WILDLIFE, FISHERIES AND PARKS TO CONVEY CERTAIN STATE-OWNED REAL PROPERTY IN SIMPSON COUNTY TO THE VETERANS OF FOREIGN WARS POST 9122; AND FOR RELATED PURPOSES.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

SECTION 1. (1) The Department of Finance and Administration, acting on behalf of the Mississippi Forestry Commission, may sell and convey to the Board of Supervisors of Lincoln County, Mississippi, certain state-owned real property located in Lincoln County, Mississippi, being more particularly described as follows:

Commencing at the intersection of the North boundary line of Section 21, Township 7 North, Range 8 East, Lincoln County, Mississippi, with the south right-of-way line of Mississippi Highway 184 (formerly U.S. Highway 84). Thence run South 52°41'26" East, 60.36 feet along
said south right-of-way line of Mississippi Highway 184
to the point of beginning. Thence run South 24°31'17" East, 222.87 feet; thence South 00°31'08" East, 229.72
feet; thence South 69°50'07" East, 42.18 feet; thence North 00°41'05" East, 341.68 feet; thence North
52°41'26" West, 173.82 feet along said south
right-of-way line of Mississippi Highway 184 to the
point of beginning. Said parcel containing 0.48 acres ±
more or less and being situated in the NW 1/4 of the NW
1/4 of Section 21, T7N, R8E, Lincoln County,
Mississippi.

(2) The sale and conveyance authorized in this section may
be made on such terms and conditions agreed upon by the Department
of Finance and Administration and the Board of Supervisors of
Lincoln County, Mississippi, to be in the best interests of both
parties.

(3) Any proceeds from the sale and conveyance of the real
property described in subsection (1) of this section shall be used
first to reimburse the Department of Finance and Administration
for any costs incurred by the department regarding the sale and
conveyance, and the remaining proceeds shall be deposited into the
State General Fund.

(4) The State of Mississippi shall retain all mineral rights
to the real property sold and conveyed pursuant to this section.

SECTION 2. (1) The Department of Finance and
Administration, acting on behalf of the Mississippi Forestry
Commission, may grant a temporary construction easement to the
Board of Supervisors of Lincoln County, Mississippi, over and
across certain state owned real property located in Lincoln
County, Mississippi, being more particularly described as follows:
Beginning at the intersection of the North boundary line
of Section 21, Township 7 North, Range 8 East, Lincoln
County, Mississippi, with the South right-of-way line of
Mississippi Hwy 184 (formerly U.S. Highway 84) and the point of beginning. Thence run South 16°54'29" East, 220.29 feet; thence South 44°33'24" West, 116.57 feet; thence South 83°58'28" East, 111.20 feet; thence South 16°54'29" East, 170.95 feet; thence North 00°31'08" West, 229.72 feet; thence North 24°31'17" West, 222.87 feet; thence North 52°41'26" West, 60.36 feet along said South right-of-way line of Mississippi Highway 184 to the point of beginning. Said parcel containing 0.56 acres ± more or less and being situated in the NW 1/4 of the NW 1/4 of Section 21, T7N, R8E, Lincoln County, Mississippi.

(2) The temporary construction easement authorized in this section may be made on such terms and conditions agreed upon by the Department of Finance and Administration and the Board of Supervisors of Lincoln County, Mississippi, to be in the best interests of both parties.

SECTION 3. (1) The Board of Directors of the Pearl River Valley Water Supply District, in its discretion, and without further restriction except as set forth in this section, may convey in fee simple to the Rankin County School District in Rankin County, Mississippi, certain real property that is owned by the Pearl River Valley Water Supply District and which is located in Rankin County, Mississippi, being more particularly described as follows:

All or part of a parcel of land containing twenty acres, more or less, being all property lying north of Northshore Parkway, south of Cowan Road, west of Highway 471, and east of Spring Branch Creek, Rankin County, Mississippi.

(2) The property described in this act shall be sold and conveyed to the Rankin County School District upon payment by the school district to the Pearl River Valley Water Supply District of
a sum equal to the appraised fair market value of the property or for such other or further sum and under such financial terms or conditions as may seem equitable or just to the Pearl River Valley Water Supply District. The purchase price of the property shall be final in the discretion of the Pearl River Valley Water Supply District.

(3) The Pearl River Valley Water Supply District shall retain site plan approval for the design, site plan and landscaping related to the construction and appearance of a school or schools upon the property. As a condition of the conveyance, the Rankin County School District must agree to provide a traffic impact study and to cooperate with the Pearl River Valley Water Supply District and other law enforcement or state agencies on regulating traffic flow to the extent such regulation is possible.

(4) The Pearl River Valley Water Supply District shall have the right of first refusal to purchase the property from the school district for fair market value, as determined by a mutually acceptable independent appraisal by a certified general appraiser licensed by the State of Mississippi, before the property is offered for sale or lease to any other person, as defined in Section 1-3-39, Mississippi Code of 1972, if: (a) the property ceases to be used for school or school-related purposes by the school district and the property is no longer needed in the operations of the Rankin County School District; and (b) the school district desires to sell, lease or otherwise dispose of the property.

SECTION 4. (1) (a) The Board of Supervisors of Yalobusha County, Mississippi ("board of supervisors"), in its discretion, may purchase, lease, lease-purchase or otherwise acquire in any manner upon such terms and conditions, for such consideration, and with such safeguards as the board of supervisors determines will best promote and protect the public interest, convenience and necessity, all or any portion of certain real property and any
improvements thereon located in the First Judicial District of Yalobusha County, Mississippi, such property being more particularly described as follows:

West Half of Southwest Quarter of Section 32, Township 26, Range 4 East, containing 80 acres, more or less;
Northeast Quarter of Southwest Quarter of Section 32, Township 26, Range 4 East, containing 40 acres, more or less; Northwest Quarter of Southeast Quarter of Section 32, Township 26, Range 4 East, containing 40 acres, more or less;
and
East Half of Southeast Quarter of Section 32, Township 26, Range 4 East, containing 80 acres, more or less;

If the board of supervisors acquires all or any portion of such real property, the board of supervisors may make any improvements to such property determined by the board of supervisors to be appropriate, including, but not limited to, constructing, equipping and/or furnishing industrial buildings, meat processing facilities, other appurtenant structures or facilities and infrastructure improvements. The board of supervisors may use any available funds, from any source, for the purpose of acquiring such real property and making any improvements thereon.

(b) If the board of supervisors acquires all or any portion of the real property described in paragraph (a) of this subsection (1), the board of supervisors, in its discretion, may sell, lease, trade, exchange or otherwise convey all or any portion of such real property and any improvements thereon located to any individual, firm, public corporation, private corporation, or any other entity. The conveyance authorized in this paragraph (b) may be made for all types of industrial, economic, and commercial uses upon such terms and conditions, for such consideration, and with such safeguards as the board of supervisors determines will best
promote and protect the public interest, convenience and necessity.

(2) The board of supervisors in its discretion, may acquire an easement over and across certain real property located in the First Judicial District of Yalobusha County, Mississippi, being more particularly described as follows:

Begin at an iron pipe on North line of Mississippi State Highway No. 32 at intersection with North line of the Southwest Quarter of the Southeast Quarter of Section 32, Township 26 North, Range 4 East, said point being 347 feet from West line of Highway I-55 as measured along North line of said Highway No. 32; thence South 47 degrees 45 minutes West, 452.8 feet to an iron pipe; thence North 32 degrees West, 381 feet, more or less, to North line of said Southwest Quarter of the Southeast Quarter; thence East, 535.7 feet, more or less, to the point of beginning, enclosing 1.95 acres, more or less, in said Southwest Quarter of the Southeast Quarter of Section 32, Township 26 North, Range 4 East, Yalobusha County, Mississippi.

If the board of supervisors acquires any easement under this subsection, the board of supervisors, in its discretion, may assign such easement to any individual, firm, public corporation, private corporation, or any other entity, upon such terms and conditions, for such consideration, and with such safeguards as the board of supervisors determines will best promote and protect the public interest, convenience and necessity.

SECTION 5. Section 51-13-111, Mississippi Code of 1972, is amended as follows:

51-13-111. The Tombigbee River Valley Water Management District through its board of directors is hereby empowered:

(a) To develop, in conjunction with the United States Army Corps of Engineers, United States Secretary of Agriculture,
or with the head of any other federal or state agency as may be
involved, plans for public works of improvement for the prevention
of floodwater damage, or the conservation, development,
navigation, utilization and disposal of water, including the
impoundment, diversion, flowage and distribution of waters for
beneficial use as defined in Chapter 3 of this title.

To enter into agreements with the United States of America,
as represented by the United States Army Corps of Engineers, to
meet the requirements of local cooperation for flood control and
navigation projects as set out in House Document No. 167, 84th
Congress, First Session, as authorized by Public Law 85-500, 85th
486, 79th Congress, Second Session, as approved by Public Law 525,
79th Congress, as amended.

(b) To impound overflow water and the surface water of
the Tombigbee River or its tributaries within the project area,
within or without the district, at the place or places and in the
amount as may be approved by the Office of Land and Water
Resources of the State of Mississippi, by the construction of a
dam or dams, reservoir or reservoirs, work or works, plants and
any other necessary or useful related facilities contemplated and
described as a part of the project, within or without the
district, to control, store and preserve these waters, and to use,
distribute, and sell them, to construct or otherwise acquire
within the project area all works, plants, or other facilities
necessary or useful to the project for processing the water and
transporting it to cities and other facilities for domestic,
municipal, commercial, industrial, agricultural and manufacturing
purposes, and is hereby given the power to control open channels
for water delivery purposes and water transportation.

(c) To acquire and develop any other available water
necessary or useful to the project and to construct, acquire and
develop all facilities within the project area deemed necessary or
useful with respect thereto, including terminals.

(d) To forest and reforest, and to aid in the foresting
and reforesting of the project area, and to prevent and to aid in
the prevention of soil erosion and flood within the area; to
control, store, and preserve within the boundaries of the project
area the waters of the Tombigbee River or any of its tributaries
for irrigation of lands and for prevention of water pollution.

(e) To acquire by condemnation all property of any
kind, real, personal, or mixed, or any interest therein, within or
without the boundaries of the district, necessary for the projects
and the exercise of the powers, rights, privileges and functions
conferred upon the district by this article, according to the
procedure provided by law for the condemnation of lands or other
property taken for rights-of-way or other purposes by railroads,
telephone, or telegraph companies, and according to the provisions
of Section 29-1-1. For the purposes of this article the right of
eminent domain of the district shall be superior and dominant to
the right of eminent domain of railroad, telegraph, telephone,
gas, power and other companies or corporations and shall be
sufficient to enable the acquisition of county roads, state
highways, or other public property in the project area, and the
acquisition or relocation of this property in the project area.
The cost of right-of-way purchases, rerouting and elevating all
other county-maintained roads affected by construction shall be
borne by the water management district, and new construction shall
be of equal quality as in roads existing as of May 1, 1962. The
county in which the work is done may assist in these costs if the
board of supervisors desires.

The amount and character of interest in land, other property,
and easements to be acquired shall be determined by the board of
directors, and their determination shall be conclusive and shall
not be subject to attack in the absence of manifold abuse of
discretion or fraud on the part of such board in making such
determination. However,

   (i) In acquiring lands, either by negotiation or

condemnation, the district shall not acquire minerals or royalties

within the project area; sand and gravel shall not be considered

as minerals within the meaning of this section; and

   (ii) No person or persons owning the drilling

rights or the right to share in production shall be prevented from

exploring, developing, or producing oil or gas with necessary

rights-of-way for ingress and egress, pipelines, and other means

of transporting these products by reason of the inclusion of the

lands or mineral interests within the project area, whether below

or above the waterline, but any activities shall be under

reasonable regulations by the board of directors that will

adequately protect the project; and

   (iii) In drilling and developing, these persons

are hereby vested with a special right to have mineral interests

integrated and their lands developed in the drilling unit or units

that the State Oil and Gas Board shall establish after due

consideration of the rights of all owners to be included in the

drilling unit.

Moreover, when any site or plot of land is to be sold to any

person, firm, or corporation for the purpose of operating

recreational facilities thereon for profit, the board shall, by

resolution, specify the terms and conditions of the sale and shall

advertise for public bids thereon. When these bids are received,

they shall be publicly opened by the board, and the board shall

thereupon determine the highest and best bid submitted and shall

immediately notify the former owner of the site or plot of the

amount, terms, and conditions of the highest and best bid. The

former owner of the site or plot shall have the exclusive right at

his option, for a period of thirty (30) days after written notice

is received by the landowner of the determination of the highest
and best bid by the board, to purchase the site or plot of land by
meeting the highest and best bid and by complying with all terms
and conditions of the sale as specified by the board. However,
the board shall not sell to any former owner more land than was
taken from the former owner for the construction of the project,
or one-quarter (1/4) mile of shoreline, whichever shall be the
lesser. If this option is not exercised by the former owner
within a period of thirty (30) days, the board shall accept the
highest and best bid submitted.

Any bona fide resident householder actually living or
maintaining a residence on land taken by the district by
condemnation shall have the right to repurchase his former land
from the board of directors for a price not exceeding the price
paid for condemning his land, plus any permanent improvements.

In addition and notwithstanding any other provision in this
section to the contrary, the board may lease or rent all or any
portion of any property that it owns to any person, firm, or
corporation for the purpose of operating recreational facilities
for profit or not for profit or for any other public purpose
provided the land is open for the use of the general public or is
otherwise used for the public benefit and upon any other terms and
conditions as the board may determine. The leasing or renting of
all or any portion of any such land upon said conditions shall
require a resolution duly adopted by the board and shall be exempt
from any bid requirements in this section.

(f) To require the necessary relocation of roads and
highways, railroad, telephone, and telegraph lines and properties,
electric power lines, gas pipelines and mains and facilities in
the project area, or to require the anchoring or other protection
of any of these, provided due compensation is first paid the
owners thereof or agreement is had with the owners regarding the
payment of the cost of relocation. Further, the district is
hereby authorized to acquire easements or rights-of-way in or
outside of the project area for the relocation of roads, highways, railroad, telephone, and telegraph lines and properties, electric power lines, gas pipelines and mains and facilities, and to convey them to the owners thereof in connection with the relocation as a part of the construction of the project. However, the directors of the district shall not close any public access road to the project existing prior to the construction of the reservoir unless the board of supervisors of the county in which the road is located agrees thereto.

(g) To overflow and inundate any public lands and public property, including sixteenth section lands and in lieu lands, within the project area.

(h) To construct, extend, improve, maintain and reconstruct, to cause to be constructed, extended, improved, maintained and reconstructed, and to use and operate all facilities of any kind within the project area necessary or convenient to the project and to the exercise of powers, rights, privileges and functions.

(i) To sue and be sued in its corporate name.

(j) To adopt, use, and alter a corporate seal.

(k) To make bylaws for the management and regulation of its affairs.

(l) To employ engineers, attorneys, and all necessary agents and employees to properly finance, construct, operate, and maintain the project and the plants and to pay reasonable compensation for these services; for all services in connection with the issuance of bonds as provided in this article, the attorney’s fee shall not exceed one-quarter of one percent (1/4 of 1%) of the principal amount of these bonds. For any other services, only reasonable compensation shall be paid for these services. The board shall have the right to employ a general manager, who shall, at the discretion of the board, have the power to employ and discharge employees. Without limiting the
generality of the foregoing, it may employ fiscal agents or
advisors in connection with its financing program and in
connection with the issuance of its bonds.

(m) To make contracts and to execute instruments
necessary or convenient to the exercise of the powers, rights,
privileges, and functions conferred upon it by this article.

(n) To make or cause to be made surveys and engineering
investigations relating to the project, or related projects, for
the information of the district to facilitate the accomplishment
of the purposes for which it is created.

(o) To apply for and accept grants from the United
States of America, or from any corporation or agency created or
designated by the United States of America, and to ratify and
accept applications heretofore or hereafter made by voluntary
associations to these agencies for grants to construct, maintain
or operate any project or projects which hereafter may be
undertaken or contemplated by the district.

(p) To do any other acts or things necessary,
requisite, or convenient to the exercising of the powers, rights,
privileges or functions conferred upon it by this article or any
other law.

(q) To make contracts in the issuance of bonds that may
be necessary to insure the marketability thereof.

(r) To enter into contracts with municipalities,
corporations, districts, public agencies, political subdivisions
of any kind, and others for any services, facilities or
commodities that the project may provide. The district is also
authorized to contract with any municipality, corporation, or
public agency for the rental, leasing, purchase, or operation of
the water production, water filtration or purification, water
supply and distributing facilities of the municipality,
corporation, or public agency upon consideration as the district
and entity may agree. Any contract may be upon any terms and for
any time as the parties may agree, and it may provide that it
shall continue in effect until bonds specified therein, refunding
bonds issued in lieu of these bonds, and all obligations are paid.
Any contract with any political subdivision shall be binding upon
these political subdivisions according to its terms, and the
municipalities or other political subdivisions shall have the
power to enter into these contracts as in the discretion of the
governing authorities thereof would be to the best interest of the
people of the municipality or other political subdivision. These
contracts may include, within the discretion of the governing
authorities, a pledge of the full faith and credit of the
political subdivisions for the performance thereof.

(s) To fix and collect charges and rates for any
services, facilities or commodities furnished by it in connection
with the project, and to impose penalties for failure to pay these
charges and rates when due.

(t) To operate and maintain within the project area,
with the consent of the governing body of any city or town located
within the district, any works, plants or facilities of any city
deemed necessary or convenient to the accomplishment of the
purposes for which the district is created.

(u) Subject to the provisions of this article, from
time to time to lease, sell, or otherwise lawfully dispose of any
property of any kind, real, personal, or mixed, or any interest
therein within the project area or acquired outside the project
area as authorized in this article, for the purpose of furthering
the business of the district.

(v) When, in the opinion of the board of directors as
shown by resolution duly passed, it shall not be necessary to the
carrying on of the business of the district that the district own
any lands acquired, the board shall advertise these lands for sale
to the highest and best bidder for cash and shall receive and
publicly open the bids thereon. The board shall, by resolution,
determine the highest and best bid submitted for the land and
shall thereupon notify the former owner, his/her heirs or
devises, by registered mail of the land to be sold and the
highest and best bid received therefor, and the former owner, or
his/her heirs or devises, shall have the exclusive right at
his/her or their option for a period of thirty (30) days in which
to meet such highest and best bid and to purchase the property.
Provided further, that the board may transfer title to that
certain property known as the Trace State Park in Pontotoc County
to the Department of Environmental Quality; provided, however,
that any of the property that is under current lease shall not be
included in the transfer. Such transfer of title shall require a
resolution duly adopted by the board and by the Commission on
Environmental Quality and shall be exempt from any bid
requirements herein. In addition, the board may transfer title to
that certain property known as the Elvis Presley Park in Lee
County to Lee County, Mississippi, upon the terms and conditions
as it may determine. The transfer of title shall require a
resolution duly adopted by the board and shall be exempt from any
bid requirement in this section. In addition, the board may
transfer title to all or any portion of that certain property
known as the Elvis Presley Park in Lee County to the Mississippi
Department of Wildlife, Fisheries and Parks upon the terms and
conditions as it may determine, including, but not limited to,
authorizing the board to pay the sum of Two Hundred Thousand
Dollars ($200,000.00) to the Mississippi Department of Wildlife,
Fisheries and Parks at the time of the transfer with such funds to
be used by the Mississippi Department of Wildlife, Fisheries and
Parks for the construction of an office building on the Elvis
Presley Park for use by the Mississippi Department of Wildlife,
Fisheries and Parks. Such transfer of title and the payment of
such sum of money shall require a resolution duly adopted by the
board and by the Mississippi Department of Wildlife, Fisheries and
Parks and shall be exempt from any bid requirement in this section.

(w) To prevent or aid in the prevention of damages to persons or property from the waters of the Tombigbee River or any of its tributaries.

(x) To acquire by purchase, lease, gift or in any other manner (otherwise than by condemnation) and to maintain, use, and operate all property of any kind, real, personal, or mixed, or any interest therein within the project area, within or without the boundaries of the district, necessary for the project and convenient to the exercise of the powers, rights, privileges and functions conferred upon the district by this article.

(y) In the purchase of or in the entering into of all lease-purchase agreements for supplies, equipment, heavy equipment, and the like, the directors shall in all instances comply with the provisions of law pertaining to public purchases by public bids on these supplies and equipment.

(z) In addition to, or in conjunction with, any other powers and duties of the district arising under this chapter, to exercise those powers, duties and functions of a joint water management district set forth in Sections 51-8-27 through 51-8-55, except the power of eminent domain under Section 51-8-33. Before exercising those powers and duties, the district must comply with the provisions of Sections 51-8-63 and 51-8-65. In exercising the functions of a joint water management district, the district may apply to the Environmental Quality Permit Board for delegation of those powers and duties as provided by Section 51-3-15, and to apply to the Mississippi Commission on Environmental Quality for delegation of those powers and duties provided by Section 51-3-21.

SECTION 6. (1) The Mississippi Department of Wildlife, Fisheries and Parks, acting through the Department of Finance and Administration, shall convey to the Veterans of Foreign Wars, Post...
9122, a parcel of state-owned property situated in Simpson County, Mississippi, being more particularly described as follows:

Commence at the NE Corner of the SW/4 of the NE/4 Section 21, Township 1 North, Range 5 East, Simpson County, Mississippi, and run thence South 01° 39' W, 501 ft. to the Point of Beginning for the lands herein conveyed. From said Point of Beginning continue and run South 809 ft. to the SE Corner of said SW/4 of the NE/4, Section 21; run thence North 89° 02' W, 751.27 ft. to a point on the R.O.W. of the Northbound Lane of U.S. Highway 49; run thence North 47° 16' W, 110.75 ft. to a concrete marker; run North 55° 13' W, 186.82 ft. to a concrete marker, continue North 34° 37' W, 156.08 ft. to a concrete marker; thence continue to run along the North R.O.W. line North 58° 00' W, 365 ft. to a point; from said point run thence North 76° 30' E, 1381 ft. to the Point of Beginning. All of said land lying and being situated in the SW/4 of the NE/4, Section 21, Township 1 North, Range 5 East, Simpson County, Mississippi, containing in the aggregate 20 acres, more or less, and less and except that parcel heretofore conveyed to the V.F.W. Post 9122 as same is recorded in Deed Book 919 at Page 672 of the Land Records located in the Chancery Clerk's Office, Simpson County, Mississippi.

(2) It is the intent of the Legislature that the real property described in subsection (1) shall revert to the Veterans of Foreign Wars, Post 9122, pursuant to the reverter clause of the special warranty deed which granted the real property to the Department of Wildlife, Fisheries and Parks in 1961. Such reverter clause provided that the real property shall revert back to the grantors should it cease to be used for a public recreational area and lake.
ST: Public property; authorize DFA on behalf of Forestry Commission, to convey certain property to Lincoln County.

(3) The Department of Finance and Administration shall require the real property described in subsection (1) to be surveyed and marked. The Veterans of Foreign Wars, Post 9122, shall pay all of the recording, survey and other expenses related to the conveyance before the Department of Wildlife, Fisheries and Parks conveys the real property.

SECTION 7. Chapter 545, Laws of 2001, which authorizes the Mississippi Department of Wildlife, Fisheries and Parks to convey certain state-owned real property in Simpson County to the Veterans of Foreign Wars, Post 9122, is hereby repealed.

SECTION 8. This act shall take effect and be in force from and after its passage.