MISSISSIPPI LEGISLATURE REGULAR SESSION 2003

By: Representatives Perkins, Whittington, Howell

To: Penitentiary

COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 1415

AN ACT TO AUTHORIZE THE DELTA CORRECTIONAL FACILITY AUTHORITY IN LEFLORE COUNTY, MISSISSIPPI, THE BOARD OF SUPERVISORS OF LEFLORE COUNTY, MISSISSIPPI, AND THE MISSISSIPPI DEPARTMENT OF CORRECTIONS TO EXCHANGE CERTAIN REAL PROPERTY LOCATED IN LEFLORE COUNTY, MISSISSIPPI; AND FOR RELATED PURPOSES.

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

SECTION 1. (1) In consideration for the conveyance of property authorized in Section 2 of this act, the Delta Correctional Facility Authority, acting through its Board of Commissioners, is authorized to transfer and convey to the Board of Supervisors of Leflore County, Mississippi, all right, title and interest in and to certain real property and any improvements thereon located in Leflore County, Mississippi, subject to any encumbrances, liens, covenants, conditions or restrictions of record pertaining thereto, such parcel of property consisting of approximately three and sixty-four one-hundredths (3.64) acres located in Section 29, Township 19 North, Range 1 East, Leflore County, Mississippi, and described more particularly as follows:

Begin at an iron pipe marking the northeast corner of said Section 29 and proceed WEST 1249.61 feet to a point, thence SOUTH 2532.23 feet to an iron pipe marking the Point of Beginning of the tract herein described, from said Point of Beginning proceed S 47°50'05"E 129.00 feet to an iron pipe, thence N 42°09'55"E 194.00 feet to an iron pipe, thence S 69°20'16"E 47.34 feet to an iron pipe, thence S 2°10'17"E 120.47 feet to an iron pipe, thence S 42°24'11"West 83.85 feet to an iron pipe, thence S 47°50'05"E 131.06 feet to an iron pipe, thence

S 42°09'55"W 227.14 feet to an iron pipe, thence N 47°50'05"W 30.50 feet to an iron pipe, thence S 42°09'55"W 50.00 feet to an iron pipe, thence N 47°39'12"W 196.42 feet to an iron pipe, thence S 42°09'55"W 24.30 feet to a point on the north wall of a block building, thence S 87°17'40"W along said wall 72.28 feet to a point, thence N 48°22'33"W 173.71 feet to an iron pipe, thence n 77°08'09"W 65.24 feet to an iron pipe, thence N 3°31'02"W 88.86 feet to an iron pipe, thence N 40°39'38"E 29.93 feet to a point, thence N 86°53'34"E 264.00 feet to a point on the west wall of a block building, thence N 41°35'12"E 64.48 feet to the Point of Beginning. Bearings in this description are by Global Positioning NAD 83-93 coordinates.

(2) The Mississippi Department of Corrections is authorized to release the property described in subsection (1) of this section from:

(i) The lease agreement entered into between the Delta Correctional Facility Authority and the Mississippi Department of Corrections on June 1, 1995; and

(ii) Any additional documents executed in connection with the lease of said property under the Lease Agreement as provided for in connection with the financing of the Delta Correctional Facility.

(3) The conveyance authorized in this section may be subject to additional terms and conditions agreed upon by the Delta Correctional Facility Authority and the Mississippi Department of Corrections.

SECTION 2. (1) In consideration for the conveyance of property authorized in Section 1 of this act, the Board of Supervisors of Leflore County, Mississippi, is authorized to transfer and convey to the Mississippi Department of Corrections, all right, title and interest in certain real property and any

improvements thereon located in Leflore County, Mississippi, and described more particularly as follows:

Beginning at the intersection of Section line between Sections 11 and 12, Township 19, Range 1 East, with the Southern Boundary line of the right of way of the C.& G. Railroad Company, in Mississippi, and run thence North 89 degrees and 32 minutes East with said C. & G. Boundary line, a distance of 1046.2 feet to an iron stake at the Northeast corner of the Ada Baskin lot; thence run due South 276 feet to a point of beginning; and the Southwest corner of lot now owned by me; thence run East ten chains to a stake; thence run North twenty-nine chains to a stake; thence run South 89 degrees and 35 minutes West ten chains and ten lengths to a point in Pelicia Creek; thence run South 27 chains to a point of beginning; but the right of way of the C. & G. Railroad Company 100 feet in width, and extending across the above lands is hereby expressly reserved and not included. The total acreage of the within tract, exclusive of the right of way of the C. & G. Railroad Company is 26.48 acres of land, lying and being in the Southwest quarter of Section 12, Township 19, Range 1 East, in Leflore County, Mississippi, and is the same tract of land purchased by me from Robert P. Parish and Mrs. Ethel D. Parish, as shown by their warranted deed to me, and recorded in Book 45, Page 556, of the record of Land Deeds of Leflore County, Mississippi, reference to which is hereby made, and which is the same tract of land which is now occupied by the above as a homestead; said lands described as aforesaid, being those lands adjoining a certain tract of land now belonging to Leflore County, and used as a poor house for said county.

(2) The conveyance authorized in this section may be subject to additional terms and conditions agreed upon by the Board of Supervisors of Leflore County, Mississippi, and the Mississippi Department of Corrections.

SECTION 3. In lieu of a transfer and conveyance of the real property and improvements set forth in Section 1 of this act, the Delta Correctional Facility Authority, the Mississippi Department of Corrections and Leflore County, Mississippi, are authorized to enter into and/or approve any sublease of that certain real property and any improvements thereon to Leflore County, Mississippi, in consideration of the conveyance authorized in Section 2 of this act, or upon such terms and conditions as may be agreed upon by the Department of Corrections, Leflore County, Mississippi, and the Delta Correctional Facility Authority. Any sublease authorized under this section may include a purchase option for nominal consideration for Leflore County, Mississippi (or other consideration agreed to by Leflore County, Mississippi), which may be exercised under terms and conditions agreed upon by the parties to the sublease.

SECTION 4. This act shall take effect and be in force from and after its passage.