

REPORT OF CONFERENCE COMMITTEE

MADAM PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 2803: State parks; donate and convey Nanih Waiya State Park and Mound to Mississippi Band of Choctaw Indians.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.
2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

21 **SECTION 1.** Section 3 of Chapter 512, Laws of 2005, is
22 amended as follows:

23 Section 3. (1) The Mississippi Department of Transportation
24 shall donate and convey to the City of Brookhaven, Mississippi,
25 all of the right, title and interest in certain real property
26 located within the County of Lincoln, described more specifically
27 as follows:

28 2.63 acres, more or less, situated in Lot 7 of the Price
29 Estate, City of Brookhaven, said lands are situated in
30 the SW 1/4 of the SE 1/4 of Section 12, Township 7
31 North, Range 7 East, Lincoln County, Mississippi, and
32 described in particular as follows: Commencing at a
33 Nail in the center of Hartman Street marking the NE
34 Corner of the SW 1/4 of the SE 1/4 of Section 12 run N
35 89°16'00"W 30.00 ft. to a Fence Corner on the West side
36 of said Hartman Street and the Point of Beginning.
37 Thence S 00°16'45"E 125.22 ft. along said Street to a
38 1/2 Inch Iron Pin on the North Right-of-Way of the
39 Mississippi Central Railroad, thence away from said
40 Street and along said Right-of-Way S 77°53'15"W 618.94
41 ft. to a concrete Right-of-Way Marker, thence away from

said Railroad Right-of-Way N 00°41'00"W 251.91 ft. to a concrete Right-of-Way Marker, thence N 89°41'45"E 607.56 ft. to the Point of Beginning.

(2) The State of Mississippi shall retain all mineral rights to the property described in subsection (1).

(3) If the City of Brookhaven fails to use within a period of ten (10) years from the date of conveyance the property described in subsection (1), then such property shall revert to the State of Mississippi.

SECTION 2. Section 5 of Chapter 512, Laws of 2005, is amended as follows:

Section 5. (1) The Mississippi Department of Transportation shall donate and convey to the County of Lawrence, Mississippi, all of the right, title and interest in certain real property located within the County of Lawrence, described more specifically as follows:

2.89 Acres, more or less, situated in the East 1/2 of the NE 1/4 of Section 32, Township 7 North, Range 11 East, Lawrence County, Mississippi, and described in particular as follows: Commencing at a Cotton Picker Spindle marking the NE Corner of said Section 32 run WEST 14.43 ft., run SOUTH 589.41 ft. to a 1/2 Inch Iron Pin on the East R/W of old Highway 27 50 ft. rt. of Station 1745+80 and the point of beginning. Thence S 00°25'00"E 1375.55 ft. to a R/W Marker, thence S 56°53'30"W 250.03 ft. to a R/W Marker, thence N 10°47'30"E 184.12 ft. to a 1/2 Inch Iron Pin, thence N 79°10'15"W 10.00 ft. to a 1/2 Inch Iron Pin, thence along a R/W Curve to the left with a Delta Angle of 6°40'43", a Radius of 11509.16 ft., a Length of 1341.55 ft., and a Chord of N 07°29'20"E 1340.79 ft. to the Point of Beginning.

74 (2) The State of Mississippi shall retain all mineral rights
75 to the property described in subsection (1).

76 (3) If the County of Lawrence fails to use within a period
77 of ten (10) years from the date of conveyance the property
78 described in subsection (1), then such property shall revert to
79 the State of Mississippi.

80 **SECTION 3.** The Department of Finance and Administration, may
81 lease to a private owner for purposes of an easement to allow
82 ingress and egress from his property, a certain portion of real
83 property located adjacent to the State Veterans Home in Collins,
84 Mississippi, such property described more particularly as follows:

85 Commence at the Southeast corner of the Southwest 1/4 of
86 the Northeast 1/4 of Section 25, Township 8 North, Range
87 18 West, Covington County, Mississippi; thence run North
88 a distance of 730.57 feet to the point of beginning of
89 the easement to be described. Said point being on the
90 West right-of-way line of Grandview Drive; from said
91 point of beginning. Leaving said right-of-way line, run
92 South 80 degrees 00 minutes 00 seconds West for a
93 distance of 76.73 feet; thence run North a distance of
94 40.62 feet; thence run North to the 80 degrees 00
95 minutes 00 seconds East for a distance of 47.05 feet to
96 the West right-of-way line of Grandview Drive; thence
97 run Southeasterly along said right-of-way line along a
98 curve that arcs to the left; said curve having a radius
99 of 5,909.90 feet, a chord length of 45.96 feet, and a
100 chord bearing South 39 degrees 30 minutes 05 seconds
101 East, back to the point of beginning, containing 0.0568
102 acres; and being a part of the Southwest 1/4 of the
103 Northeast 1/4 of Section 25, Township 8 North, Range 18
104 West, Covington County, Mississippi.

105 **SECTION 4.** (1) The Mississippi Department of Transportation
106 may purchase certain real property located in Jefferson Davis
107 County, Mississippi, linking the Longleaf Trace to the Jefferson
108 Davis County Lake, such real property more particularly described
109 as follows:

110 CRAWLEY PARCEL

111 Commence at the SE corner of the NE 1/4 of the SW 1/4
112 of Section 17, Township 7 North, Range 18 West,
113 Jefferson Davis County, Mississippi, said point also
114 being the Point of Beginning for a 33' wide parcel of
115 land for a recreational trail; thence run West a
116 distance of 865' to the west boundary line of a one
117 acre parcel described in Deed Book 130, Page 214 and
118 also being the east boundary of a parcel of land owned
119 by the Mississippi State Game and Fish Commission;
120 thence run along said boundary line North a distance
121 of 33'; thence leaving said boundary line run East a
122 distance of 832' to a point 33' west of the east line
123 of the NE 1/4 of the SW 1/4 of Section 17; thence run
124 parallel to said line North a distance of 2,607' to the
125 south boundary line of a two acre parcel described in
126 Deed Book 136, Page 344; thence run East a distance of
127 33' to the east line of the SE 1/4 of the NW 1/4 of
128 Section 17; thence run along said line South a
129 distance of 2,640' back to the Point of Beginning.
130 Said parcel contains ± 2.63 acres and is located in
131 the SE 1/4 of the NW 1/4 and the NE 1/4 of the SW 1/4
132 of Section 17, Township 7 North, Range 18 West,
133 Jefferson Davis County, Mississippi.

134 JACKSON PARCEL

135 Commence at the SE corner of the NE 1/4 of the
136 SW 1/4 of Section 17, Township 7 North, Range 18

West, Jefferson Davis County, Mississippi; thence run North along the west line of the SE 1/4 and NE 1/4 of Section 17 a distance of 2,540' to the Point of Beginning for a 33' wide parcel of land for a recreational trail; thence run East a distance of 33' thence run North parallel to the west line of the NE 1/4 of Section 17 a distance of 1,005' to the south boundary line of the Pearl and Leaf River Rail-to-Trails Recreational Trail described in Deed Book 165, Page 483; thence run in a West Northwesterly direction to the intersection of the West line of the NE 1/4 of Section 17 and the south right-of-way of above said recreational trail; thence run along said west line South a distance of 1,010' back to the Point of Beginning. Said parcel contains ± 0.76 acres and is located in the west half of the NE 1/4 of Section 17, Township 7 North, Range 18 West, Jefferson Davis County, Mississippi.

(2) The real property described in subsection (1) of this section shall not be purchased for more than the current fair market value as determined by the averaging of at least two (2) appraisals by qualified appraisers who shall be selected by the Mississippi Department of Transportation and shall be certified and licensed by the Mississippi Real Estate Appraiser Licensing and Certification Board.

SECTION 5. (1) The Mississippi Department of Transportation shall donate and convey to the City of Natchez, Mississippi, all of the right, title and interest in certain real property located within the County of Adams, described more specifically as follows:

Commencing at a 3/4" iron rod found on the Northerly right-of-way line of Wood Avenue at the intersection

of Wood Avenue and Shields Lane, said iron rod being the most Southerly corner of Parcel 15, Group B, Tax Map 46-104 as described by deed recorded in Deed Book 11-B on page 224 in the records of the Office of the Chancery Clerk of Adams County, Mississippi, and being defined as N 745214.75, E 1971895.18 on the above referenced coordinate system, run thence North 80°23'54" West along the said Northerly right-of-way line of Wood Avenue for a distance of 102.57 feet to a 5/8" iron rod set for the Point of Beginning, and which Point of Beginning is the most Southerly corner of within described tract, being 201.73 feet left of Station 100+27.91 measured along a perpendicular line from the Centerline of the above Referenced Project. Thence from the said Point of Beginning run North 81°40'16" West along the said Northerly right-of-way line of Wood Avenue for a distance of 245.37 feet to a 5/8" iron rod set; thence run North 08°18'17" East for a distance of 200.94 feet to a 5/8" iron rod set on the Northerly line of the above referenced Parcel 15; thence run South 81°00'30" East along the Northerly line of said Parcel 15 for a distance of 342.80 feet to a 5/8" iron rod set; thence run South 10°14'38" West for a distance of 30.55 feet to a 5/8" iron rod set; thence run South 52°06'11" West for a distance of 137.04 feet to a 5/8" iron rod set; thence run South 09°35'14" West for a distance of 67.48 feet to the Point of Beginning, and containing 1.31 acres.

(2) The State of Mississippi shall retain all mineral rights to the property described in subsection (1).

SECTION 6. (1) The Department of Finance and Administration may donate and convey to the City of Jackson, Mississippi, a

201 permanent utility easement and temporary construction easement for
202 installation of a water line over and across a parcel of land
203 located in the City of Jackson, more particularly described as
204 follows:

205 Commencing at the common corner of the Mississippi
206 Workers' Compensation Property with the City of
207 Jackson Fire Station No. 18 property, and the North
208 right-of-way line of Mississippi Highway 25, as
209 shown on the plans for Federal Aid Project No.
210 46-0056-001-044-101, as currently existing
211 (March 17, 2006) and being 126 feet, more or less,
212 east of the easternmost right-of-way line of
213 Lakeland Lane, said point also being situated in
214 the S½ of NE¼ Section 25, T6N, R1E, First Judicial
215 District of Hinds County, City of Jackson and being
216 the POINT OF BEGINNING for the parcel herein described;
217 run thence North 01 degree 38 minutes 53 seconds East
218 for a distance of 30.00 feet; run thence South 89
219 degrees 04 minutes 40 seconds East for a distance of
220 32.22 feet; run thence North 82 degrees 43 minutes 15
221 seconds East for a distance of 36.93 feet; run thence
222 North 87 degrees 58 minutes 08 seconds East for a
223 distance of 310.43 feet; run thence North 79 degrees
224 37 minutes 31 seconds East for a distance of 98.98 feet;
225 run thence North 84 degrees 22 minutes 29 seconds East
226 for a distance of 213.48 feet; run thence North 86
227 degrees 33 minutes 07 seconds East for a distance of
228 208.45 feet; run thence North 88 degrees 48 minutes 46
229 seconds East for a distance of 281.36 feet; run thence
230 along the arc of a curve to the right a distance of
231 357.82 feet (chord bearing North 88 degrees 33 minutes

232 31 seconds East, chord distance 357.81 feet), said curve
233 having a central angle of 01 degree 46 minutes 17 seconds
234 and a radius of 11,574.20 feet; run thence North 89 degrees
235 26 minutes 49 seconds East for a distance 45.91 feet; run
236 thence along the arc of a curve to the right a distance of
237 100.35 feet (chord bearing North 89 degrees 41 minutes 42
238 seconds East, chord distance 100.34 feet), said curve
239 having a central angle of 00 degrees 29 minutes 48
240 seconds and a radius of 11,574.16 feet; run thence South
241 86 degrees 58 minutes 04 seconds East for a distance of
242 100.95 feet; run thence along the arc of a curve to the
243 right a distance of 574.56 feet (chord bearing South
244 88 degrees 08 minutes 04 seconds East, chord distance
245 574.50 feet), said curve having a central angle of 02
246 degrees 50 minutes 44 seconds and a radius of 11,569.16
247 feet to a point on the Northern R.O.W. line of Lakeland
248 Drive; run thence along the said R.O.W. line South 55
249 degrees 10 minutes 02 seconds West for a distance of
250 40.57 feet; run thence South 85 degrees 36 minutes 07
251 seconds West for a distance of 38.65 feet; run thence
252 along the arc of a curve to the left a distance of 503.52
253 feet (chord bearing North 88 degrees 18 minutes 38 seconds
254 West, chord distance 503.48 feet), said curve having a
255 central angle of 02 degrees 30 minutes 01 second and a
256 radius of 11,539.16 feet; run thence North 86 degrees 58
257 minutes 04 seconds West for a distance of 100.82 feet;
258 run thence along the arc of a curve to the left a distance
259 of 99.28 feet (chord bearing South 89 degrees 41 minutes
260 35 seconds East, chord distance 99.28 feet), said curve
261 having a central angle of 00 degrees 29 minutes 34 seconds
262 and a radius of 11,544.16 feet; run thence South 89 degrees
263 26 minutes 49 seconds West for a distance of 45.91 feet;

264 run thence along the arc of a curve to the left a distance
265 of 357.19 feet (chord bearing South 88 degrees 33 minutes
266 29 seconds West, chord distance 357.18 feet), said curve
267 having a central angle of 01 degree 46 minutes 22 seconds
268 and a radius of 11,544.16 feet; run thence South 88 degrees
269 48 minutes 46 seconds West for a distance of 281.07 feet;
270 run thence South 86 degrees 33 minutes 07 seconds West for
271 a distance of 207.29 feet; run thence South 84 degrees 22
272 minutes 29 seconds West for a distance of 211.67 feet; run
273 thence South 79 degrees 37 minutes 31 seconds West for a
274 distance of 99.92 feet; run thence South 87 degrees 58
275 minutes 08 seconds West for a distance of 311.24 feet;
276 run thence South 82 degrees 43 minutes 15 seconds West
277 for a distance of 37.71 feet; run thence North 89 degrees
278 04 minutes 40 seconds West for a distance of 34.75 feet to
279 the POINT OF BEGINNING for the parcel herein described,
280 containing 70,176.58 sq. ft. or 1.611 acres, more or less.

281 **DESCRIPTION OF TEMPORARY CONSTRUCTION EASEMENT**

282 In addition, a Temporary Construction Easement twenty
283 (20) feet in width adjacent to and adjoining the north
284 side of the above described Permanent Utility Easement is
285 hereby conveyed for use during construction of City of
286 Jackson Project No. 90113903, 54" water transmission line.
287 This Temporary Construction Easement contains 1.09 acres,
288 (47,488.72 SF), more or less. The Temporary Construction
289 Easement shall commence when the Notice to Proceed of the
290 construction project is issued by the City of Jackson to the
291 contractor and shall remain in force and effect for a period
292 of two (2) years thereafter or through completion of the
293 project, whichever date first occurs.

294 **SECTION 7.** A municipality, by ordinance duly spread upon its
295 minutes, may delegate to an appropriate private enterprise with

296 whom the municipality contracts all or part of the authority to
297 enforce any ordinance concerning the regulation of parking within
298 the confines of the municipality or any part thereof, including,
299 but not limited to, penalties for violations, deadlines for the
300 payment of fines and late payment penalties for fines not paid
301 when due. The delegating ordinance may also provide that a
302 summons or parking citation for the violation may be issued by a
303 uniformed law enforcement officer, uniformed law enforcement
304 employee or by uniformed personnel employed by the delegate
305 serving under contract with the municipality.

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

**Further, amend by striking the title in its entirety and
inserting in lieu thereof the following:**

1 AN ACT TO AMEND SECTIONS 3 AND 5 OF CHAPTER 512, LAWS OF
2 2005, TO CLARIFY THAT THE DEPARTMENT OF TRANSPORTATION SHALL
3 DONATE AND CONVEY CERTAIN STATE-OWNED PROPERTY TO THE CITY OF
4 BROOKHAVEN AND THE COUNTY OF LAWRENCE; TO AUTHORIZE THE DEPARTMENT
5 OF FINANCE AND ADMINISTRATION TO LEASE TO A PRIVATE OWNER, FOR
6 PURPOSES OF AN EASEMENT, A CERTAIN PORTION OF REAL PROPERTY
7 LOCATED ADJACENT TO THE STATE VETERANS HOME IN COLLINS,
8 MISSISSIPPI; TO AUTHORIZE THE MISSISSIPPI DEPARTMENT OF
9 TRANSPORTATION TO PURCHASE CERTAIN REAL PROPERTY LOCATED IN
10 JEFFERSON DAVIS COUNTY, MISSISSIPPI, LINKING THE LONG LEAF TRACE
11 TO THE JEFFERSON DAVIS COUNTY LAKE; TO REQUIRE THE MISSISSIPPI
12 DEPARTMENT OF TRANSPORTATION TO DONATE AND CONVEY TO THE CITY OF
13 NATCHEZ CERTAIN REAL PROPERTY LOCATED IN ADAMS COUNTY,
14 MISSISSIPPI; TO AUTHORIZE THE DEPARTMENT OF FINANCE AND
15 ADMINISTRATION TO DONATE AND CONVEY TO THE CITY OF JACKSON,
16 MISSISSIPPI, A PERMANENT UTILITY EASEMENT AND TEMPORARY
17 CONSTRUCTION EASEMENT FOR INSTALLATION OF A WATER LINE; TO CREATE
18 A NEW SECTION TO ALLOW MUNICIPALITIES TO DELEGATE AUTHORITY FOR
19 ENFORCEMENT OF PARKING REGULATIONS; AND FOR RELATED PURPOSES.

CONFEREES FOR THE SENATE	CONFEREES FOR THE HOUSE
X (SIGNED)	X (SIGNED)
Jackson (32nd)	Weathersby
X (SIGNED)	X (SIGNED)
Mettetal	Sullivan
X (SIGNED)	X (SIGNED)
Browning	Watson