

By: Representatives Hudson, Paden, Gibbs
(72nd)

To: Universities and
Colleges

HOUSE BILL NO. 919

1 AN ACT TO AUTHORIZE DELTA STATE UNIVERSITY, WITH THE
2 APPROVAL OF THE BOARD OF TRUSTEES OF STATE INSTITUTIONS OF
3 HIGHER LEARNING, TO LEASE A CERTAIN PORTION OF ITS PROPERTY
4 LOCATED IN THE CITY OF CLEVELAND, BOLIVAR COUNTY, MISSISSIPPI, FOR
5 A TERM OF NO MORE THAN 40 YEARS; AND FOR RELATED PURPOSES.

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

7 **SECTION 1.** (1) (a) Delta State University, with the
8 approval of the Board of Trustees of State Institutions of Higher
9 Learning, is authorized to enter into an agreement, or agreements,
10 to lease a part of its real property to an entity, or entities,
11 selected in an RFP process conducted by Delta State University
12 for a term of no more than forty (40) years. The property is
13 located in the City of Cleveland, Bolivar County, Mississippi,
14 and is more particularly described as follows:

15 55 acres that is currently improved with a 9-hole golf
16 course property known as Derrall Foreman Golf Course.

17 It is located on the Delta State University Campus at
18 1003 West Sunflower Road, Cleveland, Bolivar County,
19 Mississippi. It is identified by the Bolivar County



20 Courthouse as follows, Part of SE 1/4, Section 17,
21 Township 22, Range 5, Cleveland, Bolivar County, MS.

22 (b) The lease and any amendments to same shall be
23 subject to approval of the Board of Trustees of State Institutions
24 of Higher Learning. The approved lease and any amendments to the
25 lease shall not be voidable by successor Boards of Trustees of
26 State Institution of Higher Learning.

27 (2) The lease may include one (1) option to renew for a
28 renewal period not to exceed twenty (20) years, with the option to
29 renew being in the sole discretion of the lessor.

30 (3) The lease of the real property described in subsection
31 (1) of this section shall consist of mixed-use development
32 improvements, which may contain:

33 (a) A Multipurpose conference center;

34 (b) A Hotel, lodging or other commercial accommodation;

35 (c) Residential houses/apartment homes. The faculty,
36 staff and student body of Delta State University shall have the
37 right of first offer for the residential houses/apartment homes
38 developed within the leased area before being made available to
39 the public.

40 (d) Surface parking;

41 (e) Landscaping and green space buffers;

42 (f) Executive par-three golf course; and

43 (g) Walking/Fitness trail.

44 (4) The lease and any amendments to the lease of all or any



45 portion of the real property authorized for lease under
46 subsection (1) of this section shall be subject to the
47 approval of the Board of Trustees of State Institutions of
48 Higher Learning. The approved lease and any amendments to the
49 lease shall not be cancelled by successor boards based on the
50 binding successor doctrine.

51 (5) All proceeds derived or received from all leases
52 entered into under this section shall be deposited in a special
53 fund for the use and benefit of Delta State University.

54 (6) If all or any portion of the property described in
55 subsection (1) of this section is leased, Delta State
56 University, with the approval of the Board of Trustees of State
57 Institutions of Higher Learning, is authorized to negotiate all
58 aspects of any lease and any terms of ancillary agreements
59 pertaining to any lease as may be reasonably necessary to
60 effectuate the intent and purposes of this section, and to
61 ensure a fair and equitable return to the state.

62 (7) At the end of the lease term provided in this act, the
63 property leased under the authority provided herein shall revert
64 to Delta State University.

65 (8) The State of Mississippi shall retain all mineral
66 rights in the real property leased under this section.

67 (9) The Department of Finance and Administration is
68 authorized to correct any discrepancies in the property
69 described in this section.



70 **SECTION 2.** This act shall take effect and be in force from
71 and after its passage.

