

By: Representative Weathersby

To: Public Property

HOUSE BILL NO. 767
(As Sent to Governor)

1 AN ACT TO AUTHORIZE THE MISSISSIPPI BOARD OF MENTAL HEALTH,
2 ACTING THROUGH THE MISSISSIPPI DEPARTMENT OF MENTAL HEALTH, TO
3 SELL CERTAIN STATE-OWNED REAL PROPERTY AND ANY IMPROVEMENTS
4 THEREON, WHICH SERVED AS THE FORMER WAVELAND GROUP HOME PROPERTY
5 LOCATED IN THE CITY OF WAVELAND, HANCOCK COUNTY, MISSISSIPPI; TO
6 AUTHORIZE THE DEPARTMENT OF FINANCE AND ADMINISTRATION, ACTING ON
7 BEHALF OF THE MISSISSIPPI DEPARTMENT OF CORRECTIONS, TO CONVEY AND
8 TRANSFER CERTAIN REAL PROPERTY LOCATED IN ALCORN COUNTY,
9 MISSISSIPPI, TO THE GOVERNING AUTHORITIES OF THE CITY OF CORINTH,
10 MISSISSIPPI, AND ALCORN COUNTY, MISSISSIPPI; TO AMEND SECTION 1,
11 CHAPTER 386, LAWS OF 2017, TO CLARIFY THE CONDITIONS OF TRANSFER
12 OF CERTAIN REAL PROPERTY LOCATED AT COLUMBIA TRAINING SCHOOL IN
13 MARION COUNTY, MISSISSIPPI, AS IT RELATES TO RIGHTS TO TIMBER AND
14 MINERALS ON SAID PROPERTY; TO AMEND CHAPTER 480, GENERAL LAWS OF
15 2014, TO AUTHORIZE THE DEPARTMENT OF FINANCE AND ADMINISTRATION TO
16 TRANSFER AND CONVEY CERTAIN REAL PROPERTY LOCATED WITHIN HINDS
17 COUNTY, MISSISSIPPI, TO THE MAYOR AND COUNCIL OF THE CITY OF
18 JACKSON, MISSISSIPPI; AND FOR RELATED PURPOSES.

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

20 **SECTION 1.** (1) The Mississippi Board of Mental Health,
21 acting through the Mississippi Department of Mental Health, is
22 authorized to sell certain state-owned real property and any
23 improvements thereon, which served as the former Waveland group
24 home property located in the City of Waveland, Hancock County,
25 Mississippi, such property being more specifically described as
26 follows:



27 Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15
28 and 16, Block 1, Heritage Subdivision, as per the
29 Official Plat of said subdivision on file in the office
30 of the Chancery Clerk of Hancock County, Mississippi.

31 AND

32 Lots 1, 2, 3, 4, 5, 6, 7 and 8, Block 2, Heritage
33 Subdivision, as per the Official Plat of said
34 subdivision on file in the office of the Chancery Clerk
35 of Hancock County, Mississippi.

36 (2) The real property and any improvements thereon described
37 in subsection (1) of this section shall be sold for not less than
38 the current fair market value as determined by the average of at
39 least two (2) appraisals by qualified appraisers, one (1) of which
40 shall be selected by the Department of Finance and Administration,
41 and both of whom shall be certified and licensed by the
42 Mississippi Real Estate Appraiser Licensing and Certification
43 Board.

44 (3) All monies derived from the sale of the property
45 described in subsection (1) of this section shall be deposited
46 into a special fund created in the State Treasury for the use and
47 benefit of the South Mississippi Regional Center. Unexpended
48 amounts remaining in the special fund at the end of the fiscal
49 year shall not lapse into the State General Fund, and any interest
50 earned on the amounts in the special fund shall be deposited to
51 the credit of the special fund.



52 (4) The Department of Finance and Administration may correct
53 any discrepancies in the legal description provided in this
54 section.

55 (5) The State of Mississippi shall retain all mineral rights
56 to the property sold under this section.

57 **SECTION 2.** (1) The Department of Finance and
58 Administration, acting on behalf of the Mississippi Department of
59 Corrections, is authorized to convey and transfer certain real
60 property to the governing authorities of the City of Corinth,
61 Mississippi, and Alcorn County, Mississippi. The property is
62 located in Alcorn County, Mississippi, and more particularly
63 described as follows:

64 COMMENCING at the Northwest corner of the Northwest
65 Quarter of Section 15, Township 2 South, Range 7 East,
66 Alcorn County, Mississippi, said point being the
67 intersection of Mason/Luke Road and Norman Road; thence
68 run South along said centerline of Norman Road for a
69 distance of 26.30 feet, more or less, to a point; thence
70 run South 89 degrees 44 minutes 00 seconds East for a
71 distance of 20.00 feet, more or less, to a point; thence
72 run South 00 degrees 22 minutes 10 seconds West for a
73 distance of 2,133.63 feet, more or less, to a point on
74 the South Right-of-Way line of Harper Road; thence run
75 along said Right-of-Way line South 89 degrees 12 minutes
76 40 seconds East for a distance of 441.73 feet, more or



77 less, to a point; thence run South for a distance of
78 600.05 feet, more or less, to the POINT OF BEGINNING;
79 thence run South 89 degrees 12 minutes 40 seconds East
80 for a distance of 400.00 feet, more or less, to a point;
81 thence run South 00 degrees 47 minutes 20 seconds West
82 for a distance of 538.66 feet, more or less, to a point;
83 thence run North 89 degrees 12 minutes 40 seconds West
84 for a distance of 400.00 feet, to a point; thence run
85 North 00 degrees 47 minutes 20 seconds East for a
86 distance of 538.66 feet, more or less, to the POINT OF
87 BEGINNING.

88 Also: A 60 feet wide strip of land to be used for
89 an ingress and egress permanent easement, described as
90 follows:

91 COMMENCING at the Northwest corner of the Northwest
92 Quarter of Section 15, Township 2 South, Range 7 East,
93 Alcorn County, Mississippi, said point being the
94 intersection of Mason/St. Luke Road and Norman Road,
95 thence run South along said centerline of Norman Road
96 for a distance of 26.50 feet, more or less, to a point,
97 thence run South 89 degrees 44 minutes 00 seconds East
98 for a distance of 20.00 feet, more or less, to a point,
99 thence run South 00 degrees 22 minutes 10 seconds West
100 for a distance of 2,133.63 feet, more or less, to a
101 point on the South Right-of-Way line of Harper Road;



102 thence run along said Right-of-Way line South 89 degrees
103 12 minutes 40 seconds East for a distance of 441.73
104 feet, more or less, to a point on the said South
105 Right-of-Way line; thence run South for a distance of
106 600.05 feet, more or less, to the POINT OF BEGINNING;
107 thence run South 00 degrees 47 minutes 20 seconds West
108 for a distance of 60.00 feet, more or less, to a point,
109 thence run North 89 degrees 12 minutes 40 seconds West
110 for a distance of 460.29 feet, more or less to a point
111 on the East Right-of-Way line of Norman Road; thence run
112 North 00 degrees 47 minutes 20 seconds East along the
113 said East Right-of-Way line for a distance of 60.00
114 feet, more or less, to a point; thence run South 89
115 degrees 12 minutes 40 seconds East for a distance of
116 460.29 feet, more or less, to the POINT OF BEGINNING.

117 SUBJECT TO: Transmission power line easement to
118 Alcorn County Electric Power Association recorded in the
119 Chancery Clerk's Office of Alcorn County, Mississippi,
120 in Deed Book 63 at page 214, and easement to the City of
121 Corinth, Mississippi, recorded in Deed Book 278, pages
122 659-662.

123 (2) The Department of Finance and Administration may correct
124 any discrepancies in the legal description of the property
125 provided in this section.



126 (3) The State of Mississippi shall retain all mineral rights
127 to the real property conveyed and transferred under this section.

128 **SECTION 3.** Section 1, Chapter 386, Laws of 2017, is amended
129 as follows:

130 Section 1. (1) The Department of Finance and Administration
131 may transfer and convey to the Columbia-Marion County Airport
132 Authority certain real property located at Columbia Training
133 School in Marion County, Mississippi. The real property contains
134 approximately two hundred four (204) acres, more or less, lying
135 North of Highway 44 and is more particularly described as follows:

136 Commencing at the Southwest corner of Section 22,
137 Township 4 North, Range 18 West, Marion County,
138 Mississippi; thence run north along said section line a
139 distance of 3,350 feet, more or less, to the south
140 boundary of a parcel owned by The City of Columbia;
141 thence continue to run along parcel boundary east a
142 distance of 1,320 feet, more or less, thence continue to
143 run along said City of Columbia parcel boundary north a
144 distance of 1,612 feet, more or less, to the Point of
145 Beginning; thence run N 61°40'00" E a distance of 4,470
146 feet, more or less, to the east boundary of Section 15;
147 thence run along said Section line north a distance of
148 2,954 feet, more or less; thence leaving said Section
149 line run S 48°06'08" W a distance of 5,296 feet, more or
150 less, to the east boundary of a parcel owned by The City



151 of Columbia; thence run along said boundary South a
152 distance of 1,539 feet, more or less, back to the Point
153 of Beginning. Said parcel containing 204 acres, more or
154 less, and being located in the South $\frac{1}{2}$ and the NE $\frac{1}{4}$
155 of Section 15, Township 4 North, Range 18 West, Marion
156 County, Mississippi, and the NE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of
157 Section 22, Township 4 North, Range 18 West, Marion
158 County, Mississippi.

159 (2) The Department of Finance and Administration may
160 transfer and convey to the Marion County Economic Development
161 District certain real property located at Columbia Training School
162 in Marion County, Mississippi. The real property contains
163 approximately four hundred six (406) acres, more or less, lying
164 North of Highway 44 and is more particularly described as follows:

165 Beginning at the Southwest corner of Section 22,
166 Township 4 North, Range 18 West, Marion County,
167 Mississippi; thence run north along said section line a
168 distance of 3,350 feet, more or less, to the south
169 boundary of a parcel owned by The City of Columbia;
170 thence run east a distance of 5,280 feet, more or less,
171 to the east boundary of Section 22; thence run south
172 along said section line a distance of 3,350 feet, more
173 or less, to the southeast corner of Section 22; thence
174 run west a distance of 5,280 feet, more or less, back to
175 the Point of Beginning. Said parcel containing 406



176 acres, more or less, and being located in the South 1/2
177 and the South 1/2 of the North 1/2 of Section 22,
178 Township 4 North, Range 18 West, Marion County,
179 Mississippi.

180 (3) The aggregate of parcels described in subsections (1)
181 and (2) of this section consists of six hundred ten (610) acres,
182 more or less, of the Columbia Training School Property, which the
183 entirety of such section whereon the named property is situated
184 consists of one thousand eight hundred twenty-three (1,823) acres,
185 more or less. The property transferred and conveyed under
186 subsections (1) and (2) of this section shall only be used to make
187 improvements to the Marion County Airport and to construct an
188 adjacent industrial park or other aviation-related facility.

189 (4) The State of Mississippi shall retain any mineral rights
190 to the property transferred and conveyed under subsections (1) and
191 (2) of this section. The Department of Finance and Administration
192 shall have the authority to correct any discrepancies in the
193 property descriptions provided in subsections (1) and (2) of this
194 section.

195 (5) (a) The parcels of property conveyed under this section
196 must be conveyed to the Columbia-Marion County Airport Authority
197 and to the Marion County Economic Development District without any
198 assumption of liability or financial responsibility by the State
199 of Mississippi for any known or unknown environmental defects
200 contained thereon. Upon receipt of the deed of title to the



201 property, the respective recipients, in their individual
202 capacities, shall indemnify the State of Mississippi for any
203 damage, injury or loss.

204 (b) The Columbia-Marion County Airport Authority and
205 the Marion County Economic Development District shall provide the
206 Mississippi Department of Human Services six (6) months to harvest
207 and sell any timber located on the property transferred using a
208 company of the department's preference prior to any improvement or
209 development being made on the property by such entities, the
210 revenue generated from which shall be deposited into the State
211 Treasury and earmarked for use by the Department of Human Services
212 for all administrative and program purposes deemed necessary by
213 the executive director. * * * Upon harvesting the timber upon the
214 property within the time specified in this paragraph, the
215 department shall forfeit all future rights to any timber remaining
216 on or regrown on the property, as well as any right of easement
217 for accessing the land.

218 (6) The Columbia-Marion County Airport Authority and the
219 Marion County Economic Development District shall each grant the
220 Department of Human Services an easement of ingress and egress to
221 access the remaining parcels of property retained by the
222 Department of Human Services if reasonable access to such
223 remaining parcels is not otherwise available.

224 **SECTION 4.** Section 1, Chapter 480, General Laws of 2014, is
225 amended as follows:



226 Section 1. (1) The Department of Finance and Administration
227 is authorized to transfer and convey, by the methods specified in
228 this section, certain real property that is located on Capers
229 Avenue in the City of Jackson, Hinds County, Mississippi, and is
230 more particularly described as follows:

231 Starting at the concrete monument that is the SW corner
232 of the SE 1/2 of the SW 1/2 of Section 33, T6N-R1E in
233 the First Judicial District of Hinds County,
234 Mississippi, and being also within the corporate limits
235 of the City of Jackson, run thence due East along the
236 line between Section 33, T6N-R1E and Section 4, T5N-R1E
237 for a distance of 1138.85 feet to a concrete monument of
238 the south right-of-way line of the Illinois Central
239 Railroad, the point of beginning.

240 Run thence S 42 degrees-03° E along said South
241 right-of-way line of the Illinois Central Railroad for a
242 distance of 134.45 feet to a concrete monument of the
243 line between the land being described herein and Battle
244 Hill Subdivision of the City of Jackson; run thence S 31
245 degrees-51° W along said line between the land being
246 described herein and Battle Hill Subdivision of the City
247 of Jackson for a distance of 430.48 feet to a point on
248 the north line of Capers Avenue (Extended) as said
249 avenue is now laid out and dedicated in the City of
250 Jackson, Hinds County, Mississippi; run thence N 54



251 degrees-09° W along said north line of Capers Avenue
252 (Extended) for a distance of 873.53 feet to the P.C. of
253 a curve to the right with a radius (arc) of 536.19 feet;
254 run thence along said curve and said north line of
255 Capers Avenue (Extended) for a distance of 493.56 feet
256 to the P.T. of said curve; run thence due north along
257 the east line of Capers Avenue (Extended) for a distance
258 of 478.86 feet to the P.C. of a curve to the right with
259 a radius (arc) of 321.77 feet; run thence along said
260 curve and said east line of Capers Avenue (Extended) for
261 a distance of 176.59 feet to a point on the south
262 right-of-way line of the Illinois Central Railroad; run
263 thence S 42 degrees-01' 21" E along said South
264 right-of-way line of the Illinois Central Railroad for a
265 distance of 1661.56 feet to the point of beginning. All
266 of the above described land being situated in the SE 1/4
267 of the SW 1/4 of Section 33, T6N-R1E and the NE 1/4 of
268 the NW 1/4 of Section 4, T5N-R1E in the First Judicial
269 District of Hinds County, Mississippi, and being wholly
270 within the corporate limits of the City of Jackson and
271 containing 18.35 acres, more or less.

272 (2) The property described in subsection (1) of this section
273 may be transferred and conveyed by either of the following
274 methods:



275 (a) If sold, the real property and the improvements
276 thereon described in subsection (1) of this section shall be sold
277 for not less than the current fair market value as determined by
278 the average of at least two (2) appraisals by qualified
279 appraisers, one (1) of which shall be selected by the Department
280 of Finance and Administration, and both of whom shall be certified
281 and licensed by the Mississippi Real Estate Appraiser Licensing
282 and Certification Board * * *;

283 (b) If the real property described in subsection (1) of
284 this section is unable to be sold as authorized under paragraph
285 (a) of this subsection (2), the Department of Finance and
286 Administration may conduct a public auction to dispose of such
287 property. Upon a determination by the department that the
288 property cannot be sold by bid at appraised value, the department
289 shall thereafter publish notice of public auction in some
290 newspaper of general circulation in the state for at least three
291 (3) consecutive weeks after which the department can sell the
292 property at public auction to the highest bidder * * *; or

293 (c) If a formal request for the property described in
294 subsection (1) of this section is made by the Mayor and Council of
295 the City of Jackson, Mississippi, before any such sale or auction
296 authorized under paragraphs (a) and (b) of this subsection (2)
297 occurs, the Department of Finance and Administration shall
298 transfer and convey the property described herein upon receipt of
299 a duly adopted resolution by the Mayor and Council of the City of



300 Jackson, Mississippi, and spread upon its minutes, declaring their
301 intention to request possession of the property.

302 (3) The state shall retain all mineral rights in the
303 property described in subsection (1) of this section.

304 (4) The Department of Finance and Administration is vested
305 with the authority to correct any discrepancies in the legal
306 description of the property described in subsection (1) of this
307 section.

308 (5) * * * Any monies derived from the sale or auction of the
309 property described in subsection (1) in accordance with subsection
310 (2)(a) or (b) of this section shall be deposited into * * * the
311 state land acquisition fund.

312 **SECTION 5.** This act shall take effect and be in force from
313 and after July 1, 2018.

