

By: Senator(s) Thompson, Carter

To: Public Property;
Accountability, Efficiency,
Transparency

SENATE BILL NO. 2527

1 AN ACT TO AUTHORIZE THE DEPARTMENT OF FINANCE AND
 2 ADMINISTRATION, ACTING ON BEHALF OF THE BOARD OF TRUSTEES OF STATE
 3 INSTITUTIONS OF HIGHER LEARNING, TO SELL AND CONVEY OR LEASE ALL
 4 OR PORTIONS OF A PARCEL OF CERTAIN STATE-OWNED REAL PROPERTY AND
 5 ANY IMPROVEMENTS THEREON UNDER THE POSSESSION AND CONTROL OF THE
 6 UNIVERSITY OF SOUTHERN MISSISSIPPI, LOCATED IN HARRISON COUNTY,
 7 MISSISSIPPI; TO STIPULATE THE CONDITIONS UNDER WHICH THE PROPERTY
 8 MAY BE SOLD OR LEASED TO PROMOTE THE HIGHEST AND BEST USE FOR THE
 9 UNIVERSITY OF SOUTHERN MISSISSIPPI AND THE STATE; TO PROVIDE THAT
 10 THE STATE SHALL RETAIN ALL MINERAL RIGHTS TO THE REAL PROPERTY
 11 SOLD OR LEASED UNDER THIS ACT; TO AUTHORIZE THE DEPARTMENT OF
 12 FINANCE AND ADMINISTRATION TO CORRECT ANY DISCREPANCIES IN
 13 PROPERTY DESCRIPTIONS; TO PROVIDE THAT THE NET PROCEEDS OF THE
 14 SALE OR LEASE SHALL BE EXPENDED FOR THE BENEFIT OF THE UNIVERSITY
 15 OF SOUTHERN MISSISSIPPI GULF PARK CAMPUS; TO AUTHORIZE THE
 16 DEPARTMENT OF FINANCE AND ADMINISTRATION TO RECOVER ITS COSTS
 17 ASSOCIATED WITH THE TRANSACTION FROM THE PROCEEDS OF THE SALE OR
 18 LEASE OF THE PROPERTY; AND FOR RELATED PURPOSES.

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

20 **SECTION 1.** (1) The Department of Finance and
 21 Administration, in consultation with the Board of Trustees of
 22 State Institutions of Higher Learning, is authorized to sell and
 23 convey or lease all or portions of a parcel of certain state-owned
 24 real property and any improvements thereon under the possession
 25 and control of The University of Southern Mississippi, located in



26 Harrison County, Mississippi, and more particularly described as
27 follows:

28 THE FOLLOWING DESCRIBED LAND SITUATED AND BEING IN SECTION 7,
29 TOWNSHIP 8 SOUTH, RANGE 12 WEST, OF THE FIRST JUDICIAL DISTRICT OF
30 HARRISON COUNTY, MISSISSIPPI, TO WIT:

31 #1 That lot of parcel of land having a beginning point and
32 its Northwest corner at a point on the South bank of Bayou
33 Portage, which point is 1,932 feet West of the East line of
34 Section 7, Township 8 South, of Range 12 West; from said
35 starting point running South, 39 degrees and 40 minutes East
36 674 feet; thence East, 39 degrees and 40 minutes North 200
37 feet; thence North 39 degrees and 40 minutes West 814 feet to
38 the South Bank of Bayou Portage; thence in a Westerly
39 direction along said Bayou Portage to the point of beginning;
40 and being bounded on the North by said Bayou Portage; on the
41 East by land formerly belonging to Geo. R. Smith and Bidwell
42 Adam but now by W.C. Huck; on the South by a public highway;
43 and on the West by land formerly owned by R.H. Hogsett, but
44 now by the Gulf Park College.

45 The said lot of land having a width of 200 feet between
46 parallel lines measured at right angles and being situated in
47 the said Section 7, Township 8 South, Range 12 West, and
48 being a part of the larger tract of land acquired by Geo. R.
49 Smith and Bidwell Adam by deed of conveyance from Martha A.



50 Cope, dated November 5, 1925, and of record in the records of
51 deeds of Harrison County, Mississippi.

52 TOGETHER with all improvements situated thereon and all
53 appurtenances thereunto belonging or in anywise appertaining, and
54 also including all riparian, littoral and aquatic rights thereunto
55 belonging, or in any wise appertaining.

56 #2 and; Beginning at a point on the South bank of Bayou
57 Portage at a point which is 1932 feet West of the East line
58 of Section 7, Township 8 South, Range 12 West; and from said
59 point of beginning running thence South 39 degrees 40 minutes
60 East to a point which is 15 feet North of the South line of
61 said Section 7, Township 8 South, Range 12 West; running
62 thence West along a line which is 15 feet North of and
63 parallel to the South line of said Section 7, a distance of
64 1777 feet, more or less, to the South margin of a roadway
65 which extends in an Easterly direction to intersect with the
66 Pass Christian - Red Creek Highway; running thence in a
67 Northerly direction a distance of 1016 feet, more or less,
68 along the West line of the land sold by Adams and Smith to
69 Mrs. Harry S. Norwood, by deed dated April 3, 1935, recorded
70 in the Deed Book 205, at pages 84-85, to the South bank of
71 Bayou Portage, running thence Easterly along the South margin
72 of Bayou Portage and following the meanderings thereof to the
73 point of beginning.



74 (2) (a) If sold, the real property described in subsection
75 (1) of this section and any improvements thereon shall be sold for
76 not less than the current fair market value as determined by the
77 averaging of at least two (2) appraisals by qualified appraisers,
78 one (1) of whom shall be selected by the Department of Finance
79 and Administration, and both of whom shall be certified and
80 licensed by the Mississippi Real Estate Appraiser Licensing and
81 Certification Board.

82 (b) If the real property described in subsection (1) of
83 this section is leased, The University of Southern Mississippi,
84 with the approval of the Board of Trustees of State Institutions
85 of Higher Learning, is authorized to negotiate all aspects of any
86 lease and any terms and ancillary agreements pertaining to any
87 lease as may be reasonably necessary to effectuate the intent and
88 purposes of this section and to ensure a fair and equitable return
89 to the state. Any lease approved and entered into on the
90 University's behalf shall not exceed a term of forty (40) years
91 and shall not be cancelled by successor boards based on the
92 binding successor doctrine.

93 (3) The State of Mississippi shall retain all mineral rights
94 to the real property sold or leased under this section.

95 (4) The Department of Finance and Administration is
96 authorized to correct any discrepancies in the legal description
97 of the property provided in this section.



98 (5) The Department of Finance and Administration may recover
99 its costs associated with the transaction authorized by
100 this section from the proceeds of the sale or lease of the real
101 property described in subsection (1) of this section, and the net
102 proceeds of the sale or lease shall be deposited into a special
103 fund in the State Treasury and shall be expended only for the
104 benefit of The University of Southern Mississippi Gulf Park
105 Campus.

106 **SECTION 2.** This act shall take effect and be in force from
107 and after July 1, 2022.

