

By: Representative Weathersby

To: Universities and Colleges

HOUSE BILL NO. 536

1 AN ACT TO AMEND SECTION 1 AND SECTION 2, CHAPTER 493, LAWS OF
 2 2016, TO AUTHORIZE THE BOARD OF TRUSTEES OF STATE INSTITUTIONS OF
 3 HIGHER LEARNING, ACTING ON BEHALF OF MISSISSIPPI STATE UNIVERSITY
 4 OF AGRICULTURE AND APPLIED SCIENCES, TO EXTEND THE ORIGINAL LEASE
 5 TERMS FOR THE DEVELOPMENT OF HOUSING AND RETAIL SPACE FOR THE
 6 BENEFIT OF THE UNIVERSITY, BY GRANTING A SECOND OPTION TO RENEW
 7 FOR AN ADDITIONAL TEN YEARS AND ONE ADDITIONAL OPTION FOR A
 8 RENEWAL PERIOD NOT TO EXCEED FIVE YEARS, INCREASING THE ORIGINAL
 9 LEASE TERMS FROM A TOTAL OF 50 YEARS TO A NEW LEASE TERM TOTALING
 10 65 YEARS; AND FOR RELATED PURPOSES.

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

12 **SECTION 1.** Section 1, Chapter 493, Laws of 2016, is amended
 13 as follows:

14 Section 1. (1) The Board of Trustees of State Institutions
 15 of Higher Learning, acting on behalf of Mississippi State
 16 University of Agriculture and Applied Sciences, is authorized to
 17 enter into a long-term lease of all or any portion of certain real
 18 property under its control and possession. The property described
 19 in this section shall be leased for a period not to exceed a term
 20 of forty (40) years * * * with two (2) additional options
 21 for * * * renewal periods not to exceed ten (10) years and one (1)
 22 additional option for a renewal period not to exceed five (5)



23 years, for the purposes of developing housing and/or retail space
24 for the benefit of the university. The property to be leased
25 being more particularly described as follows:

26 Commencing at a 1" by 1" steel tube labeled MSU property
27 line station 28A located at the northwest corner of Lot
28 36 Block 28 run North 85 degrees 22 minutes 00 seconds
29 East for 8.86 feet to a concrete right-of-way marker
30 located on the southern right-of-way of Mississippi
31 Highway 182; thence North 82 degrees 56 minutes 00
32 seconds East along said Highway 182 right-of-way for
33 452.38 feet to a found ½" rebar; thence North 87 degrees
34 15 minutes 05 seconds East along said Highway 182
35 right-of-way for 247.36 feet to a 12 inch Hackberry
36 tree; thence continue along said right-of-way which
37 curves to the right with a radius of 428.19 feet for an
38 arc length of 652.15 feet (chord bearing and distance:
39 South 50 degrees 42 minutes 20 seconds East for 590.94
40 feet) to a concrete right-of-way marker; thence North 82
41 degrees 54 minutes 20 seconds East along the western
42 right-of-way of Mississippi Highway 12 for 13.08 feet to
43 a ½" rebar; thence South 07 degrees 05 minutes 55
44 seconds East along said Highway 12 right-of-way for
45 275.06 feet to a ½" rebar; thence South 06 degrees 01
46 minutes 15 seconds West along said Highway 12
47 right-of-way for 208.22 feet to a concrete right-of-way



48 marker; thence deflect to the left and run along said
49 Highway 12 right-of-way which curves to the right with a
50 radius of 2704.63 feet for an arc length of 246.52 feet
51 (chord bearing and distance: South 04 degrees 32
52 minutes 00 seconds East for 246.44 feet) to a ½" rebar;
53 thence deflect to the right and run along the western
54 right-of-way of Mississippi Highway 12 which curves to
55 the right with a radius of 2704.63 feet for an arc
56 length of 502.39 feet (chord bearing and distance:
57 South 03 degrees 23 minutes 55 seconds West for 501.66
58 feet); thence North 60 degrees 57 minutes 05 seconds
59 West along the northern right-of-way of College View
60 Street for 466.89 feet to a concrete right-of-way
61 marker; thence South 31 degrees 28 minutes 40 seconds
62 West for 40.87 feet to a ½" rebar; thence North 57
63 degrees 57 minutes 45 seconds West along the northern
64 side of College View Street for 40.04 feet to a ½"
65 rebar; thence North 57 degrees 57 minutes 45 seconds
66 West along the northern side of College View Street for
67 129.83 feet to a ½" rebar; thence continue along the
68 northern side of College View Street which curves to the
69 left with a radius of 2898.21 feet for an arc length of
70 592.66 feet (chord bearing and distance: North 63
71 degrees 49 minutes 15 seconds West for 591.63 feet) to a
72 ½" rebar; thence North 69 degrees 43 minutes 35 seconds



73 West along the Northern side of College View Street for
74 76.55 feet to a ½" rebar; thence North 00 degrees 02
75 minutes 50 seconds West for 961.38 feet to the Point of
76 Beginning.

77 This parcel is situated partially in the Southwest
78 Quarter of the Southeast Quarter, Section 35, Township
79 19 North, Range 14 East and partially in the Northwest
80 Quarter of the Northeast Quarter, Section 2, Township 18
81 North, Range 14 East all in the City of Starkville,
82 Oktibbeha County, Mississippi, and contains 34.293
83 acres. Said legal description prepared from a survey
84 plat by King Engineering, Inc., for MSU Physical Plant
85 dated August 28, 2007, and MDOT right-of-way maps.

86 (2) The lease and any amendments to the lease of all or any
87 portion of the real property authorized for lease under subsection
88 (1) of this section shall be subject to the approval of the Board
89 of Trustees of State Institutions of Higher Learning. The approved
90 lease and any amendments to the lease shall not be cancelled by
91 successor boards based on the binding successor doctrine.

92 **SECTION 2.** Section 2, Chapter 493, Laws of 2016, is amended
93 as follows:

94 Section 2. (1) The Board of Trustees of State Institutions
95 of Higher Learning, acting on behalf of Mississippi State
96 University of Agriculture and Applied Sciences, is authorized to
97 enter into a long-term sublease of all or any portion of the real



98 property described in Section 1 of this act which is under its
99 control and possession for a period not to exceed a term of forty
100 (40) years * * * with two (2) additional options for * * * renewal
101 periods not to exceed ten (10) years and one (1) additional option
102 for a renewal period not to exceed five (5) years.

103 (2) The sublease and any amendments to the sublease of all
104 or any portion of the real property described in Section 1 of this
105 act shall be subject to the approval of the Board of Trustees of
106 State Institutions of Higher Learning. The approved sublease and
107 any amendments to the sublease shall not be cancelled by successor
108 boards based on the binding successor doctrine.

109 **SECTION 3.** This act shall take effect and be in force from
110 and after July 1, 2023.

