

By: Senator(s) Williams

To: Universities and
Colleges

SENATE BILL NO. 2590

1 AN ACT TO AMEND CHAPTER 493, LAWS OF 2016, TO INCREASE THE
2 LENGTH OF TIME MISSISSIPPI STATE UNIVERSITY IS AUTHORIZED TO LEASE
3 CERTAIN LAND FOR PUBLIC-PRIVATE PARTNERSHIP STUDENT HOUSING; AND
4 FOR RELATED PURPOSES.

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

6 **SECTION 1.** Chapter 493, Laws of 2016, is amended to read as
7 follows:

8 Section 1. (1) The Board of Trustees of State Institutions
9 of Higher Learning, acting on behalf of Mississippi State
10 University of Agriculture and Applied Sciences, is authorized to
11 enter into a long-term lease of all or any portion of certain real
12 property under its control and possession. The property described
13 in this section shall be leased for a period not to exceed a term
14 of forty (40) years * * * with two (2) additional options
15 for * * * renewal periods not to exceed ten (10) years and one (1)
16 additional option for a renewal period not to exceed five (5)
17 years, for the purposes of developing housing and/or retail space
18 for the benefit of the university. The property to be leased
19 being more particularly described as follows:



20 Commencing at a 1" by 1" steel tube labeled MSU property
21 line station 28A located at the northwest corner of Lot
22 36 Block 28 run North 85 degrees 22 minutes 00 seconds
23 East for 8.86 feet to a concrete right-of-way marker
24 located on the southern right-of-way of Mississippi
25 Highway 182; thence North 82 degrees 56 minutes 00
26 seconds East along said Highway 182 right-of-way for
27 452.38 feet to a found ½" rebar; thence North 87 degrees
28 15 minutes 05 seconds East along said Highway 182
29 right-of-way for 247.36 feet to a 12 inch Hackberry
30 tree; thence continue along said right-of-way which
31 curves to the right with a radius of 428.19 feet for an
32 arc length of 652.15 feet (chord bearing and distance:
33 South 50 degrees 42 minutes 20 seconds East for 590.94
34 feet) to a concrete right-of-way marker; thence North 82
35 degrees 54 minutes 20 seconds East along the western
36 right-of-way of Mississippi Highway 12 for 13.08 feet to
37 a ½" rebar; thence South 07 degrees 05 minutes 55
38 seconds East along said Highway 12 right-of-way for
39 275.06 feet to a ½" rebar; thence South 06 degrees 01
40 minutes 15 seconds West along said Highway 12
41 right-of-way for 208.22 feet to a concrete right-of-way
42 marker; thence deflect to the left and run along said
43 Highway 12 right-of-way which curves to the right with a
44 radius of 2704.63 feet for an arc length of 246.52 feet



45 (chord bearing and distance: South 04 degrees 32
46 minutes 00 seconds East for 246.44 feet) to a ½" rebar;
47 thence deflect to the right and run along the western
48 right-of-way of Mississippi Highway 12 which curves to
49 the right with a radius of 2704.63 feet for an arc
50 length of 502.39 feet (chord bearing and distance:
51 South 03 degrees 23 minutes 55 seconds West for 501.66
52 feet); thence North 60 degrees 57 minutes 05 seconds
53 West along the northern right-of-way of College View
54 Street for 466.89 feet to a concrete right-of-way
55 marker; thence South 31 degrees 28 minutes 40 seconds
56 West for 40.87 feet to a ½" rebar; thence North 57
57 degrees 57 minutes 45 seconds West along the northern
58 side of College View Street for 40.04 feet to a ½"
59 rebar; thence North 57 degrees 57 minutes 45 seconds
60 West along the northern side of College View Street for
61 129.83 feet to a ½" rebar; thence continue along the
62 northern side of College View Street which curves to the
63 left with a radius of 2898.21 feet for an arc length of
64 592.66 feet (chord bearing and distance: North 63
65 degrees 49 minutes 15 seconds West for 591.63 feet) to a
66 ½" rebar; thence North 69 degrees 43 minutes 35 seconds
67 West along the Northern side of College View Street for
68 76.55 feet to a ½" rebar; thence North 00 degrees 02



69 minutes 50 seconds West for 961.38 feet to the Point of
70 Beginning.

71 This parcel is situated partially in the Southwest
72 Quarter of the Southeast Quarter, Section 35, Township
73 19 North, Range 14 East and partially in the Northwest
74 Quarter of the Northeast Quarter, Section 2, Township 18
75 North, Range 14 East all in the City of Starkville,
76 Oktibbeha County, Mississippi, and contains 34.293
77 acres. Said legal description prepared from a survey
78 plat by King Engineering, Inc., for MSU Physical Plant
79 dated August 28, 2007, and MDOT right-of-way maps.

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

87 Section 2. (1) The Board of Trustees of State Institutions
88 of Higher Learning, acting on behalf of Mississippi State
89 University of Agriculture and Applied Sciences, is authorized to
90 enter into a long-term sublease of all or any portion of the real
91 property described in Section 1 of this act which is under its
92 control and possession for a period not to exceed a term of forty
93 (40) years * * * with two (2) additional options for * * * renewal



94 periods not to exceed ten (10) years and one (1) additional option
95 for a renewal period not to exceed five (5) years.

96 (2) The sublease and any amendments to the sublease of all
97 or any portion of the real property described in Section 1 of this
98 act shall be subject to the approval of the Board of Trustees of
99 State Institutions of Higher Learning. The approved sublease and
100 any amendments to the sublease shall not be cancelled by successor
101 boards based on the binding successor doctrine.

102 Section 3. If all or any portion of the property described
103 in Section 1 of this act is leased, Mississippi State University
104 of Agriculture and Applied Sciences, with the approval of the
105 Board of Trustees of State Institutions of Higher Learning, is
106 authorized to negotiate all aspects of any lease or sublease and
107 any terms and ancillary agreements pertaining to any lease or
108 sublease as may be reasonably necessary to effectuate the intent
109 and purposes of this section and to ensure a fair and equitable
110 return to the state.

111 Section 4. (1) All proceeds derived or received from the
112 agreements and leases entered into under this section shall be
113 deposited into a special fund and expended only for the use and
114 benefit of Mississippi State University.

115 (2) At the end of the lease term provided in this act, the
116 property leased under the authority provided herein shall revert
117 to Mississippi State University.



118 (3) The State of Mississippi shall retain all mineral rights
119 to the real property leased under Section 1 of this act.

120 (4) The Department of Finance and Administration is
121 authorized to correct any discrepancies in the property described
122 in Section 1 of this act.

123 **SECTION 2.** This act shall take effect and be in force from
124 and after July 1, 2023.

