

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.

