

By: Representative Burch

To: Transportation

HOUSE BILL NO. 1123
(As Sent to Governor)

1 AN ACT TO AUTHORIZE THE MISSISSIPPI TRANSPORTATION
2 COMMISSION, ACTING ON BEHALF OF THE MISSISSIPPI DEPARTMENT OF
3 TRANSPORTATION, TO TRANSFER AND CONVEY TO THE BOARD OF SUPERVISORS
4 OF GREENE COUNTY, MISSISSIPPI, A CERTAIN PARCEL OF LAND SITUATED
5 IN GREENE COUNTY, MISSISSIPPI, WHICH IS ADJACENT TO THE OLD
6 HIGHWAY 63 CHICKASAWHAY RIVER BRIDGE; TO AUTHORIZE THE MISSISSIPPI
7 TRANSPORTATION COMMISSION, ACTING ON BEHALF OF THE MISSISSIPPI
8 DEPARTMENT OF TRANSPORTATION, TO SELL TO THE CITY OF MARKS,
9 MISSISSIPPI, FOR FAIR MARKET VALUE, ITS INTEREST IN A CERTAIN
10 PARCEL OF LAND SITUATED IN MARKS, MISSISSIPPI, WHICH IS THE
11 SOUTHWEST QUADRANT OF THE INTERSECTION OF STATE HIGHWAYS 3 AND 6;
12 AND FOR RELATED PURPOSES.

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

14 **SECTION 1.** (1) The Mississippi Transportation Commission,
15 acting on behalf of the Mississippi Department of Transportation,
16 is authorized to transfer and convey to the Board of Supervisors
17 of Greene County, a certain parcel of land situated in Greene
18 County, where the Chickasawhay River Bridge was once located, for
19 the purpose of declaring the tract of land surplus property and
20 restoring it to the local tax rolls, as it is better suited for
21 private ownership. The property is more particularly described as
22 follows:



23 That portion of Old Highway 63 in Section 12, Township 2
24 North, Range 6 West more particularly described as being
25 200 feet in total width (100 feet left of centerline and
26 100 feet right of centerline) beginning at station
27 number 60+30 depicted in the plans of MDOT Project
28 BR-1132-(3)A. Said parcel being 2,130 feet in total
29 length and consisting of approximately 9.78 acres.

30 (2) (a) Of the property described in subsection (1) of this
31 section, it is hereby understood and agreed by the Board of
32 Supervisors of Greene County, as the grantee herein named, that
33 all existing utilities located on, under or above the property
34 herein described, shall remain at the discretion of the utility
35 owners, and that the grantee, its assigns or successor boards in
36 the title will not require the relocation of these utilities
37 except by agreement with the utility owner.

38 (b) This conveyance is subject to the provisions that
39 no junkyards, as defined in 23 USCS Section 136, shall be
40 hereafter established or maintained on or above-described lands,
41 and no signs, billboards, outdoor advertising structures or
42 advertisement of any kind, as provided for in 23 USCS Section 131,
43 shall be hereafter erected, displayed, placed or maintained upon
44 or within the above-described land, except that signs may be
45 erected and maintained to advertise the sale, hire or lease of the
46 property, or principal activities conducted on the land upon which
47 the signs are located.



48 (3) The State of Mississippi shall retain all mineral rights
49 to the real property transferred under this section.

50 (4) The Mississippi Department of Transportation is
51 authorized to correct any discrepancies in the legal description
52 of the property provided in this section.

53 **SECTION 2.** (1) The State Transportation Commission, acting
54 on behalf of the Mississippi Department of Transportation is
55 authorized to sell, in exchange for fair market value, to the City
56 of Marks, Mississippi, its interest in certain real property and
57 any improvements thereon located in Marks, Mississippi, known as
58 the "Marks Community Park," and being more particularly described
59 as follows:

60 The Southwest Quadrant of the intersection of State Highways
61 Numbers 3 and 6, in the City of Marks, Mississippi, Quitman
62 County.

63 (2) (a) Of the property described in subsection (1) of this
64 section, it is hereby understood and agreed by the City of Marks,
65 Mississippi, as the grantee herein named, that all existing
66 utilities located on, under or above the property herein
67 described, shall remain at the discretion of the utility owners,
68 and that the grantee, its assigns or successors in the title will
69 not require the relocation of these utilities except by agreement
70 with the utility owner.

71 (b) This conveyance is subject to the provisions that
72 no junkyards, as defined in 23 USCS Section 136, shall be



73 hereafter established or maintained on the above-described lands,
74 and no signs, billboards, outdoor advertising structures or
75 advertisement of any kind, as provided for in 23 USCS Section 131,
76 shall be hereafter erected, displayed, placed or maintained upon
77 or within the above-described land, except that signs may be
78 erected and maintained to advertise the sale, hire or lease of the
79 property, or principal activities conducted on the land upon which
80 the signs are located.

81 (3) The State of Mississippi shall retain all mineral rights
82 to the real property transferred under this section.

83 (4) The Mississippi Department of Transportation is
84 authorized to correct any discrepancies in the legal description
85 of the property provided in this section.

86 (5) Any expenses incurred in conducting a survey of the
87 property shall be paid for by the City of Marks, Mississippi.

88 **SECTION 3.** This act shall take effect and be in force from
89 and after its passage.

