

By: Representative Bennett

To: Public Property

HOUSE BILL NO. 1436
(As Passed the House)

1 AN ACT TO AUTHORIZE THE STATE HIGHWAY COMMISSION, ACTING ON
2 BEHALF OF THE MISSISSIPPI DEPARTMENT OF TRANSPORTATION, TO
3 TRANSFER AND CONVEY TO THE CITY OF GULFPORT, MISSISSIPPI, CERTAIN
4 PARCELS OF LAND SITUATED IN GULFPORT, MISSISSIPPI, AT THE
5 INTERSECTIONS OF 13TH STREET AND 28TH AVENUE AND 15TH STREET AND
6 28TH AVENUE; TO AMEND SECTION 1, LAWS OF 2024, TO CORRECT THE
7 METHOD BY WHICH THE MISSISSIPPI TRANSPORTATION COMMISSION, ACTING
8 ON BEHALF OF THE MISSISSIPPI DEPARTMENT OF TRANSPORTATION, IS
9 AUTHORIZED TO CONVEY A CERTAIN PARCEL OF LAND SITUATED IN GREENE
10 COUNTY, MISSISSIPPI, WHICH IS ADJACENT TO THE OLD HIGHWAY 63
11 CHICKASAWHAY RIVER BRIDGE, TO THE BOARD OF SUPERVISORS OF GREENE
12 COUNTY, MISSISSIPPI, BY MEANS OF DONATION; AND FOR RELATED
13 PURPOSES.

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

15 **SECTION 1.** (1) The State Highway Commission, acting on
16 behalf of the Mississippi Department of Transportation, is
17 authorized to transfer to the City of Gulfport, Mississippi,
18 certain real property and any improvements thereon located in
19 Gulfport, Mississippi, and being more particularly described as
20 follows:

21 (a) The Northwest Quadrant of the intersection of 13th
22 Street and 28th Avenue in the City of Gulfport, Harrison



County, Mississippi, including Lots 15 through 19 in Block 176 of Original Gulfport; and

(b) The Southwest Quadrant of the intersection of 15th Street and 28th Avenue in the City of Gulfport, Harrison County, Mississippi, including Lots 1 through 6 in Block 176 of Original Gulfport.

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

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

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

SECTION 2. Section 1, Chapter 472, Laws of 2024, is amended as follows:

Section 1. (1) The Mississippi Transportation Commission, acting on behalf of the Mississippi Department of Transportation, is authorized to * * * donate to the Board of Supervisors of Greene County, a certain parcel of land situated in Greene County,



where the Chickasawhay River Bridge was once located, for the purpose of declaring the tract of land surplus property and restoring it to the local tax rolls, as it is better suited for private ownership. The property is more particularly described as follows:

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

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

(b) This conveyance by donation is subject to the provisions that no junkyards, as defined in 23 USCS Section 136, shall be hereafter established or maintained on or above-described lands, and no signs, billboards, outdoor advertising structures or advertisement of any kind, as provided for in 23 USCS Section 131,



73 shall be hereafter erected, displayed, placed or maintained upon
74 or within the above-described land, except that signs may be
75 erected and maintained to advertise the sale, hire or lease of the
76 property, or principal activities conducted on the land upon which
77 the signs are located.

78 (3) The State of Mississippi shall retain all mineral rights
79 to the real property transferred by means of donation under this
80 section.

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

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

