

By: Representative Bennett

To: Public Property

HOUSE BILL NO. 1436  
(As Sent to Governor)

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, CHAPTER 472, LAWS OF 2024, TO  
7 CORRECT THE METHOD BY WHICH THE MISSISSIPPI TRANSPORTATION  
8 COMMISSION, ACTING ON BEHALF OF THE MISSISSIPPI DEPARTMENT OF  
9 TRANSPORTATION, IS AUTHORIZED TO CONVEY A CERTAIN PARCEL OF LAND  
10 SITUATED IN GREENE COUNTY, MISSISSIPPI, WHICH IS ADJACENT TO THE  
11 OLD HIGHWAY 63 CHICKASAWHAY RIVER BRIDGE, TO THE BOARD OF  
12 SUPERVISORS OF GREENE COUNTY, MISSISSIPPI; 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.

(5) In the event that the City of Gulfport determines to offer either parcel for sale, the Mississippi Department of Transportation shall have the right of first refusal.

**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 \* \* \* either public use by the county or transference to a private property owner in exchange for a similarly situated piece of property of equal or greater value. 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.



71           (b) This conveyance by donation is subject to the  
72 provisions that no junkyards, as defined in 23 USCS Section 136,  
73 shall be hereafter established or maintained on or within the  
74 above-described lands, and no signs, billboards, outdoor  
75 advertising structures or advertisement of any kind, as provided  
76 for in 23 USCS Section 131, shall be hereafter erected, displayed,  
77 placed or maintained \* \* \* on or within the above-described land,  
78 except that signs may be erected and maintained to advertise the  
79 sale, hire or lease of the property, or principal activities  
80 conducted on the land upon which the signs are located.

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

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

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

