

By: Harvey

To: Forestry; Public  
PropertySENATE BILL NO. 2291  
(As Sent to Governor)

1 AN ACT TO AUTHORIZE THE FORESTRY COMMISSION, ACTING THROUGH  
2 THE DEPARTMENT OF FINANCE AND ADMINISTRATION, TO SELL AND CONVEY  
3 CERTAIN STATE-OWNED REAL PROPERTY LOCATED IN GEORGE COUNTY,  
4 MISSISSIPPI, TO THE OFFEROR OF THE HIGHEST AND BEST PRICE; TO  
5 AUTHORIZE THE GOVERNING AUTHORITIES OF THE CITY OF BROOKHAVEN,  
6 MISSISSIPPI, AND THE DEPARTMENT OF FINANCE AND ADMINISTRATION,  
7 ACTING ON BEHALF OF THE MISSISSIPPI DEPARTMENT OF PUBLIC SAFETY,  
8 TO EXCHANGE REAL PROPERTY LOCATED IN LINCOLN COUNTY, MISSISSIPPI;  
9 TO AUTHORIZE THE DEPARTMENT OF FINANCE AND ADMINISTRATION, ACTING  
10 ON BEHALF OF THE DEPARTMENT OF WILDLIFE, FISHERIES AND PARKS, TO  
11 SELL AND CONVEY CERTAIN STATE-OWNED REAL PROPERTY LOCATED IN  
12 OKTIBBEHA COUNTY, MISSISSIPPI; TO AUTHORIZE THE DEPARTMENT OF  
13 FINANCE AND ADMINISTRATION, ACTING ON BEHALF OF THE MISSISSIPPI  
14 FORESTRY COMMISSION, TO CONVEY CERTAIN REAL PROPERTY LOCATED IN  
15 THE CITY OF BATESVILLE, MISSISSIPPI, TO THE GOVERNING AUTHORITIES  
16 OF THE CITY OF BATESVILLE; TO AUTHORIZE THE GOVERNING AUTHORITIES  
17 OF THE CITY OF BATESVILLE, MISSISSIPPI, TO CONVEY CERTAIN REAL  
18 PROPERTY LOCATED IN THE CITY OF BATESVILLE TO THE DEPARTMENT OF  
19 FINANCE AND ADMINISTRATION, FOR THE USE AND BENEFIT OF THE  
20 MISSISSIPPI FORESTRY COMMISSION; TO AUTHORIZE THE GOVERNING  
21 AUTHORITIES OF THE TOWN OF OAKLAND, MISSISSIPPI, TO SELL, LEASE,  
22 TRADE, EXCHANGE OR OTHERWISE DISPOSE OF CERTAIN REAL PROPERTY  
23 LOCATED IN YALOBUSHA COUNTY, MISSISSIPPI; TO AUTHORIZE THE  
24 DEPARTMENT OF FINANCE AND ADMINISTRATION ACTING ON BEHALF OF THE  
25 DEPARTMENT OF HUMAN SERVICES TO SELL CERTAIN REAL PROPERTY TO THE  
26 MARION COUNTY DEVELOPMENT DISTRICT; TO AUTHORIZE THE PAT HARRISON  
27 WATERWAY DISTRICT TO SELL CERTAIN REAL PROPERTY TO THE QUITMAN  
28 CONSOLIDATED SCHOOL DISTRICT; TO AUTHORIZE THE DEPARTMENT OF  
29 FINANCE AND ADMINISTRATION TO SELL CERTAIN REAL PROPERTY TO THE  
30 GOVERNING AUTHORITIES OF THE CITY OF BATESVILLE; AND FOR RELATED  
31 PURPOSES.

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

33 SECTION 1. The Mississippi Forestry Commission, acting  
34 through the Department of Finance and Administration, upon meeting  
35 the requirements of Section 29-1-1, may sell and convey ten (10)  
36 acres of state-owned real property situated in George County,  
37 Mississippi, being more particularly described as follows:  
38 Section 3, Township 2 South, Range 7 West, S 1/2 of NE 1/4 of SE  
39 1/4 of NE 1/4 and S 1/2 of NW 1/4 of SE 1/4 of NE 1/4.

40 SECTION 2. The State of Mississippi shall convey all mineral

41 rights to the real property purchased pursuant to Section 1 of  
42 this act.

43 SECTION 3. The proceeds from the sale and conveyance of the  
44 real property described in Section 1 of this act shall be used by  
45 the Forestry Commission to escalate its budget in the Other Than  
46 Equipment category for the purchase of real estate to be used by  
47 the commission in the performance of its powers and duties.

48 SECTION 4. (1) (a) In consideration for the conveyance of  
49 property authorized in subsection (2) of this section, the  
50 governing authorities of the City of Brookhaven, Mississippi, may  
51 convey to the Department of Finance and Administration, for the  
52 use and benefit of the Mississippi Department of Public Safety,  
53 all right, title and interest in certain real property and any  
54 improvements thereon located in Lincoln County, Mississippi,  
55 described more particularly as follows:

56 A parcel of land containing 4.82 acres more or less  
57 situated in the N 1/2 of the SE 1/4 and the S 1/2 of the  
58 NE 1/4 of Section 26, Township 7 North; Range 7 East,  
59 Lincoln county, Mississippi, and being more particularly  
60 described as follows:

61 Commencing at the SE corner of said Section 26, run  
62 thence West 1597.88 feet, run thence North 1835.71 feet  
63 to the SE corner of easement described in Deed Book 967  
64 Page 126, run thence along the east boundary of said  
65 easement N00-14-28W 141.73 feet to the POINT OF  
66 BEGINNING.

67 1. Thence run along the east boundary of said easement  
68 N00-14-28W 721.71 feet to the south right-of-way of U.S.  
69 Highway 84 (By-Pass).

70 2. Thence run along said right-of-way S87-30-40E 308.44  
71 feet to the NW Corner of State of Mississippi property  
72 described in Deed Book 1002 Pages 460 and 619.

73 3. Thence run along the west line of said property

74 S02-29-53W.

75 4. Thence run N87-30-40W 273.95 feet to the POINT OF  
76 BEGINNING.

77 SUBJECT TO mineral conveyances and reservations, rights  
78 of way, utility easements and building restrictions, if  
79 any, of record and applicable zoning ordinances.

80 SUBJECT TO the reservation of an easement fifteen foot  
81 (15') in width running along the western boundary of the  
82 aforesaid property, as well as, an easement being a one  
83 hundred (100) foot square situated in the Southwestern  
84 corner of said property.

85 If the State of Mississippi does not construct a Mississippi  
86 Highway Safety Patrol office building on the property described in  
87 this subsection (1) or, if after constructing such a building on  
88 the property, discontinues the use of the property for such  
89 purposes, fee simple title to such property shall revert to the  
90 governing authorities of the City of Brookhaven, Mississippi.

91 (b) The conveyance authorized in this subsection (1)  
92 may be subject to additional terms and conditions agreed upon by  
93 the governing authorities of the City of Brookhaven, Mississippi,  
94 and the Department of Finance and Administration.

95 (2) (a) In consideration for the conveyance of property  
96 authorized in subsection (1) of this section, the Department of  
97 Finance and Administration, acting on behalf of the Mississippi  
98 Department of Public Safety, upon completion of the new  
99 Mississippi Highway Safety Patrol Station on the U.S. Highway 84  
100 Bypass in Lincoln County, Mississippi, may convey to the governing  
101 authorities of the City of Brookhaven, Mississippi, all right,  
102 title and interest in certain real property and any improvements  
103 thereon located in Lincoln County, Mississippi, which currently  
104 comprises Troop M, District 9, Mississippi Highway Safety  
105 Facilities in Brookhaven and described more particularly as  
106 follows:

107 A parcel of land containing one acre, more or less,  
108 located in the Northeast Quarter of Southwest Quarter  
109 (NE 1/4 of SW 1/4) of Section 13, Township 7 North,  
110 Range 7 East, Lincoln County, Mississippi, being more  
111 particularly described as follows: Commencing at the  
112 southeast corner of said NE 1/4 of SW 1/4, run thence  
113 West 162.5 feet to the center line of the existing  
114 paving on U.S. Highway 51 at its Station 106 + 77.5; run  
115 thence northerly along said center line 696.0 feet on a  
116 one degree curve to the left to its station 113 + 73.46,  
117 run thence on a tangent bearing north 13 degrees 12  
118 minutes 24 seconds west 422.5 feet to its P.C. at  
119 Station 117 + 95.93 (the P.C. of a one degree curve to  
120 the right), run thence South 76 degrees 47-1/2 minutes  
121 west 126.0 feet to a 6 inch by 6 inch concrete  
122 Mississippi State Highway Department marker located on  
123 its western right-of-way boundary, said concrete marker  
124 being the point of beginning, run thence, South 76  
125 degrees 47-1/2 minutes west 218.0 feet, run thence South  
126 13 degrees 12-1/2 minutes east 200.0 feet, run thence  
127 North 76 degrees 47-1/2 minutes east 218.0 feet, run  
128 thence North 13 degrees 12-1/2 minutes west 200.0 feet  
129 to the point of beginning; a plat of said land as  
130 surveyed by H.E. Foster, Civil Engineer, being attached  
131 hereto, marked Exhibit "A" and hereby made a part hereof  
132 by reference; LESS AND EXCEPT the undivided one-half  
133 interest in and to all of the oil, gas and other  
134 minerals in, on, under and/or that may be produced from  
135 the said land and property reserved unto the City of  
136 Brookhaven under the terms of that certain deed from  
137 said City executed in favor of Dr. Frank C. Massengill  
138 dated December 16, 1953, and recorded in Book 341 at  
139 page 34 of the land records of said county and state;

140 and also LESS AND EXCEPT an undivided one-half interest  
141 in and to all of the oil, gas and other minerals in, on,  
142 under and/or that may be produced from the said land and  
143 property which is hereby reserved unto the said  
144 grantors, Dr. Frank C. Massengill, William Kent Bowen  
145 and George A. Dickerson.

146 (b) The State of Mississippi shall retain all mineral  
147 rights to the real property conveyed under this subsection (2).

148 (c) The conveyance authorized in this subsection (2)  
149 may be subject to additional terms and conditions agreed upon by  
150 the Department of Finance and Administration and the governing  
151 authorities of the City of Brookhaven, Mississippi.

152 SECTION 5. (1) The Department of Finance and  
153 Administration, acting on behalf of the Department of Wildlife,  
154 Fisheries and Parks, upon meeting the requirements of Section  
155 29-1-1, and upon meeting requirements in subsection (2), may sell  
156 and convey to Saint Paul Missionary Baptist Church certain  
157 state-owned real property located in Oktibbeha County,  
158 Mississippi, and being more particularly described as follows:

159 Part of the Northwest Corner of the Southwest Quarter  
160 and Part of the Southwest Corner of the Northwest  
161 Quarter located in Section 8, Township 19N, Range 14E  
162 for a total of 14.23 acres less and except 4 acres which  
163 is already owned by Saint Paul Missionary Baptist  
164 Church.

165 (2) The Department of Finance and Administration may sell  
166 the property only upon approval by the Commission on Wildlife,  
167 Fisheries and Parks and upon receiving from the federal government  
168 a written release or exception to the restrictive covenants in the  
169 deed recorded in Book 764, pages 476-479, in the Office of the  
170 Chancery Clerk of Oktibbeha County. The sale and conveyance  
171 authorized in this section may be made on such terms and  
172 conditions agreed upon by the Department of Finance and

173 Administration and Saint Paul Missionary Baptist Church, to be in  
174 the best interests of both parties.

175 (3) Any funds received by the State of Mississippi for the  
176 sale and conveyance of the real property described in subsection  
177 (1) of this section shall be deposited into the State General  
178 Fund.

179 (4) The State of Mississippi shall retain all mineral rights  
180 to the real property sold and conveyed pursuant to this section.

181 SECTION 6. (1) (a) In consideration for the conveyance  
182 authorized in subsection (2) of this section, the governing  
183 authorities of the City of Batesville, Mississippi, may convey to  
184 the Department of Finance and Administration, for the use and  
185 benefit of the Mississippi Forestry Commission, all right, title  
186 and interest in certain real property and any improvements thereon  
187 located in the City of Batesville, Panola County, Mississippi. As  
188 an alternative to conveying the property described in this  
189 subsection (1) as consideration for the conveyance authorized in  
190 subsection (2) of this section, the governing authorities of the  
191 City of Batesville, Mississippi, may provide any other form of  
192 consideration agreed upon by such governing authorities and the  
193 Department of Finance and Administration for conveyance of  
194 property described in subsection (2) of this section.

195 (b) The conveyance authorized in this subsection (1)  
196 may be subject to additional terms and conditions agreed upon by  
197 the governing authorities of the City of Batesville, Mississippi,  
198 and the Department of Finance and Administration.

199 (2) (a) In consideration for the conveyance of property  
200 authorized in subsection (1) of this section or other  
201 consideration agreed upon by the Department of Finance and  
202 Administration and the governing authorities of the City of  
203 Batesville, Mississippi, the Department of Finance and  
204 Administration, acting on behalf of the Mississippi Forestry  
205 Commission, shall convey to the governing authorities of the City

206 of Batesville, Mississippi, all right, title and interest in  
207 certain real property and any improvements thereon located in  
208 Panola County, Mississippi, described more particularly as  
209 follows:

210         The parcel being located at MFC Fire Tower,  
211         Highway 6, East, Batesville, Panola County,  
212         Mississippi.

213             (b) The State of Mississippi shall retain all mineral  
214 rights to the real property conveyed under this subsection (2).

215             (c) The conveyance authorized in this subsection (2)  
216 may be subject to additional terms and conditions agreed upon by  
217 the Department of Finance and Administration and the governing  
218 authorities of the City of Batesville, Mississippi.

219         SECTION 7. (1) The governing authorities of the Town of  
220 Oakland, Mississippi, in their discretion, may sell, lease, trade,  
221 exchange or otherwise convey all or any portion of certain real  
222 property and any improvements thereon located in Yalobusha County,  
223 Mississippi, to any individual, firm, public corporation, private  
224 corporation, or any other entity, such property being more  
225 particularly described as follows:

226             E 1/2 of SE 1/4 of SW 1/4 of Section 6, Township 25  
227             North, Range 4 East, Yalobusha County, Mississippi;  
228             and NW 1/4 of SW 1/4, Section 6, Township 25 North,  
229             Range 4 East, 1st Judicial District, Yalobusha  
230             County, Mississippi.

231             (2) The conveyance authorized in subsection (1) of this  
232 section may be made for all types of industrial, economic, and  
233 commercial uses upon such terms and conditions, for such  
234 consideration, and with such safeguards as the governing  
235 authorities of the Town of Oakland determine will best promote and  
236 protect the public interest, convenience and necessity.

237         SECTION 8. (1) The Department of Finance and  
238 Administration, acting on behalf of the Department of Human

239 Services, upon meeting the requirements of Section 29-1-1,  
240 Mississippi Code of 1972, may sell and convey to the Marion County  
241 Economic Development District certain real property and any  
242 improvements thereon located in Marion County, Mississippi, the  
243 property being more particularly described as follows:

244       The S1/2 of the SE1/4; and the SE1/4 of the SW1/4, all  
245       in Section 21, Township 4 North, Range 18 West, Marion  
246       County, Mississippi.

247       (2) The sale and conveyance authorized in this section may  
248 be made on such terms and conditions agreed upon by the Department  
249 of Finance and Administration and the Board of Trustees of the  
250 Marion County Economic Development District, to be in the best  
251 interests of both parties.

252       (3) Any funds received by the State of Mississippi for the  
253 sale and conveyance of the real property described in subsection  
254 (1) of this section shall be deposited into a special fund in the  
255 State Treasury to be used by the Mississippi Department of Human  
256 Services for the benefit of the Columbia Training School in Marion  
257 County, Mississippi.

258       (4) Any funds received from the sale or any other  
259 disposition of timber located on the property described in  
260 subsection (1) of this section shall be deposited into a special  
261 fund in the State Treasury to be used by the Mississippi  
262 Department of Human Services for instructional purposes at the  
263 Columbia Training School in Marion County, Mississippi.

264       (5) The State of Mississippi shall retain all mineral rights  
265 to the real property sold and conveyed pursuant to this section.

266       SECTION 9. (1) The Board of Directors of the Pat Harrison  
267 Waterway District may sell and convey to the Quitman Consolidated  
268 School District certain real property and any improvements thereon  
269 located in Clarke County, Mississippi, and being more particularly  
270 described as follows:

271       Commence at the NW corner of Section 12, T2N, R15E, and



272 run south 1,463.61' to the property line fence of the  
273 Pat Harrison Waterway District property, then run N. 89  
274 degrees 27' 01"E along said fence for 494.37', then run  
275 N. 88 degrees 32' 37"E. along said fence for 21.87" to  
276 the point-of-beginning of the property herein described.  
277 From said point-of-beginning, run N. 88 degrees 32' 37"  
278 E. along said fence for 873.34' to a line situated  
279 westerly of and one (1) foot distant from the 219.0 high  
280 level flood elevation of the Archusa reservoir; then run  
281 S. 16 degrees 02' 43" W. along said line for 24.80';  
282 then run S. 34 degrees 38' 53" W. along said line for  
283 23.28'; then run S. 9 degrees 47' 45" W. along said line  
284 for 4.18' to a line situated north and west of and  
285 sixty-six (66) feet distant from the 217.00 normal  
286 summer pool elevation of the Archusa reservoir; then run  
287 S. 89 degrees 54' 45" W. along the last mentioned line  
288 for 6.50'; then run S. 27 degrees 32' 24" W. along said  
289 line for 159.92'; then run S. 41 degrees 29' 42" W.  
290 along said line for 91.39'; then run S. 53 degrees 14'  
291 55" W. along said line for 185.31' to a line situated  
292 north and west of and one (1) foot distant from the  
293 219.00 high level flood elevation of the Archusa  
294 reservoir; then run S. 57 degrees 03' 23" W. along the  
295 last mentioned line for 34.80'; then run S. 81 degrees  
296 02' 02" W. along said line for 72.89'; then run N. 76  
297 degrees 18' 33" W. along said line for 77.85'; then run  
298 N. 65 degrees 09' 45" W. along said line for 100.68';  
299 run N. 78 degrees 46' 59" W. along said line for  
300 119.26'; then run N. 58 degrees 43'46" W. along said  
301 line for 78.21'; then run N. 42 degrees 53' 52" along  
302 said line for 19.70' to a line situated east of and  
303 sixty-six (66) feet distant from the 217.00 normal  
304 summer pool elevation of the Archusa reservoir; then run

305 N. 10 degrees 50' 04" W. along the last mentioned line  
306 for 51.76'; then run N. 12 degrees 21' 23" W. along said  
307 line for 104.39'; then run N. 37 degrees 38' 32" W.  
308 along said line for 106.83 to the point-of-beginning,  
309 containing 5.35 acres in the NW 1/4 of Section 12, T2N,  
310 R15E, Clarke County, Mississippi.

311 (2) The real property described in subsection (1) of this  
312 section shall be sold for not less than the current fair market  
313 value as determined by the averaging of at least two (2)  
314 appraisals by professional appraisers who are licensed by the  
315 Mississippi Real Estate Appraiser Licensing and Certification  
316 Board.

317 (3) The Pat Harrison Waterway District shall retain all  
318 mineral rights to the property conveyed under this section.

319 SECTION 10. (1) The Department of Finance and  
320 Administration, upon meeting the requirements of Section 29-1-1,  
321 Mississippi Code of 1972, may sell and convey to the governing  
322 authorities of the City of Batesville, Mississippi, certain real  
323 property and any improvements thereon located in Panola County,  
324 Mississippi, the property being more particularly described as  
325 follows:

326 A parcel in the Northwest Quarter of Section 14,  
327 Township 9 South, Range 7 West, Panola County,  
328 Mississippi, containing approximately 11 acres and  
329 having dimensions of approximately 440 feet on the  
330 Northern and Southern boundary lines and approximately  
331 1,100 feet on the Eastern and Western boundary lines and  
332 being bound on the North by the City of Batesville  
333 Frontage Road, being bound on the East and the South by  
334 real property owned by the City of Batesville,  
335 Mississippi, and being bound on the West by the West  
336 line of the aforesaid Section 14, together with all  
337 appurtenances thereunto belonging and including but not

338 limited to the easements for the purposes of  
339 constructing and maintaining guy wires and support  
340 cables for a radio transmission tower and for related  
341 purposes, said easement being located on property more  
342 particularly described as follows:

343 From the common corner of Sections 10,11,14, and 15, Township  
344 9 South, Range 7 West, run thence South 190.7 feet; thence  
345 run East a distance of 424.25 feet; thence South a distance  
346 of 609.8 feet to the point of beginning of the land herein  
347 described; thence run East a distance of 50 feet; thence  
348 South a distance of 50 feet; thence West a distance of 50  
349 feet; thence North a distance of 50 feet to the point of  
350 beginning, containing 0.057 acres, more or less, and being  
351 situated in the Northwest Quarter of Section 14, Township 9  
352 South, Range 7 West, Panola County, Mississippi.

353 **AND**

354 From the common corner of Sections 10, 11, 14, and 15,  
355 Township 9 South, Range 7 West, run thence South for a  
356 distance of 631.5 feet to the point of beginning of Parcel  
357 No. 1 as described. From said point of beginning run thence  
358 South for a distance of 50 feet; run thence West for a  
359 distance of 50 feet; run thence North for a distance of 50  
360 feet; run thence East for a distance of 50 feet to the point  
361 of beginning, containing .057 acres, more or less, and being  
362 situated in the Northwest Quarter of Section 15, Township 9  
363 South, Range 7 West, Panola County, Mississippi.

364 (2) The sale and conveyance authorized in this section may  
365 be made on such terms and conditions agreed upon by the Department  
366 of Finance and Administration and the governing authorities of the  
367 City of Batesville, Mississippi.

368 (3) The radio transmission tower located on the property  
369 described in subsection (1) of this section may remain on such  
370 property until July 1, 2005. Any agency or department of the

371 State of Mississippi using such tower on the effective date of  
372 this act may continue to use such tower and have access to the  
373 tower under such terms and conditions agreed upon by the  
374 Department of Finance and Administration and the governing  
375 authorities of the City of Batesville, Mississippi.

376 (4) Any funds received by the State of Mississippi for the  
377 sale and conveyance of the real property described in subsection  
378 (1) of this section shall be deposited into the State General  
379 Fund.

380 (5) The State of Mississippi shall retain all mineral rights  
381 to the real property sold and conveyed pursuant to this section.

382 SECTION 11. This act shall take effect and be in force from  
383 and after its passage.