

3/29/15

2:29 P.M.

Chapter No. 419
15/HR40/R1816SG

RSI

HOUSE BILL NO. 787

Originated in House



Clerk

HOUSE BILL NO. 787

AN ACT TO AUTHORIZE THE EXECUTIVE DIRECTOR OF THE MISSISSIPPI DEPARTMENT OF TRANSPORTATION, ON BEHALF OF THE MISSISSIPPI TRANSPORTATION COMMISSION, AND THE SECRETARY OF STATE TO TRANSFER AND CONVEY CERTAIN EXCESS REAL PROPERTY LOCATED WITHIN NATCHEZ, ADAMS COUNTY, MISSISSIPPI, TO THE MAYOR AND THE BOARD OF ALDERMEN OF THE CITY OF NATCHEZ, MISSISSIPPI; AND FOR RELATED PURPOSES.

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

SECTION 1. (1) The Executive Director of the Mississippi Department of Transportation, on behalf of the Mississippi Transportation Commission, may transfer and convey by mode of donation to the Mayor and the Board of Aldermen of the City of Natchez, Mississippi, certain excess real property located within Natchez, Adams County, Mississippi. The property is more particularly described as follows:

PARCEL ONE: (21.40 acres)

Commencing at a one inch rebar making the comer common to Sections 17, 18, 56 and 71, Township 7 North, Range 2 West, City of Natchez, Adams County, Mississippi; Run thence South 14 degrees 39 minutes 26 seconds East, for a distance of

1,851.11 feet to the POINT OF BEGINNING, said point being the most Northwesterly corner of grantors property and N- T-P-3X Monument No.17 as shown on the right-of-way acquisition map for Federal Project No. (NH-0009-01 (113) 102942/201000);

From said POINT OF BEGINNING run North 31 degrees 26 minutes 02 seconds East along the present right-of-way of Natchez Trace Parkway a distance of 353.55 feet to the centerline of St. Catherine Creek;

Thence run on and along the centerline of said creek the following bearings and distances;

Thence run South 32 degrees 09 minutes 59 seconds East for a distance of 130.41 feet;

Thence run South 43 degrees 14 minutes 20 seconds East for a distance of 182.29 feet;

Thence run South 81 degrees 42 minutes 21 seconds East for a distance of 298.59 feet;

Thence run South 77 degrees 58 minutes 45 seconds East for a distance of 141.52 feet;

Thence run South 66 degrees 03 minutes 40 seconds East for a distance of 280.95 feet;

Thence run South 77 degrees 23 minutes 32 seconds East for a distance of 306.72 feet;

Thence run North 87 degrees 16 minutes 26 seconds East for a distance of 157.69 feet;

Thence run South 42 degrees 04 minutes 54 seconds East for a distance of 165.29 feet;

Thence run South 08 degrees 29 minutes 19 seconds West for a distance of 180.20 feet;

Thence run South 12 degrees 50 minutes 46 seconds West for a distance of 130.91 feet;

Thence run South 42 degrees 06 minutes 20 seconds West for a distance of 162.51 feet;

Thence run South 55 degrees 22 minutes 47 seconds West for a distance of 55.10 feet;

Thence run South 67 degrees 02 minutes 59 seconds West for a distance of 119.82 feet;

Thence run South 89 degrees 53 minutes 27 seconds West for a distance of 138.98 feet;

Thence run North 78 degrees 09 minutes 44 seconds West for a distance of 94.41 feet;

Thence run South 75 degrees 17 minutes 30 seconds West for a distance of 168.36 feet;

Thence run South 54 degrees 52 minutes 35 seconds West for a distance of 91.86 feet to the southwestern boundary line of grantors property and the present right-of-way of Natchez Trace Parkway;

Thence run North 43 degrees 33 minutes 14 seconds West along said southwestern boundary line of grantors property and the

present right-of-way of Natchez Trace Parkway for a distance of 1,229.63 feet to the POINT OF BEGINNING;

The above-described parcel of land contains 21.40 acres, more or less and is situated in Section 72, Township 7 North, Range 2 West, City of Natchez, Adams County, Mississippi.

(2) The Secretary of State may transfer and convey by mode of donation to the Mayor and the Board of Aldermen of the City of Natchez, Mississippi, certain excess real property located within Natchez, Adams County, Mississippi. The property is more particularly described as follows:

PARCEL TWO: (37.09 acres) Tract 101-04B1

Commencing at an iron stake set at the common corners of Sections 19 & 32 Township 7 North, Range 3 West and Sections 72 & 73 Township 7 North, Range 2 West, City of Natchez, Adams County, Mississippi; run thence South 00 degrees 29 minutes 11 seconds West for a distance of 1637.71 feet to an iron stake set on the boundary of the Natchez Trace Parkway and designated as monument number 3X-6 for a POINT OF BEGINNING; run thence North 44 degrees 27 minutes 49 seconds West along said boundary of the Natchez Trace Parkway for a distance of 941.64 feet to an iron stake set on the boundary of the Natchez Trace Parkway and designated as monument number 3X-5 and being on the East right-of-way of U.S. Hwy 61 (Sergeant Prentiss Drive); run thence along said right-of-way North 35 degrees 24 minutes 09 seconds East for a distance of

178.16 feet to a iron stake set; leaving said right-of-way run thence South 51 degrees 05 minutes 19 seconds East for a distance of 200.62 feet to an iron stake set; run thence North 32 degrees 14 minutes 18 seconds East for a distance of 579.46 feet to an iron stake set; run thence North 25 degrees 46 minutes 48 seconds East for a distance of 260.46 feet to an iron stake set; run thence North 85 degrees 23 minutes 25 seconds East for a distance of 152.64 feet to an iron stake set; run thence South 74 degrees 17 minutes 41 seconds East for a distance of 141.24 feet to an iron stake set; run thence South 81 degrees 52 minutes 05 seconds East for a distance of 116.23 feet to an iron stake set; run thence South 48 degrees 07 minutes 21 seconds East for a distance of 227.06 feet to an iron stake set; run thence South 00 degrees 13 minutes 46 seconds West for a distance of 218.41 feet to an iron stake set; run thence South 71 degrees 41 minutes 36 seconds East for a distance of 286.22 feet to an iron stake set; run thence South 10 degrees 25 minutes 18 seconds West for a distance of 389.32 feet to an iron stake set; run thence South 01 degrees 20 minutes 03 seconds West for a distance of 562.61 feet to an iron stake set as a offset point, continue South 01 degrees 20 minutes 03 seconds West for a distance of 280.34 feet to a point in an eroded area; run thence South 78 degrees 09 minutes 09 seconds West for a distance of 47.44 to an iron stake set as a offset point,

continue South 78 degrees 09 minutes 09 seconds West for a distance of 349.93 feet to an iron stake set on the boundary of the Natchez Trace Parkway and designated as monument number 3X-7; run thence along said boundary of the Natchez Trace Parkway North 44 degrees 27 minutes 49 seconds West for a distance of 551.45 feet to the POINT OF BEGINNING.

All lying and being in Section 32, Township 7 North, Range 3 West, and Section 73, Township 7 North, Range 2 West, City of Natchez, Adams County, Mississippi, and containing 37.09 acres.

Subject to a highway right-of-way easement as follows:

Commencing at the above mentioned Natchez Trace Parkway boundary monument designated 3X-5 for a POINT OF BEGINNING; run thence North 35 degrees 24 minutes 09 seconds East for a distance of 44.71 feet to a point; run thence South 21 degrees 41 minutes 58 seconds East for a distance of 90.51 feet to a point; run thence South 44 degrees 27 minutes 00 seconds East for a distance of 160.00 feet to a point; run thence South 35 degrees 55 minutes 31 seconds East for a distance of 60.33 feet to a point; run thence North 44 degrees 27 minutes 49 seconds West for a distance of 295.25 feet to the POINT OF BEGINNING.

All lying and being in Section 32, Township 7 North, Range 3 West, City of Natchez, Adams County, Mississippi, and containing 0.09 of an acre.

The deed of conveyance to the land that is described as Parcel Two, is commonly known as the "bean field property" and bears NPS Tract Number NATR 101-04B1, shall reserve an easement unto the United States restricting the use of the parcel to only those uses which are compatible with the Natchez Trace Parkway.

PARCEL THREE: (29.90 acres) Tract 101-04A1

A tract of land lying and being in Sections 19 and 32, Township 7 North, Range 3 West, Adams County, Mississippi, being more particularly described as follows:

Commencing at an iron stake set at the common corners of Sections 19 & 32, Township 7 North, Range 3 West and Sections 72 & 73, Township 7 North, Range 2 West, Adams County, Mississippi,

Thence, S 00° 29' 11" W 1,637.71 feet to an iron stake set on the boundary of the Natchez Trace Parkway and designated as monument number 3X-6;

Thence, along said boundary of the Natchez Trace Parkway N 44° 27' 49" W 941.64 feet to an iron stake set on the boundary of the Natchez Trace Parkway and designated as monument number 3X-5 and being on the East right-of-way of U.S. Hwy 61 (Sergeant Prentiss Drive);

Thence, along said right-of-way N 35° 24' 09" E 52.12 feet to a point;

Thence, crossing U.S. Hwy 61 (Sergeant Prentiss Drive), N 54° 35' 50" W 200.00 feet to an iron stake set on the boundary of the Natchez Trace Parkway and designated as monument number 3X-3 and being on the West right-of-way of U.S. Hwy 61 (Sergeant Prentiss Drive) the TRUE POINT OF BEGINNING;

Thence, along said boundary of the Natchez Trace Parkway:
N 54° 35' 50" W 176.00 feet to a found iron pipe, designated as monument 3X-2, N 52° 54' 50" W 474.85 feet to a found iron pipe, designated as monument 3X-1, N 17° 42' 10" E 620.00 feet to a point, designated as monument 3X-35, N 23° 52' 41" E 16.45 feet to a point, designated as monument 3X-34, N 26° 38' 10" E 354.36 feet to a point, designated as monument 3X-33, N 46° 20' 10" E 168.50 feet to a point, designated as monument 3X-32B, N 73° 45' 40" E 214.15 feet to a point, designated as monument 3X-32A, N 08° 52' 20" W 120.07 feet to a point, designated as monument 3X-32, N 09° 47' 50" W 301.74 feet to a point, designated as monument 3X-31, and N 73° 23' 10" E 144.70 feet to a point;

Thence, leaving the boundary of the Natchez Trace Parkway and with the West right-of-way of U.S. Hwy 61 (Sergeant Prentiss Drive): S 16° 38' 49" E 20.00 feet, to the P.C. of a curve;
Thence, along a curve to the right having a radius of 349.61 feet, (chord bearing and distance of S 51° 56' 43" E 570.71 feet) for an arc length of 667.63 feet to the P.T. of said curve;

Thence, continuing with said right-of-way: S 10° 59' 10" W 519.54 feet, S 12° 41' 10" W 93.21 feet, S 16° 09' 10" W 95.48 feet, S 19° 31' 11" W 29.11 feet to the P.C. of a curve;

Thence, along a curve to the right having a radius of 1,522.73 feet, (chord bearing and distance of S 27° 06' 28" W 446.74 feet) for an arc length of 448.36 feet to the P.T of said curve;

Thence, S 35° 24' 10" W 558.95 feet to the POINT OF BEGINNING.

Containing 29.90 acres, more or less.

Being a portion of the land conveyed to the United States of America by the State of Mississippi by Warranty Deed dated October 18, 1973, and recorded in Book 12 U, Page 139 of the Deed Records of Adams County, Mississippi.

Parcels Two and Three as described in this subsection being all and the same property conveyed to the State of Mississippi by the United States of America by Deed dated August 4, 2014, and recorded in Book 26 F, at Page 215, in the Deed Records of Adams County, Mississippi and by Correction Deed executed on January 16, 2015 and recorded in Book 26 J, at Page 135, in the Deed Records of Adams County, Mississippi.

(3) Parcels One and Two as described in subsections (1) and (2) of this section shall be subject to an easement restricting

the use of those parcels to public recreational or educational purposes or such similar public uses, and which such uses shall be compatible with the Natchez Trace Parkway.

(4) Parcel Three as described in subsection (2) of this section shall be offered for sale by the Mayor and the Board of Aldermen of the City of Natchez pursuant to the provisions of Section 21-17-1. Proceeds of the sale, after payment of reasonable and necessary expenses incident hereto, shall be placed in a special fund of the municipality and shall be used as follows:

(a) Thirty-three and one-third percent (33-1/3%) for the Historic Natchez Riverfront;

(b) Thirty-three and one-third percent (33-1/3%) for infrastructure and other costs as contributions to capital projects within Adams County, Mississippi, of the United States of America, Department of the Interior, National Park Service; and

(c) Thirty-three and one-third percent (33-1/3%) for infrastructure and other costs as contributions to capital projects within Adams County, Mississippi, of the Mississippi Department of Archives and History.

(5) The State of Mississippi shall retain all mineral rights in the property transferred and conveyed by mode of donation under subsections (1) and (2) of this section.

(6) At no time after the transfer of the parcels of property described in this section to the City of Natchez shall the

property be used as the main operating site or peripheral extension thereof of any casino gaming establishment of any type regardless of the individual or the entity desiring to conduct such operation, whether regulated by the Mississippi Gaming Commission or in compliance with the Indian Gaming Regulatory Act. Any such agreement or attempted agreement entered into by the City of Natchez to sell any property described in this section to any individual or entity for the purpose of establishing a casino gaming establishment shall be void ab initio and shall serve as prima facie evidence and just cause of the property reverting back to the State of Mississippi.

SECTION 2. This act shall take effect and be in force from and after its passage.

PASSED BY THE HOUSE OF REPRESENTATIVES
February 5, 2015



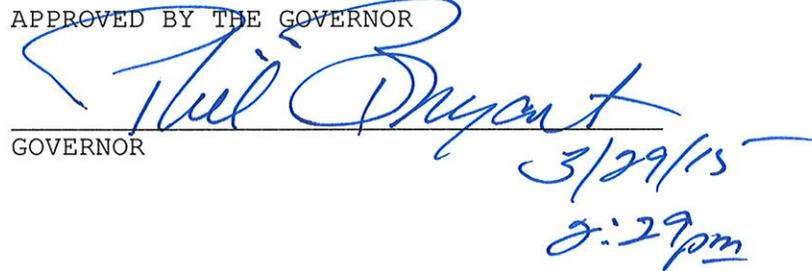
SPEAKER OF THE HOUSE OF REPRESENTATIVES

PASSED BY THE SENATE
March 11, 2015



PRESIDENT OF THE SENATE

APPROVED BY THE GOVERNOR



GOVERNOR