

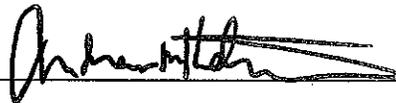
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11:23 A.M.

Chapter No. 943  
16/HR31/R2246CS.1  
EW 1GV

# ***HOUSE BILL NO. 1767***

Originated in House



Clerk

HOUSE BILL NO. 1767

AN ACT TO AUTHORIZE THE GOVERNING AUTHORITIES OF THE CITY OF GULFPORT AND THE GULFPORT REDEVELOPMENT COMMISSION TO LEASE CERTAIN PROPERTIES OWNED, OR TO BE ACQUIRED, BY THE GULFPORT REDEVELOPMENT COMMISSION OR THE CITY OF GULFPORT FOR TERMS VARYING IN LENGTH BUT NOT TO EXCEED 60 YEARS FOR ECONOMIC AND COMMERCIAL DEVELOPMENT PURPOSES; TO PROVIDE THAT BEFORE ANY ACTION BY THE GULFPORT REDEVELOPMENT COMMISSION UNDER THIS ACT SHALL BE FINAL AND TAKE EFFECT, SUCH ACTION SHALL BE SUBJECT TO FINAL APPROVAL BY THE GOVERNING AUTHORITIES OF THE CITY OF GULFPORT, MISSISSIPPI; AND FOR RELATED PURPOSES.

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

**SECTION 1.** As used in this act:

(a) "Commission" means the Gulfport Redevelopment Commission, an urban renewal agency created by the City of Gulfport, Mississippi, in accordance with Section 43-35-33.

(b) "Governing authorities" means the City of Gulfport or the board of commissioners of the commission appointed in accordance with Section 43-35-33 whichever is the owner of underlying real property.

(c) "City" means the City of Gulfport, Mississippi.

**SECTION 2.** Subject to the provisions of Section 6 of this act, the governing authorities are authorized and empowered, in their discretion and subject to the conditions and requirements set out in this act, to lease for economic and commercial development purposes all or a part of the following described properties now owned, or to be acquired, by the governing authorities, together with all or a part of the land, any appurtenances benefitting the land, and any gaps, gores, accretions, and littoral or riparian rights associated with the properties, together with additional parcels acquired by the governing authorities, which the governing authorities finds are necessary or desirable to enable development or improve the development potential of the properties described in this act, to one or more developers for various durations up to but not exceeding sixty (60) years, such authority being necessary and appropriate to maximize the economic and commercial benefits from such properties to the city, for such consideration determined to be adequate by, and upon such terms and conditions prescribed by, the governing authorities:

**PARCEL ONE**

A parcel of land in the Southeast Quarter of the Northwest Quarter of Section 34, Township 7 South, Range 11 West of the St. Stephens Meridian, more particularly described as follows:

Beginning at a point in the south line of said Southeast Quarter of the Northwest Quarter of Section 34, a distance of 60 feet easterly from the southwest corner thereof; thence easterly along said south line 720.12 feet; thence northerly forming an interior angle of 90 degrees 08 minutes with the last described course 1208.6 feet, more or less, to a point 75 feet perpendicularly distant southerly from the north line of said Southeast Quarter of the Northwest Quarter; thence westerly parallel with and 75 feet southerly from said north line 720.12 feet to a point 60 feet perpendicularly distant easterly from the west line of said Southeast Quarter of the Northwest Quarter; thence southerly parallel with and 60 feet easterly from said west line 1209.8 feet, more or less, to the point of beginning.

**PARCEL TWO**

PARCEL TWO-A

A parcel of land situated and being located in Fractional Section 9, Township 8 South, Range 11 West, City of Gulfport, First Judicial District of Harrison County, Mississippi, and being more particularly described as follows, to-wit:

Commencing at the Northeast corner of Section 9, Township 8 South, Range 11 West; thence run South 00 degrees 00 minutes 16 seconds West 1630.65 feet; thence

run North 89 degrees 59 minutes 44 seconds West 2327.04 feet to a point; said point having Grid Coordinates of North 314620.877 and East 902230.348 of the Mississippi State Plane Coordinate System, East Zone, NAD '83; thence run South 32 degrees 59 minutes 10 seconds East 236.30 feet; thence continue South 32 degrees 59 minutes 10 seconds East 309.06 feet to the Point of Beginning of the parcel herein described; thence continue from said Point of Beginning, South 32 degrees 59 minutes 10 seconds East 154.89 feet to a point on the easterly margin of 27th Avenue; thence run South 52 degrees 18 minutes 07 seconds East 151.16 feet along the easterly margin of 27th Avenue; thence run South 32 degrees 59 minutes 10 seconds East 50.17 feet along the easterly margin of 27th Avenue to the Northwest corner of property of L & V Enterprises, Inc. "Marine Life" (Deed Book 902, Pages 620-629); thence run North 68 degrees 52 minutes 57 seconds East 247.94 feet along the north line of L & V Enterprises, Inc. to the westerly line of property of the U.S. Coast Guard (Deed Book 992, Page 278); thence run North 21 degrees 07 minutes 09 seconds West 329.94 feet along the west line of the U.S. Coast Guard to the Northwest corner of the U.S. Coast Guard; thence run South 68 degrees 53 minutes 27 seconds West 368.37 feet to the Point of Beginning.

PARCEL TWO-B

A parcel of land situated and being located in Fractional Section 9, Township 8 South, Range 11 West, City of Gulfport, First Judicial District of Harrison County, Mississippi, and being more particularly described as follows, to-wit:

Commencing at the Northeast corner of Section 9, Township 8 South, Range 11 West; thence run South 00 degrees 00 minutes 16 seconds West 1630.65 feet; thence run North 89 degrees 59 minutes 44 seconds West 2327.04 feet to a point, said point having Grid Coordinates of North 314620.877 and East 902230.348 of the Mississippi State Plane Coordinate System, East Zone, NAD '83; thence run South 32 degrees 59 minutes 10 seconds East 236.30 feet to the Point of Beginning of the parcel herein described; thence continue from said Point of Beginning, South 32 degrees 59 minutes 10 seconds East 309.06 feet; thence run North 68 degrees 53 minutes 27 seconds East 368.37 feet to the Northwest corner of property of the U.S. Coast Guard (Deed Book 992, Page 278); thence continue North 68 degrees 53 minutes 27 seconds East 42.37 feet along the north line of the U.S. Coast Guard to a line that is 20 feet westerly at right angles to the west boundary of the Jones Covenant Tract; thence run North 67 degrees 03 minutes 45 seconds West

424.15 feet and parallel with and 20 feet westerly at right angles of the west line of the Jones Covenant Tract; thence run South 71 degrees 26 minutes 44 seconds West 169.65 feet to the Point of Beginning.

**PARCEL THREE**

The East 74 feet of Lots 1 through 6, the North 4 feet of the East 74 feet of Lot 7, Block One Hundred Eighty-Four (184), Original Gulfport, Gulfport, Harrison County, First Judicial District Mississippi, as per the official map or plat thereof on file and of record in the Office of the Chancery Clerk of the First Judicial District of Harrison County, Mississippi, in Plat Book 11 at Page 9 (copy Book 4A at Page 358), reference to which is hereby made in aid and as part of this description.

Being the same property conveyed from Ben E. Sheely dated February 14, 1994, and recorded in Deed Book 1264 at Page 575.

**PARCEL FOUR**

PARCEL FOUR - NORTH

That certain parcel of land and property, situated and being partially in Section One, Township 8 South, Range 11 West in the City of Gulfport, First Judicial District of Harrison County, Mississippi, and being a part or portion of the property conveyed to the City of

Gulfport, Mississippi by Corrected Quitclaim Deed dated February 26, 2009, recorded on March 5, 2009, as Instrument # 2009-1549D-J1 in the Land Deed Records in the Office of the Chancery Clerk in the First Judicial District of Harrison County, Mississippi, and also being a part or portion of the property conveyed to the City of Gulfport, Mississippi, by Supplemental Corrected Quitclaim Deed dated April 1, 2010, and filed on April 8, 2010, in the land Deed Records in the Office of the Chancery Clerk in the First Judicial District of Harrison County, Mississippi, and further conveyed to Gulfport Redevelopment Commission by Quitclaim Deed dated April 9, 2010, recorded April 9, 2010, as Instrument # 2010-2283D-J1 in the Land Deed Records in the Office of the Chancery Clerk in the First Judicial District of Harrison County, Mississippi, and in particularly identified and described, as follows, to-wit:

Commence at a "found" one inch iron bar, being used as the corner of Sections 35 and 36, Township 7 South, Range 11 West, and Sections 1 and 2 Township 8 South, Range 11 West, Harrison County, Mississippi, First Judicial District. More particularly described as follows:

From the point of commencement run  $00^{\circ} 32' 44''$  E 921.79 feet along the west property line of property, now or formerly to the Veterans Administration for the point of beginning. From the point of beginning, thence run S  $00^{\circ} 32' 44''$  E 469.49 feet along the property, now or formerly to the Veterans Administration to a found half inch iron rod at the north margin of Railroad Street; thence run N  $73^{\circ} 38' 10''$  E 924.37 feet along the north margin of Rail Road Street to a one inch iron rod found; thence run N  $00^{\circ} 06' 26''$  W 472.09 feet to a point on the east line of property now or formerly to the Veterans Administration; thence run S  $73^{\circ} 32' 38''$  W 928.55 feet to the point of beginning.

PARCEL FOUR - SOUTH

That certain parcel of land and property, situated and being in the City of Gulfport, First Judicial District of Harrison County, Mississippi, and being a part or portion of the property conveyed to the City of Gulfport, Mississippi, by Quitclaim Deed dated February 26, 2009, recorded on March 5, 2009, as Instrument # 2009-1548D-J1 in the Land Deed Records in the Office of the Chancery Clerk in the First Judicial District of Harrison County, Mississippi, and also being a part or portion of the property conveyed to the City of Gulfport, Mississippi, by Supplemental Quitclaim Deed

dated April 1, 2010, and filed on April 8, 2010, in the Land Deed Records in the Office of the Chancery Clerk in the First Judicial District of Harrison County, Mississippi, and further conveyed to Gulfport Redevelopment Commission by Quitclaim Deed dated April 9, 2010, recorded April 9, 2010, as Instrument # 2010-2284D-J1 in the Land Deed Records in the Office of the Chancery Clerk in the First Judicial District of Harrison County, Mississippi, further conveyed to City of Gulfport, Mississippi, by Corrected Supplemental Quitclaim Deed dated May 5, 2010, recorded on June 3, 2010, as Instrument # 2010-3559D-J1, in the Land Deed Records in the Office of the Chancery Clerk in the First Judicial District of Harrison County, Mississippi, and further conveyed to the Gulfport Redevelopment Commission, by Supplemental Quitclaim Deed dated June 8, 2010, recorded June 8, 2010, in the Land Deed Records in the Office of the Chancery Clerk in the First Judicial District of Harrison County, Mississippi, and in particularly identified and described, as follows, to-wit:

Commence at a found 1" iron pin being used as the southwest corner of Section 36, Township 7 South, Range 11 West, Harrison County, Mississippi, First Judicial District (State Plane Coordinates N-321621.18'

E-915181.69' NAD 83 Projection); Thence Run S 31°53'11"E 1561.45 feet to a no. 4 iron pin found on the south right-of-way for CSX Transportation Railroad and the point of beginning for this description.

THENCE run S 00°51'12"E 1132.11 feet to a no. 4 iron pin set on the north margin for U.S. Highway 90; thence run along said margin along a curve having a radius of 1777.08 feet and also having a long chord of bearing S 70°45'26" W and length of 126.14 feet for an arc distance of 126.17 feet to a found concrete monument; thence run S 67°09'02" W along said margin 1743.11 feet to a no. 4 iron pin set on the east line of Greenwood Addition Subdivision; THENCE run N 00°10'51" E along the east line of Greenwood Addition 1344.50 feet TO 3" iron pipe found on the south right-of-way for CSX Transportation Railroad; THENCE run N 73°27'59" E along said right-of-way 1777.83 feet to a found no. 4 iron pin and the point of beginning for this description.

All being a part of Sections 1 and 2, Township 8 South, Range 11 West, Harrison County, Mississippi, First Judicial District.

Less and Except:

That certain piece or portion of land conveyed to the City of Gulfport, Mississippi, by Quitclaim Deed dated June 18, 2010, recorded July 22, 2010, as Instrument #

2010-4921D-J1 in the Land Deed Records in the Office of the Chancery Clerk in the First Judicial District of Harrison County, Mississippi, and in particularly identified and described, as follows, to-wit:

Commence at a found 1" iron pin being used as the southwest corner of Section 36, Township 7 South, Range 11 West, Harrison County, Mississippi, First Judicial District (State Plane Coordinates N-321621.18' E-915181.69' NAD 83 PROJECTION); thence run  $531^{\circ}53'11''$  E 1561.45 feet to a no. 4 iron pin found on the south right-of-way for CSX Transportation Railroad and the point of beginning for this description.

Thence run  $S 00^{\circ}51'12''$  E 103.87 feet to a set capped no. 4 iron pin; thence run  $S 73^{\circ}27'59''$  W 177.73 feet to a set p/k nail, thence run  $N 00^{\circ}51'12''$  W 103.87 feet to a capped no. 4 iron pin set on the south right-of-way for CSX Transportation Railroad; thence run  $N 73^{\circ}27'59''$  E along said right-of-way 177.73 feet to a found no. 4 iron pin and the point of beginning for this description.

All being a part of Section 1, Township 8 South, Range 11 West, Harrison County, Mississippi, First Judicial District.

**PARCEL FIVE**

Lots Thirteen (13) through Nineteen (19) inclusive, and Lots Nine (9) through Twelve (12) inclusive, less the North 25 feet thereof, all in Block One Hundred Eighty-Four (184), Original Gulfport, in accordance with the official map or plat thereof on file and of record in the office of the Chancery Clerk of Harrison County, Mississippi; and being the same property conveyed to Harrison County, Mississippi, by the City of Gulfport by Conveyance dated July 26, 1965, recorded in the Land Deed Records in the Office of the Chancery Clerk of Harrison County, Mississippi, in Book 573 at page 116.

**PARCEL SIX**

All that portion of Lots 9, 10, 11 and 12 lying north of the north right-of-way of U.S. Highway 90, less and except the north 25 feet thereof, also all that portion of Lots 13, 14, 15 and 16, lying north of the north right-of-way of U.S. Highway 90, also all of Lots 17, 18 and 19, Block One Hundred Eighty-Four (184), Original Gulfport; City of Gulfport, First Judicial District of Harrison County, Mississippi. (Subdivision Plat Book 11, Page 9; Subdivision Copy Plat Book 4-A, Page 368)

ALSO BEING DESCRIBED AS FOLLOWS:

Commence at the northeast corner of said Block One Hundred Eighty-Four (184); thence S 00°01'57" W 224.93 feet along the west right-of-way of 20th Avenue and

along the east line of said Block One Hundred Eighty-Four (184) to the northeast corner of property now or formerly to City Of Gulfport, Mississippi, (Harrison County Instrument# 2015-2070-D-J1), said point being the Point Of Beginning, said Point Of Beginning having grid coordinates N. 315938.05 and E. 904517.07 based on the Mississippi State Plane Coordinate System, East Zone, NAD 83 (in feet), coordinates and courses herein are grid values based on said coordinate system using a combined factor of (scale) 0.999957284 with a convergence angle of  $-00^{\circ}07'40''$  (at the Point Of Beginning); thence continue  $S 00^{\circ}01'57'' W$  137.07 feet along said west right-of-way of 20th Avenue and along said east line of Block One Hundred Eighty-Four (184) to a point located on the existing north right-of-way of U.S. Highway 90; thence  $S 68^{\circ}42'03'' W$  386.43 feet along said north right-of-way of U.S. Highway 90 to a point located on the east right-of-way of 21st Avenue, said point also being located on the west line of said Block One Hundred Eighty-Four (184); thence  $N 00^{\circ}03'24'' E$  277.32 feet along said east right-of-way of 21st Avenue and along said west line of Block One Hundred Eighty-Four (184) to a point located on the south boundary of property now or formerly to Mississippi Coast Transportation Authority, a/k/a Coast Transit

Authority (Harrison County Instrument# 2005-18868-D-J1);  
thence N 89°58'50" E 291.09 feet along said south  
boundary to the southeast corner of said property now or  
formerly to Mississippi Coast Transportation Authority,  
a/k/a Coast Transit Authority; thence N 89°58'50" E  
68.75 feet to the said Point of Beginning.

LESS AND EXCEPT any portion of the 20-foot wide alley  
that is not vacated, and running in a general  
north/south direction within said Block 184, Original  
Gulfport.

**PARCEL SEVEN**

A parcel of land situated and being located in  
fractional Sections 9 and 10, Township 8 South, Range 11  
West, City of Gulfport, First Judicial District of  
Harrison County, Mississippi, and being generally  
described as follows, to-wit:

Beginning at the intersection of a projection of the east  
right-of-way line of South 20th Avenue and a projection  
westerly from the southerly side of the Moses Pier closest to  
the projection of 20th Avenue; thence easterly and  
southeasterly along the southerly side of the Moses Pier to  
the meandering high water line of the Mississippi Sound/Gulf  
of Mexico; thence southwesterly along the meandering high  
water line of the Mississippi Sound/Gulf of Mexico to the  
northerly side of Urie Pier; thence northerly along the

eastern side of Urie Pier and continuing on the eastern side of Yacht Harbor Street to the bulkhead separating Yacht Harbor Street and the median area from the Gulfport Small Craft Harbor; then continuing easterly and northeasterly along said bulkhead to a projection of the western right-of-way of 20th Avenue; thence easterly and southeasterly back to the point of beginning.

**SECTION 3.** Subject to the provisions of Section 6 of this act, the governing authorities may lease all or a part of the properties described in this act only upon the determination by the governing authorities, by resolution duly and lawfully adopted and spread upon their minutes that:

(a) The use of the properties for the purpose or purposes for which they are leased will promote and foster the development and improvement of the city and the civic, educational, cultural, economic or industrial welfare of the city; and

(b) The developer or developers to which the properties are leased are found to be suitable and acceptable for such purpose or purposes.

**SECTION 4.** The governing authorities are also authorized to correct any errors or discrepancies in the legal descriptions of the property provided in this section.

**SECTION 5.** Subject to the provisions of Section 6 of this act, the governing authorities are also authorized to enter into

such other agreements, including, without limitation, loan facilities, extensions of credit, declarations, and covenants, to the extent they are related to all or a portion of such properties and are necessary, desirable, or beneficial to the development of all or a portion of any of the properties for terms up to but not to exceed sixty (60) years.

**SECTION 6.** Before any action by the commission under this act shall be final and take effect, such action shall be subject to final approval by the governing authorities of the City of Gulfport, Mississippi.

**SECTION 7.** This act shall take effect and be in force from and after its passage.

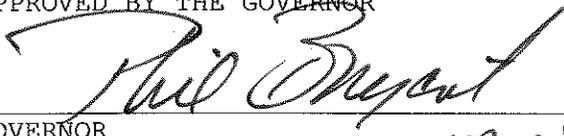
PASSED BY THE HOUSE OF REPRESENTATIVES  
April 16, 2016

  
SPEAKER OF THE HOUSE OF REPRESENTATIVES

PASSED BY THE SENATE  
April 19, 2016

  
PRESIDENT OF THE SENATE

APPROVED BY THE GOVERNOR

  
GOVERNOR

MAY 3, 2016  
11:03 AM