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Chapter No. 507

11/HR40/R1480SG

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***HOUSE BILL NO. 1167***

Originated in House Don Richardson Clerk

HOUSE BILL NO. 1167

AN ACT TO AUTHORIZE THE DEPARTMENT OF FINANCE AND ADMINISTRATION, ACTING ON BEHALF OF THE BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING, TO SELL AND CONVEY PARCELS OF CERTAIN STATE-OWNED REAL PROPERTY AND ANY IMPROVEMENTS THEREON UNDER THE POSSESSION AND CONTROL OF THE DELTA STATE UNIVERSITY, LOCATED IN THE CITY OF CLEVELAND, BOLIVAR COUNTY, MISSISSIPPI; TO AUTHORIZE THE DEPARTMENT OF FINANCE AND ADMINISTRATION, ACTING ON BEHALF OF THE DEPARTMENT OF WILDLIFE, FISHERIES AND PARKS, TO DONATE AND CONVEY TO THE BOARD OF SUPERVISORS OF COAHOMA COUNTY, MISSISSIPPI, ALL TITLE AND INTEREST IN CERTAIN REAL PROPERTY ACCEPTED BY AND UNDER THE POSSESSION AND CONTROL OF THE DEPARTMENT OF WILDLIFE, FISHERIES AND PARKS KNOWN AS MOON LAKE PARK, LOCATED IN COAHOMA COUNTY, MISSISSIPPI; TO AUTHORIZE THE DEPARTMENT OF ARCHIVES AND HISTORY TO EXTINGUISH, ABANDON AND NULLIFY ANY CONSERVATION EASEMENT GRANTED BY THE FRIENDS OF THE SIEGE AND BATTLE OF CORINTH, INC., WHEN DETERMINED TO BE NECESSARY OR CONVENIENT FOR THE USE OR OWNERSHIP OF SUCH LANDS BY THE UNITED STATES NATIONAL PARK SERVICE; TO AMEND SECTION 6, CHAPTER 561, LAWS OF 2009, TO REQUIRE THE DEPARTMENT OF FINANCE AND ADMINISTRATION TO CONVEY TO THE MISSISSIPPI TRANSPORTATION COMMISSION CERTAIN REAL PROPERTY WITHIN THE CITY OF JACKSON, HINDS COUNTY, MISSISSIPPI; AND FOR RELATED PURPOSES.

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

**SECTION 1.** (1) The Department of Finance and Administration, acting on behalf of the Board of Trustees of State Institutions of Higher Learning, is authorized to sell and convey parcels of certain state-owned real property and any improvements thereon under the possession and control of the Delta State University, located in the City of Cleveland, Bolivar County, Mississippi, and more particularly described as follows:

**300 McClain Avenue** - Lot One of the First Addition to the Marva Park Subdivision of part of the South Half of the South Half of Section 17, Township 22 North, Range 5 West, according to a map or plat of said Subdivision recorded in Record of Surveys Number One, Page 37, in the Office of the

Clerk of the Chancery Court of Bolivar County at Cleveland, Mississippi, subject to restrictive agreement recorded in Book M-41, Page 452, and being located in the City of Cleveland, Mississippi.

**301 McClain Avenue** - Lot 24 of the First Addition to Marva Park Subdivision of part of the S<sup>1</sup>/<sub>2</sub> of S<sup>1</sup>/<sub>2</sub> of Section 17, Township 22 North, Range 5 West, according to a map or plat of said Subdivision recorded in Record of Surveys No. 1, Page 37, in the Office of the Clerk of the Chancery Court of Bolivar County at Cleveland, Mississippi, and subject to restrictive agreement recorded in Book M-41, Page 452 of the records aforesaid.

**300 Shumate Circle** - Lot 2 of the Marva Park Subdivision in the West Half of Southwest Quarter of Southeast Quarter and East Half of Southeast Quarter of Southwest Quarter of Section 17, Township 22 North, Range 5 West, according to a Plat recorded in Plat Book 2, page 61 of the public records of Bolivar County at Cleveland, Mississippi, subject to a restrictive agreement recorded in Book N-26, page 398 of the records aforesaid, which lot is now located in the City of Cleveland, Mississippi.

**301 Shumate Circle** - Lot 1 of the Marva Park Subdivision in the West Half of Southwest Quarter of Southeast Quarter and in the East Half of Southeast Quarter of Southwest Quarter of Section 17, Township 22 North, Range 5 West, according to a map or plat of said Subdivision recorded in Map Book 2, page 61 of the records in the Office of the Chancery Clerk of Bolivar County at Cleveland, Mississippi, subject to restrictive agreement recorded in Book M-30, page 637, and amendment recorded in Book N-26, page 398 of the records aforesaid.

**302 Shumate Circle** - Lot 4 in Marva Park Subdivision to the City of Cleveland, Mississippi, as shown by map or plat of

said subdivision on file in the Office of the Clerk of the Chancery Court of Bolivar County, Mississippi, at Cleveland, subject to restrictions contained in an instrument recorded in Book M-30 at Page 637 as amended by instrument recorded in Book N-26 at Page 398.

**303 Shumate Circle** - Lot Three of Marva Park Subdivision to the City of Cleveland, Mississippi, in the West Half of the Southwest Quarter of the Southeast Quarter and in the East Half of the Southeast Quarter of the Southwest Quarter of Section Seventeen, Township Twenty-two North, Range Five West, according to a map or plat of said Subdivision of record in the Office of the Clerk of the Chancery Court of Bolivar County, Mississippi, in Map Book 2, Page 61, subject to the restrictions contained in an instrument recorded in Book M-30, Page 637, as amended by instrument recorded in Book N-26, Page 398, of the records in the Office of the Clerk of the Chancery Court of Bolivar County, Mississippi, in the County of Bolivar and State of Mississippi.

**314 Shumate Circle** - Lot 16 of the Marva Park Subdivision in the West Half ( $W^{1/2}$ ) of the Southwest Quarter ( $SW^{1/4}$ ) of the Southeast Quarter ( $SE^{1/4}$ ) and the East Half ( $E^{1/2}$ ) of the Southeast Quarter ( $SE^{1/4}$ ) of the Southwest Quarter ( $SW^{1/4}$ ) of Section 17, Township 22 North, Range 5 West, according to a map or plat of said subdivision, of record in the Office of the Clerk of the Chancery Court of Bolivar County, Mississippi, in Map Book 2 at page 61, subject to the restrictions contained in an instrument recorded in Book M-30 at page 637, as amended by instrument recorded in Book N-26 at page 398 of the records in the Office of the Clerk of the Chancery Court of Bolivar County, Mississippi.

**316 Shumate Circle** - Lot 18 of the Marva Park Subdivision in the West Half of Southwest Quarter of Southeast Quarter and in the East Half of Southeast

Quarter of Southwest Quarter of Section 17, Township 22 North, Range 5 West, according to map or plat of said Subdivision in the Office of the Chancery Clerk of Bolivar County, Mississippi, in Municipal Map Book 2, page 61, subject to restrictions contained in an instrument recorded in Book M-30, page 637, as amended by instrument recorded in Book N-26, page 398, of the records in the Office of the Chancery Clerk of Bolivar County at Cleveland, Mississippi.

(2) The real property described in subsection (1) of this section shall not be sold for less than the current fair market value as determined by the averaging of at least two (2) appraisals by qualified appraisers which shall be certified and licensed by the Mississippi Real Estate Appraiser Licensing and Certification Board.

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

(4) Proceeds from the sale of the real property described in subsection (1) of this section shall be deposited into a special fund in the State Treasury and shall be expended only for the benefit of Delta State University.

**SECTION 2.** (1) The Department of Finance and Administration, acting on behalf of the Mississippi Department of Wildlife, Fisheries and Parks, is authorized to donate and convey to the Board of Supervisors of Coahoma County, Mississippi, all title and interest in certain real property accepted by and under the possession and control of the Department of Wildlife, Fisheries and Parks known as Moon Lake Park, being a total of 645 acres, more or less, lying and being situated in Coahoma County, Mississippi, more specifically described as follows:

**Tract I**

That portion of Sectional Lots 6, 7, 9, 10 and 15 South and West of Highway 49 in Section 35, Township 30 North, Range 3 West,

Less and Except:

That part of Section Lots 9 and 15 deeded to the Mississippi Department of Transportation found in Book 799, Pages 470, and less that approximate 4 acre parcel found at Book 836, Page 252 of the Land Records of Coahoma County, all of the above being located in Coahoma County, Mississippi.

And

**Tract II**

Commencing at the Southeast Corner of Section 27, Township 30 North, Range 3 West, Coahoma County, Mississippi; thence North 0 degrees 22 minutes 29 seconds East along the East side of said Section, 2146.10 feet to a point on the South right-of-way of U.S. Highway No. 49 W; thence North 35 degrees 57 minutes 34 seconds West along said right-of-way, a distance of 721.62 feet to a point at the intersection of the West right-of-way of a railroad and said highway right-of-way and being the POINT OF BEGINNING of the land herein described; thence South 31 degrees 23 minutes 53 seconds West along said railroad right-of-way, a distance of 1131.93 feet to a point; thence North 0 degrees 43 minutes 07 seconds East, 1639.48 feet to a point on said highway right-of-way; thence South 61 degrees 10 minutes 53 seconds East along said right-of-way, 106.54 feet to a point; thence South 35 degrees 57 minutes 34 seconds East along said right-of-way, 500.00 feet to a point; thence North 54 degrees 02 minutes 26 seconds East along said right-of-way, 20.00 feet to a point; thence South 35

degrees 57 minutes 34 seconds East along said right-of-way, 282.71 feet to the POINT OF BEGINNING and containing 11.20 acres more or less and all being in the Northeast Quarter of the Southeast Quarter and the Southeast Quarter of the Northeast Quarter of Section 27, Township 30 North, Range 3 West, Coahoma County, Mississippi.

(2) The conveyance authorized in subsection (1) of this section shall be conditional upon the Commission on Wildlife, Fisheries and Parks certifying by resolution that the projects described in Section 26, Chapter 522, Laws of 2003, have been abandoned and any monies deposited in the 2003 Moon Lake State Park Fund shall be applied to pay the debt service on the bonds issued under Sections 25 through 40, Chapter 522, Laws of 2003.

**SECTION 3.** The Department of Archives and History is hereby authorized to extinguish, abandon and nullify any conservation easement granted to it by The Friends of the Siege and Battle of Corinth, Inc., its successors and similar organizations, whenever the department determines, in its discretion, that such action would be necessary or convenient for the use or ownership of such lands by the United States National Park Service.

**SECTION 4.** Section 6, Chapter 561, Laws of 2009, is amended as follows:

Section 6. The Department of Finance and Administration shall convey to the Mississippi Transportation Commission all of the right, title and interest in certain real property within the City of Jackson, Hinds County, Mississippi, described more specifically as follows:

All of that certain block of the City of Jackson bounded by Hamilton Street on the north, Lamar Street on the west, Griffith Street on the south and North West Street on the east all being situated in and a part of Lots 1-7 of the Richard Griffith Subdivision, partially in the

9.40 acre lot Number 3 North and partially in the 10  
acre lot Number 4 North of the City of Jackson, in the  
First Judicial District of Hinds County, Mississippi,  
all containing 4.30 acres more or less.

**SECTION 5.** This act shall take effect and be in force from  
and after its passage.

PASSED BY THE HOUSE OF REPRESENTATIVES  
March 28, 2011

  
SPEAKER OF THE HOUSE OF REPRESENTATIVES

PASSED BY THE SENATE  
March 28, 2011

  
PRESIDENT OF THE SENATE

APPROVED BY THE GOVERNOR

  
GOVERNOR

4/26/11

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