

**CITY OF GAUTIER
MEMORANDUM**

To: Samantha Abell, City Manager
From: April Havens, Grants & Projects Manager
Through: Chandra Nicholson, Director of Economic Development and Planning Dept.
Date: January 26, 2016
Subject: City Council Authorization to Accept a Donation of Real Property from Jackson County for the Martin Bluff Road Widening Project. (Lots 21, 23, 24, 25, 26, 27, 32, and 34 of Cambridge Square Subdivision).

REQUEST:

The Economic Development and Planning Department requests City Council authorization to accept a donation of real property (eight parcels) adjacent to Martin Bluff Road.

BACKGROUND:

Jackson County purchased parcels of land along Martin Bluff Road prior to the area being annexed. The County has deeded those eight parcels of land along Martin Bluff Road to the City of Gautier for the widening of Martin Bluff Road.

DISCUSSION:

According to the Office of the State Attorney General, “a municipality may accept a donation of real property, provided that it has made the requisite factual findings and has documented its formal acceptance in its minutes. With respect to owed taxes, a municipality does not have the authority to remit or release liability for taxes that are due and owing.” It is in the best interest of the City to accept this property due to right-of-way acquisition requirements associated with the Martin Bluff Road widening project.

RECOMMENDATION:

The Economic Development and Planning Department recommends that City Council accept the donation of real property as identified above.

The City Council may:

1. Accept the donation of real property identified above; or
2. Decline the donation of real property identified above.

ATTACHMENT(S):

1. Jackson County Board of Supervisors Donation Resolution
2. Deed

RESOLUTION OF THE BOARD OF SUPERVISORS
OF JACKSON COUNTY, MISSISSIPPI
CONVEYING CERTAIN REAL PROPERTY TO THE CITY OF GAUTIER

COPY

WHEREAS, Jackson County owns certain real property located in the City of Gautier and more particularly described as Lots 21, 23, 24, 25, 26, 27, 32 and 34 of Cambridge Square Subdivision, Part 3, Jackson County, as per deeds recorded in Deed Book 973, at Page 258, and in Deed Book 980, Page 401, in the Office of the Chancery Clerk of Jackson County, Mississippi, and

WHEREAS, said parcels are located and adjacent to Martin Bluff Road and which property is needed for the widening of said road and the City of Gautier has requested that Jackson County donate the required parcels; and

WHEREAS, the Board of Supervisors has determined that: a) the property is no longer needed for county purposes and is not to be used in the operation of the county; b) that the sale of the property in the manner otherwise provided by law is not necessary or desirable for the financial welfare of the county; and c) that the use of the county property for the purpose for which it is to be conveyed, will promote and foster the development and improvement of the community and the civic, social, educational, cultural, moral, economic or industrial welfare thereof.

BE IT, THEREFORE, RESOLVED that pursuant to Section 19-7-3(3) Mississippi Code Annotated, the Board of Supervisors does hereby authorize the conveyance of said property as set forth hereinabove to the City of Gautier and authorizes the President of the Board to execute all documents necessary to finalize the transfer of the property.

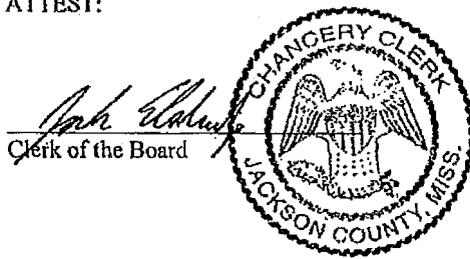
The motion to approve the foregoing resolution was made by Supervisor Cumbest seconded by Supervisor Harris, and the following vote was recorded:

| | |
|--------------------|------------|
| Supervisor Cumbest | <u>Yes</u> |
| Supervisor Harris | <u>Yes</u> |
| Supervisor Taylor | <u>Yes</u> |
| Supervisor Ross | <u>Yes</u> |
| Supervisor Bosarge | <u>Yes</u> |

RESOLVED, this the 19th day of January, 2016.

ATTEST:

BOARD OF SUPERVISORS



Paul Adams
Clerk of the Board

By: Melba Harris
President

INSTRUMENT PREPARED BY:

Office of the Jackson County Board Attorney
Post Office Box 998
Pascagoula, MS 39568
(228) 769-3371

GRANTOR:

Jackson County, Mississippi
Post Office Box 998
Pascagoula, MS 39568
(228) 769-3131

GRANTEE:

City of Gautier, Mississippi
Post Office Box 670
Gautier, MS 39553-0670
(228) 497-8000

INDEXING INSTRUCTIONS:

Lots 21, 23, 24, 25, 26, 27, 32 and 34 of Cambridge Square Subdivision, Part 3.

STATE OF MISSISSIPPI

COUNTY OF JACKSON

QUITCLAIM DEED

For and in consideration of the sum of Ten and No/100 Dollars (\$10.00) and other good and valuable considerations, the receipt of which is hereby acknowledged, Jackson County, MS, acting by and through its Board of Supervisors, Grantor, does hereby convey, remise, release and forever quitclaims unto City of Gautier, Mississippi, Grantee, those certain tracts or parcels of land situated in the County of Jackson, State of Mississippi, and being more particularly described as follows, to-wit:

Lots 21, 23, 24, 25, 26, 27, 32 and 34 of Cambridge Square Subdivision, Part 3, Jackson County, Mississippi, as per map or plat thereof on file and of record in the Office of the Chancery Clerk of Jackson County, Mississippi in Plat Book 13, Pages 37-39.

This property is subject any and all easements and reservations of record in the Office of the Chancery Clerk of Jackson County, Mississippi.

Grantor fully understands that it has the right to receive just compensation for the real property herein described based on an appraisal of said property. Grantor hereby waives its right to just compensation and donates the real property herein described to City of Gautier, Mississippi. Grantor further understands that it has the right to request that a fair market value appraisal of the property be made is hereby waives that right.

WITNESS my signature, this the 19th day of January, 2016.

JACKSON COUNTY, MISSISSIPPI

BY: Melton Harris
Melton Harris, President
Board of Supervisors

STATE OF MISSISSIPPI

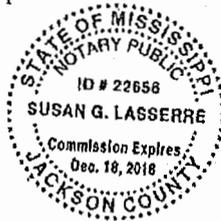
COUNTY OF JACKSON

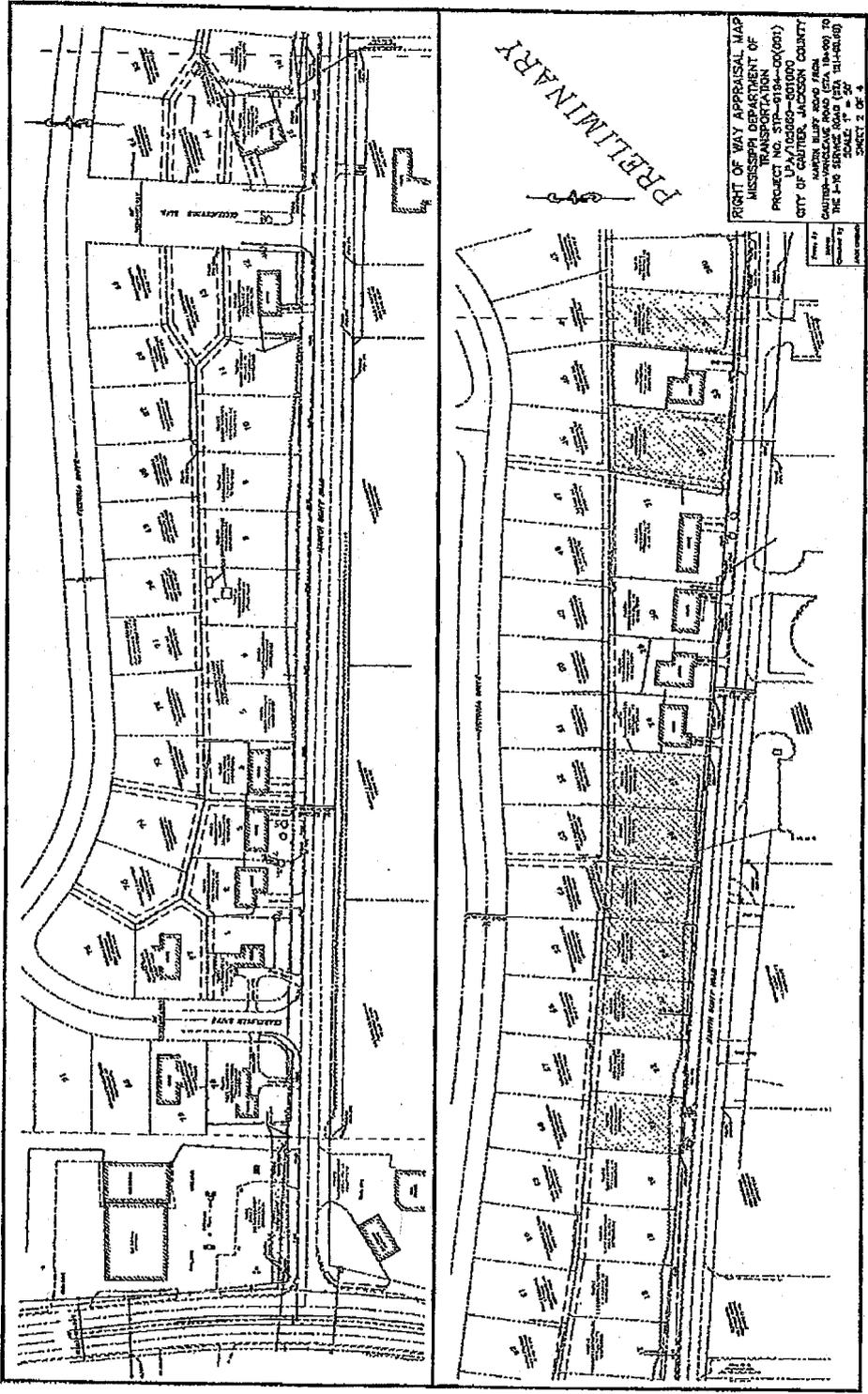
PERSONALLY appeared before me, the undersigned authority in and for the aforesaid jurisdiction, Melton Harris, who as President of the Board of Supervisors of Jackson County, Mississippi, acknowledged that he signed and delivered the foregoing instrument on the day and in the year therein mentioned, he being fully authorized to so do.

GIVEN under my hand and official seal of office, this the 19th day of January, 2016.

Susan G. Lasserre
NOTARY PUBLIC

My Commission Expires:





RIGHT OF WAY APPRAISAL MAP
 MISSISSIPPI DEPARTMENT OF
 TRANSPORTATION
 PROJECT NO. SP-9184-00(001)
 CITY OF JACKSON, MISSISSIPPI
 CAUTION-UNPAVED ROAD (ETA 10-00) TO
 THE 1-10 SERVICE ROAD (ETA 11-00)
 SHEET 2 OF 3

| | |
|------------|-----------|
| Scale | 1" = 40' |
| Date | 10/1/00 |
| Drawn by | J. L. ... |
| Checked by | J. L. ... |