

## RESOLUTION

### **A RESOLUTION DECLARING AS SURPLUS CERTAIN REAL PRPOERTY LOCATED AT 318 LUMPKIN AVENUE, PARCEL NO. 077L-36-157-00, TUPELO, MISSISSIPPI AND AUTHORIZING THE CONVEYANCE OF THE PROPERTY TO THE NORTHEAST MISSISSIPPI HABITAT FOR HUMANITY PURSUANT TO SECTION 21-17-1(3)(b) AND 21-17-1(11)**

**WHEREAS**, the City of Tupelo, Mississippi, owns real property located at 318 Lumpkin Avenue, Parcel No. 077L-36-157-00, Tupelo, Mississippi

**WHEREAS**, at the time the City acquired the real property, it had been abandoned and blighted; and

**WHEREAS**, this real property has ceased to be used for municipal purposes and is not to be used in the operation of the municipality; and

**WHEREAS**, the sale of such real property in the manner otherwise provided by law is not necessary or desirable for the financial welfare of the municipality; and

**WHEREAS**, the use of such property for the purpose for which it is conveyed will promote and foster the development and improvement of the community in which it is located and the civic, social, educational, cultural, moral, economic or industrial welfare thereof; and

**WHEREAS**, Northeast Mississippi Habitat for Humanity (hereinafter "Habitat") is a non-profit corporation organized and existing under the laws of the State of Mississippi and granted exempt status by the Internal Revenue Service; and

**WHEREAS**, Northeast Mississippi Habitat for Humanity is also primarily engaged in the construction of housing for persons who otherwise can afford to live only in substandard housing; and

**WHEREAS**, the Habitat has requested the City of Tupelo, Mississippi donate the real property to further Habitat's efforts to develop, redevelop and improve areas of the city whose revitalization promotes and fosters the civic, social, educational, cultural, moral economic welfare of the City, and

**WHEREAS**, the purpose of this donation to Habitat is to allow habitat to redevelop and utilize this real property as an asset to promote, foster its ongoing efforts to improve the civic, social, educational, cultural, moral economic welfare of the City, and to provide housing for persons who otherwise can afford to live only in substandard housing;

**NOW THEREFORE, BE IT RESOLVED AND ORDERED BY THE CITY COUCIL  
OF THE CITY OF TUPLEO, MISSISSIPPI** as follows:

Section 1. The prefatory paragraphs of this Resolution are hereby found to be true, correct, and accurate and are therefore incorporated herein.

Section 2. The City Council finds as follows:

- a. The real property has been abandoned and is blighted.
- b. The real property has ceased to be used for municipal purposes and is not to be used in the operation of the municipality.
- c. The sale of such property in the manner otherwise provided by law is not necessary or desirable for the financial welfare of the municipality.
- d. The use of such property for this purpose for which it is conveyed will promote and foster the development and improvement of the community in which it is located and the civic, social, educational, cultural, moral, economic or industrial welfare thereof.
- e. Habitat is a bona-fide not-for-profit corporation existing under the laws of the State of Mississippi and granted exempt status by the Internal Revenue Service.
- f. The purpose of this donation to Habitat Corporation is to allow that the organization to redevelop and utilize this real property as an asset to promote and foster its ongoing efforts to improve the civic, social, educational, cultural, moral, economic welfare of the City and to provide housing for families who would otherwise live in substandard housing.

Section 3. The Mayor and City Clerk are hereby authorized to execute a deed conveying the real property located at 318 Lumpkin Avenue, Parcel No. 077L-36-157-00, Tupelo, Mississippi to Habitat.

Section 4. The real property located at 318 Lumpkin Avenue, Parcel No. 077L-36-157-00, Tupelo, Mississippi shall revert to the City of Tupelo, Mississippi if houses are not constructed within two years of the date of conveyance.

Section 5. As a further condition of this conveyance, the houses built must have masonry exterior facing the street.

Section 6. The City shall retain all mineral rights together with the right of ingress and egress to remove such minerals.

After a full discussion of this matter, Council Member \_\_\_\_\_ moved that the foregoing Resolution be adopted and said motion was seconded by Council Member \_\_\_\_\_ and upon the question being put to a vote, the results were as follows:

Councilmember Mims \_\_\_\_\_

Councilmember Bryan \_\_\_\_\_  
Councilmember Beard \_\_\_\_\_  
Councilmember Davis \_\_\_\_\_  
Councilmember Palmer \_\_\_\_\_  
Councilmember Gaston \_\_\_\_\_  
Councilmember Jones \_\_\_\_\_

The motion having received the affirmative vote of a majority of the members present, the President declared the motion carried and the resolution adopted.

**WHEREUPON**, the foregoing Resolution was declared, passed and adopted at a regular meeting of the Council on this the \_\_\_\_\_ day of \_\_\_\_\_, 2021.

CITY OF TUPELO, MISSISSIPPI

By: \_\_\_\_\_  
BUDDY PALMER, City Council President

ATTEST:

\_\_\_\_\_  
MISSY SHELTON, Clerk of the Council

APPROVED:

\_\_\_\_\_  
TODD JORDAN, Mayor

\_\_\_\_\_  
DATE