

## ORDER

### **AN ORDER TO ACCEPT A CONVEYANCE OF REAL PROPERTY AND DECLARING AS SURPLUS THE STRUCTURE(S) LOCATED AT 1226 BOGGAN DRIVE AND TO AUTHORIZE THE DEMOLITION OF THE SURPLUS STRUCTURE(S).**

**WHEREAS**, the governing authorities of the City of Tupelo, Mississippi are empowered to act with respect to the care, management and control of municipal affairs and its properties for which no provision has been made by general law and which is not inconsistent with existing law pursuant to Section 21-17-1, et seq. of the Mississippi Code Annotated (1972), as amended, including the authority to sell, convey or lease real property on such terms as it may elect that are consistent with statutory authority; and

**WHEREAS**, in accordance with an order adopted and spread on the minutes by the City Council on July 18, 2023, the City of Tupelo purchased real property located at 1226 Boggan Drive from JM Harrison Properties, LLC. on September 7, 2023 as evidenced by deed attached hereto as Exhibit "A" ("Subject Property"), and

**WHEREAS**, the structure(s) located on the Subject Property are in demise and such a state of blight as to not be needed for municipal or related purposes and are not needed in the operation of the municipality and shall be deemed surplus in accordance with Miss. Code Ann. § 17-25-25 (1972, as amended); and

**WHEREAS**, it is the desire of the City of Tupelo to dispose of the structures located on the Subject Property by demolition to achieve the proper municipal purpose of removing blighted conditions and to make the real property marketable for purchase.

**NOW, THEREFORE**, it is hereby resolved and ordered by the City Council of the City of Tupelo the following:

1. The prefatory paragraphs of this Order are hereby found and determined to be in accordance with the necessary and warranted exercise of its authority regarding the care, management and control of real property, and is in the best interest of the health, safety and welfare of the citizens of the City of Tupelo.
2. The conveyance of the real property by Warranty Deed and attached hereto as "Exhibit A" is hereby accepted.
3. The structures located on the Subject Property are not needed for governmental or related purposes of the municipality, and are hereby found to be declared surplus and shall be disposed of by demolition.
4. The Mayor and City Clerk are authorized to execute all documents necessary for the demolition of the structure(s) located on the Subject Property, subject to the provisions contained in Miss. Code Ann. § 31-7-13 (1972, as amended).

After a full discussion of this matter, Council Member \_\_\_\_\_ moved that the foregoing Order 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 voted \_\_\_\_\_  
Councilmember Bryan voted \_\_\_\_\_  
Councilmember Beard voted \_\_\_\_\_  
Councilmember Davis voted \_\_\_\_\_  
Councilmember Palmer voted \_\_\_\_\_  
Councilmember Gaston voted \_\_\_\_\_  
Councilmember Jones voted \_\_\_\_\_

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

**WHEREUPON**, the foregoing Order was declared, passed and adopted at a regular meeting of the Council on this the \_\_\_\_ day of November, 2023.

CITY OF TUPELO, MISSISSIPPI

\_\_\_\_\_  
TRAVIS BEARD, City Council President

ATTEST:

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

APPROVED:

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

\_\_\_\_\_  
DATE

**EXHIBIT "A"**

Prepared By & Please Return  
After Recording To:

**\*\*ABOVE THIS LINE FOR OFFICIAL USE ONLY\*\***

B. Bronson Tabler, P.A.  
322 West Jefferson Street  
P.O. Box 7116  
Tupelo, Mississippi 38802  
Tel: (662) 840-8400  
Fax: (662) 840-8414  
Email: [bronson@tablerlaw.com](mailto:bronson@tablerlaw.com)

INDEXING INSTRUCTIONS: Southeast Quarter of Section 36,  
Township 9 South, Range 5 East, Lee County, Mississippi  
Lots 6 and 7, Block 1, Marsh Subdivision

Address Reference: 1226 Boggan Drive, Tupelo, MS  
PPIN / Parcel Reference: 20654 / 077R-36-082-00



**WARRANTY DEED**

**GRANTOR(S):**

**JM HARRISON PROPERTIES, LLC, A  
MISSISSIPPI LIMITED LIABILITY  
COMPANY  
4098 LINCOLN CIRCLE  
TUPELO, MISSISSIPPI 38801  
TELEPHONE: (662) 512-2401**

**GRANTEE(S):**

**CITY OF TUPELO, MISSISSIPPI  
POST OFFICE BOX 1485  
TUPELO, MISSISSIPPI 38802  
TELEPHONE: (662) 841-6513**

Bill Benson  
CLERK

For and in consideration of the sum of Ten Dollars and Zero Cents (\$10.00) and other good and valuable consideration, the Grantor(s) **JM HARRISON PROPERTIES, LLC, A MISSISSIPPI LIMITED LIABILITY COMPANY**, does hereby grant, bargain, sell, convey and warrant unto **CITY OF TUPELO, MISSISSIPPI**, the following described real property located and situated in **LEE COUNTY, MISSISSIPPI**, and being more particularly described as follows, to-wit:

**INDEXING INSTRUCTIONS:**

**Lots 6 and 7 in Block 1 of the Marsh Subdivision, Southeast Quarter of Section 36, Township 9, Range 5, in the City of Tupelo, Lee County, Mississippi.**

**Lots 6 and 7 in Block 1 of the Marsh Subdivision in the Southeast Quarter of Section 36, Township 9 South, Range 5 East, in the City of Tupelo, Lee County, Mississippi.**

**Marsh Addition to Willis Heights Subdivision is recorded in Plat Book 1 at Page 72 in the Land Records of Lee County, Mississippi, reference to which is hereby made.**

**Subject to Non-Exclusive, Perpetual Easement for Installation, Construction and Maintenance of Sewer Line in favor of Northeast Mississippi Habitat for Humanity, Inc., as recorded in Book 1807 at Page 218 in the Office of the Chancery Clerk of Lee County, Mississippi.**

Grantor certifies and warrants that the above described property is not subject to a valid homestead exemption as of the date of execution of this Warranty Deed.

**SOURCE DEED(S): Being the same property acquired by Grantor(s) herein by virtue of Warranty Deed recorded as Instrument Number 2022017130.**

Witness the signature of the Grantor(s) on this the 7<sup>th</sup> day of September 2023.

**JM HARRISON PROPERTIES, LLC, A  
MISSISSIPPI LIMITED LIABILITY COMPANY**

  
\_\_\_\_\_  
**JASON HARRISON, SOLE MEMBER**  
CLERK

**STATE OF MISSISSIPPI**

**COUNTY OF LEE**

Personally appeared before me, the undersigned authority at law in and for the aforesaid County and State, the within named **JASON HARRISON**, who acknowledged that he is the **SOLE MEMBER** of **JM HARRISON PROPERTIES, LLC, A MISSISSIPPI LIMITED LIABILITY COMPANY**, and that for and on behalf of said entity and in said capacity he signed, sealed and delivered the above and foregoing **WARRANTY DEED** on the day and year therein mentioned as his free and voluntary act and deed after having first been duly authorized by said entity to do so.

Given under my hand and official seal of office, this the 7<sup>th</sup> day of September 2023.



**NOTARY PUBLIC**

**CHANCERY COURT**

Bill Benson  
CLERK



My Commission Expires

\_\_\_\_\_