

ORDER

AN ORDER AUTHORIZING THE CONVEYANCE BY DONATION OF CERTAIN REAL PROPERTY LOCATED AT 1112 CHAPMAN DRIVE TO THE NEIGHBORHOOD DEVELOPMENT CORPORATION BY VIRTUE OF IT BEING A BONA FIDE NOT-FOR-PROFIT CIVIC OR ELEEMOSYNARY CORPORATION ORGANIZED AND EXISTING UNDER THE LAWS OF THE STATE OF MISSISSIPPI

WHEREAS, the governing authorities of the City of Tupelo 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, the City of Tupelo entered into an agreement with the Community Development Foundation to promote economic development by revitalizing designed areas within the City, which agreement contemplated utilizing the services of the Neighborhood Development Corporation to implement and operate the day-to-day activities necessary to further the goals of that agreement, a copy of which may be found in the Minutes of the Tupelo City Council, Book 133 at Page 51; and

WHEREAS, by Order of the Tupelo City Council dated August 16, 2022 authorizing the purchase of real property located at 1112 Chapman, a Warranty Deed, dated October 5, 2022 and recorded in the Office of the Chancery Clerk of Lee County, Mississippi as instrument number 2022013939, was executed by Jo Ann Griggs in favor of the City of Tupelo, and such real property is more particularly described as follows:

LOT #7, ON THE NORTH SIDE OF CHAPMAN DRIVE, ACCORDING TO AN UNRECORDED PLAT OF A SUBDIVISION MADE BY WELCH & COMPANY, DATED MAY 5, 1947, AND LYING AND BEING IN THE NORTHEAST QUARTER OF SECTION 36, TOWNSHIP 9 SOUTH, RANGE 5 EAST, CITY OF TUPELO, LEE COUNTY, MISSISSIPPI AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SECTION 36, TOWNSHIP 9 SOUTH, RANGE 5 EAST, AND RUN SOUTH, 425 FEET; THENCE WEST, 500 FEET TO AN IRON STAKE FOR A POINT OF BEGINNING; SAID POINT OF BEGINNING BEING IN THE NORTH LINE OF CHAPMAN DRIVE; THENCE NORTH 125 FEET TO A STAKE; THENCE WEST, 50 FEET TO A STAKE; THENCE SOUTH, 125 FEET TO A STAKE ON THE NORTH LINE OF CHAPMAN DRIVE; THENCE EAST ALONG THE NORTH LINE OF CHAPMAN DRIVE, 50 FEET TO THE POINT OF BEGINNING, ALL LYING AND BEING IN THE NORTHEAST QUARTER OF SECTION 36, TOWNSHIP 9 SOUTH, RANGE 5 EAST, CITY OF TUPELO, LEE COUNTY, MISSISSIPPI. SUBJECT TO AN EASEMENT FOR UTILITIES ACROSS NORTH FIVE FEET OF THIS LOT.

IT BEING INTENDED TO CONVEY THAT SAME PROPERTY HAVING BEEN CONVEYED TO THE CITY OF TUPELO, MISSISSIPPI BY JO ANN GRIGGS ON OCTOBER 5, 2022 BY WARRANTY DEED AND ON FILE IN THE LAND RECORDS IN THE OFFICE OF THE CHANCERY CLERK, LEE COUNTY, MISSISSIPPI AS INSTRUMENT NUMBER 2022013939; and

WHEREAS, the City of Tupelo is desirous that this property be revitalized; and

WHEREAS, the Neighborhood Development Corporation is a bona fide not-for-profit civic and/or eleemosynary corporation organized and existing under the laws of the State of Mississippi, whose stated purposes are among other things, is to promote public welfare through development of low- and moderate-income areas and to foster revitalization or stabilization of low- and moderate-income areas; and

WHEREAS, the subject property is blighted and located in a blighted area; is not needed for governmental or related purposes; has not been used and is not to be used in the operation of the municipality. The sale of the property in the manner otherwise prescribed by law is not necessary for the financial welfare of the municipality; and

WHEREAS, the use of the 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, or the civic, social, educational, cultural, moral, economic or industrial welfare thereof; and

WHEREAS, the conveyance by the City of Tupelo to Neighborhood Development Corporation of the subject property will foster the redevelopment and improvement of the area in which it is located and the civic, economic and industrial welfare of the municipality; and

WHEREAS, title to the property will revert to the municipality if the Neighborhood Development Corporation does not fulfill the purpose for which the property was conveyed and satisfy all conditions imposed on the conveyance within two (2) years of the date of the conveyance; and

WHEREAS, the City of Tupelo shall retain all mineral rights that it owns, together with the right of ingress and egress to remove same.

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

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 in the care, management and control of its property, and in the best interest of the health, safety and welfare of its citizens by securing necessary interests in real property for the provision of utility services.
2. The Mayor and City Clerk are hereby authorized to convey by donation to Neighborhood Development Corporation the real property known as 1112 Chapman Drive as more

particularly described in the above-referenced Warranty Deed wherein the property was conveyed to the municipality.

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 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 resolution adopted.

WHEREUPON, the foregoing Resolution was declared, passed and adopted at a regular meeting of the Council on this the _____ day of _____, 2023.

CITY OF TUPELO, MISSISSIPPI

By: _____
TRAVIS BEARD
City Council President

ATTEST:

MISSY SHELTON, Clerk of the Council

APPROVED:

TODD JORDAN, Mayor

DATE