



MS Secretary of State

PUBLIC LANDS

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Public Lands Divisions

HISTORICAL RECORDS, AGENCY, TIDELANDS, 16TH SECTION LANDS,
TAX-FORFEITED LANDS

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Historical Records

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- We keep the originals of Land Patents granted at Statehood, survey notes, field notes, and other historical land records. Some records are over 100 years old.



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Agency Lands

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- We keep the inventory of all lands held by State agencies (except 16th Section, Tidelands, and MDOT Roads), and we review deeds for transfers in/out of State ownership prior to signature by Secretary of State and Governor. We provide advice regarding land transfers to State agencies.



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Tidelands

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- This is the land (above and submerged) subject to the ebb and flow of the tide. The inland boundary is the line of mean high tide, and the seaward boundary is the State Boundary 3 miles south of the barrier islands.



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16th Section Lands

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- Lands reserved at Statehood pursuant to the Land Ordinance of 1785 and the Georgia Cession. “. . . reserved the lot no. 16, of every township, for the maintenance of public schools within said township . . .”



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16th Section Lands – Cont.

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- There are approximately 640,000 acres (surface/mineral) in the trust and another approximately 40,000 acres of minerals.
- There are no deeds to the property because the Georgia Cession is operation of law.



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16th Section Lands – Cont.

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- Mississippi is not the only State with Public School Trust Lands.
- Other than School Use there are no free uses of the 16th Section Land. Fair Market Value Rent must be received.



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16th Section Lease Classifications

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- Agricultural, Catfish Farming, Commercial, Farm-Residential, Forestry (Hunting/Fishing), Industrial, Recreational, Residential, and Oil, Gas Mineral



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16th Section Current Revenue

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- Surface – \$25,514,733.41
- Timber – \$11,360,662.17 (Escrow \$2,183,807.50)
- Mineral (Bonus) – \$372,186.26
- Mineral (Royalty) – \$6,282,510.40
- Investment – \$8,516,415.70
- Other Income – \$2,666,791.72
- Total Income – \$57,530,242.44
- Principal Fund Total – \$353,007,575.43

All this money stays at the local school district level.



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16th Section Recent Litigation

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- *West Jasper School District v. Rogers*, ___ So. 3d ___, 2023 WL1793040 (Miss. 2023)
- *Wayne County School District v. Quitman School District*, 346 So. 3d 853 (Miss. 2022)
- *Jones County School District v. Covington County School District*, 352 So. 3d 1123 (Miss. 2022)



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16th Section Current Issues

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- Solar Site Leases
- Carbon Capture Leases
- 99-year leases (under 30 years remaining)



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Tax-Forfeited Lands

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- Those lands forfeited to the State for non-payment of taxes which have not been redeemed and have matured to the State.



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Tax-Forfeited Lands – Cont.

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- Currently the State holds 8,000 parcels.
- We sell/transfer approximately 2,300 parcels a year.
- Last year the sales totaled approximately \$1.2 million.
- Pursuant to §29-1-21 a governmental entity has priority to obtain a transfer of TFL except as to prior owner.
- If a request is made by a governmental entity for property, we require a plan for use (park, community building, etc.).



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Tax-Forfeited Lands – Cont.

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Home > Tax-Forfeited Inventory

Mobile

[Application Instructions](#)
[Log In](#)

County

Select A County

- Adams
- Alcorn
- Amite
- Attala
- Benton
- Bolivar
- Calhoun
- Carroll
- Chickasaw
- Choctaw
- Claborne
- Clarke
- Clay
- Coshoma
- Copiah
- Covington
- DeSoto
- Forrest
- Franklin
- George
- Greene
- Grenada

Property Address

Contains Exact (separate words with one space)

Address Line 1

Address Line 2

City Zipcode

Subdivision

Property Information

Contains Exact (separate words with one space)

Parcel Number

PPIN

Market Value Range (\$) to

Assessed Owner

Legal Description

Section

16

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Tax-Forfeited Lands Current Issues

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- HOA Fees and Assessments
- Tax Sale – Seat of Government Land



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Tax-Forfeited Lands – Cont.

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- We recommend confirmation lawsuit on all Patents
- Generally, not a bad idea to name State as a party on ANY confirmation lawsuit
- State cannot warrant title



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Tax-Forfeited Lands Litigation

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- *Loblolly Properties LLC v. LePapillon Homeowner's Association, Inc.*, 368 So. 3d 1283 (Miss. 2023)



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Tax-Forfeited Lands Legislation

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- **Most TFL type bills deal with blight and cleanup**
- HB351 – Confirmation of Patent no more than cost of Patent – Died in Committee
- HB351 – Land Bank – Died in Committee
- SB2032 – Tax Sale, County to retain overbid – Died in Committee



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QUESTIONS?



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THANK YOU!

