

Resolution No. 862-22

RESOLUTION AUTHORIZING ENTRY INTO OPTION TO PURCHASE REAL PROPERTY WITH TULLIS GARDENS HOTEL, LLC, A MISSISSIPPI LIMITED LIABILITY COMPANY, FOR OPTION TO PURCHASE REAL PROPERTY TO BUILD A RESORT HOTEL AND RELATED USES, AND FOR RELATED PURPOSES

WHEREAS, as an essential part of its strategic plans and goals, the City desires to enhance the growth and sustainability of the City as a major national and international tourism destination, and accordingly the City is seeking ways and means to create greater visitor traffic especially mid-week, increase high-quality hotel rooms and related uses along the waterfront, generate revenue to state and local governments by increasing revenue base and infrastructure, create additional high paying jobs, and create greater marketability of the City as a tourism and convention destination;

WHEREAS, to meet the City's strategic plans and goals, Tullis Gardens Hotel, LLC, a Mississippi limited liability company ("Tullis Gardens"), desires to create a high-quality hotel and related uses with authentic architectural designs in harmony with the Point Cadet Historic District, standards of the Architectural and Historic Review Commission, City Waterfront Design Standards, and other applicable Land Use Ordinances in order to create a unique, world-class tourism destination on the Tullis Property;

WHEREAS, as part of the project, to create a unique, historic event venue, Tullis Gardens plans to reconstruct the antebellum Tullis Manor that graced the property prior to Hurricane Katrina and make it available for special events;

WHEREAS, Tullis Gardens plans to establish at the historic site of the Tullis Manor's kitchen and slave quarters an interpretive center for history of African Americans in Biloxi, in collaboration with the Pleasant Reed House on the grounds of the adjacent Ohr-O'Keefe Museum;

WHEREAS, Tullis Gardens plans to establish produce, herb and floral gardens on the

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grounds and plans to preserve majestic oaks on the Tullis Property by making them key elements of extensive gardens throughout the property from Highway 90 to Howard Avenue that in themselves will be unique, outdoor attractions for tourists and local residents;

WHEREAS, the City is the fee simple owner of certain land, commonly known as the former Tullis Manor property (the "Tullis Property"), located on Highway 90 and Howard Avenue in the City of Biloxi, Mississippi, 39530, as more fully described in the attached Agreement (Ex. "1");

WHEREAS, adoption of the Agreement (Ex. "1") is in the best interest of economic growth and development of the City of Biloxi and is consistent with the City of Biloxi ordinances applicable to the Point Cadet area;

WHEREAS, the Tullis property has previously been declared surplus property in Resolution 612-18;

WHEREAS, the Mayor and City Council, under the authority of Mississippi Code of 1972, Section 21-17-1(2), find that the municipally-owned City properties described in the legal descriptions and tax parcels identified in the attached Agreement (Exhibit "1") (i) are no longer needed for municipal purposes or related purposes and are not to be used in the operation of the municipality; (ii) the sale of such properties in the manner otherwise provided by law is not necessary or desirable for the financial welfare of the municipality; (iii) the use of such property for the purpose for which it is to be sold, conveyed or leased will promote and foster the development and improvement of the community in which it is located and the civic, social, educational, cultural, moral, economic and industrial welfare thereof;

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WHEREAS, the Mayor and City Council, under the authority of Mississippi Code of 1972, Section 57-7-1, hereby find and deem the real property described in the attached Agreement (Ex. "1") to be surplus property not needed for governmental purposes and should be set aside and improved for the commercial purposes described in the attached Agreement (Ex. "1"); and

WHEREAS, in the attached Agreement (Ex. "1"), the option to purchase granted to Tullis Gardens Hotel, LLC, provides that, in the event the option to purchase is exercised, the purchase price to be paid to the City will be an amount equal to the average of two appraisals of fair market value plus 25% of the average of the two appraisals of fair market value.

NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BILOXI, MISSISSIPPI, THAT:

SECTION ONE: The findings, statements, and conclusions contained in the preamble of this resolution are hereby adopted, ratified, and incorporated herein.

SECTION TWO: The City Council for the City of Biloxi hereby approves and agrees to enter the attached Agreement (Ex. "1") with Tullis Gardens Hotel, LLC, and hereby authorizes the Mayor and Municipal Clerk to execute and deliver the attached Agreement (Ex. "1") and further authorizes the Mayor and Municipal Clerk to execute all deeds of conveyance, instruments, and other documents necessary to effectuate the purpose and intent of this resolution, including, without limitation, in the event Tullis Gardens exercises its option to purchase, all instruments, deeds of conveyance, and closing statements and all other documents necessary to effectuate sale to and purchase by Tullis Gardens of the real property described in the attached Agreement (Ex. "1")

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SECTION THREE: The real property described in Exhibit “A” to Exhibit “1,” and identified as Tax Parcel Nos. 1410I-04-079.000, 1410I-04-031.000, 1410I-04-030.000, 1410I-04-080.000, 1410I-04-081.000, and the east 100’ of 1410I-03-009.000., commonly referred to as the Tullis Property is no longer needed for municipal purposes and will not be used in the future for the operation of the City and is hereby declared to be surplus.

SECTION FOUR: This resolution shall take effect and be in force from and after adoption.

The foregoing Resolution having first been reduced to writing, was read by the Clerk and moved by Councilmember Glavan, seconded by Councilmember Tisdale, and was adopted by the following vote:

YEAS:	Lawrence	Tisdale	NAYS:	None
	Gines	Glavan		
	Newman	Barrett		
	Deming			

The President then declared the Resolution adopted this the 22<sup>nd</sup> day of November, 2022.

ATTEST:

APPROVED:

\_\_\_\_\_  
DEPUTY CLERK OF THE COUNCIL

\_\_\_\_\_  
PRESIDENT OF THE COUNCIL

Submitted to and approved by the Mayor, this the \_\_\_\_\_ day of November, 2022.

APPROVED:

\_\_\_\_\_  
MAYOR