

I. Crossin g Muddy Waters

II. The Struggle to Preserve a Historic Neighborhood Along Mississippi 's Gulf Coast

1 By Trisha
Miller

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Rose Johnson stands nervously in a crowded room in Gulfport, Mississippi, surrounded by out-of-towners. With \$1,000 in her pocket, she competes in the local tax sale to buy property in the low-income neighborhood of North Gulfport, where she has lived her entire life. Other participants gather at this annual event to purchase tax-delinquent property on the cheap. For Johnson, however, this is more than a chance to make a quick profit – it is a way to return land to the hands of African-Americans who have called this area home for generations.

In a historic alliance, two women from disparate backgrounds – Rose Johnson, a community leader who grew up in segregated Gulfport, and Becky Gillette, a freelance reporter from Idaho – recently formed the North Gulfport Community Land Trust to reclaim abandoned and foreclosed property for neighborhood redevelopment. What began as a good idea at last year's tax sale has evolved into a community-based organization dedicated to increasing homeownership for African-American families in one of the poorest regions of the country.

Their goal is to turn distressed areas into opportunities for community revitalization. To ensure that it remains part of and responsive to the community, the land trust formed a board of directors composed of concerned residents, including descendants from one of the first freedmen settlements in Mississippi, established during Reconstruction. "We tilled the earth as slaves," says Johnson. "We helped build this country. We have to take back what will strengthen and rebuild our communities."

A History of Segregation

The concern over land loss and displacement in North Gulfport is rooted in a history of segregation in southern Mississippi. In 1866, a group of recently emancipated African-Americans purchased and settled on a few hundred acres along Mississippi's Gulf Coast that came to be known as Turkey Creek. The area was considered undeveloped swampland, but it was quickly transformed into a vibrant, self-sufficient neighborhood replete with farms, homesteads and the first African-American school in the Gulfport region.

As lucrative resort development grew along the Gulf Coast in the early 1900s, African-Americans were banned from the local beaches. The Mississippi coastline remained off limits to them until the historic "wade in" of 1969, when Gulfport residents broke the color barrier by marching into the bay. In the shadows of Jim Crow, minority residents took refuge in the neighborhoods of North Gulfport and Turkey Creek. Two societies, racially divided, grew up alongside each other. Gulfport, a largely white city of 82,000 people, stretched out along the coast, while the African-American community of a few thousand residents settled just to the north along the

creek. Johnson recalls her baptism in the creek's waters and residents walking to the creek with cane poles, awaiting a public ceremony. The creek served as a religious and cultural center for her community, as well as a shelter from segregated Gulfport.

Even after Jim Crow, the two African-American neighborhoods remained isolated from the mostly white city. While city services extended to other outlying communities, North Gulfport and Turkey Creek residents were left to fend for themselves. The neighborhoods suffered from a lack of basic infrastructure, contaminated drinking water and chronic flooding. In response, a group of concerned citizens brought a successful challenge to the city's gerrymandered annexation district, which snaked around the African-American area to capture the predominately white population that lived nearby. North Gulfport and Turkey Creek were officially annexed in 1994.

Struggle for Control

While the neighborhoods have been absorbed within the city limits, racial tensions and economic disparities persist. North Gulfport streets still lack curbs, sidewalks and gutters – a dangerous state of disrepair for such a flood-prone area. In previous years, floodwaters rose high enough to fill a local church waist-deep. Pollution and toxicity also plague the area. The waters of the creek are so unsafe that whatever fish survive cannot be eaten for fear of mercury poisoning. The city exacerbated matters by illegally dredging a 1,500 foot stretch of the creek shortly after Earth Day in 2003, destroying trees and exposing residents to several decades' worth of poisoned and hazardous soil. In another stroke of bravado, the city forcibly removed signs distributed by Johnson and Gillette that read "We can clean up Mississippi's air and water."

What was once a refuge has become a polluter's dumping ground. The swimming hole up the street from Johnson's house is now clogged with several thousand old tires, slowly rotting. Instead of restoring the creek and protecting the flood-prone homes and schools, the city's land use plans further marginalized the community and placed obstacles in the path of revitalization. For example, the city attempted to rezone the residential areas of North Gulfport and Turkey Creek as a commercial district in 1994. Next, Johnson and other residents learned that all but a small portion of the African-American cemetery along the creek, established at the turn of the 20th century, was bulldozed to make way for an apartment complex. The remaining gravesite markers are concealed behind a chain-link fence.

But more recently, community advocates have made progress in protecting the area's land and cultural heritage. In 2001, the Mississippi Heritage Trust recognized the Turkey Creek community as one of the 10 most endangered historic places in Mississippi. One of the original homes from the freedmen settlement was listed on the National Register of Historic Places. Many of these historic properties remain on the banks of the creek, some with brightly painted clapboard porches, others overtaken by flooding or neglect.

In his family's century-old home on Rippy Road, the main path along the creek,

Derrick Evans is writing an oral history of the Turkey Creek neighborhood. What began as a research project has transformed into a new grassroots organization, Turkey Creek Community Initiatives, which rehabilitates historic properties and promotes the restoration of the estuary. With the legal support of the Lawyers' Committee for Civil Rights Under Law and the law firm of DLA Piper Rudnick Gray Cary, Evans's group is dedicated to gaining recognition of these historical landmarks and securing funding for future restoration.

A Grassroots Response

Taking cues from the environmental and historic preservation work underway in neighboring Turkey Creek, Johnson and Gillette joined forces to promote an alternative development vision for North Gulfport. As co-chairs of the local chapter of the Sierra Club, they fought a massive development project proposed by Butch Ward, a well-connected Louisiana developer. Ward applied in 2003 for an Army Corps of Engineers permit to fill in 350 acres of wetlands surrounding North Gulfport for a commercial complex. The project drew public ire for the damage to homes and churches that would result from increased flooding and pollution. Johnson and Gillette worked alongside Reverend Calvin Jackson, who holds a copy of the original deed to the Turkey Creek settlement, and Councilwoman Ella Holmes Hines to organize residents and churchgoers to participate in a petition drive. Throughout the summer of 2003, thousands of residents wrote letters and submitted testimony to the Army Corps of Engineers and the city. Together with the Sierra Club, they challenged the state and federal permits to approve the wetland fill project – the largest of its kind along the Mississippi coast since the federal Clean Water Act was passed in the 1970s.

The mayor of Gulfport repeatedly admonished the public, calling residents from North Gulfport who opposed the project “dumb bastards” in an interview with the *Sun Herald* daily newspaper in April 2003. Residents and the local NAACP were enraged and demanded a public apology. Some even demanded the mayor's resignation. In another political gaffe, the mayor called for a citywide condemnation of Gillette for her public comment that the wetlands fill project was an example of “environmental racism.” Gillette was spared an official censure by a tie vote in the city council. Despite the political maelstrom, the community successfully blocked the wetlands fill project through its sustained opposition and by threatening legal action. By December, Ward withdrew his permits to drain the wetlands.

For Johnson, this was the first community victory in the face of growing development pressures; the next battle was to protect the land and available housing in North Gulfport for future generations. Johnson had witnessed numerous outside speculators taking advantage of the annual tax sale to purchase property in the neighborhood. Many elderly residents had lost their homes in the face of escalating property taxes. “Everywhere you looked another for sale sign was going up in North Gulfport,” Johnson says. Her idea was to save property that was left behind by her parents' generation and return it to the hands of African-American families. From this vision of restoring the community, Johnson and Gillette went on to create the first Mississippi coastal community land trust to promote land preservation and affordable housing in

North Gulfport.

The land trust is dedicated to protecting the culture and character of the neighborhood in the face of encroaching commercial development and recent foreclosures. It builds on a culture of homeownership in Mississippi. Over 72 percent of housing in Mississippi is owner-occupied. Yet, only 60 percent of African Americans own their own homes, compared to 78 percent of whites. Between 1990 and 2000, the state experienced a 25 percent growth in vacant, abandoned or otherwise unsuitable housing, twice the national rate of increase. Low per capita income and land speculation contribute to the decline in available land and housing among Mississippi's most distressed minority communities.

The residents of North Gulfport face even higher rates of poverty, land loss and housing abandonment than the state average. Their houses are much older and worth significantly less on the market. Residents also tend to occupy their homes for longer periods of time, and houses are often inherited rather than bought. Their lower home values are associated with limited access to schools, hospitals and other public facilities. North Gulfport stands in the precarious position of wanting to preserve its cultural and architectural heritage from polluters and unscrupulous developers, and also fighting desperately for public improvements.

Reversing the Trend

The land trust aims to reverse the trend of decline and abandonment by preventing foreclosure and creating affordable housing for residents who would otherwise be priced out of the market. With pro bono legal assistance from the Lawyers' Committee for Civil Rights Under Law and the law firm of Sutherland, Asbill and Brennan, the land trust was formed as a local democratically-controlled nonprofit that acquires real estate in order to provide direct benefits to the community. The organization also partners with local affordable housing developers. The board of directors is composed of community residents, public representatives such as elected officials and staff of local nonprofits and people who own property on land managed by the trust. Each constituency has an equal voice in real estate transactions and development agreements.

Based on successful models in Durham, North Carolina and Roxbury, Massachusetts, the land trust retains permanent ownership of the land on which homes or facilities are built, while individuals own the homes, pursuant to a long-term (99-year) renewable ground lease. Homeowners may resell their homes, but they can only recapture a share of the appreciated value of the home and any improvements they have made to the land. Shared appreciation provisions in the lease agreement offer homeowners a fair return on their investment while protecting the community's investment of public and private resources dedicated to long-term housing affordability. The goal is to balance the needs of homeowners to build equity and identify stable housing options with the community's need to preserve affordable homeownership opportunities for future generations. The land trust has purchased four vacant parcels and intends to begin construction of new homes in the next two years.

Drawing on the civil rights history of Turkey Creek and North Gulfport, the land trust has marshaled support from residents, affordable housing developers, environmentalists and lawyers alike. For Johnson and Gillette, this is a chance to steer development in a new direction, toward a vision of hope and community reinvestment. Acquiring the land is the first step. Arguably, the more difficult challenge lies in gaining the resources and expertise to develop new low-income housing opportunities. On the road ahead, the land trust's founders will work to expand it, block by block. Standing proudly in front of her home, Rose Johnson looks out toward the vacant lots of North Gulfport and sees a neighborhood restored.

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Trisha Miller is a staff attorney with the Housing and Community Development Project of the Lawyers' Committee for Civil Rights Under Law. The organization helps provide pro bono legal support to nonprofits to strengthen the capacity for affordable homeownership in minority communities.

III. Resources

Lawyers' Committee for Civil Rights Under Law

**1401 New York Ave., NW, Ste. 400
Washington, DC 20005**

**[www.lawyerscomm.org/projects/commi
nitive.html](http://www.lawyerscomm.org/projects/commi
nitive.html)**

IV. Institute for Community Economics, Inc.

**57 School Street
Springfield, MA 01105-1331
413-746-8660**

www.iceclt.org/

V. “Affordable Forever: Land Trusts Keep Housing Within Reach”

**by Winton Pitcoff. *Shelterforce*,
Jan/Feb 2002, p.12.**

www.nhi.org/online/issues/121/LandTrusts.html

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