

1-1 By: Hinojosa S.B. No. 782
 1-2 (In the Senate - Filed February 24, 2021; March 11, 2021,
 1-3 read first time and referred to Select Committee on Ports;
 1-4 April 13, 2021, reported adversely, with favorable Committee
 1-5 Substitute by the following vote: Yeas 6, Nays 0; April 13, 2021,
 1-6 sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8	X			
1-9	X			
1-10	X			
1-11	X			
1-12			X	
1-13	X			
1-14	X			
1-15	X			

1-16 COMMITTEE SUBSTITUTE FOR S.B. No. 782 By: Lucio

1-17 A BILL TO BE ENTITLED
 1-18 AN ACT

1-19 relating to authorizing the sale of certain real property by the
 1-20 State of Texas to the Port of Corpus Christi Authority of Nueces
 1-21 County, Texas.

1-22 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-23 SECTION 1. (a) The real property described by Section 2 of
 1-24 this Act was originally submerged land purchased by the Port of
 1-25 Corpus Christi from the State of Texas in 1956 under former Article
 1-26 8225, Revised Statutes. Following the conveyance, the submerged
 1-27 land was artificially filled and subsequently leased to a third
 1-28 party for non-navigation-related purposes. Following litigation
 1-29 between the port and the State of Texas, the parties entered into a
 1-30 settlement agreement pursuant to which the real property was
 1-31 conveyed back to the state. The port now wishes to use the real
 1-32 property for navigation-related purposes.

1-33 (b) Subject to Subsections (c), (d), and (e) of this
 1-34 section, the State of Texas shall convey the real property
 1-35 described by Section 2 of this Act to the Port of Corpus Christi
 1-36 Authority of Nueces County, Texas, to be used by the port only for
 1-37 purposes reasonably related to the promotion of navigation as
 1-38 defined by Section 61.116(b), Water Code.

1-39 (c) The real property described by Section 2 of this Act may
 1-40 not be conveyed by the State of Texas to the Port of Corpus Christi
 1-41 Authority of Nueces County, Texas, for an amount less than the fair
 1-42 market value of the real property. The fair market value of the
 1-43 real property must be established by an independent appraisal
 1-44 obtained by the asset management division of the General Land
 1-45 Office.

1-46 (d) The proceeds from the sale of real property authorized
 1-47 by this Act must be paid to the State of Texas for the benefit of the
 1-48 permanent school fund. The state shall reserve for the benefit of
 1-49 the permanent school fund the state's interest in all oil, gas, and
 1-50 other minerals in and under the real property described by Section 2
 1-51 of this Act.

1-52 (e) The conveyance of the real property described by Section
 1-53 2 of this Act shall be made subject to all valid covenants,
 1-54 conditions, reservations, restrictions, rights-of-way, easements,
 1-55 and leases, if any, that are recorded or apparent by visual
 1-56 inspection.

1-57 (f) The port may not:

1-58 (1) lease the real property described by Section 2 of
 1-59 this Act for a use that is not reasonably related to the promotion
 1-60 of navigation as defined by Section 61.116(b), Water Code; or

2-1 (2) dispose of the real property except to sell the
2-2 real property to the State of Texas or exchange the real property
2-3 with the State of Texas in accordance with Section 61.117(f), Water
2-4 Code.

2-5 (g) Sections 31.1571, 31.158, and 31.159, Natural Resources
2-6 Code, do not apply to the sale of real property authorized by this
2-7 Act.

2-8 SECTION 2. The real property held by the State of Texas is
2-9 submerged and filled submerged land being 33.26 acres of real
2-10 property, more or less, located in Nueces County, Texas, and more
2-11 particularly described by metes and bounds as follows:

2-12 BEGINNING at a 5/8" steel rod found to replace the original corner
2-13 "P" marking the original meanders of Nueces Bay as shown on said map
2-14 recorded in Volume 1251, Page 340, Deed Records, Nueces County,
2-15 Texas, said corner having coordinates of N 17194856.64, E
2-16 1344097.53, Texas South Zone 4205, NAD 83, combined scale factor
2-17 1.000005016, for an exterior corner in the south line of this tract;
2-18 THENCE, S-66°-42'-47"-W, along said original shoreline meander, a
2-19 distance of 254.92v, 708.10' to a 5/8" steel rod set to replace
2-20 called corner "O" for the most southerly corner of this tract;
2-21 THENCE, N-53°-59'-13"-W, continuing along original shoreline
2-22 meanders, a distance of 147.38v, 409.40' to a point which falls in
2-23 the water for an interior corner in the south line of this tract;
2-24 THENCE, S-85°-15'-47"-W, continuing along original shoreline
2-25 meanders, a distance of 44.86v, 124.60' to a point which falls in
2-26 the water at the intersection of said shoreline meanders with the
2-27 southeast bulkhead line of Canal B as shown on said map for the west
2-28 corner of this tract;
2-29 THENCE, N-31°-34'-47"-E, a distance of 577.00v, 1602.79' to a point
2-30 in the water at the intersection of said Canal B bulkhead line with
2-31 the Rincon Canal bulkhead line for the north corner of this tract;
2-32 THENCE, S-58°-25'-13"-E, a distance of 504.00v, 1400.00' to a point
2-33 in the water at the intersection of said Rincon Canal bulkhead line
2-34 with the Canal A bulkhead line for the east corner of this tract;
2-35 THENCE, S-31°-34'-47"-W, a distance of 142.04v, 394.57' to a point
2-36 in the water at the intersection of said Canal A bulkhead line with
2-37 the original shoreline meanders for the southeast corner of this
2-38 tract;
2-39 THENCE, N-47°-19'-13"-W, along said original shoreline, a distance
2-40 of 204.22v, 567.29' to a 5/8" steel rod set to replace called corner
2-41 "Q" for an interior corner of this tract:
2-42 THENCE, S-25°-36'-47"-W, along said original shoreline, a distance
2-43 of 252.00v, 700.00' to the POINT OF BEGINNING and containing
2-44 33.26-acres of land, more or less.

2-45 SECTION 3. This Act takes effect immediately if it receives
2-46 a vote of two-thirds of all the members elected to each house, as
2-47 provided by Section 39, Article III, Texas Constitution. If this
2-48 Act does not receive the vote necessary for immediate effect, this
2-49 Act takes effect September 1, 2021.

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