

By: Creighton, Nichols

S.B. No. 1643

A BILL TO BE ENTITLED

AN ACT

relating to special purpose territory of the Port of Beaumont
Navigation District of Jefferson County, Texas.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 5010.0104, Special District Local Laws
Code, is amended to read as follows:

Sec. 5010.0104. DISTRICT TERRITORY. The district is
composed of the territory:

(1) in Jefferson and Orange Counties described by
Sections 1 and 1A, Chapter 147, Acts of the 51st Legislature,
Regular Session, 1949, as that territory may have been modified
under:

(A) [~~1~~] Section 3 or 3a, Chapter 103, Acts of
the 41st Legislature, 1st Called Session, 1929 (Article 8263a,
Vernon's Texas Civil Statutes), before August 30, 1971;

(B) [~~2~~] Subchapter H, Chapter 62, Water Code;
or

(C) [~~3~~] other law; and

(2) described by Section 3 of the Act enacting
Subchapter F.

SECTION 2. Chapter 5010, Special District Local Laws Code,
is amended by adding Subchapter F to read as follows:

SUBCHAPTER F. SPECIAL PURPOSE AREA

Sec. 5010.0601. DEFINITION. In this subchapter, "special

1 purpose area" means the territory described by Section 3 of the Act
2 enacting this subchapter.

3 Sec. 5010.0602. REPORTING OF CARGO AND VESSEL MOVEMENTS.
4 Waterborne commercial cargo and vessel movements originating in or
5 departing from the special purpose area may be attributed as
6 waterborne commercial cargo or vessel movements originating in or
7 departing from the district for the purpose of reporting to the
8 United States Army Corps of Engineers under applicable federal law.

9 Sec. 5010.0603. EFFECT ON OTHER DISTRICTS. The inclusion
10 of the special purpose area in the district does not affect any
11 powers or duties exercised in the special purpose area by the
12 Sabine-Neches Navigation District or the Orange County Navigation
13 and Port District.

14 Sec. 5010.0604. TAXATION PROHIBITED. The district may not
15 impose a tax in the special purpose area.

16 SECTION 3. The Port of Beaumont Navigation District of
17 Jefferson County, Texas, includes the following two tracts as a
18 special purpose area for the purposes of Subchapter F, Chapter
19 5010, Special District Local Laws Code:

20 TRACT 1

21 BEING 1875 ± acres of land and water, part of the Neches
22 River, the Burr & Caswell Survey, Section No. 3, Abstract No. 393,
23 the O.W. Keith Survey, Abstract No. 681, the Burr & Caswell Survey,
24 Section Number 5, Abstract No. 406, the John Montez Survey,
25 Abstract No. 175, the William Carroll Survey, Abstract No. 13, and
26 the R.A. Greer Survey, Abstract No. 678, Jefferson County, Texas;
27 said 1875 ± acre tract being more fully described by metes and

1 bounds as follows, to wit:

2 BEGINNING at a point on the intersection of the thread of the
3 Neches River with the East line of the Joseph S. Johnston Survey,
4 Abstract No. 34, same being the West line of the William Carroll
5 Survey, Abstract No. 13, for the Northwest comer of the herein
6 described tract; said point being an easterly comer of the current
7 boundary of the Port of Beaumont Navigation District;

8 THENCE, in a Southeasterly direction, on the meanders of the
9 thread of the Neches River, a distance of 11.3 ± miles to its
10 intersection with the current city limits of the City of Port
11 Arthur, as described in Ordinance No. 2540, dated November 4, 1959,
12 for the Northeast comer of the herein described tract;

13 THENCE, in a Southwesterly direction, on the current city
14 limits of the City of Port Arthur, a distance of 1007' ± to a point
15 on the southwesterly bank of the Neches River where it meets the
16 mouth of Molasses Bayou, for the Southeast comer of the herein
17 described tract;

18 THENCE, in a Northwesterly direction, on the southwesterly
19 bank of the Neches River, and the Southwesterly bank of the Neches
20 River Cut-Offs shown on Volume 9, Page 10, and Volume 6, Pages
21 47-52, Map Records, Jefferson County, Texas, a distance of 9.1 ±
22 miles to a point on the current limits of the Port of Beaumont
23 Navigation District, same being the East line of the Joseph S.
24 Johnston Survey, Abstract No. 34, and the West line of the William
25 Carroll Survey, Abstract No. 13, for the Southwest comer of the
26 herein described tract;

27 THENCE, in Northerly direction, on the current limits of the

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1 Port of Beaumont Navigation District, same being the East line of
2 the Joseph S. Johnston Survey, Abstract No. 34, and the West line of
3 the William Carroll Survey, Abstract No. 13, a distance of 4050' ±
4 to the POINT OF BEGINNING, and containing 1875 ± acres of land, more
5 or less.

6 TRACT 2

7 BEING 265.4 ± acres of land, part of the Neches River, the
8 William Stephenson Survey, Abstract No. 23, and the Gilbert
9 Stevenson Survey, Abstract No. 167, Orange County, Texas; being all
10 of a (Called 250) acre tract of land, known as Tract 12, described
11 in a deed to Port of Beaumont Navigation District, recorded in
12 Volume 123, Page 376, Deed Records, Orange County, Texas, and all of
13 a (Called 108.9935) acre tract, described in a Quitclaim Deed to the
14 Port of Beaumont Navigation District, recorded in Volume 955, Page
15 34, Official Public Records, Orange County, Texas; said 265.4 ±
16 acre tract being more fully described by metes and follows as
17 follows, to wit:

18 BEGINNING at a half-inch steel rod, capped and marked
19 "SOUTEX", found on the southeasterly line of a 225' wide Kansas City
20 Southern Railway Company right of way, formerly Texarkana & Fort
21 Smith Railway Company, and the West line of a (Called 496.00) acre
22 tract of land, known as Parcel 1, described in a deed to Optimus
23 Steel, LLC, recorded in File No. 458665, Official Public Records,
24 Orange County, Texas, for the most northerly corner of the herein
25 described tract; said capped rod having coordinates of N:
26 10052007.85, E: 4274200.44;

27 THENCE, South 05 deg., 58 min., 02 sec., East, on the West

1 line of the (Called 496.00) acre tract, a distance of 1894.32' to a
2 3" steel pipe found for corner on the common line of the Gilbert
3 Stevenson Survey, Abstract No. 167 and the William Stephenson
4 Survey, Abstract No. 23; said steel pipe having coordinates of N:
5 10050123.79, E: 4274397.37;

6 THENCE, South 06 deg., 06 min., 36 sec., East, continuing on
7 the West line of the (Called 496.00) acre tract, and an extension
8 thereof, at 2271.95' passing a 1" steel pipe found for reference,
9 and continuing a total distance of 2729.68' ± to a point on the
10 thread of the Neches River, for the Southeast corner of the herein
11 described tract; said point for corner being on the current
12 boundary of the Port of Beaumont Navigation District;

13 THENCE, in a northwesterly direction, on the thread of the
14 Neches River and the current limits of the Port of Beaumont
15 Navigation District, a distance of 5143' ± to a point on the
16 southeasterly line of the 225' wide Kansas City Southern Railway
17 Company right of way, for the Southwest corner of the herein
18 described tract;

19 THENCE, North 45 deg. 36 min. 40 sec East, on the
20 southeasterly line of said Kansas City Southern Railway Company
21 right of way, a distance of 386.45' ± to a point for corner;

22 THENCE, continuing on the southeasterly line of said Kansas
23 City Southern Railway Company right of way, on the arc of a curve to
24 the right, having a radius of 2785.00', an arc length of 477.92', a
25 chord bearing of North 50 deg., 07 min., 07 sec., East, a chord
26 distance of 477.33' to a point for corner;

27 THENCE, North 55 deg., 02 min., 05 sec., East, continuing on

1 the southeasterly line of said Kansas City Southern Railway right
2 of way, a distance of 4430.21' to the POINT OF BEGINNING and
3 containing 265.4 ± acres of land and water, more or less.

4 SECTION 4. (a) The legal notice of the intention to
5 introduce this Act, setting forth the general substance of this
6 Act, has been published as provided by law, and the notice and a
7 copy of this Act have been furnished to all persons, agencies,
8 officials, or entities to which they are required to be furnished
9 under Section 59, Article XVI, Texas Constitution, and Chapter 313,
10 Government Code.

11 (b) The governor, one of the required recipients, has
12 submitted the notice and Act to the Texas Commission on
13 Environmental Quality.

14 (c) The Texas Commission on Environmental Quality has filed
15 its recommendations relating to this Act with the governor, the
16 lieutenant governor, and the speaker of the house of
17 representatives within the required time.

18 (d) All requirements of the constitution and laws of this
19 state and the rules and procedures of the legislature with respect
20 to the notice, introduction, and passage of this Act are fulfilled
21 and accomplished.

22 SECTION 5. This Act takes effect immediately if it receives
23 a vote of two-thirds of all the members elected to each house, as
24 provided by Section 39, Article III, Texas Constitution. If this
25 Act does not receive the vote necessary for immediate effect, this
26 Act takes effect September 1, 2021.