

By: Rogers

H.B. No. 3420

A BILL TO BE ENTITLED

AN ACT

relating to the transfer of certain real property from the Texas Transportation Commission to Palo Pinto County.

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

SECTION 1. (a) Not later than January 1, 2024, the Texas Transportation Commission shall transfer to Palo Pinto County all or part of the real property described by Section 2 of this Act. The property transferred shall be sufficient to serve the purposes described by Subsection (b) of this section.

(b) The consideration for the transfer authorized by Subsection (a) of this section is the requirement that Palo Pinto County use the property transferred only as an area for motor vehicle scales used by and motor vehicle inspections conducted by Department of Public Safety inspectors or other authorized weight enforcement officers for purposes of enforcement of Chapter 621, Transportation Code, or a successor statute, a purpose that benefits the public interest of the state. If Palo Pinto County no longer uses the property as described by this subsection, ownership of the property automatically reverts to the Texas Transportation Commission.

(c) The Texas Transportation Commission shall transfer the property by an appropriate instrument of transfer that:

(1) includes a provision that:

(A) requires Palo Pinto County to use the

1 property as an area for motor vehicle scales used by and vehicle
2 inspections conducted by Department of Public Safety inspectors or
3 other authorized weight enforcement officers for purposes of
4 enforcement of Chapter 621, Transportation Code, or a successor
5 statute, a purpose that benefits the public interest of the state;
6 and

7 (B) indicates that ownership of the property
8 automatically reverts to the Texas Transportation Commission if
9 Palo Pinto County no longer uses the property for that public
10 purpose; and

11 (2) describes the property to be transferred by metes
12 and bounds.

13 (d) All contracts, leases, and other obligations governing
14 the real property transferred as authorized by this Act in effect on
15 the effective date of this Act are transferred to Palo Pinto County.

16 (e) Sections 31.158 and 31.159, Natural Resources Code, do
17 not apply to the transfer of real property authorized by this Act.

18 SECTION 2. The real property to which Section 1 of this Act
19 applies is only the property included in the following description
20 that is located in the S. Botsford Survey, Abstract 2164, in Palo
21 Pinto County, Texas:

22 BEING a called 6.820 acres, more or less, and being out of the
23 following described two tracts of land conveyed by A. B. Gilbert and
24 wife, Helen Gilbert to the State of Texas, acting by and through the
25 State Highway Commission, by Deed dated July 18, 1966, recorded in
26 Volume 336, Page 557, Deed Records of Palo Pinto County, Texas.

1 TRACT ONE:

2 BEING 4.014 acres of land, more or less, situated in the County of
3 Palo Pinto, State of Texas, and being out of the S. Botsford Survey,
4 Abstract No. 2164, and being a part of a tract of land conveyed to A.
5 B. Gilbert by will recorded in Volume 22, Page 394 thru 395 of the
6 Probate Minutes, Palo Pinto County, Texas, which 4.014 acres of
7 land, more or less, is more particularly described as follows:

8 BEGINNING at a point in the existing southeasterly right of way line
9 of U.S. Highway 80, said point being North 42 deg. 50 min. East a
10 distance of 6.55 feet from the most northerly northwest corner of
11 said A. B. Gilbert's tract that lies southerly of U.S. Highway 80;

12 THENCE North 42 deg. 50 min. East with the existing southeasterly
13 right of way line of said U.S. Highway 80 a distance of 2,400.00
14 feet to a point in the proposed southeasterly right of way line of
15 Interstate Highway 20, said point being 225.00 feet southeasterly
16 of and at right angles to centerline survey station 1334+00.00;

17 THENCE in a southwesterly direction with said proposed right of way
18 line along the arc of a circular curve to the left having a radius of
19 2,824.79 feet, and through a central angle of 13 deg. 00 min. 00
20 sec. a distance of 640.92 feet to a point;

21 THENCE South 29 deg. 50 min. West continuing with said proposed
22 right of way line a distance of 228.04 feet to a point;

23 THENCE in a southwesterly direction continuing with said proposed
24 right of way line along the arc of a circular curve to the right
25 having a radius of 1,472.39 feet and through a central angle of 25
26 deg. 00 min. 00 sec. a distance of 642.45 feet to a point;

27 THENCE South 54 deg. 50 min. West continuing with said proposed

1 right of way line a distance of 324.81 feet to a point;
2 THENCE in a southwesterly direction continuing with said proposed
3 right of way line along the arc of a circular curve to the left
4 having a radius of 2,824.79 feet and through a central angle of 12
5 deg. 00 min. 00 sec. a distance of 591.62 feet to the point of
6 beginning.

7 TRACT TWO:

8 BEING 48.804 acres of land, more or less, situated in the Counties
9 of Palo Pinto and Parker, State of Texas, and being out of the A.
10 Issac Survey, Abstract No. 728, Palo Pinto County, and Abstract No.
11 2165, Parker County, and the S. Botsford Survey, Abstract No. 31,
12 Parker County and Abstract No. 2164, Palo Pinto County, and being a
13 part of a tract of land conveyed by Billy H. Jones to A. B. Gilbert
14 by deed dated September 5, 1961 and recorded in Volume 295, Page
15 498, of the Deed Records, Palo Pinto County, Texas, and being also a
16 part of a tract of land conveyed to A. B. Gilbert by Will recorded in
17 Volume 22, Page 394 thru 395 of the Probate Minutes, Palo Pinto
18 County, Texas, which 48.804 acres of land, more or less, is more
19 particularly described as follows:

20 BEGINNING at the most Easterly corner of the A. B. Gilbert tract
21 that lies Northwesterly of U.S. Highway 80, said point being in the
22 existing northwesterly right of way line of U.S. Highway 80.

23 THENCE South 42 deg. 50 min. West with said existing Northwesterly
24 right of way line of U.S. Highway 80 a distance of 5,098.89 feet to a
25 point in the East line of the Ella Gilbert tract;

26 THENCE North 00 deg. 39 min. East with the East line of said Ella
27 Gilbert's tract a distance of 521.32 feet to a point in the proposed

1 Northwesterly right of way line of Interstate Highway 20, said
2 point being South 00 deg. 39 min. West a distance of 98.87 feet from
3 the Northeast corner of said Ella Gilbert's tract;

4 THENCE with said proposed Northwesterly right of way line of
5 Interstate Highway 20 the following courses and distances:

6 North 42 deg. 50 min. East a distance of 105.04 feet to a
7 point;

8 North 34 deg. 18 min. East a distance of 335.18 feet to a
9 point;

10 North 22 deg. 21 min. East a distance of 286.64 feet to a
11 point;

12 North 13 deg. 17 min. East a distance of 172.41 feet to a
13 point;

14 North 28 deg. 50 min. East a distance of 325.67 feet to a
15 point;

16 North 37 deg. 59 min. East a distance of 331.86 feet to a
17 point;

18 North 66 deg. 40 min. East a distance of 211.29 feet to a
19 point;

20 North 64 deg. 05 min. East a distance of 356.59 feet to a
21 point;

22 THENCE in a Northeasterly direction continuing with said proposed
23 right of way line along the arc of a circular curve to the left
24 having a radius of 1,869.86 feet and through a central angle of 21
25 deg. 15 min. 00 sec. a distance of 693.50 feet to a point, said point
26 being 225.00 feet Northwesterly of and at right angle to centerline
27 survey Station 1342+00.00;

1 THENCE North 42 deg. 50 min. East continuing with said proposed
2 right of way line a distance of 2,007.84 feet to a point in the
3 Northeasterly line of A. B. Gilbert's tract;

4 THENCE South 47 deg. 07 min. East with the Northeasterly line of
5 said A. B. Gilbert's tract a distance of 350.00 feet to the point of
6 beginning.

7 SECTION 3. This Act takes effect immediately if it receives
8 a vote of two-thirds of all the members elected to each house, as
9 provided by Section 39, Article III, Texas Constitution. If this
10 Act does not receive the vote necessary for immediate effect, this
11 Act takes effect September 1, 2023.