

By: Chisum

H.B. No. 2128

Substitute the following for H.B. No. 2128:

By: Cook of Navarro

C.S.H.B. No. 2128

A BILL TO BE ENTITLED

1

AN ACT

2 relating to the transfer of certain state property from the
3 Department of Public Safety of the State of Texas to Childress
4 County.

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

6 SECTION 1. (a) Not later than January 31, 2004, the
7 Department of Public Safety of the State of Texas may donate and
8 transfer to Childress County the real property described by
9 Subsection (e) of this section.

10 (b) Childress County may use the property transferred under
11 this Act only for a purpose that benefits the public interest of the
12 state. If Childress County uses the property for any purpose other
13 than a purpose that benefits the public interest of the state,
14 ownership of the property automatically reverts to the Department
15 of Public Safety of the State of Texas.

16 (c) The Department of Public Safety of the State of Texas
17 may transfer the property by an appropriate instrument of transfer.
18 The instrument of transfer must:

19 (1) provide that:

20 (A) Childress County may use the property only
21 for a purpose that benefits the public interest of the state; and

22 (B) ownership of the property will automatically
23 revert to the Department of Public Safety of the State of Texas if
24 Childress County uses the property for any purpose other than a

1 purpose that benefits the public interest of the state; and

2 (2) describe the property to be transferred by metes
3 and bounds.

4 (d) The Department of Public Safety of the State of Texas
5 shall retain custody of the instrument of transfer after the
6 instrument of transfer is filed in the real property records of
7 Childress County.

8 (e) The real property referred to in this section is located
9 on U.S. Highway 287 East, Childress County, Texas, and is described
10 as follows:

11 All of Block Number Four (4), of the East View Addition to the
12 City of Childress, Texas, according to the recorded map and plat of
13 said addition of record in the Plat Records of Childress County,
14 Texas.

15 (f) Notwithstanding the transfer of property under this
16 Act, the Department of Public Safety of the State of Texas may
17 access, use, and maintain the radio tower and associated
18 transmitter, generator, and equipment building located on the real
19 property described by Subsection (e) of this section.

20 (g) Childress County shall pay any transaction fees
21 resulting from the transfer of property under this Act.

22 SECTION 2. This Act takes effect September 1, 2003.