

By: Seaman

H.B. No. 1740

A BILL TO BE ENTITLED

1 AN ACT

2 relating to authorizing the City of Aransas Pass to acquire certain
3 state property.

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

5 SECTION 1. The City of Aransas Pass may acquire the right,
6 title, and interest in and to the use of the real property described
7 by Section 4 of this Act in exchange for real property described by
8 Section 5 of this Act.

9 SECTION 2. Simultaneously with the conveyance of real
10 property described by Section 5 of this Act by the City of Aransas
11 Pass, the commissioner of the General Land Office shall convey on
12 behalf of the state the state's right, title, and interest in and to
13 the use of the property described by Section 4 of this Act.

14 SECTION 3. The legislature finds that the real property
15 described by Section 5 of this Act has a fair market value equal to
16 the fair market value of the real property described by Section 4 of
17 this Act.

18 SECTION 4. The real property referred to in Sections 1 and 2
19 of this Act is the following described land and sea bottom below
20 high tide:

21 Beginning at the Northwest corner of the BBB&C R.R. survey,
22 Scrip 220, on the West shore of Red Fish Bay in Aransas County,
23 Texas;

24 Thence East across said Red Fish Bay with the North boundary

1 lines of half sections 279, 278, 277, 276, 275, 274, and 273, State
2 Oil Lease Surveys in and under Red Fish Bay in Nueces County, Texas,
3 to a point on the East shore of the island known as Shell Bank, a
4 distance of about three and one-eighth ($3\frac{1}{8}$) miles;

5 Thence along and with the east side or bank of Morris and
6 Cunnings Channel, extended, in a southwesterly direction, to the
7 Corpus Christi ship channel, a distance of about seven (7) miles;

8 Thence along and with the North side or bank of said Corpus
9 Christi ship channel in a westerly direction to the Southwest
10 corner of the Aransas Pass Independent School District, a distance
11 of about two and three-quarters ($2\frac{3}{4}$) miles;

12 Thence North across what is known as Dagger Point and Red Fish
13 Cove to a corner of said Aransas Pass Independent School District on
14 the eastern shore of Red Fish Cove and Red Fish Bay, on the San
15 Patricio and Nueces County lines, a distance of about one and
16 three-eighths ($1\frac{3}{8}$) miles;

17 Thence in a Northeasterly direction along and with the shore
18 line of Red Fish Bay, a distance of about six and one-quarter
19 ($6\frac{1}{4}$) miles to the place of beginning;

20 EXCEPTED from the area hereinabove described are those parts
21 of, Surveys Nos. 650, 651, and 652 therein and heretofore patented
22 to the Aransas Pass Channel and Dock Company, now known as the
23 Aransas Dock and Channel Company of Aransas Pass, Texas.

24 All of the minerals in the above described land and sea bottom
25 are reserved to the State, and the right of ingress and egress into,
26 over and on said area is reserved by the State and assented to by the
27 City of Aransas Pass, Texas, for the use and benefit of the State

1 and any lessee of the State in developing and producing oil, gas and
2 other minerals from said area.

3 SECTION 5. The real property described in Sections 1 and 2
4 of this Act is the following described land and sea bottom below
5 high tide:

6 Beginning in the North line of a survey in the name of Wm.
7 Docker, assignee of Lewis Von Zacharias as called for by Letters
8 Patent issued February 7th, 1842, Abstract No. 272, said point
9 being in the Southeast line of State F. M. Road No. 2725;

10 THENCE, with the North line of said Wm. Docker Survey,
11 Abstract No. 272, N. 88 deg. 27 min. 53 sec. East 1013.81 feet set a
12 2 inch iron pipe and a cedar post for the Northeast corner of said
13 Wm. Docker Survey and a corner of this tract;

14 THENCE, S. 21 deg. 12 min. 53 sec. West 166.67 feet along the
15 Southeast line of said Docker Survey to the Northwest corner of a
16 survey made in the name of Samuel Kenney, Abstract No. 182 as called
17 for in Letters Patent dated Dec. 4th, 1907;

18 THENCE, N. 88 deg. 27 min. 53 sec. East along the North line
19 of said Samuel Kenney Survey at 2247.22 feet the Northeast corner of
20 said Kenney Survey, and an internal corner of the Edmond St. John
21 Survey, Abstract No. 250, as called for by Letters Patent dated July
22 17th, 1880, and continuing along same course a total distance of
23 3533.19 feet to the East line of said Edmond St. John Survey in the
24 shoreline of Red Fish Bay for the Northeast corner of this tract;

25 THENCE, S. 35 deg. 27 min. 53 sec. West along the shoreline
26 1089.37 feet;

27 THENCE, S. 01 deg. 32 min. 07 sec. West along the shoreline

1 305.55 feet;

2 THENCE, S. 30 deg. 27 min. 53 sec. West along the shoreline
3 26.41 feet to the Southeast corner of this tract;

4 THENCE, S. 88 deg. 27 min. 53 sec. West 2905.53 feet to the
5 most Southerly Southwest corner of this tract;

6 THENCE, N. 01 deg. 32 min. 07 sec. East 1097.95 feet to a
7 corner in the Southeast line of said Wm. Docker Abstract No. 272;

8 THENCE, N. 46 deg. 02 min. 07 sec. West 215.5 feet to a
9 corner;

10 THENCE, S. 88 deg. 27 min. 53 sec. West 829.05 feet to a
11 corner, the most Westerly Southwest corner of this tract in the
12 Southeast boundary line of State F. M. Road No. 2725;

13 THENCE, N. 34 deg. 28 min. 19 sec. East along said road
14 boundary line 123.62 feet to the POINT OF BEGINNING, containing
15 89.5288 acres, more or less, and being partly out of the Wm. Docker
16 Survey Abstract No. 272, partly out of the Edmond St. John Survey
17 Abstract No. 250 and partly out of the Samuel Kenney Survey Abstract
18 No. 182;

19 SAVE AND EXCEPT THEREFROM the area contained in a narrow
20 strip out of the Northeast corner of the Wm. Docker Survey, Abstract
21 No. 272, which is more fully described in one certain Warranty Deed
22 dated January 15, 1969, executed by INGLESIDE LAND COMPANY, to
23 NATIONAL STEEL CORPORATION, recorded in Volume 382, Page 452, Deed
24 Records, San Patricio County, Texas, reference here being made to
25 Exhibit A, Tract 10, and being page 9 of said deed, for all
26 purposes.

27 EXCEPTIONS:

1 (1) Right-of-way Easement executed by SAN PATRICIO COUNTY
2 NAVIGATION DISTRICT No. 1, to CENTRAL POWER AND LIGHT COMPANY,
3 dated June 17, 1982, recorded in Volume 650, Page 493, Deed Records,
4 San Patricio County, Texas.

5 (2) Any visible and apparent roadways or easements over or
6 across the subject property, the existence of which does not appear
7 of record.

8 (3) Spoils Disposal Easement granted by INGLESIDE LAND
9 COMPANY, to Nueces County Navigation District No. 1, by instrument
10 dated April 22, 1952, recorded in Volume 177, Page 07, Deed Records,
11 San Patricio County, Texas.

12 (4) Those certain erosions thereof by the water of Red Fish
13 Bay and/or Red Fish Cove.

14 (5) Easement executed by INGLESIDE LAND COMPANY, to UNITED
15 STATES OF AMERICA, for the Gulf Intracoastal Waterway, dated
16 September 11, 1958.

17 (6) Any and all easements and sites for storage tanks,
18 separators, flow lines and roadways in the development and
19 operation of outstanding Mineral Lease recorded in Volume 173, Page
20 468, Deed Records, San Patricio County, Texas.

21 (7) Pipeline Right-of-way dated December 11, 1950, executed
22 by INGLESIDE LAND COMPANY, to HUMBLE PIPE LINE COMPANY, recorded in
23 Volume 168, Page 192, Deed Records, San Patricio County, Texas.

24 (8) Pipeline Right-of-way dated June 8, 1965, executed by
25 INGLESIDE LAND COMPANY, to SHELL OIL COMPANY, recorded in Volume
26 318, Page 144, Deed Records, San Patricio County, Texas.

27 (9) Reservation of all of the oil, gas and other minerals by

1 virtue of the wording "Surface Estate Only" in Deed dated January
2 15, 1969, executed by INGLESIDE LAND COMPANY, to NATIONAL STEEL
3 CORPORATION, recorded in Volume 382, Page 452 et seq., Deed
4 Records, San Patricio County, Texas. Title to said interest not
5 investigated subsequent to said date.

6 SECTION 6. This Act takes effect immediately if it receives
7 a vote of two-thirds of all the members elected to each house, as
8 provided by Section 39, Article III, Texas Constitution. If this
9 Act does not receive the vote necessary for immediate effect, this
10 Act takes effect September 1, 2005.