

By: Eltife

S.J.R. No. 40

1 SENATE JOINT RESOLUTION

2 proposing a constitutional amendment clearing land titles by
3 relinquishing and releasing any state claim to sovereign ownership
4 or title to interest in certain land.

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

6 SECTION 1. Article VII, Texas Constitution, is amended by
7 adding Section 2C to read as follows:

8 Sec. 2C. (a) Except as provided by Subsection (b) of this
9 section, the State of Texas relinquishes and releases any claim of
10 sovereign ownership or title to an interest in and to the tracts of
11 land, including mineral rights, described as follows:

12 Tract 1:

13 The first tract of land is situated in Upshur County, Texas,
14 about 14 miles South 30 degrees east from Gilmer, the county seat,
15 and is bounded as follows: Bound on the North by the J. Manning
16 Survey, A-314 the S.W. Beasley Survey A-66 and the David Meredith
17 Survey A-315 and bound on the East by the M. Mann Survey, A-302 and
18 by the M. Chandler Survey, A-84 and bound on the South by the G. W.
19 Hooper Survey, A-657 and by the D. Ferguson Survey, A-158 and bound
20 on the West by the J. R. Wadkins Survey, A-562 and the H. Alsup
21 Survey, A-20, and by the W. Bratton Survey, A-57 and the G. H.
22 Burroughs Survey, A-30 and the M. Tidwell Survey, A-498 of Upshur
23 County, Texas.

24 Tract 2:

1 The second tract of land is situated in Smith County, Texas,
2 north of Tyler and is bounded as follows: on the north and west by
3 the S. Leeper A-559, the Frost Thorn Four League Grant A-3, A-9,
4 A-7, A-19, and the H. Jacobs A-504 and on the south and east by the
5 following surveys: John Carver A-247, A. Loverly A-609, J. Gimble
6 A-408, R. Conner A-239, N.J. Blythe A-88, N.J. Blythe A-89, J.
7 Choate A-195, Daniel Minor A-644, William Keys A-527, James H.
8 Thomas A-971, Seaborn Smith A-899, and Samuel Leeper A-559.

9 (b) This section does not apply to:

10 (1) any public right-of-way, including a public road
11 right-of-way, or related interest owned by a governmental entity;

12 (2) any navigable waterway or related interest owned
13 by a governmental entity; or

14 (3) any land owned by a governmental entity and
15 reserved for public use, including a park, recreation area,
16 wildlife area, scientific area, or historic site.

17 (c) This section is self-executing.

18 SECTION 2. This proposed constitutional amendment shall be
19 submitted to the voters at an election to be held November 8, 2005.
20 The ballot shall be printed to permit voting for or against the
21 proposition: "The constitutional amendment providing for the
22 clearing of land titles by relinquishing and releasing any state
23 claim to sovereign ownership or title to interest in certain land in
24 Upshur County and in Smith County."