

1-1 By: Eltife S.J.R. No. 40  
1-2 (In the Senate - Filed March 11, 2005; March 23, 2005, read  
1-3 first time and referred to Committee on Natural Resources;  
1-4 April 11, 2005, reported adversely, with favorable Committee  
1-5 Substitute by the following vote: Yeas 9, Nays 0; April 11, 2005,  
1-6 sent to printer.)

1-7 COMMITTEE SUBSTITUTE FOR S.J.R. No. 40 By: Jackson

1-8 SENATE JOINT RESOLUTION

1-9 proposing a constitutional amendment clearing land titles by  
1-10 relinquishing and releasing any state claim to sovereign ownership  
1-11 or title to interest in certain land.

1-12 BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-13 SECTION 1. Article VII, Texas Constitution, is amended by  
1-14 adding Section 2C to read as follows:

1-15 Sec. 2C. (a) Except as provided by Subsection (b) of this  
1-16 section, the State of Texas relinquishes and releases any claim of  
1-17 sovereign ownership or title to an interest in and to the tracts of  
1-18 land, including mineral rights, described as follows:

1-19 Tract 1:

1-20 The first tract of land is situated in Upshur County, Texas,  
1-21 about 14 miles South 30 degrees east from Gilmer, the county seat,  
1-22 and is bounded as follows: Bound on the North by the J. Manning  
1-23 Survey, A-314 the S.W. Beasley Survey A-66 and the David Meredith  
1-24 Survey A-315 and bound on the East by the M. Mann Survey, A-302 and  
1-25 by the M. Chandler Survey, A-84 and bound on the South by the G. W.  
1-26 Hooper Survey, A-657 and by the D. Ferguson Survey, A-158 and bound  
1-27 on the West by the J. R. Wadkins Survey, A-562 and the H. Alsup  
1-28 Survey, A-20, and by the W. Bratton Survey, A-57 and the G. H.  
1-29 Burroughs Survey, A-30 and the M. Tidwell Survey, A-498 of Upshur  
1-30 County, Texas.

1-31 Tract 2:

1-32 The second tract of land is situated in Smith County, Texas,  
1-33 north of Tyler and is bounded as follows: on the north and west by  
1-34 the S. Leeper A-559, the Frost Thorn Four League Grant A-3, A-9,  
1-35 A-7, A-19, and the H. Jacobs A-504 and on the south and east by the  
1-36 following surveys: John Carver A-247, A. Loverly A-609, J. Gimble  
1-37 A-408, R. Conner A-239, N.J. Blythe A-88, N.J. Blythe A-89, J.  
1-38 Choate A-195, Daniel Minor A-644, William Keys A-527, James H.  
1-39 Thomas A-971, Seaborn Smith A-899, and Samuel Leeper A-559.

1-40 (b) This section does not apply to:

1-41 (1) any public right-of-way, including a public road  
1-42 right-of-way, or related interest owned by a governmental entity;

1-43 (2) any navigable waterway or related interest owned  
1-44 by a governmental entity; or

1-45 (3) any land owned by a governmental entity and  
1-46 reserved for public use, including a park, recreation area,  
1-47 wildlife area, scientific area, or historic site.

1-48 (c) This section is self-executing.

1-49 SECTION 2. This proposed constitutional amendment shall be  
1-50 submitted to the voters at an election to be held November 8, 2005.  
1-51 The ballot shall be printed to permit voting for or against the  
1-52 proposition: "The constitutional amendment providing for the  
1-53 clearing of land titles by relinquishing and releasing any state  
1-54 claim to sovereign ownership or title to interest in certain land in  
1-55 Upshur County and in Smith County."

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