

1-1 By: Hughes (Senate Sponsor - Eltife) H.B. No. 3688  
1-2 (In the Senate - Received from the House April 30, 2007;  
1-3 May 2, 2007, read first time and referred to Committee on Criminal  
1-4 Justice; May 18, 2007, reported favorably by the following vote:  
1-5 Yeas 5, Nays 0; May 18, 2007, sent to printer.)

1-6 A BILL TO BE ENTITLED  
1-7 AN ACT

1-8 relating to the transfer of certain state property from the Texas  
1-9 Department of Criminal Justice to the City of Winnsboro.

1-10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-11 SECTION 1. (a) Not later than October 31, 2007, the Texas  
1-12 Department of Criminal Justice shall transfer to the City of  
1-13 Winnsboro, for consideration to which the parties mutually agree,  
1-14 the real property described by Subsection (d) of this section.

1-15 (b) Consideration for the transfer authorized by Subsection  
1-16 (a) of this section may be in the form of an agreement between the  
1-17 parties that requires the City of Winnsboro to use the property for  
1-18 a purpose that benefits the public interest of the state. If the  
1-19 consideration for the transfer is in the form of an agreement  
1-20 described by this subsection:

1-21 (1) the City of Winnsboro may use the property  
1-22 transferred under this Act only for a purpose that benefits the  
1-23 public interest of the state; and

1-24 (2) ownership of the property automatically reverts to  
1-25 the Texas Department of Criminal Justice if the City of Winnsboro no  
1-26 longer uses the property for a purpose that benefits the public  
1-27 interest of the state.

1-28 (c) The Texas Department of Criminal Justice shall transfer  
1-29 the property by an appropriate instrument of transfer. If the  
1-30 consideration for the transfer is in the form of an agreement  
1-31 described by Subsection (b) of this section, the instrument of  
1-32 transfer must include a provision that:

1-33 (1) requires the City of Winnsboro to use the property  
1-34 for a purpose that benefits the public interest of the state; and

1-35 (2) indicates that ownership of the property  
1-36 automatically reverts to the Texas Department of Criminal Justice  
1-37 if the City of Winnsboro no longer uses the property for a purpose  
1-38 that benefits the public interest of the state.

1-39 (d) The real property to which Subsection (a) of this  
1-40 section refers consists of two tracts of land described as follows:

1-41 (1) Tract 1 consists of 21.423 acres out of the Gray B.  
1-42 King Survey located in Wood County and further described as  
1-43 follows:

1-44 All that certain tract or parcel of land situated in the County of  
1-45 Wood, State of Texas, being in the Gray B. King Survey, Abstract No.  
1-46 3, and being a portion of that 2.226 acre Tract One and a portion of  
1-47 that 36.154 acre Tract Four, both conveyed from Wood County to Texas  
1-48 Department of Criminal Justice and recorded in Volume 1319, page  
1-49 147, being a portion of that 2.1 acre tract conveyed from Wood  
1-50 County to Texas Department of Criminal Justice and recorded in  
1-51 Volume 1319, page 145, being a portion of that 21.3 acre tract  
1-52 conveyed from Wood County to Texas Department of Criminal Justice  
1-53 and recorded in Volume 1319, page 152, being a portion of that 98  
1-54 acre Tract One and a portion of that 47.815 acre Tract Two, both  
1-55 conveyed from Wood County to Texas Department of Criminal Justice  
1-56 and recorded in Volume 1319, page 140, and being a portion of that  
1-57 6.360 acre tract conveyed from Wood County to Texas Department of  
1-58 Criminal Justice and recorded in Volume 1319, page 150, all of the  
1-59 Real Property Records of said county and bounded as follows:

1-60 Beginning at a ½" steel rod found in the curve of Wood County Road  
1-61 No. 4608 (now abandoned) and being the southeast corner of the above  
1-62 mentioned 21.3 acre tract, also being the southwest corner of a  
1-63 27.90 acre tract conveyed to the City of Winnsboro and recorded in  
1-64 Volume 624, page 105 of the Deed Records of said county, same being

2-1 in the north boundary line of a 99.273 acre tract conveyed to the  
 2-2 City of Winnsboro and recorded in Volume 1490, page 357 of the Real  
 2-3 Property Records of said county;  
 2-4 Thence South 89 deg. 05 min. 44 sec. West, with said abandoned  
 2-5 county road, 847.63 feet to a  $\frac{1}{2}$ " steel rod found at the southwest  
 2-6 corner of the above mentioned 21.3 acre tract, and being the  
 2-7 southeast corner of the above mentioned 98 acre Tract One;  
 2-8 Thence South 89 deg. 29 min. 55 sec. West, continuing with said  
 2-9 abandoned county road, 829.80 feet to a steel spike found at the  
 2-10 northeast corner of a 20.83 acre tract conveyed to Carl Welch et al  
 2-11 and recorded in Volume 1154, page 680 of the Real Property Records  
 2-12 of said county, same being the northwest corner of the 99.273 acre  
 2-13 City of Winnsboro tract;  
 2-14 Thence South 89 deg. 21 min. 40 sec. West, continuing with said  
 2-15 abandoned county road, with the north boundary line of the 20.83 acre  
 2-16 tract (Vol. 1154, pg. 680), with the north boundary line of a 20.83  
 2-17 acre tract (Vol. 1154, pg. 684), and with the north boundary line of  
 2-18 a 20.83 acre tract (Vol. 1154, pg. 676), for a distance of 702.75  
 2-19 feet to a  $\frac{3}{8}$ " steel rod found at the southwest corner of the 98 acre  
 2-20 Texas Department of Criminal Justice tract and being the southeast  
 2-21 corner of the 47.815 acre Texas Department of Criminal Justice  
 2-22 tract;  
 2-23 Thence South 89 deg. 26 min. 50 sec. West, continuing with said  
 2-24 abandoned county road, 197.23 feet to a railroad spike found at the  
 2-25 lower southwest corner of the 47.815 acre tract, and being the  
 2-26 southeast corner of the above mentioned 6.360 acre tract, same  
 2-27 being in the north boundary line of a 31.1 acre tract conveyed to  
 2-28 Jerry David Jackson et al and recorded in Volume 704, page 637 of  
 2-29 the Deed Records of said county;  
 2-30 Thence South 89 deg. 26 min. 16 sec. West, continuing with said  
 2-31 abandoned county road, 0.29 feet to a typical steel rod set (typical  
 2-32 steel rod is a  $\frac{1}{2}$ " by 24" rebar with surveyor's cap marked "Noble")  
 2-33 in the north boundary line of the 31.1 acre Jackson tract;  
 2-34 Thence North 0 deg. 36 min. 30 sec. West, 0.16 feet to a typical  
 2-35 steel rod set in the south right-of-way line of relocated Wood  
 2-36 County Road No. 4608;  
 2-37 Thence North 89 deg. 23 min. 30 sec. East, with the south  
 2-38 right-of-way line of said relocated county road, 1200.00 feet to a  
 2-39 typical steel rod set at the beginning of a curve to the left;  
 2-40 Thence in a northeasterly direction continuing with said county  
 2-41 road right-of-way line and along said curve: Radius=1492.40 feet,  
 2-42 Long Chord bears North 53 deg. 06 min. 08 sec. East, 1766.59 feet,  
 2-43 through a Central Angle of 72 deg. 34 min. 27 sec., for an Arc Length  
 2-44 of 1890.48 feet to a typical steel rod set in the east right-of-way  
 2-45 line of F.M. Highway No. 3530;  
 2-46 Thence North 16 deg. 49 min. 03 sec. East, with said highway  
 2-47 right-of-way line, 1434.14 feet to a typical steel rod set in the  
 2-48 north boundary line of the 2.226 acre Texas Department of Criminal  
 2-49 Justice tract and being in the south boundary line of a 1.974 acre  
 2-50 tract conveyed from Tommy Ray Clay et ux to Wood County and recorded  
 2-51 in Volume 1284, page 308 of the Real Property Records of said  
 2-52 county;  
 2-53 Thence South 83 deg. 10 min. 02 sec. East, with the south boundary  
 2-54 line of the 1.974 acre Wood County tract, 114.39 feet to a  $\frac{1}{2}$ " steel  
 2-55 rod found for an angle point;  
 2-56 Thence South 82 deg. 57 min. 53 sec. East, 200.38 feet to a 60 d nail  
 2-57 found at the southeast corner of the 1.974 acre tract and being the  
 2-58 northeast corner of the 2.226 acre Texas Department of Criminal  
 2-59 Justice tract, same being in the centerline of Wood County Road No.  
 2-60 4608 (now abandoned), and being in the west boundary line of the  
 2-61 27.90 acre City of Winnsboro tract;  
 2-62 Thence South 18 deg. 42 min. 44 sec. West, with said abandoned  
 2-63 county road, 255.06 feet to a 60 d nail found at the southeast  
 2-64 corner of the said 2.226 acre tract, and being the northeast corner  
 2-65 of the 36.154 acre Texas Department of Criminal Justice tract;  
 2-66 Thence South 18 deg. 38 min. 50 sec. West, continuing with said  
 2-67 abandoned county road, 734.22 feet to a  $\frac{1}{2}$ " steel pipe found at the  
 2-68 southeast corner of the 2.1 acre Texas Department of Criminal  
 2-69 Justice tract, and being a lower northeast corner of the 36.154 acre

3-1 Texas Department of Criminal Justice tract;  
 3-2 Thence South 16 deg. 59 min. 43 sec. West, continuing with said  
 3-3 abandoned county road, 638.94 feet to a 60 d nail found at the  
 3-4 southeast corner of the 36.154 acre tract and being the lower  
 3-5 northeast corner of the 21.3 acre Texas Department of Criminal  
 3-6 Justice tract;  
 3-7 Thence South 17 deg. 21 min. 12 sec. West, continuing with said  
 3-8 abandoned county road, 869.07 feet to the place of beginning and  
 3-9 containing 21.423 acres of land.

3-10 (2) Tract 2 consists of 2.30 acres out of the Gray B.  
 3-11 King Survey located in Wood County and further described as  
 3-12 follows:

3-13 All that certain tract or parcel of land situated in the County of  
 3-14 Wood, State of Texas, being in the Gray B. King Survey, Abstract No.  
 3-15 3, being a portion of that 43.815 acre tract conveyed from Wood  
 3-16 County to Texas Department of Criminal Justice and recorded in  
 3-17 Volume 1319, page 137, and being a portion of that 0.352 acre Tract  
 3-18 Two conveyed from Wood County to Texas Department of Criminal  
 3-19 Justice and recorded in Volume 1319, page 154, both of the Real  
 3-20 Property Records of said county and bounded as follows:

3-21 Beginning at a ½" steel pipe found in the west side of Wood County  
 3-22 Road No. 4608 (now abandoned), same being the southwest corner of a  
 3-23 4.32 acre tract conveyed to the City of Winnsboro and recorded in  
 3-24 Volume 624, page 112 of the Deed Records of said county, same being  
 3-25 the upper southeast corner of the above mentioned 43.815 acre  
 3-26 tract;

3-27 Thence North 84 deg. 36 min. 17 sec. West, with the south boundary  
 3-28 line of the 43.815 acre tract, 29.73 feet to a typical steel rod set  
 3-29 (typical steel rod is a ½" by 24" rebar with surveyor's cap marked  
 3-30 "Noble") in the east right-of-way line of F.M. Highway No. 3530;

3-31 Thence North 16 deg. 49 min. 03 sec. East, with said highway  
 3-32 right-of-way line, 604.38 feet to a ½" steel rod found at the  
 3-33 beginning of a curve to the right;

3-34 Thence in a northeasterly direction continuing with said highway  
 3-35 right-of-way line and along said curve: Radius=894.93 feet, Long  
 3-36 Chord bears North 38 deg. 09 min. 29 sec. East, 651.35 feet, through  
 3-37 a Central Angle of 42 deg. 40 min. 52 sec., for an Arc Length of  
 3-38 666.66 feet to a ½" steel rod found at the end of said curve;

3-39 Thence North 59 deg. 29 min. 55 sec. East, continuing with said  
 3-40 highway right-of-way line, 112.62 feet to a typical steel rod set in  
 3-41 the west line of the above mentioned abandoned county road and being  
 3-42 in the east boundary line of the said 0.352 acre tract, same being  
 3-43 in the west boundary line of an 18 acre tract conveyed to J.L.  
 3-44 Mullinax and recorded in Volume 169, page 23 of the Deed Records of  
 3-45 said county, said corner lies South 17 deg. 12 min. 56 sec. West,  
 3-46 59.97 feet from the northeast corner of the 0.352 acre tract;

3-47 Thence South 17 deg. 12 min. 56 sec. West, with the west line of said  
 3-48 abandoned county road, passing the southeast corner of the 0.352  
 3-49 acre tract, same being the northeast corner of the 43.815 acre  
 3-50 tract, and continuing along same course for a total distance of  
 3-51 378.14 feet to a ½" steel rod found for a corner;

3-52 Thence South 72 deg. 54 min. 13 sec. West, continuing with said  
 3-53 right-of-way line of said abandoned county road, 350.00 feet to a  
 3-54 5/8" steel rod found at the northwest corner of the 4.32 acre City  
 3-55 of Winnsboro tract;

3-56 Thence South 16 deg. 06 min. 32 sec. West, continuing along said  
 3-57 right-of-way line of said abandoned county road, 714.62 feet to the  
 3-58 place of beginning and containing 2.30 acres of land.

3-59 NOTE: Bearings shown hereon are "true bearings" as determined by  
 3-60 solar observation.

3-61 SECTION 2. This Act takes effect immediately if it receives  
 3-62 a vote of two-thirds of all the members elected to each house, as  
 3-63 provided by Section 39, Article III, Texas Constitution. If this  
 3-64 Act does not receive the vote necessary for immediate effect, this  
 3-65 Act takes effect September 1, 2007.

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