

By: Fraser

S.B. No. 1533

Substitute the following for S.B. No. 1533:

By: Madden

C.S.S.B. No. 1533

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the transfer of certain state property from the Texas
3 Department of Criminal Justice to Burnet County.

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

5 SECTION 1. (a) Not later than November 1, 2007, the Texas
6 Department of Criminal Justice shall transfer to Burnet County the
7 real property described by Subsection (d) of this section.

8 (b) Burnet County shall use the property transferred under
9 this Act only for a purpose that benefits the public interest of the
10 state. If Burnet County no longer uses the property for a purpose
11 that benefits the public interest of the state, ownership of the
12 property automatically reverts to the Texas Department of Criminal
13 Justice.

14 (c) The Texas Department of Criminal Justice shall transfer
15 the property by an appropriate instrument of transfer. The
16 instrument of transfer must:

17 (1) include a provision that:

18 (A) requires Burnet County to use the property
19 for a purpose that benefits the public interest of the state; and

20 (B) indicates that ownership of the property
21 automatically reverts to the Texas Department of Criminal Justice
22 if Burnet County no longer uses the property for a purpose that
23 benefits the public interest of the state; and

24 (2) describe the property to be transferred by metes

1 and bounds.

2 (d) The real property to which Subsection (a) of this
3 section refers is described as follows:

4 Field notes of a 75.00 acre tract of land out of the 300.00 acre
5 Texas Department of Criminal Justice Tract recorded in Cabinet 2,
6 Slide 49-C of the Burnet County Plat Records also being out of the
7 300.00 acres conveyed to Texas Department of Criminal Justice in
8 Volume 608, Page 19 of the Official Public Records of Burnet County,
9 Texas. The basis of bearing for this survey is the recorded plat of
10 said Texas Department of Criminal Justice Tract.

11 Beginning at a 1/2" steel stake found in the North right-of-way line
12 of County Road 100 (Scenic Oaks Drive as shown on the plat of Oak
13 Vista Subdivision recorded in Cabinet 1, Slides 183 C & D and 184 A &
14 B of the Burnet County Plat Records, Burnet County, Texas) and the
15 South line of that certain Tract No. 68 of said Oak Vista
16 Subdivision for the Southwest corner of said 178.686 acre tract,
17 the Southwest corner of said Texas Department of Criminal Justice
18 Tract and the Southwest corner hereof;

19 Thence leaving the North right-of-way line of said County Road and
20 the South line of said Tract No. 68 with the West line of said 300.00
21 acre tract, the West line of said Texas Department of Criminal
22 Justice Tract and the West line hereof North 13°01'53" West, at a
23 distance of 3378.75 feet to a Cedar Fence Post Found in the South
24 right-of-way line of Oak Vista Drive and the North line of Tract No.
25 59 of said Oak Vista Subdivision for the Northwest corner of said
26 Texas Department of Criminal Justice Tract and the Northwest corner
27 hereof;

1 Thence with the South right-of-way line of said Oak Vista Drive, the
2 North line of said 300.00 acre tract, the North line of said Texas
3 Department of Criminal Justice Tract, and the North line hereof
4 with (2) calls as follows: North 76°51'56" East, a distance of
5 698.12 feet (698.67) feet to a 1/2" steel stake found for an angle
6 point hereof;

7 Thence North 76°32'08" East, a distance of 268.15 feet to a 1/2"
8 steel stake set with plastic cap stamped R.P.L.S. 1877 for the
9 Northeast corner of this 75.00 acre tract.

10 Thence along the East line of this 75.00 acre tract South 13°01'53"
11 East, a distance of 3380.60 feet to a 1/2" steel stake set with
12 plastic cap stamped R.P.L.S. 1877 in the North right-of-way line of
13 said County Road 100 for the Southeast corner hereof, from which a
14 1/2" steel stake found bears North 76°52'35" East, a distance of
15 482.76 feet;

16 Thence with the North right-of-way line of said Scenic Oaks Drive
17 and the South line of said Texas Department of Criminal Justice
18 Tract and the South line hereof with (2) calls as follows: South
19 76°52'35" West, a distance of 686.48 feet to a 1/2" steel stake found
20 for an angle point hereof;

21 Thence South 76°54'09" West, a distance of 280.33 feet to the Place
22 of Beginning.

23 THE ABOVE 75.00 ACRE TRACT BEING ACCOMPANIED BY THE FOLLOWING

24 70' WIDE ACCESS EASEMENT

25 Field notes of a 70.00 foot wide Access and ~~Utility~~ Easement being
26 5.92 acres out of the 300.00 acre Texas Department of Criminal
27 Justice Tract recorded in Cabinet 2, Slide 49-C of the Burnet County

1 Plat Records also being out of the 300.00 acres conveyed to Texas
2 Department of Criminal Justice in Volume 608, Page 19 of the
3 Official Public Records of Burnet County, Texas. The basis of
4 bearing for this survey is the recorded plat of said Texas
5 Department of Criminal Justice Tract.

6 Beginning at a 1/2" steel stake found lying on the East line of said
7 300.00 acre Texas Department of Criminal Justice Tract and at the
8 Southwest corner of a 6.00 acre tract conveyed to Fluorine on Call,
9 LTD. recorded in Volume 1034, Page 85 of the Official Public Records
10 of Burnet County, Texas having a tie of N 12°59'10" W, 944.99 feet to
11 a 1/2" steel stake found at the Northeast corner of said 300.00 acre
12 tract.

13 Thence along the East line of said 300.00 acre Texas Department of
14 Criminal Justice Tract and the west line of a 29.227 acre remnant of
15 170.290 acres conveyed to the City of Burnet in Volume 565, Page 126
16 of the Official Public Records of Burnet County, Texas also being
17 the West end of Ellen Halbert Drive an unrecorded City of Burnet
18 street (L1) ~~S 13°00'00" E~~ S 12°59'10" E, 72.69 feet to a 1/2" steel
19 stake set with plastic cap stamped R.P.L.S. 1877 lying on the East
20 line of said 300.00 acre Texas Department of Criminal Justice Tract
21 and west line of said 29.237 acres.

22 Thence leaving the East line of said 300.00 acre Texas Department of
23 Criminal Justice Tract and along the Southerly line of this 70.00
24 foot wide Access Easement with 1/2" steel stakes set with plastic
25 cap stamped R.P.L.S. 1877 with the next eight (8) calls as follows:
26 (L2) N87°21'03"W, 470.72 feet to a curve (C2) to the right having a
27 radius of 235.00 feet, a delta angle of 74°11'12", and a chord

1 bearing and distance of $\text{S } \underline{\text{N}} 50^{\circ}15'28'' \text{ E } \underline{\text{W}}$, 283.46 feet.
2 Thence along said curve and arc distance of 304.28 feet to a point
3 of tangency.
4 Thence (L4) N $13^{\circ}09'52''$ W, 235.10 feet to a curve (C4) to the left
5 having a radius of 165.00 feet, a delta angle of $35^{\circ}20'14''$, and a
6 chord bearing and distance of N $30^{\circ}49'58''$ W, 100.16 feet.
7 Thence along said curve and arc distance of 101.76 feet to a point
8 of tangency.
9 Thence (L6) N $48^{\circ}30'05''$ W, 257.66 feet to a curve (C6) to the left
10 having a radius of 165.00 feet, a delta angle of $48^{\circ}48'13''$, and a
11 chord bearing and distance of N $79^{\circ}02'05''$ W, 136.33 feet. Thence
12 along said curve an arc distance of 140.54 feet to a point of
13 tangency.
14 Thence (L9) S $76^{\circ}33'50''$ W, 226.79 feet; (L11) S $76^{\circ}28'46''$ W, 1947.12
15 feet to a 1/2" steel stake set with plastic cap stamped R.P.L.S.
16 1877 lying on the East line of the above described 75.00 acre tract.
17 Thence along the East line of said 75.00 acre tract, (L13) N
18 $13^{\circ}01'53''$ W, 70.00 feet to a 1/2" steel stake set with plastic cap
19 stamped R.P.L.S. 1877 lying on the East line of said 75.00 acre
20 tract and having a tie of N $13^{\circ}01'53''$ W, 461.55' to a 1/2" steel
21 stake set with plastic cap stamped R.P.L.S. 1877 being the
22 Northeast corner of said 75.00 acre tract.
23 Thence leaving the East line of said 75.00 acre tract and along the
24 Northerly line of this 70.00 foot wide Access Easement (L12) N
25 $76^{\circ}28'46''$ E passing a cedar fence post found at an L corner of said
26 300.00 acres at 1328.57 feet in all 1946.58 feet to a 60 D nail in a
27 cedar fence post found being an angle point on the north line of

1 said 300.00 acre tract.

2 Thence along said north line (L8) N 76°33'50" E, 226.84 feet to a
3 1/2" steel stake set with plastic cap stamped R.P.L.S. 1877 and a
4 curve (C5) to the right, having a radius of 235.00 feet, a delta
5 angle of 49°47'52", and a chord bearing and distance of S 78°32'15"
6 E, 197.88 feet.

7 Thence along said curve an arc distance of 204.25 feet to a 1/2"
8 steel stake set with plastic cap stamped R.P.L.S. 1877.

9 Thence (L5) S 48°30'05" E, 261.08 feet to a 1/2" steel stake set with
10 plastic cap stamped R.P.L.S. 1877 and a curve (C3) to the right
11 having a radius of 235.00 feet, a delta angle of 35°20'13", and a
12 chord bearing and distance of S 30°49'58" E, 142.65 feet.

13 Thence along said curve an arc distance of 144.94 feet to a 1/2"
14 steel stake set with plastic cap stamped R.P.L.S. 1877.

15 Thence (L7) S 13°09'52" E, 235.10 feet to a 1/2" steel stake set with
16 plastic cap stamped R.P.L.S. 1877 and a curve (C1) to the left
17 having a radius of 165.00 feet, a delta angle of 74°11'13", and a
18 chord bearing and distance of S 50°15'28" E, 199.03 feet.

19 Thence along said curve an arc distance of 213.64 to a 1/2" steel
20 stake set with plastic cap stamped R.P.L.S. 1877.

21 Thence (L3) S 87°21'03" E, 451.12 feet for the Point of Beginning.

22 (e) The Texas Department of Criminal Justice shall grant to
23 Burnet County certain utility easements to the real property
24 described in Subsection (d) of this section. Utility easements
25 shall be mutually beneficial and agreed upon by the Texas
26 Department of Criminal Justice and Burnet County.

27 SECTION 2. This Act takes effect immediately if it receives

C.S.S.B. No. 1533

1 a vote of two-thirds of all the members elected to each house, as
2 provided by Section 39, Article III, Texas Constitution. If this
3 Act does not receive the vote necessary for immediate effect, this
4 Act takes effect September 1, 2007.