

By: Aycock

H.B. No. 867

A BILL TO BE ENTITLED

AN ACT

relating to the transfer of certain state property from the Texas Department of Criminal Justice to the City of Burnet.

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

SECTION 1. (a) Not later than September 30, 2009, the Texas Department of Criminal Justice shall transfer to the City of Burnet the real property described by Subsection (e) of this section.

(b) The City of Burnet shall use the property transferred under this Act only for a purpose that benefits the public interest of the state. If the City of Burnet uses the property for any purpose other than a purpose that benefits the public interest of the state, ownership of the property automatically reverts to the Texas Department of Criminal Justice.

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

(1) provide that:

(A) the City of Burnet use the property only for a purpose that benefits the public interest of the state; and

(B) ownership of the property will automatically revert to the Texas Department of Criminal Justice if the City of Burnet uses the property for any purpose other than a purpose that benefits the public interest of the state; and

(2) describe the property to be transferred by metes

1 and bounds.

2 (d) The Texas Department of Criminal Justice shall retain
3 custody of the instrument of transfer after the instrument of
4 transfer is filed in the real property records of Burnet County.

5 (e) The real property referred to in this section is
6 described as follows:

7 BEING A 2.259 ACRE TRACT OF LAND, OUT OF THE EUGENIO PEREZ SURVEY
8 NO. 41, ABSTRACT NO. 672, SITUATED IN BURNET COUNTY, TEXAS, AND
9 BEING A PORTION OF A CALLED 300.000 ACRE TRACT OF LAND, DESCRIBED IN
10 A DEED TO THE STATE OF TEXAS DEPARTMENT OF CRIMINAL JUSTICE, AS
11 RECORDED IN VOLUME 609, PAGE 19 OF THE REAL PROPERTY RECORDS OF
12 BURNET COUNTY, TEXAS (R.P.R.B.C.T.), SAID 2.259 ACRES OF LAND,
13 BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS.

14 BEGINNING at a 5/8-inch iron rod found along a westerly line of the
15 remaining portion of a called 79.31 acre tract of land, described in
16 a deed to the City of Burnet, as recorded in Volume 124, Page 112 of
17 the Deed Records of Burnet County, Texas (D.R.B.C.T.), for the
18 north corner of a called 1.639 acre tract of land, described in a
19 deed to the City of Burnet, as recorded in Volume 300, Page 180
20 D.R.B.C.T., the most easterly southeast corner of said 300.000 acre
21 tract and the most easterly southeast corner hereof;

22 THENCE South 15°24'56" West (S16°06'15"W), along a northwesterly
23 line of said 1.639 acre tract, an easterly line of said 300.000 acre
24 tract and an easterly line hereof, a distance of 67.61 feet (67.80')
25 to a 5/8-inch iron rod found, for the northeast corner of a called
26 19.737 acre tract of land, described in a deed to Big Leaf LTD., as
27 recorded in Volume 618, Page 569 R.P.R.B.C.T., the southeast corner

1 of said 300.00 acre tract and the southeast corner hereof, from
2 which a 5/8-inch iron rod found, for the southeast corner of said
3 19.737 acre tract, bears South 15°03'42" West, a distance of 530.79
4 feet;
5 THENCE South 75°51'25" West (S76°52'35"W), along a northerly line of
6 said 19.737 acre tract, a southerly line of said 300.000 acre tract
7 and the southerly line hereof, a distance of 255.72 feet, to a
8 1/2-inch iron rod set with "CUPLIN" property cap, for the southwest
9 corner hereof;
10 THENCE North 14°08'35" West, over and across said 300.000 acre
11 tract, for the westerly line hereof, a distance of 345.10 feet, to a
12 5/8-inch iron rod found, for the southwest corner of a called 20.611
13 acre tract of land (Tract II), described in a deed to the City of
14 Burnet, as recorded in Volume 300, Page 184 D.R.B.C.T., an interior
15 corner of said 300.000 acre tract and the northwest corner hereof;
16 THENCE North 76°32'34" East (N77°29'40"E), along a southerly line of
17 said 20.611 acre tract, a northerly line of said 300.000 acre tract
18 and the northerly line hereof, a distance of 290.24 feet (290.24'),
19 to a 5/8-inch iron rod found, along a westerly line of said
20 remainder of 79.31 acres, for southeast corner of said 20.611 acre
21 tract, an easterly corner of said 300.000 acre tract and the
22 northeast corner hereof;
23 THENCE South 13°44'38" East (S12°39'31"E), along a westerly line of
24 said remainder of 79.31 acre tract, an easterly line of said 300.000
25 acre tract, for the easterly line hereof, a distance of 282.82 feet
26 (282.78'), to the POINT OF BEGINNING, containing 2.259 acres, more
27 or less.

1 (f) The City of Burnet shall pay any transaction fees
2 resulting from the transfer of property under this Act.

3 SECTION 2. This Act takes effect immediately if it receives
4 a vote of two-thirds of all the members elected to each house, as
5 provided by Section 39, Article III, Texas Constitution. If this
6 Act does not receive the vote necessary for immediate effect, this
7 Act takes effect September 1, 2009.