

1-1 By: Aycock (Senate Sponsor - Fraser) H.B. No. 867  
1-2 (In the Senate - Received from the House March 30, 2009;  
1-3 April 24, 2009, read first time and referred to Committee on  
1-4 Criminal Justice; May 6, 2009, reported favorably by the following  
1-5 vote: Yeas 6, Nays 0; May 6, 2009, 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 Burnet.

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

1-11 SECTION 1. (a) Not later than September 30, 2009, the Texas  
1-12 Department of Criminal Justice shall transfer to the City of Burnet  
1-13 the real property described by Subsection (e) of this section.

1-14 (b) The City of Burnet shall use the property transferred  
1-15 under this Act only for a purpose that benefits the public interest  
1-16 of the state. If the City of Burnet uses the property for any  
1-17 purpose other than a purpose that benefits the public interest of  
1-18 the state, ownership of the property automatically reverts to the  
1-19 Texas Department of Criminal Justice.

1-20 (c) The Texas Department of Criminal Justice shall transfer  
1-21 the property by an appropriate instrument of transfer. The  
1-22 instrument of transfer must:

1-23 (1) provide that:

1-24 (A) the City of Burnet use the property only for a  
1-25 purpose that benefits the public interest of the state; and

1-26 (B) ownership of the property will automatically  
1-27 revert to the Texas Department of Criminal Justice if the City of  
1-28 Burnet uses the property for any purpose other than a purpose that  
1-29 benefits the public interest of the state; and

1-30 (2) describe the property to be transferred by metes  
1-31 and bounds.

1-32 (d) The Texas Department of Criminal Justice shall retain  
1-33 custody of the instrument of transfer after the instrument of  
1-34 transfer is filed in the real property records of Burnet County.

1-35 (e) The real property referred to in this section is  
1-36 described as follows:

1-37 BEING A 2.259 ACRE TRACT OF LAND, OUT OF THE EUGENIO PEREZ SURVEY  
1-38 NO. 41, ABSTRACT NO. 672, SITUATED IN BURNET COUNTY, TEXAS, AND  
1-39 BEING A PORTION OF A CALLED 300.000 ACRE TRACT OF LAND, DESCRIBED IN  
1-40 A DEED TO THE STATE OF TEXAS DEPARTMENT OF CRIMINAL JUSTICE, AS  
1-41 RECORDED IN VOLUME 609, PAGE 19 OF THE REAL PROPERTY RECORDS OF  
1-42 BURNET COUNTY, TEXAS (R.P.R.B.C.T.), SAID 2.259 ACRES OF LAND,  
1-43 BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS.

1-44 BEGINNING at a 5/8-inch iron rod found along a westerly line of the  
1-45 remaining portion of a called 79.31 acre tract of land, described in  
1-46 a deed to the City of Burnet, as recorded in Volume 124, Page 112 of  
1-47 the Deed Records of Burnet County, Texas (D.R.B.C.T.), for the  
1-48 north corner of a called 1.639 acre tract of land, described in a  
1-49 deed to the City of Burnet, as recorded in Volume 300, Page 180  
1-50 D.R.B.C.T., the most easterly southeast corner of said 300.000 acre  
1-51 tract and the most easterly southeast corner hereof;

1-52 THENCE South 15°24'56" West (S16°06'15"W), along a northwesterly  
1-53 line of said 1.639 acre tract, an easterly line of said 300.000 acre  
1-54 tract and an easterly line hereof, a distance of 67.61 feet (67.80')  
1-55 to a 5/8-inch iron rod found, for the northeast corner of a called  
1-56 19.737 acre tract of land, described in a deed to Big Leaf LTD., as  
1-57 recorded in Volume 618, Page 569 R.P.R.B.C.T., the southeast corner  
1-58 of said 300.00 acre tract and the southeast corner hereof, from  
1-59 which a 5/8-inch iron rod found, for the southeast corner of said  
1-60 19.737 acre tract, bears South 15°03'42" West, a distance of 530.79  
1-61 feet;

1-62 THENCE South 75°51'25" West (S76°52'35"W), along a northerly line of  
1-63 said 19.737 acre tract, a southerly line of said 300.000 acre tract  
1-64 and the southerly line hereof, a distance of 255.72 feet, to a

2-1 1/2-inch iron rod set with "CUPLIN" property cap, for the southwest  
2-2 corner hereof;  
2-3 THENCE North 14°08'35" West, over and across said 300.000 acre  
2-4 tract, for the westerly line hereof, a distance of 345.10 feet, to a  
2-5 5/8-inch iron rod found, for the southwest corner of a called 20.611  
2-6 acre tract of land (Tract II), described in a deed to the City of  
2-7 Burnet, as recorded in Volume 300, Page 184 D.R.B.C.T., an interior  
2-8 corner of said 300.000 acre tract and the northwest corner hereof;  
2-9 THENCE North 76°32'34" East (N77°29'40"E), along a southerly line of  
2-10 said 20.611 acre tract, a northerly line of said 300.000 acre tract  
2-11 and the northerly line hereof, a distance of 290.24 feet (290.24'),  
2-12 to a 5/8-inch iron rod found, along a westerly line of said  
2-13 remainder of 79.31 acres, for southeast corner of said 20.611 acre  
2-14 tract, an easterly corner of said 300.000 acre tract and the  
2-15 northeast corner hereof;  
2-16 THENCE South 13°44'38" East (S12°39'31"E), along a westerly line of  
2-17 said remainder of 79.31 acre tract, an easterly line of said 300.000  
2-18 acre tract, for the easterly line hereof, a distance of 282.82 feet  
2-19 (282.78'), to the POINT OF BEGINNING, containing 2.259 acres, more  
2-20 or less.  
2-21 (f) The City of Burnet shall pay any transaction fees  
2-22 resulting from the transfer of property under this Act.  
2-23 SECTION 2. This Act takes effect immediately if it receives  
2-24 a vote of two-thirds of all the members elected to each house, as  
2-25 provided by Section 39, Article III, Texas Constitution. If this  
2-26 Act does not receive the vote necessary for immediate effect, this  
2-27 Act takes effect September 1, 2009.

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