

By: Darby

H.B. No. 1311

A BILL TO BE ENTITLED

AN ACT

relating to the transfer of certain state property from the Texas Department of Criminal Justice to Mitchell County.

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

SECTION 1. (a) Not later than the 30th day after the effective date of this Act, the Texas Department of Criminal Justice shall transfer to Mitchell County the real property described by Subsection (e) of this section.

(b) Mitchell County shall use the property transferred under this Act only for a purpose that benefits the public interest of the state. If Mitchell County 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) Mitchell County 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 Mitchell County uses the property for any purpose other than a purpose that benefits the public interest of the state; and

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

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

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

8 Tract 1

9           221.72 acres of land out of Section 31, Block 26, T&P Rwy. Co  
10 Surveys, Mitchell County, Texas, and being the middle 1/2 of that  
11 portion of said Section 31 north of Interstate 20. Described  
12 further by metes and bounds as follows:

13           Beginning: At an iron pin in the north line of said section  
14 that is N 76° 38' 11" E - 1184.8' from the N.W. corner of said Section  
15 31

16           Thence: N 76° 38' 11" E - 2550.8' along said north line to an  
17 iron pin

18           Thence: S 12° 51' 41" E - 3325.7' to an iron pin in the north  
19 r/w of Interstate 20

20           Thence: S 56° 49' 49" W - 2719.9' along said r/w to an iron pin

21           Thence: N 12° 51' 41" W - 4247.3' to the place of beginning and  
22 containing 221.72 acres of land more or less.

23           (f) Mitchell County shall pay any transaction fees  
24 resulting from the transfer of property under this Act.

25           SECTION 2. This Act takes effect immediately if it receives  
26 a vote of two-thirds of all the members elected to each house, as  
27 provided by Section 39, Article III, Texas Constitution. If this

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1 Act does not receive the vote necessary for immediate effect, this

2 Act takes effect September 1, 2009.