

By: Peña, Gonzales

H.B. No. 1884

A BILL TO BE ENTITLED

1 AN ACT
2 relating to authorizing the conveyance of certain state real
3 property from the Department of State Health Services to Hidalgo
4 County for the provision of outpatient health care services or
5 another public purpose.

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

7 SECTION 1. (a) The Department of State Health Services
8 shall transfer to Hidalgo County all or part of the real property,
9 including the improvements affixed to the property and the mineral
10 interest in and under the property, described by Subsection (g) of
11 this section as soon as practicable after the completion of the
12 construction of improvements on the property required for the
13 provision of outpatient health care services under Chapter 1106
14 (H.B. 3504), Acts of the 76th Legislature, Regular Session, 1999,
15 as amended by Chapter 1348 (S.B. 815), Acts of the 79th Legislature,
16 Regular Session, 2005.

17 (b) If the Department of State Health Services transfers the
18 property described by Subsection (g) of this section, the transfer
19 does not obligate Hidalgo County for any debt related to the
20 property accrued before the transfer.

21 (c) Consideration for the transfer authorized by Subsection
22 (a) of this section shall be in the form of an agreement between the
23 parties that requires Hidalgo County to use the property in a manner
24 that primarily promotes a public purpose of the state. If Hidalgo

1 County fails to use the property in that manner for more than 180
2 continuous days, ownership of the property automatically reverts to
3 the entity that transferred the property to Hidalgo County.

4 (d) Any restrictive conditions imposed by a deed
5 transferring the property described by Subsection (g) of this
6 section to the state recorded in the real property records of
7 Hidalgo County are binding on the property transaction authorized
8 by this section.

9 (e) The Department of State Health Services shall transfer
10 the property by deed without warranties regarding covenants of
11 title. The instrument of transfer must include a provision that:

12 (1) indicates that any restrictive conditions imposed
13 by a deed described by Subsection (d) of this section are binding on
14 the property transaction described by the instrument of transfer;

15 (2) requires Hidalgo County to use the property in a
16 manner that primarily promotes a public purpose of the state; and

17 (3) indicates that ownership of the property
18 automatically reverts to the entity that transferred the property
19 to Hidalgo County if Hidalgo County fails to use the property in a
20 manner that complies with the conditions imposed under this
21 subsection for more than 180 continuous days.

22 (f) Sections 533.084 and 533.087, Health and Safety Code,
23 and Sections 31.1571 and 31.158, Natural Resources Code, do not
24 apply to a transfer of real property authorized by this Act.

25 (g) The real property to which Subsection (a) of this
26 section refers consists of the following:

27 A 6.31 ACRE TRACT OF LAND OUT OF MULTI-PURPOSE FACILITY FOR

1 PRECINCT No. 4 SUBDIVISION, HIDALGO COUNTY, TEXAS, ACCORDING TO THE
2 MAP OR PLAT THEREOF RECORDED IN VOLUME 27, PAGE 181, MAP RECORDS,
3 HIDALGO COUNTY, TEXAS, AND ACCORDING TO WARRANTY DEED RECORDED IN
4 VOLUME 2990, PAGE 579, OFFICIAL RECORDS, HIDALGO COUNTY, TEXAS,
5 REFERENCE TO WHICH IS HERE MADE FOR ALL PURPOSES AND BEING MORE
6 PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS.

7 BEGINNING AT A 1/2" IRON ROD 24" IN LENGTH WITH PLASTIC CAP STAMPED
8 RPLS 4856 SET ON THE EAST LINE OF MULTI-PURPOSE FACILITY FOR
9 PRECINCT No. 4 SUBDIVISION FOR THE SOUTHEAST CORNER OF THIS TRACT,
10 SAID ROD BEARS NORTH 430.00 FEET FROM THE SOUTHEAST CORNER OF
11 MULTI-PURPOSE FACILITY FOR PRECINCT No. 4 SUBDIVISION.

12 THENCE; WEST, A DISTANCE OF 629.83 FEET TO A 1/2" IRON ROD 24" IN
13 LENGTH WITH PLASTIC CAP STAMPED RPLS 4856 SET ON THE WEST LINE OF
14 MULTI-PURPOSE FACILITY FOR PRECINCT No. 4 SUBDIVISION FOR THE
15 SOUTHWEST CORNER OF THIS TRACT.

16 THENCE; ALONG THE WEST LINE OF THE MULTI-PURPOSE FACILITY FOR
17 PRECINCT No. 4 SUBDIVISION AND ALONG THE ARC OF A CURVE TO THE RIGHT
18 (CURVE DATA: DELTA = 08°19'16", RADIUS = 417.50 FEET), A DISTANCE OF
19 60.63 FEET TO A 1/2" IRON ROD 24" IN LENGTH WITH PLASTIC CAP STAMPED
20 RPLS 4856 SET FOR AN INTERIOR CORNER OF MULTI-PURPOSE FACILITY FOR
21 PRECINCT No. 4 SUBDIVISION AND AN INTERIOR CORNER OF THIS TRACT.

22 THENCE; N 36°11'47'E, ALONG THE WEST LINE OF MULTI-PURPOSE FACILITY
23 FOR PRECINCT No. 4 SUBDIVISION, A DISTANCE OF 917.64 FEET TO A 1/2"
24 IRON ROD 24" IN LENGTH WITH PLASTIC CAP STAMPED RPLS 4856 SET FOR AN
25 INTERIOR CORNER OF MULTI-PURPOSE FACILITY FOR PRECINCT No. 4
26 SUBDIVISION AND AN INTERIOR CORNER OF THIS TRACT.

27 THENCE; ALONG THE WEST LINE OF MULTI-PURPOSE FACILITY FOR PRECINCT

1 No. 4 SUBDIVISION, AND ALONG THE ARC OF A CURVE TO THE LEFT (CURVE
2 DATA: DELTA = $26^{\circ}51'18''$, RADIUS = 76.44 FEET), A DISTANCE OF 37.08
3 FEET TO A 1/2" IRON ROD FOUND FOR THE NORTHWEST CORNER OF SAID TRACT
4 AND THE NORTHWEST CORNER OF THIS TRACT.

5 THENCE; EAST, ALONG THE NORTH LINE OF THE MULTI-PURPOSE FACILITY
6 FOR PRECINCT No. 4 SUBDIVISION, A DISTANCE OF 41.20 FEET TO A 1/2"
7 IRON ROD FOUND FOR THE NORTHEAST CORNER OF SAID TRACT AND THE
8 NORTHEAST CORNER OF THIS TRACT.

9 THENCE; SOUTH, ALONG THE EAST LINE OF THE MULTI-PURPOSE FACILITY
10 FOR PRECINCT No. 4 SUBDIVISION, A DISTANCE OF 824.26 FEET TO THE
11 POINT OF BEGINNING AND CONTAINING 6.31 ACRES OF LAND MORE OR LESS.

12 BEARINGS ARE IN ACCORDANCE WITH MULTI-PURPOSE FACILITY FOR PRECINCT
13 No. 4 SUBDIVISION, RECORDED IN VOLUME 27, PAGE 181, MAP RECORDS,
14 HIDALGO COUNTY, TEXAS.

15 A 0.436 ACRE TRACT OF LAND OUT OF MULTI-PURPOSE FACILITY FOR
16 PRECINCT No. 4 SUBDIVISION, HIDALGO COUNTY, TEXAS, ACCORDING TO THE
17 MAP OR PLAT THEREOF RECORDED IN VOLUME 27, PAGE 181, MAP RECORDS,
18 HIDALGO COUNTY, TEXAS, AND ACCORDING TO WARRANTY DEED RECORDED IN
19 VOLUME 2990, PAGE 579, OFFICIAL RECORDS, HIDALGO COUNTY, TEXAS,
20 REFERENCE TO WHICH IS HERE MADE FOR ALL PURPOSES AND BEING MORE
21 PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS.

22 BEGINNING AT A 1/2" IRON ROD FOUND ON THE NORTH RIGHT OF WAY LINE OF
23 F.M. 2128 AND ON THE EAST LINE OF MULTI-PURPOSE FACILITY FOR
24 PRECINCT No. 4 SUBDIVISION FOR THE SOUTHEAST CORNER OF THIS TRACT,
25 SAID ROD BEARS NORTH, 50.00 FEET FROM THE SOUTHEAST CORNER OF
26 MULTI-PURPOSE FACILITY FOR PRECINCT No. 4 SUBDIVISION.

27 THENCE; N $89^{\circ}52'W$, ALONG THE NORTH RIGHT OF WAY LINE OF F.M. 2128, A

1 DISTANCE OF 50.00 FEET TO A 1/2" IRON ROD 24" IN LENGTH WITH PLASTIC
2 CAP STAMPED RPLS 4856 SET FOR THE SOUTHWEST CORNER OF THIS TRACT.
3 THENCE; NORTH, A DISTANCE OF 379.88 FEET TO A 1/2" IRON ROD 24" IN
4 LENGTH WITH PLASTIC CAP STAMPED RPLS 4856 SET FOR THE NORTHWEST
5 CORNER OF THIS TRACT.
6 THENCE; EAST, A DISTANCE OF 50.00 FEET TO A 1/2" IRON ROD 24" IN
7 LENGTH WITH PLASTIC CAP STAMPED RPLS 4856 SET ON THE EAST LINE OF
8 THE MULTI-PURPOSE FACILITY FOR PRECINCT No. 4 SUBDIVISION FOR THE
9 NORTHEAST CORNER OF THIS TRACT.
10 THENCE; SOUTH, ALONG THE EAST LINE OF THE MULTI-PURPOSE FACILITY
11 FOR PRECINCT No. 4 SUBDIVISION, A DISTANCE OF 380.00 FEET TO THE
12 POINT OF BEGINNING AND CONTAINING 0.436 OF AN ACRE OF LAND MORE OR
13 LESS.
14 BEARINGS ARE IN ACCORDANCE WITH MULTI-PURPOSE FACILITY FOR PRECINCT
15 No. 4 SUBDIVISION, RECORDED IN VOLUME 27, PAGE 181, MAP RECORDS,
16 HIDALGO COUNTY, TEXAS.

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