

By: Peña, Gonzales

H.B. No. 1884

Substitute the following for H.B. No. 1884:

By: Davis of Harris

C.S.H.B. No. 1884

A BILL TO BE ENTITLED

AN ACT

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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.