

1-1 By: Peña, Gonzales (Senate Sponsor - Hinojosa) H.B. No. 1884  
1-2 (In the Senate - Received from the House April 29, 2009;  
1-3 May 4, 2009, read first time and referred to Committee on Health  
1-4 and Human Services; May 20, 2009, reported favorably by the  
1-5 following vote: Yeas 7, Nays 0; May 20, 2009, sent to printer.)

1-6 A BILL TO BE ENTITLED  
1-7 AN ACT

1-8 relating to authorizing the conveyance of certain state real  
1-9 property from the Department of State Health Services to Hidalgo  
1-10 County for the provision of outpatient health care services or  
1-11 another public purpose.

1-12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-13 SECTION 1. (a) The Department of State Health Services  
1-14 shall transfer to Hidalgo County all or part of the real property,  
1-15 including the improvements affixed to the property and the mineral  
1-16 interest in and under the property, described by Subsection (g) of  
1-17 this section as soon as practicable after the completion of the  
1-18 construction of improvements on the property required for the  
1-19 provision of outpatient health care services under Chapter 1106  
1-20 (H.B. 3504), Acts of the 76th Legislature, Regular Session, 1999,  
1-21 as amended by Chapter 1348 (S.B. 815), Acts of the 79th Legislature,  
1-22 Regular Session, 2005.

1-23 (b) If the Department of State Health Services transfers the  
1-24 property described by Subsection (g) of this section, the transfer  
1-25 does not obligate Hidalgo County for any debt related to the  
1-26 property accrued before the transfer.

1-27 (c) Consideration for the transfer authorized by Subsection  
1-28 (a) of this section shall be in the form of an agreement between the  
1-29 parties that requires Hidalgo County to use the property in a manner  
1-30 that primarily promotes a public purpose of the state. If Hidalgo  
1-31 County fails to use the property in that manner for more than 180  
1-32 continuous days, ownership of the property automatically reverts to  
1-33 the entity that transferred the property to Hidalgo County.

1-34 (d) Any restrictive conditions imposed by a deed  
1-35 transferring the property described by Subsection (g) of this  
1-36 section to the state recorded in the real property records of  
1-37 Hidalgo County are binding on the property transaction authorized  
1-38 by this section.

1-39 (e) The Department of State Health Services shall transfer  
1-40 the property by deed without warranties regarding covenants of  
1-41 title. The instrument of transfer must include a provision that:

1-42 (1) indicates that any restrictive conditions imposed  
1-43 by a deed described by Subsection (d) of this section are binding on  
1-44 the property transaction described by the instrument of transfer;

1-45 (2) requires Hidalgo County to use the property in a  
1-46 manner that primarily promotes a public purpose of the state; and

1-47 (3) indicates that ownership of the property  
1-48 automatically reverts to the entity that transferred the property  
1-49 to Hidalgo County if Hidalgo County fails to use the property in a  
1-50 manner that complies with the conditions imposed under this  
1-51 subsection for more than 180 continuous days.

1-52 (f) Sections 533.084 and 533.087, Health and Safety Code,  
1-53 and Sections 31.1571 and 31.158, Natural Resources Code, do not  
1-54 apply to a transfer of real property authorized by this Act.

1-55 (g) The real property to which Subsection (a) of this  
1-56 section refers consists of the following:

1-57 A 6.31 ACRE TRACT OF LAND OUT OF MULTI-PURPOSE FACILITY FOR  
1-58 PRECINCT No. 4 SUBDIVISION, HIDALGO COUNTY, TEXAS, ACCORDING TO THE  
1-59 MAP OR PLAT THEREOF RECORDED IN VOLUME 27, PAGE 181, MAP RECORDS,  
1-60 HIDALGO COUNTY, TEXAS, AND ACCORDING TO WARRANTY DEED RECORDED IN  
1-61 VOLUME 2990, PAGE 579, OFFICIAL RECORDS, HIDALGO COUNTY, TEXAS,  
1-62 REFERENCE TO WHICH IS HERE MADE FOR ALL PURPOSES AND BEING MORE  
1-63 PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS.  
1-64 BEGINNING AT A 1/2" IRON ROD 24" IN LENGTH WITH PLASTIC CAP STAMPED  
1-65 RPLS 4856 SET ON THE EAST LINE OF MULTI-PURPOSE FACILITY FOR  
1-66 PRECINCT No. 4 SUBDIVISION FOR THE SOUTHEAST CORNER OF THIS TRACT,

2-1 SAID ROD BEARS NORTH 430.00 FEET FROM THE SOUTHEAST CORNER OF  
2-2 MULTI-PURPOSE FACILITY FOR PRECINCT No. 4 SUBDIVISION.  
2-3 THENCE; WEST, A DISTANCE OF 629.83 FEET TO A 1/2" IRON ROD 24" IN  
2-4 LENGTH WITH PLASTIC CAP STAMPED RPLS 4856 SET ON THE WEST LINE OF  
2-5 MULTI-PURPOSE FACILITY FOR PRECINCT No. 4 SUBDIVISION FOR THE  
2-6 SOUTHWEST CORNER OF THIS TRACT.  
2-7 THENCE; ALONG THE WEST LINE OF THE MULTI-PURPOSE FACILITY FOR  
2-8 PRECINCT No. 4 SUBDIVISION AND ALONG THE ARC OF A CURVE TO THE RIGHT  
2-9 (CURVE DATA: DELTA = 08°19'16", RADIUS = 417.50 FEET), A DISTANCE OF  
2-10 60.63 FEET TO A 1/2" IRON ROD 24" IN LENGTH WITH PLASTIC CAP STAMPED  
2-11 RPLS 4856 SET FOR AN INTERIOR CORNER OF MULTI-PURPOSE FACILITY FOR  
2-12 PRECINCT No. 4 SUBDIVISION AND AN INTERIOR CORNER OF THIS TRACT.  
2-13 THENCE; N 36°11'47"E, ALONG THE WEST LINE OF MULTI-PURPOSE FACILITY  
2-14 FOR PRECINCT No. 4 SUBDIVISION, A DISTANCE OF 917.64 FEET TO A 1/2"  
2-15 IRON ROD 24" IN LENGTH WITH PLASTIC CAP STAMPED RPLS 4856 SET FOR AN  
2-16 INTERIOR CORNER OF MULTI-PURPOSE FACILITY FOR PRECINCT No. 4  
2-17 SUBDIVISION AND AN INTERIOR CORNER OF THIS TRACT.  
2-18 THENCE; ALONG THE WEST LINE OF MULTI-PURPOSE FACILITY FOR PRECINCT  
2-19 No. 4 SUBDIVISION, AND ALONG THE ARC OF A CURVE TO THE LEFT (CURVE  
2-20 DATA: DELTA = 26°51'18", RADIUS = 76.44 FEET), A DISTANCE OF 37.08  
2-21 FEET TO A 1/2" IRON ROD FOUND FOR THE NORTHWEST CORNER OF SAID TRACT  
2-22 AND THE NORTHWEST CORNER OF THIS TRACT.  
2-23 THENCE; EAST, ALONG THE NORTH LINE OF THE MULTI-PURPOSE FACILITY  
2-24 FOR PRECINCT No. 4 SUBDIVISION, A DISTANCE OF 41.20 FEET TO A 1/2"  
2-25 IRON ROD FOUND FOR THE NORTHEAST CORNER OF SAID TRACT AND THE  
2-26 NORTHEAST CORNER OF THIS TRACT.  
2-27 THENCE; SOUTH, ALONG THE EAST LINE OF THE MULTI-PURPOSE FACILITY  
2-28 FOR PRECINCT No. 4 SUBDIVISION, A DISTANCE OF 824.26 FEET TO THE  
2-29 POINT OF BEGINNING AND CONTAINING 6.31 ACRES OF LAND MORE OR LESS.  
2-30 BEARINGS ARE IN ACCORDANCE WITH MULTI-PURPOSE FACILITY FOR PRECINCT  
2-31 No. 4 SUBDIVISION, RECORDED IN VOLUME 27, PAGE 181, MAP RECORDS,  
2-32 HIDALGO COUNTY, TEXAS.  
2-33 A 0.436 ACRE TRACT OF LAND OUT OF MULTI-PURPOSE FACILITY FOR  
2-34 PRECINCT No. 4 SUBDIVISION, HIDALGO COUNTY, TEXAS, ACCORDING TO THE  
2-35 MAP OR PLAT THEREOF RECORDED IN VOLUME 27, PAGE 181, MAP RECORDS,  
2-36 HIDALGO COUNTY, TEXAS, AND ACCORDING TO WARRANTY DEED RECORDED IN  
2-37 VOLUME 2990, PAGE 579, OFFICIAL RECORDS, HIDALGO COUNTY, TEXAS,  
2-38 REFERENCE TO WHICH IS HERE MADE FOR ALL PURPOSES AND BEING MORE  
2-39 PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS.  
2-40 BEGINNING AT A 1/2" IRON ROD FOUND ON THE NORTH RIGHT OF WAY LINE OF  
2-41 F.M. 2128 AND ON THE EAST LINE OF MULTI-PURPOSE FACILITY FOR  
2-42 PRECINCT No. 4 SUBDIVISION FOR THE SOUTHEAST CORNER OF THIS TRACT,  
2-43 SAID ROD BEARS NORTH, 50.00 FEET FROM THE SOUTHEAST CORNER OF  
2-44 MULTI-PURPOSE FACILITY FOR PRECINCT No. 4 SUBDIVISION.  
2-45 THENCE; N 89°52'W, ALONG THE NORTH RIGHT OF WAY LINE OF F.M. 2128, A  
2-46 DISTANCE OF 50.00 FEET TO A 1/2" IRON ROD 24" IN LENGTH WITH PLASTIC  
2-47 CAP STAMPED RPLS 4856 SET FOR THE SOUTHWEST CORNER OF THIS TRACT.  
2-48 THENCE; NORTH, A DISTANCE OF 379.88 FEET TO A 1/2" IRON ROD 24" IN  
2-49 LENGTH WITH PLASTIC CAP STAMPED RPLS 4856 SET FOR THE NORTHWEST  
2-50 CORNER OF THIS TRACT.  
2-51 THENCE; EAST, A DISTANCE OF 50.00 FEET TO A 1/2" IRON ROD 24" IN  
2-52 LENGTH WITH PLASTIC CAP STAMPED RPLS 4856 SET ON THE EAST LINE OF  
2-53 THE MULTI-PURPOSE FACILITY FOR PRECINCT No. 4 SUBDIVISION FOR THE  
2-54 NORTHEAST CORNER OF THIS TRACT.  
2-55 THENCE; SOUTH, ALONG THE EAST LINE OF THE MULTI-PURPOSE FACILITY  
2-56 FOR PRECINCT No. 4 SUBDIVISION, A DISTANCE OF 380.00 FEET TO THE  
2-57 POINT OF BEGINNING AND CONTAINING 0.436 OF AN ACRE OF LAND MORE OR  
2-58 LESS.  
2-59 BEARINGS ARE IN ACCORDANCE WITH MULTI-PURPOSE FACILITY FOR PRECINCT  
2-60 No. 4 SUBDIVISION, RECORDED IN VOLUME 27, PAGE 181, MAP RECORDS,  
2-61 HIDALGO COUNTY, TEXAS.  
2-62 SECTION 2. This Act takes effect immediately if it receives  
2-63 a vote of two-thirds of all the members elected to each house, as  
2-64 provided by Section 39, Article III, Texas Constitution. If this  
2-65 Act does not receive the vote necessary for immediate effect, this  
2-66 Act takes effect September 1, 2009.

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