

By: Truitt

H.B. No. 2039

Substitute the following for H.B. No. 2039:

By: Rose

C.S.H.B. No. 2039

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the transfer of certain state property from the
3 Department of Aging and Disability Services to certain community
4 mental health and mental retardation centers.

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

6 SECTION 1. (a) The Department of Aging and Disability
7 Services may transfer to community centers described by Section
8 534.001(b)(3), Health and Safety Code, and as specifically
9 designated in Section 2 of this Act, all or part of the real
10 property as specified in Section 2 of this Act:

11 (1) including improvements to the property; and

12 (2) excluding the mineral interests in and under the
13 property.

14 (b) Consideration for the transfers authorized by
15 Subsection (a) of this section shall be in the form of an agreement
16 between the Department of Aging and Disability Services and each
17 community center that requires the community center to use the
18 property in a manner that primarily promotes a public purpose of the
19 state by using the property to provide community-based mental
20 health or mental retardation services.

21 (c) If a community center fails to use the property in the
22 manner described by an agreement under Subsection (b) of this
23 section for more than 180 continuous days, ownership of the
24 property automatically reverts to the Department of Aging and

1 Disability Services.

2 (d) The Department of Aging and Disability Services shall
3 transfer each property by a deed that:

4 (1) is without warranties regarding covenants of
5 title; and

6 (2) includes a provision that:

7 (A) requires the community center to use the
8 property in a manner that primarily promotes a public purpose of the
9 state by using the property to provide community-based mental
10 health and mental retardation services; and

11 (B) indicates that ownership of the property
12 automatically reverts to the Department of Aging and Disability
13 Services if the community center fails to use the property as
14 described by Subsection (b) of this section for more than 180
15 continuous days.

16 (e) The state reserves:

17 (1) the state's interest in all oil, gas, and other
18 minerals in and under the real property described by Section 2 of
19 this Act;

20 (2) the state's right to remove from the real property
21 described by Section 2 of this Act any oil, gas, and other minerals
22 in and under the real property; and

23 (3) the state's right to grant a lease held by the
24 state before a conveyance of real property described by Section 2 of
25 this Act relating to the removal of oil, gas, and other minerals in
26 and under the real property.

27 (f) Sections 533.084 and 533.087, Health and Safety Code,

1 and Sections 31.1571 and 31.158, Natural Resources Code, do not
2 apply to a transfer of real property authorized by this Act.

3 SECTION 2. The Department of Aging and Disability Services
4 shall transfer to:

5 (1) Anderson Cherokee Community Enrichment Services d/b/a
6 ACCESS the real property described as follows:

7 Being approximately 0.543 acres of land in Block 27 & 28
8 (called 28 & 29 in error in prior description), TIMMONS ADDITION,
9 JOHN HUNDLEY SURVEY, A-341, Cherokee County, Texas, out of two
10 tracts described in deed from Paul H. Copeland and wife Delores R.
11 Copeland to Mrs. Ellen Hill Copeland, June 29, 1960, recorded in
12 volume 502, page 57, Deed Records of Cherokee County, Texas,
13 (hereinafter shown as volume/page DR or LR for land records) -- from
14 Paul H. Copeland and Joann Copeland Sessions to Waymon Daniels,
15 April 4, 1991, 1149/212, LR and from Waymon Daniels to Waymon and
16 Dorothy Daniels Trust, East Texas National Bank, Trustee, April 11,
17 1991, 1149/216, LR, Bearings based on deed call along East 4th
18 Street or Highway 69 Rusk Loop and more commonly known as 619 East
19 Fourth Street, Rusk, Texas 75785.

20 BEING ALL OF LOTS 10 and 11 of FORREST HILLS ESTATES,
21 according to the Map as recorded in Vol. 3, Page 35, now Plat
22 Cabinet "A", Sheet 157-A, Plat Records of Cherokee County, Texas
23 and more commonly known as 803 Sharon Street, Rusk, Texas 75785.

24 (2) Border Region Mental Health Mental Retardation
25 Community Center the real property described as follows:

26 Situated in Webb County, Texas, and being THE SURFACE ONLY,
27 of Lots Number THIRTEEN (13) and FOURTEEN (14), in Block Number six

1 (6), of the SCHOOL VIEW ACRES SUBDIVISION, a subdivision situated
2 in the City of Laredo, Webb County, Texas as per Plat recorded in
3 Volume 3, page 70, Webb County Plat Records and more commonly known
4 as 1436 Los Ebanos Drive, Laredo, Texas 78041.

5 Situated in Webb County, Texas and being THE SURFACE ONLY of
6 Lots Number Twelve (12) and Thirteen (13), in Block Number Fourteen
7 (14), LOS PRESIDENTES SUBDIVISION, UNIT II, a subdivision in the
8 City of Laredo, Webb County, Texas, as per Plat of record in Volume
9 8, Pages 29-30 of the Plat Records of Webb County, Texas and more
10 commonly known as 3702 Pine Street, Laredo, Texas 78046.

11 THE SURFACE ONLY of Lots Number One Hundred Seven (107), and
12 One Hundred Eight (108), in Block Number One (1), "THE PLAZA",
13 SOUTHGATE II, UNIT I, a subdivision situated in the City Of Laredo
14 as per Replat recorded in Volume 4, Page 95, Webb County Plat
15 Records and more commonly known as 3101 Columbia Dr., Laredo, Texas
16 78046.

17 (3) Bexar County Board of Trustees for Mental Health Mental
18 Retardation Services d/b/a The Center for Health Care Services the
19 real property described as follows:

20 A 1.277 acre tract of land, more or less, out of the Richard
21 Buschel Survey No. 325, County Block 5053, Bexar County, Texas and
22 more commonly known as 8155 and 8165 Lone Shadow Trail, Converse,
23 Texas 78109.

24 Lots 7 And 8, Block J, LINKWOOD ADDITION, in the City Of Leon
25 Valley, Bexar County, Texas, according to plat thereof, recorded In
26 Volume 5580, Page 114, Deed And Plat Records Of Bexar County, Texas
27 and more commonly known as 7622 Linkside Drive, Leon Valley, Texas

1 78240.

2 Lot 16, Block 2, New City Block 13819, TERRACE NORTH
3 SUBDIVISION, in the City of San Antonio, Bexar County, Texas,
4 according to plat thereof recorded in Volume 5580, Page 260, Deed
5 And Plat Records Of Bexar County, Texas and more commonly known as
6 2927 Eisenhower Road, San Antonio, Texas 78209.

7 Lots 34, and 35, Block 1, WOODLAKE, UNIT 7E, Bexar County,
8 Texas, according to plat thereof recorded in Volume 9503, pages
9 151-152, Deed and Plat Records of Bexar County, Texas and more
10 commonly known as 6722 Calm Lake Road, San Antonio, Texas 78244.

11 (4) Heart of Texas Region Mental Health Mental Retardation
12 Center the real property described as follows:

13 All that certain lot, tract or parcel of land situated in
14 Freestone County, Texas, and being all of Lots Number Seven (7) and
15 Eight (8) of Block Number Seventy-one (71) of the City of Teague,
16 Freestone County, Texas, as shown in Cabinet A, Envelope 7A and 7B,
17 Plat Records, Freestone County, Texas and more commonly known as
18 521 Ash Street (701 N. 6th), Teague, Texas 78560.

19 All that certain lot or parcel of land, situated in the
20 Northeast portion of the City of Marlin, Falls County, Texas, out of
21 the Chambers and La Serda conflicting grants, and being part of Lot
22 6 and 7, Welle Addition to the City of Marlin, Texas according to
23 the map of said Welle Addition found of record in Volume 59, Page
24 353, Falls County Deed Records, more commonly known as 711 Foster
25 Street, Marlin, Texas 76661.

26 Lot 2, Block 5, Durham Addition, Unit #1, City of Groesbeck,
27 in Limestone, Texas, according to the map of said addition of record

1 in Vol. 3, Page 27, Plat Records of Limestone County, Texas, more
2 commonly known as 103 Jane Drive, Groesbeck, Texas 76642.

3 BEING Lots 6 and 7, Block 3, Parkview Addition, City of
4 Groesbeck, Limestone County, Texas according to the official plat
5 of Parkview Addition recorded in Vol. 2, page 93, re-indexed as Plat
6 No. 529-530, Plat Records of Limestone County, Texas, being the
7 same Lots 6 and 7, Block 3, Parkview Addition described in deed
8 dated September 13, 1988 from Patricia Ann Keeney, Guardian of
9 Doris Harris Keris, to Charles E. Rhodes, Jr., et ux, recorded in
10 Vol. 799, page 529, Deed Records of Limestone County, Texas, and
11 more commonly known as 612 Parkside, Groesbeck, Texas 76642.

12 (5) Hill Country Community Mental Health Mental Retardation
13 Center the real property described as follows:

14 SITUATED in Val Verde County, Texas, and being Lot Three (3)
15 and the Northeast One-Half (1/2) of Lot 2, in Block "A", Franki
16 Estates to the City of Del Rio, Texas, according to plat of record
17 in Volume 2, Page 48, of the Map Records of Val Verde County, Texas,
18 and more commonly known as 212 Bolner Lane, Del Rio, Texas 78840.

19 (6) Lakes Regional Mental Health Mental Retardation Center
20 the real property described as follows:

21 All that certain lot, tract or parcel of land being known and
22 designated as Lot 2, Block 18, Town Addition to the City of
23 Waxahachie, Ellis County, Texas, according to the Plat of record in
24 Cabinet C, Slide 61, Plat Records of Ellis County, Texas and more
25 commonly known as 102 West Parks Avenue, Waxahachie, Texas 75165.

26 Lot 4, Block 3 of the Nora Alexander Subdivision of part of
27 Block 278, City of Waxahachie, Ellis County, Texas, according to

1 the plat of record in vol. 176, page 443, Deed Records of Ellis
2 County, Texas and more commonly known as 206 Joseph Street,
3 Waxahachie, Texas 75165.

4 BEING LOT 4, BLOCK 6, NORTHGATE ADDITION, UNIT TWO,
5 WAXAHACHIE, ELLIS COUNTY, TEXAS, ACCORDING TO THE PLAT RECORDED IN
6 CABINET A, SLIDE 664, PLAT RECORDS ELLIS COUNTY, TEXAS and more
7 commonly known as 407 Johnston Blvd., Waxahachie, Texas 75165.

8 BEING all of Lot 22, FERRIS FIRST ADDITION, Waxahachie, Ellis
9 County, Texas, plat recorded in Cabinet A, Slide 37, Plat Records,
10 Ellis County, Texas, and being more commonly known as 408 Royal
11 Street, Waxahachie, Texas 75165.

12 Lot Eleven (11) in Block "F" of the NORTH PARK ESTATES
13 ADDITION, No. 2, within the corporate limits of the City of Paris, a
14 part of the JOSEPH LEACH SURVEY, according to plat of such Addition
15 of record in Envelope 231-D, Lamar County Plat Records, and being
16 the same property described in deed to David Hutson and wife, Mary
17 Hutson, dated April 15, 1983, of record in Book 656, Page 160, Lamar
18 County Deed Records and more commonly known as 1120 35th Street NE,
19 Paris, Texas 75462.

20 Situated within the Corporate Limits of the City of Paris,
21 County of Lamar, and State of Texas, a part of the Hiram Williams
22 Survey #1003, and being Lot 7, 8, in Block 8, TOWN NORTH ESTATES #2,
23 and more commonly known as 2875 Kessler, Paris, Texas 75460.

24 Being part of Lot 2, Block 373, REVISED MAP OF THE CITY OF
25 TERRELL, and more commonly known as 209 N. Park Street, Terrell,
26 Texas 75160.

27 Being all that certain lot, tract or parcel of land situated

1 in the Corporate Limits of the City of Terrell, Kaufman County,
2 Texas being Block No. 590 of The Revised Map of The City of Terrell
3 and more commonly known as 407 9th Street, Terrell, Texas 75160.

4 (7) Mental Health Mental Retardation of Tarrant County the
5 real property described as follows:

6 Lot D-1, of the subdivision of Lot D of the revision of Lots
7 5, 6, and 7, F.R. CHILCOAT SUBDIVISION, to the City of Fort Worth,
8 Tarrant County, Texas, according to plat recorded in Volume 388-J,
9 Page 33, Deed Records of Tarrant County, Texas and more commonly
10 known as 2620 Meaders Avenue, Fort Worth, Texas 76112.

11 Part of Lot 1, Block 4, of DALWORTHINGTON GARDENS, Tarrant
12 County, Texas, according to the Plat recorded in Volume 388-A, Page
13 105, Plat Records, Tarrant County, Texas, and being more commonly
14 known as 2812 California Lane, Dalworthington, Texas 76015.

15 LOT 44, BLOCK 1, SANDY RIDGE ESTATES, an Addition to the City
16 of Fort Worth, Tarrant County, Texas, according to the plat
17 recorded in Volume 388-189, Page 64, Plat Records, Tarrant County,
18 Texas and more commonly known as 701 Sandy Lane, Fort Worth, Texas
19 76120.

20 Being a portion of Lot 8, Block 1, FRANK M. ANDERSON
21 SUBDIVISION of the S. B. Hopkins Survey and part of the G. Wilson
22 Survey, Tarrant County, Texas, according to Plat recorded in Volume
23 1255, Page 306, Plat Records, Tarrant County, Texas, and being the
24 same property described in deeds recorded in Volume 1810, Page 407
25 and Volume 9833, Page 1577, Deed Records, Tarrant County, Texas,
26 and being more commonly known as 1136 Williams Rd., Fort Worth,
27 Texas 76120.

1 LOTS 1, 2, AND 3, BLOCK 1, SIGLER ADDITION TO THE CITY OF
2 FOREST HILL, TARRANT COUNTY, TEXAS, ACCORDING TO THE PLAT RECORDED
3 IN VOLUME 388-212, PAGE 27, PLAT RECORDS, TARRANT COUNTY, TEXAS and
4 being more commonly known as 3313 Shamrock Lane, Forest Hill, Texas
5 76119.

6 (8) Texana Center the real property described as follows:

7 THE SURFACE ONLY of a tract of land containing 26.814 acres
8 out of the original George Foundation call 435.561 acre tract in the
9 John Little Survey, Abstract No. 52, City of Richmond, Fort Bend
10 County, Texas, and more commonly known as 1818 Collins Road,
11 Richmond, Texas 77469.

12 Lots Four (4) and Five (5), Block Nine (9), Replat of
13 Skrabanek Meadows, Section Two (2), a subdivision in Fort Bend
14 County, Texas, according to the map or plat thereof recorded under
15 the Clerk's Slide No. 687/A and more commonly known as 3618 Beasley
16 Street, Needville, Texas 77461.

17 The North East One-half (NE 1/2) of Lot Four (4), all of Lots
18 Five (5), Six (6), and Seven (7), all in Block Two (2), of
19 Re-subdivision of Raska-Stavinoha Subdivision, in Section 27,
20 H.&T.C. R. R. Co. Survey, Abstract 219, Fort Bend County, Texas,
21 according to the plat of said re-subdivision recorded in Volume 6,
22 Page 16, Plat Records, Fort Bend County, Texas and more commonly
23 known as 2902 North Street, Needville, Texas 77461.

24 (9) Texas Panhandle Mental Health Mental Retardation the
25 real property described as follows:

26 Lot No. Twenty-three (23), in Block No. Twenty-one (21),
27 Sleepy Hollow Unit No. 27 Amended, an addition to the City of

1 Amarillo, Randall County, Texas, according to the map or plat
2 thereof, of record in Volume 853, Page 76 of the Deed Records of
3 Randall County, Texas, reference to which is here made for all
4 purposes and more commonly known as 3508 Van Tassel, Amarillo,
5 Texas 79121.

6 Lot No. Forty-one (41), in Block No. One (1), Quail Creek
7 Addition, Unit No. Two (2) amended, an addition to the City of
8 Amarillo, Potter County, Texas, according to the map or plat
9 thereof, of record in Volume 1468, Page 548, of the Deed Records of
10 Potter County, Texas and more commonly known as 6801 Club Meadows,
11 Amarillo, Texas 79124.

12 All of Lot No. 42 and the West portion of Lot No. 41, Block No.
13 7, South Side Estates Unit No. 7, an Addition to the City of
14 Amarillo, Randall County, Texas, according to the recorded Plat
15 thereof, recorded in Volume 597, Page 417 and 418 of the Deed
16 Records of Randall County, Texas and more commonly known as 5407
17 Camp Lane, Amarillo, Texas 79110.

18 Lot No. Thirty-one (31), in Block No. Five (5), Westcliff
19 Park, an addition to the City of Amarillo, Potter County, Texas,
20 according to the map or plat thereof, of record in Volume 1200, Page
21 181, of the Deed Records of Potter County, Texas, reference to which
22 is here made for all purposes, and more commonly known as 2305 Cedar
23 Creek, Amarillo, Texas 79124.

24 (10) West Texas Centers for Mental Health Mental
25 Retardation the real property described as follows:

26 SURFACE ESTATE ONLY - Lots Seven (7) and Eight (8) and the
27 East half (E/2) of Lots Nine (9), Ten (10), Eleven (11) and Twelve

1 (12), in block Twenty-eight (28) of the Original Town of Seminole,
2 Gaines County, Texas - Deed 1 and The West one-half (W/2) of Lots 9,
3 10, 11 and 12, in Block 28, Original Town of Seminole, Gaines
4 County, Texas - Deed 2, more commonly known as Seminole Vo-Tech
5 Resource Center, 208 E. Ave. A, Seminole, Texas 79360.

6 All of Lot ONE (1) and the South twenty-five feet (S25') of
7 abandoned East Nineteenth Street, Block ELEVEN (11) of the NANCYE
8 SUBDIVISION to the City of Monahans, Ward County, Texas, according
9 to a map or plat filed for record in the office of the County Clerk
10 of Ward County, Texas recorded in Volume 3, Page 73, Map Records,
11 Ward County, Texas and more commonly known as Main Street Home, 1900
12 S. Main, Monahans, Texas 79756.

13 Lots Seven (7) and Eight (8), Block One (1), DOUGLASS
14 ADDITION to the City of Big Spring in Howard County, Texas,
15 according to proper plat of said addition recorded in Plat Records
16 of said County and more commonly known as Hamilton Home, 3801-03
17 Hamilton, Big Spring, Texas 79720.

18 Being Lot No. Three (3), out of the North Half of Block No.
19 Thirty-three (33), COLLEGE PARK ESTATES NO. 6, an Addition to the
20 City of Big Spring, out of Section 45, Block 32, T-1-N, T. & P. RR.
21 Co. Survey, Howard County, Texas, according to the map or plat of
22 record in Envelope 131/A, Plat Records in the office of the county
23 clerk of Howard County, Texas and more commonly known as Fordham
24 Home, 3304 Fordham, Big Spring, Texas 79720.

25 Lots 4 and 5, Block 5, County Village Addition to the City of
26 Sweetwater, Nolan County, Texas and more commonly known as
27 Towncreek Home, 1207 Town Creek Drive, Sweetwater, Texas 79556.

1 SECTION 3. This Act takes effect immediately if it receives
2 a vote of two-thirds of all the members elected to each house, as
3 provided by Section 39, Article III, Texas Constitution. If this
4 Act does not receive the vote necessary for immediate effect, this
5 Act takes effect September 1, 2009.