

1-1 By: Truitt (Senate Sponsor - Uresti) H.B. No. 2039  
1-2 (In the Senate - Received from the House April 27, 2009;  
1-3 May 1, 2009, read first time and referred to Committee on Health  
1-4 and Human Services; May 8, 2009, reported favorably by the  
1-5 following vote: Yeas 8, Nays 0; May 8, 2009, sent to printer.)

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

1-8 relating to the transfer of certain state property from the  
1-9 Department of Aging and Disability Services to certain community  
1-10 mental health and mental retardation centers.

1-11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-12 SECTION 1. (a) The Department of Aging and Disability  
1-13 Services may transfer to community centers described by Section  
1-14 534.001(b)(3), Health and Safety Code, and as specifically  
1-15 designated in Section 2 of this Act, all or part of the real  
1-16 property as specified in Section 2 of this Act:

1-17 (1) including improvements to the property; and  
1-18 (2) excluding the mineral interests in and under the  
1-19 property.

1-20 (b) Consideration for the transfers authorized by  
1-21 Subsection (a) of this section shall be in the form of an agreement  
1-22 between the Department of Aging and Disability Services and each  
1-23 community center that requires the community center to use the  
1-24 property in a manner that primarily promotes a public purpose of the  
1-25 state by using the property to provide community-based mental  
1-26 health or mental retardation services.

1-27 (c) If a community center fails to use the property in the  
1-28 manner described by an agreement under Subsection (b) of this  
1-29 section for more than 180 continuous days, ownership of the  
1-30 property automatically reverts to the Department of Aging and  
1-31 Disability Services.

1-32 (d) The Department of Aging and Disability Services shall  
1-33 transfer each property by a deed that:

1-34 (1) is without warranties regarding covenants of  
1-35 title; and

1-36 (2) includes a provision that:

1-37 (A) requires the community center to use the  
1-38 property in a manner that primarily promotes a public purpose of the  
1-39 state by using the property to provide community-based mental  
1-40 health and mental retardation services; and

1-41 (B) indicates that ownership of the property  
1-42 automatically reverts to the Department of Aging and Disability  
1-43 Services if the community center fails to use the property as  
1-44 described by Subsection (b) of this section for more than 180  
1-45 continuous days.

1-46 (e) The state reserves:

1-47 (1) the state's interest in all oil, gas, and other  
1-48 minerals in and under the real property described by Section 2 of  
1-49 this Act;

1-50 (2) the state's right to remove from the real property  
1-51 described by Section 2 of this Act any oil, gas, and other minerals  
1-52 in and under the real property; and

1-53 (3) the state's right to grant a lease held by the  
1-54 state before a conveyance of real property described by Section 2 of  
1-55 this Act relating to the removal of oil, gas, and other minerals in  
1-56 and under the real property.

1-57 (f) Sections 533.084 and 533.087, Health and Safety Code,  
1-58 and Sections 31.1571 and 31.158, Natural Resources Code, do not  
1-59 apply to a transfer of real property authorized by this Act.

1-60 SECTION 2. The Department of Aging and Disability Services  
1-61 shall transfer to:

1-62 (1) Anderson Cherokee Community Enrichment Services d/b/a  
1-63 ACCESS the real property described as follows:

1-64 Being approximately 0.543 acres of land in Block 27 & 28

2-1 (called 28 & 29 in error in prior description), TIMMONS ADDITION,  
 2-2 JOHN HUNDLEY SURVEY, A-341, Cherokee County, Texas, out of two  
 2-3 tracts described in deed from Paul H. Copeland and wife Delores R.  
 2-4 Copeland to Mrs. Ellen Hill Copeland, June 29, 1960, recorded in  
 2-5 volume 502, page 57, Deed Records of Cherokee County, Texas,  
 2-6 (hereinafter shown as volume/page DR or LR for land records) -- from  
 2-7 Paul H. Copeland and Joann Copeland Sessions to Waymon Daniels,  
 2-8 April 4, 1991, 1149/212, LR and from Waymon Daniels to Waymon and  
 2-9 Dorothy Daniels Trust, East Texas National Bank, Trustee, April 11,  
 2-10 1991, 1149/216, LR, Bearings based on deed call along East 4th  
 2-11 Street or Highway 69 Rusk Loop and more commonly known as 619 East  
 2-12 Fourth Street, Rusk, Texas 75785.

2-13 BEING ALL OF LOTS 10 and 11 of FORREST HILLS ESTATES,  
 2-14 according to the Map as recorded in Vol. 3, Page 35, now Plat  
 2-15 Cabinet "A", Sheet 157-A, Plat Records of Cherokee County, Texas  
 2-16 and more commonly known as 803 Sharon Street, Rusk, Texas 75785.

2-17 (2) Border Region Mental Health Mental Retardation  
 2-18 Community Center the real property described as follows:

2-19 Situated in Webb County, Texas, and being THE SURFACE ONLY,  
 2-20 of Lots Number THIRTEEN (13) and FOURTEEN (14), in Block Number six  
 2-21 (6), of the SCHOOL VIEW ACRES SUBDIVISION, a subdivision situated  
 2-22 in the City of Laredo, Webb County, Texas as per Plat recorded in  
 2-23 Volume 3, page 70, Webb County Plat Records and more commonly known  
 2-24 as 1436 Los Ebanos Drive, Laredo, Texas 78041.

2-25 Situated in Webb County, Texas and being THE SURFACE ONLY of  
 2-26 Lots Number Twelve (12) and Thirteen (13), in Block Number Fourteen  
 2-27 (14), LOS PRESIDENTES SUBDIVISION, UNIT II, a subdivision in the  
 2-28 City of Laredo, Webb County, Texas, as per Plat of record in Volume  
 2-29 8, Pages 29-30 of the Plat Records of Webb County, Texas and more  
 2-30 commonly known as 3702 Pine Street, Laredo, Texas 78046.

2-31 THE SURFACE ONLY of Lots Number One Hundred Seven (107), and  
 2-32 One Hundred Eight (108), in Block Number One (1), "THE PLAZA",  
 2-33 SOUTHGATE II, UNIT I, a subdivision situated in the City Of Laredo  
 2-34 as per Replat recorded in Volume 4, Page 95, Webb County Plat  
 2-35 Records and more commonly known as 3101 Columbia Dr., Laredo, Texas  
 2-36 78046.

2-37 (3) Bexar County Board of Trustees for Mental Health Mental  
 2-38 Retardation Services d/b/a The Center for Health Care Services the  
 2-39 real property described as follows:

2-40 A 1.277 acre tract of land, more or less, out of the Richard  
 2-41 Buschel Survey No. 325, County Block 5053, Bexar County, Texas and  
 2-42 more commonly known as 8155 and 8165 Lone Shadow Trail, Converse,  
 2-43 Texas 78109.

2-44 Lots 7 And 8, Block J, LINKWOOD ADDITION, in the City Of Leon  
 2-45 Valley, Bexar County, Texas, according to plat thereof, recorded In  
 2-46 Volume 5580, Page 114, Deed And Plat Records Of Bexar County, Texas  
 2-47 and more commonly known as 7622 Linkside Drive, Leon Valley, Texas  
 2-48 78240.

2-49 Lot 16, Block 2, New City Block 13819, TERRACE NORTH  
 2-50 SUBDIVISION, in the City of San Antonio, Bexar County, Texas,  
 2-51 according to plat thereof recorded in Volume 5580, Page 260, Deed  
 2-52 And Plat Records Of Bexar County, Texas and more commonly known as  
 2-53 2927 Eisenhower Road, San Antonio, Texas 78209.

2-54 Lots 34, and 35, Block 1, WOODLAKE, UNIT 7E, Bexar County,  
 2-55 Texas, according to plat thereof recorded in Volume 9503, pages  
 2-56 151-152, Deed and Plat Records of Bexar County, Texas and more  
 2-57 commonly known as 6722 Calm Lake Road, San Antonio, Texas 78244.

2-58 (4) Heart of Texas Region Mental Health Mental Retardation  
 2-59 Center the real property described as follows:

2-60 All that certain lot, tract or parcel of land situated in  
 2-61 Freestone County, Texas, and being all of Lots Number Seven (7) and  
 2-62 Eight (8) of Block Number Seventy-one (71) of the City of Teague,  
 2-63 Freestone County, Texas, as shown in Cabinet A, Envelope 7A and 7B,  
 2-64 Plat Records, Freestone County, Texas and more commonly known as  
 2-65 521 Ash Street (701 N. 6th), Teague, Texas 78560.

2-66 All that certain lot or parcel of land, situated in the  
 2-67 Northeast portion of the City of Marlin, Falls County, Texas, out of  
 2-68 the Chambers and La Serda conflicting grants, and being part of Lot  
 2-69 6 and 7, Welle Addition to the City of Marlin, Texas according to

3-1 the map of said Welle Addition found of record in Volume 59, Page  
 3-2 353, Falls County Deed Records, more commonly known as 711 Foster  
 3-3 Street, Marlin, Texas 76661.

3-4 Lot 2, Block 5, Durham Addition, Unit #1, City of Groesbeck,  
 3-5 in Limestone, Texas, according to the map of said addition of record  
 3-6 in Vol. 3, Page 27, Plat Records of Limestone County, Texas, more  
 3-7 commonly known as 103 Jane Drive, Groesbeck, Texas 76642.

3-8 BEING Lots 6 and 7, Block 3, Parkview Addition, City of  
 3-9 Groesbeck, Limestone County, Texas according to the official plat  
 3-10 of Parkview Addition recorded in Vol. 2, page 93, re-indexed as Plat  
 3-11 No. 529-530, Plat Records of Limestone County, Texas, being the  
 3-12 same Lots 6 and 7, Block 3, Parkview Addition described in deed  
 3-13 dated September 13, 1988 from Patricia Ann Keeney, Guardian of  
 3-14 Doris Harris Keris, to Charles E. Rhodes, Jr., et ux, recorded in  
 3-15 Vol. 799, page 529, Deed Records of Limestone County, Texas, and  
 3-16 more commonly known as 612 Parkside, Groesbeck, Texas 76642.

3-17 (5) Hill Country Community Mental Health Mental Retardation  
 3-18 Center the real property described as follows:

3-19 SITUATED in Val Verde County, Texas, and being Lot Three (3)  
 3-20 and the Northeast One-Half (1/2) of Lot 2, in Block "A", Franki  
 3-21 Estates to the City of Del Rio, Texas, according to plat of record  
 3-22 in Volume 2, Page 48, of the Map Records of Val Verde County, Texas,  
 3-23 and more commonly known as 212 Bolner Lane, Del Rio, Texas 78840.

3-24 (6) Lakes Regional Mental Health Mental Retardation Center  
 3-25 the real property described as follows:

3-26 All that certain lot, tract or parcel of land being known and  
 3-27 designated as Lot 2, Block 18, Town Addition to the City of  
 3-28 Waxahachie, Ellis County, Texas, according to the Plat of record in  
 3-29 Cabinet C, Slide 61, Plat Records of Ellis County, Texas and more  
 3-30 commonly known as 102 West Parks Avenue, Waxahachie, Texas 75165.

3-31 Lot 4, Block 3 of the Nora Alexander Subdivision of part of  
 3-32 Block 278, City of Waxahachie, Ellis County, Texas, according to  
 3-33 the plat of record in vol. 176, page 443, Deed Records of Ellis  
 3-34 County, Texas and more commonly known as 206 Joseph Street,  
 3-35 Waxahachie, Texas 75165.

3-36 BEING LOT 4, BLOCK 6, NORTHGATE ADDITION, UNIT TWO,  
 3-37 WAXAHACHIE, ELLIS COUNTY, TEXAS, ACCORDING TO THE PLAT RECORDED IN  
 3-38 CABINET A, SLIDE 664, PLAT RECORDS ELLIS COUNTY, TEXAS and more  
 3-39 commonly known as 407 Johnston Blvd., Waxahachie, Texas 75165.

3-40 BEING all of Lot 22, FERRIS FIRST ADDITION, Waxahachie, Ellis  
 3-41 County, Texas, plat recorded in Cabinet A, Slide 37, Plat Records,  
 3-42 Ellis County, Texas, and being more commonly known as 408 Royal  
 3-43 Street, Waxahachie, Texas 75165.

3-44 Lot Eleven (11) in Block "F" of the NORTH PARK ESTATES  
 3-45 ADDITION, No. 2, within the corporate limits of the City of Paris, a  
 3-46 part of the JOSEPH LEACH SURVEY, according to plat of such Addition  
 3-47 of record in Envelope 231-D, Lamar County Plat Records, and being  
 3-48 the same property described in deed to David Hutson and wife, Mary  
 3-49 Hutson, dated April 15, 1983, of record in Book 656, Page 160, Lamar  
 3-50 County Deed Records and more commonly known as 1120 35th Street NE,  
 3-51 Paris, Texas 75462.

3-52 Situated within the Corporate Limits of the City of Paris,  
 3-53 County of Lamar, and State of Texas, a part of the Hiram Williams  
 3-54 Survey #1003, and being Lot 7, 8, in Block 8, TOWN NORTH ESTATES #2,  
 3-55 and more commonly known as 2875 Kessler, Paris, Texas 75460.

3-56 Being part of Lot 2, Block 373, REVISED MAP OF THE CITY OF  
 3-57 TERRELL, and more commonly known as 209 N. Park Street, Terrell,  
 3-58 Texas 75160.

3-59 Being all that certain lot, tract or parcel of land situated  
 3-60 in the Corporate Limits of the City of Terrell, Kaufman County,  
 3-61 Texas being Block No. 590 of The Revised Map of The City of Terrell  
 3-62 and more commonly known as 407 9th Street, Terrell, Texas 75160.

3-63 (7) Mental Health Mental Retardation of Tarrant County the  
 3-64 real property described as follows:

3-65 Lot D-1, of the subdivision of Lot D of the revision of Lots  
 3-66 5, 6, and 7, F.R. CHILCOAT SUBDIVISION, to the City of Fort Worth,  
 3-67 Tarrant County, Texas, according to plat recorded in Volume 388-J,  
 3-68 Page 33, Deed Records of Tarrant County, Texas and more commonly  
 3-69 known as 2620 Meaders Avenue, Fort Worth, Texas 76112.

- 4-1 Part of Lot 1, Block 4, of DALWORTHINGTON GARDENS, Tarrant  
 4-2 County, Texas, according to the Plat recorded in Volume 388-A, Page  
 4-3 105, Plat Records, Tarrant County, Texas, and being more commonly  
 4-4 known as 2812 California Lane, Dalworthington, Texas 76015.
- 4-5 LOT 44, BLOCK 1, SANDY RIDGE ESTATES, an Addition to the City  
 4-6 of Fort Worth, Tarrant County, Texas, according to the plat  
 4-7 recorded in Volume 388-189, Page 64, Plat Records, Tarrant County,  
 4-8 Texas and more commonly known as 701 Sandy Lane, Fort Worth, Texas  
 4-9 76120.
- 4-10 Being a portion of Lot 8, Block 1, FRANK M. ANDERSON  
 4-11 SUBDIVISION of the S. B. Hopkins Survey and part of the G. Wilson  
 4-12 Survey, Tarrant County, Texas, according to Plat recorded in Volume  
 4-13 1255, Page 306, Plat Records, Tarrant County, Texas, and being the  
 4-14 same property described in deeds recorded in Volume 1810, Page 407  
 4-15 and Volume 9833, Page 1577, Deed Records, Tarrant County, Texas,  
 4-16 and being more commonly known as 1136 Williams Rd., Fort Worth,  
 4-17 Texas 76120.
- 4-18 LOTS 1, 2, AND 3, BLOCK 1, SIGLER ADDITION TO THE CITY OF  
 4-19 FOREST HILL, TARRANT COUNTY, TEXAS, ACCORDING TO THE PLAT RECORDED  
 4-20 IN VOLUME 388-212, PAGE 27, PLAT RECORDS, TARRANT COUNTY, TEXAS and  
 4-21 being more commonly known as 3313 Shamrock Lane, Forest Hill, Texas  
 4-22 76119.
- 4-23 (8) Texana Center the real property described as follows:  
 4-24 THE SURFACE ONLY of a tract of land containing 26.814 acres  
 4-25 out of the original George Foundation call 435.561 acre tract in the  
 4-26 John Little Survey, Abstract No. 52, City of Richmond, Fort Bend  
 4-27 County, Texas, and more commonly known as 1818 Collins Road,  
 4-28 Richmond, Texas 77469.
- 4-29 Lots Four (4) and Five (5), Block Nine (9), Replat of  
 4-30 Skrabanek Meadows, Section Two (2), a subdivision in Fort Bend  
 4-31 County, Texas, according to the map or plat thereof recorded under  
 4-32 the Clerk's Slide No. 687/A and more commonly known as 3618 Beasley  
 4-33 Street, Needville, Texas 77461.
- 4-34 The North East One-half (NE 1/2) of Lot Four (4), all of Lots  
 4-35 Five (5), Six (6), and Seven (7), all in Block Two (2), of  
 4-36 Re-subdivision of Raska-Stavinoha Subdivision, in Section 27,  
 4-37 H.&T.C. R. R. Co. Survey, Abstract 219, Fort Bend County, Texas,  
 4-38 according to the plat of said re-subdivision recorded in Volume 6,  
 4-39 Page 16, Plat Records, Fort Bend County, Texas and more commonly  
 4-40 known as 2902 North Street, Needville, Texas 77461.
- 4-41 (9) Texas Panhandle Mental Health Mental Retardation the  
 4-42 real property described as follows:  
 4-43 Lot No. Twenty-three (23), in Block No. Twenty-one (21),  
 4-44 Sleepy Hollow Unit No. 27 Amended, an addition to the City of  
 4-45 Amarillo, Randall County, Texas, according to the map or plat  
 4-46 thereof, of record in Volume 853, Page 76 of the Deed Records of  
 4-47 Randall County, Texas, reference to which is here made for all  
 4-48 purposes and more commonly known as 3508 Van Tassel, Amarillo,  
 4-49 Texas 79121.
- 4-50 Lot No. Forty-one (41), in Block No. One (1), Quail Creek  
 4-51 Addition, Unit No. Two (2) amended, an addition to the City of  
 4-52 Amarillo, Potter County, Texas, according to the map or plat  
 4-53 thereof, of record in Volume 1468, Page 548, of the Deed Records of  
 4-54 Potter County, Texas and more commonly known as 6801 Club Meadows,  
 4-55 Amarillo, Texas 79124.
- 4-56 All of Lot No. 42 and the West portion of Lot No. 41, Block No.  
 4-57 7, South Side Estates Unit No. 7, an Addition to the City of  
 4-58 Amarillo, Randall County, Texas, according to the recorded Plat  
 4-59 thereof, recorded in Volume 597, Page 417 and 418 of the Deed  
 4-60 Records of Randall County, Texas and more commonly known as 5407  
 4-61 Camp Lane, Amarillo, Texas 79110.
- 4-62 Lot No. Thirty-one (31), in Block No. Five (5), Westcliff  
 4-63 Park, an addition to the City of Amarillo, Potter County, Texas,  
 4-64 according to the map or plat thereof, of record in Volume 1200, Page  
 4-65 181, of the Deed Records of Potter County, Texas, reference to which  
 4-66 is here made for all purposes, and more commonly known as 2305 Cedar  
 4-67 Creek, Amarillo, Texas 79124.
- 4-68 (10) West Texas Centers for Mental Health Mental  
 4-69 Retardation the real property described as follows:

5-1 SURFACE ESTATE ONLY - Lots Seven (7) and Eight (8) and the  
5-2 East half (E/2) of Lots Nine (9), Ten (10), Eleven (11) and Twelve  
5-3 (12), in block Twenty-eight (28) of the Original Town of Seminole,  
5-4 Gaines County, Texas - Deed 1 and The West one-half (W/2) of Lots 9,  
5-5 10, 11 and 12, in Block 28, Original Town of Seminole, Gaines  
5-6 County, Texas - Deed 2, more commonly known as Seminole Vo-Tech  
5-7 Resource Center, 208 E. Ave. A, Seminole, Texas 79360.

5-8 All of Lot ONE (1) and the South twenty-five feet (S25') of  
5-9 abandoned East Nineteenth Street, Block ELEVEN (11) of the NANCYE  
5-10 SUBDIVISION to the City of Monahans, Ward County, Texas, according  
5-11 to a map or plat filed for record in the office of the County Clerk  
5-12 of Ward County, Texas recorded in Volume 3, Page 73, Map Records,  
5-13 Ward County, Texas and more commonly known as Main Street Home, 1900  
5-14 S. Main, Monahans, Texas 79756.

5-15 Lots Seven (7) and Eight (8), Block One (1), DOUGLASS  
5-16 ADDITION to the City of Big Spring in Howard County, Texas,  
5-17 according to proper plat of said addition recorded in Plat Records  
5-18 of said County and more commonly known as Hamilton Home, 3801-03  
5-19 Hamilton, Big Spring, Texas 79720.

5-20 Being Lot No. Three (3), out of the North Half of Block No.  
5-21 Thirty-three (33), COLLEGE PARK ESTATES NO. 6, an Addition to the  
5-22 City of Big Spring, out of Section 45, Block 32, T-1-N, T. & P. RR.  
5-23 Co. Survey, Howard County, Texas, according to the map or plat of  
5-24 record in Envelope 131/A, Plat Records in the office of the county  
5-25 clerk of Howard County, Texas and more commonly known as Fordham  
5-26 Home, 3304 Fordham, Big Spring, Texas 79720.

5-27 Lots 4 and 5, Block 5, County Village Addition to the City of  
5-28 Sweetwater, Nolan County, Texas and more commonly known as  
5-29 Towncreek Home, 1207 Town Creek Drive, Sweetwater, Texas 79556.

5-30 SECTION 3. This Act takes effect immediately if it receives  
5-31 a vote of two-thirds of all the members elected to each house, as  
5-32 provided by Section 39, Article III, Texas Constitution. If this  
5-33 Act does not receive the vote necessary for immediate effect, this  
5-34 Act takes effect September 1, 2009.

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