

By: Raymond, Guillen

H.B. No. 4541

A BILL TO BE ENTITLED

AN ACT

relating to the transfer of certain state property from the Texas Department of Public Safety to Webb County.

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

SECTION 1. (a) Not later than May 1, 2010, the Texas Department of Public Safety shall transfer to Webb County the real property described by Section 3 of this Act.

(b) Webb County shall use the property transferred under this Act only for a purpose that benefits the public interest of the state. If Webb County uses the property for any purpose other than a purpose that benefits the public interest of the state, ownership of the property automatically reverts to the Texas Department of Public Safety.

(c) The Texas Department of Public Safety shall transfer the property by an appropriate instrument of transfer. The instrument of transfer must:

(1) provide that:

(A) Webb County use the property only for a purpose that benefits the public interest of the state; and

(B) ownership of the property will automatically revert to the Texas Department of Public Safety if Webb County uses the property for any purpose other than a purpose that benefits the public interest of the state; and

(2) describe the property to be transferred by metes

1 and bounds.

2 (d) The Texas Department of Public Safety shall retain
3 custody of the instrument of transfer after the instrument of
4 transfer is filed in the real property records of Webb County.

5 (e) Webb County shall pay any transaction fees resulting
6 from the transfer of property under this Act.

7 SECTION 2. Before the transfer of the real property
8 authorized by Section 1 of this Act, Webb County shall obtain, at
9 Webb County's expense, a survey of the metes and bounds description
10 for the transfer instrument.

11 SECTION 3. The real property referred to in Section 1 of
12 this Act is described as follows:

13 TRACT I:

14 A tract of land in Webb County, Texas, containing 1.4733
15 acres, more or less, out of Leonardo Sanchez Porcion 23, Abstract
16 283, being out of a 72.4428 acre tract conveyed to J.C. Martin, III,
17 et al, by Abe Calamusa, Individually and for the Estate of Elizabeth
18 Borrello Baccaro, Deceased, et al, by Deed dated January 29, 1972,
19 recorded in Volume 416, Pages 493-98 of the Deed Records of Webb
20 County, Texas; this 1.4733 acre tract being more particularly
21 described as follows, to-wit:

22 Commencing (for a connection) at a fence corner on the east
23 right-of-way line of Interstate Highway No. 35 at its intersection
24 with the south line of the original Baccaro Tract and north line of
25 the Ortiz Tract, said fence corner being the westerly southwest
26 corner of said 72.4428 acre tract;

27 THENCE N. 18°58'29" E. 366.90 feet with the east right-of-way line

1 of Interstate Highway 35 to a point which bears S 76°53'15" E. 0.27
2 feet from the center of a steel fence post, the northwest corner of
3 a 5.0 acre tract as fenced, and the southwest and beginning corner
4 of this tract;

5 THENCE N. 18°58'29" E. 190.67 feet with the east right-of-way of
6 Interstate Highway 35 to a 1/2" steel rod, the westerly southwest
7 corner of a 3.5000 acre tract and the northwest corner of this
8 tract;

9 THENCE S. 71°10'47" E. 372.87 feet with the south line of said 3.5000
10 acre tract a 1/2" steel rod, an interior corner of said 3.5000 acre
11 tract and the northeast corner of this tract;

12 THENCE S. 18°49'13" W. 153.66 feet with lower west line of said
13 3.5000 acre tract to a 1/2" steel rod on the north line of said 5.0
14 acre tract, the southerly southwest corner of said 3.5000 acre
15 tract and the southeast corner of this tract;

16 THENCE N. 76°10'47"W. 25.6 feet to a steel fence corner post of a
17 chain link fence on the occupied north line of said 5.0 acre tract
18 and a deflection corner of this tract;

19 THENCE N. 76°53'15"W. 349.62 feet with chain link fence on the
20 occupied north line of said 5.0 acre tract to the place of
21 beginning.

22 TRACT II:

23 A strip of land along and adjacent to the west boundary line
24 of Tract I approximately 200 feet in width, which tract is bounded
25 on its south side by an extension of the south boundary line of
26 Tract I southwesterly along the same course as the south boundary
27 line of Tract I from the southwest corner of Tract I to a point on

1 the original west boundary line of that certain tract known as the
2 Nick Baccaro Tract, which is also the west line of that certain
3 right-of-way easement under instrument executed by Elizabeth B.
4 Baccaro on September 5, 1958, to the State of Texas of record in
5 Vol. 264, Pages 138-139, of the Deed Records of Webb County, Texas;
6 and is bounded on the east side by the west boundary line of Tract I;
7 and is bounded on the north side by an extension of a line parallel
8 with the north boundary line of Tract I hereinabove described, but
9 which commences at the northwest corner of Tract I and extends from
10 said point in a northwesterly direction, being N. 71°10'47"W. to its
11 junction with the original west boundary line of said Nick Baccaro
12 Tract, also the west boundary line of said right-of-way easement to
13 the State of Texas hereinabove referred to; and is bounded on its
14 west side by the original west boundary of said Nick Baccaro Tract
15 and the west line of said right-of-way easement to the State of
16 Texas extending from its junction with the south boundary line
17 hereof and the north boundary line hereof; subject, however, to all
18 rights of the State of Texas and its successors and assigns under
19 right-of-way easement dated September 5, 1958, and recorded in Vol.
20 264, Pages 138-139, of the Deed Records of Webb County, Texas.

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