

By: Raymond

H.B. No. 4541

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the transfer of certain state property from the State of
3 Texas, acting by and through the Texas Department of Public Safety,
4 to Webb County.

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

6 SECTION 1. Chapter 411, Government Code is amended by
7 adding Section 411.0081 to read as follows:

8 Sec. 411.0081. TRANSFER OF WEBB COUNTY REAL PROPERTY. (a)
9 Before May 1, 2010, the state, acting by and through the department,
10 shall transfer to Webb County certain surface interests in the real
11 property described by Subsection (d) of this section, including any
12 improvements affixed to the property.

13 (b) Consideration for the transfer authorized by Subsection
14 (a) of this section will be in the form of an agreement between the
15 parties that requires Webb County to use the property for a purpose
16 that benefits the public interest of this state. Ownership of the
17 property automatically reverts to the state, for the use and
18 benefit of the department, if Webb County no longer uses the
19 property for a purpose that benefits the public interest of the
20 state. Webb County shall execute the appropriate transfer
21 instrument to transfer the property back to the state, for the use
22 and benefit of the department, if Webb County no longer uses the
23 property for a purpose that benefits the public interest of the
24 state.

1 (c) The state, acting by and through the department, shall
2 transfer certain surface ownership interests in the property
3 described by Subsection (d) of this section by an appropriate
4 instrument of transfer. The instrument of transfer must include a
5 provision that:

6 (1) requires Webb County to use the property for a
7 purpose that benefits the public interest of the state; and

8 (2) indicates that ownership of the property
9 automatically reverts to the state, for the use and benefit of the
10 department, if Webb County no longer uses the property for a purpose
11 that benefits the public interest of the state.

12 (d) The real property to which Subsections (a) through (c) of
13 this section refer is described in that certain instrument filed of
14 record in Volume 517, Pages 736 - 741, in the Real Property Records
15 of Webb County, Texas.

16 SECTION 2. Prior to the transfer of the real property
17 described in Section 411.0081(d), Government Code, Webb County
18 shall timely obtain, at Webb County's expense, a survey, which will
19 provide the metes and bounds description for the transfer
20 instrument. After the transfer of the real property, Webb County
21 shall file the transfer instrument in the local property records,
22 at Webb County's expense.

23 SECTION 3. Section 31.158, Natural Resources Code, does not
24 apply to the real estate transaction described in Section 411.0081,
25 Government Code. The Texas Department of Public Safety, on behalf
26 of the state, will sign an instrument to convey the property to Webb
27 County.

1 SECTION 4. 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.