

1-1 By: Raymond, Guillen (Senate Sponsor - Zaffirini) H.B. No. 4541
1-2 (In the Senate - Received from the House May 1, 2009;
1-3 May 6, 2009, read first time and referred to Committee on Criminal
1-4 Justice; May 20, 2009, reported favorably by the following vote:
1-5 Yeas 6, Nays 0; May 20, 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 Texas
1-9 Department of Public Safety to Webb County.

1-10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-11 SECTION 1. (a) Not later than May 1, 2010, the Texas
1-12 Department of Public Safety shall transfer to Webb County the real
1-13 property described by Section 3 of this Act.

1-14 (b) Webb County shall use the property transferred under
1-15 this Act only for a purpose that benefits the public interest of the
1-16 state. If Webb County uses the property for any purpose other than
1-17 a purpose that benefits the public interest of the state, ownership
1-18 of the property automatically reverts to the Texas Department of
1-19 Public Safety.

1-20 (c) The Texas Department of Public Safety shall transfer the
1-21 property by an appropriate instrument of transfer. The instrument
1-22 of transfer must:

1-23 (1) provide that:

1-24 (A) Webb County use the property only for a
1-25 purpose that benefits the public interest of the state; and

1-26 (B) ownership of the property will automatically
1-27 revert to the Texas Department of Public Safety if Webb County uses
1-28 the property for any purpose other than a purpose that benefits the
1-29 public interest of the state; and

1-30 (2) describe the property to be transferred by metes
1-31 and bounds.

1-32 (d) The Texas Department of Public Safety shall retain
1-33 custody of the instrument of transfer after the instrument of
1-34 transfer is filed in the real property records of Webb County.

1-35 (e) Webb County shall pay any transaction fees resulting
1-36 from the transfer of property under this Act.

1-37 SECTION 2. Before the transfer of the real property
1-38 authorized by Section 1 of this Act, Webb County shall obtain, at
1-39 Webb County's expense, a survey of the metes and bounds description
1-40 for the transfer instrument.

1-41 SECTION 3. The real property referred to in Section 1 of
1-42 this Act is described as follows:

1-43 TRACT I:

1-44 A tract of land in Webb County, Texas, containing 1.4733
1-45 acres, more or less, out of Leonardo Sanchez Porcion 23, Abstract
1-46 283, being out of a 72.4428 acre tract conveyed to J.C. Martin, III,
1-47 et al, by Abe Calamusa, Individually and for the Estate of Elizabeth
1-48 Borrello Baccaro, Deceased, et al, by Deed dated January 29, 1972,
1-49 recorded in Volume 416, Pages 493-98 of the Deed Records of Webb
1-50 County, Texas; this 1.4733 acre tract being more particularly
1-51 described as follows, to-wit:

1-52 Commencing (for a connection) at a fence corner on the east
1-53 right-of-way line of Interstate Highway No. 35 at its intersection
1-54 with the south line of the original Baccaro Tract and north line of
1-55 the Ortiz Tract, said fence corner being the westerly southwest
1-56 corner of said 72.4428 acre tract;

1-57 THENCE N. 18°58'29" E. 366.90 feet with the east right-of-way line
1-58 of Interstate Highway 35 to a point which bears S 76°53'15" E. 0.27
1-59 feet from the center of a steel fence post, the northwest corner of
1-60 a 5.0 acre tract as fenced, and the southwest and beginning corner
1-61 of this tract;

1-62 THENCE N. 18°58'29" E. 190.67 feet with the east right-of-way of
1-63 Interstate Highway 35 to a 1/2" steel rod, the westerly southwest
1-64 corner of a 3.5000 acre tract and the northwest corner of this

2-1 tract;
 2-2 THENCE S. 71°10'47" E. 372.87 feet with the south line of said 3.5000
 2-3 acre tract a 1/2" steel rod, an interior corner of said 3.5000 acre
 2-4 tract and the northeast corner of this tract;
 2-5 THENCE S. 18°49'13" W. 153.66 feet with lower west line of said
 2-6 3.5000 acre tract to a 1/2" steel rod on the north line of said 5.0
 2-7 acre tract, the southerly southwest corner of said 3.5000 acre
 2-8 tract and the southeast corner of this tract;
 2-9 THENCE N. 76°10'47"W. 25.6 feet to a steel fence corner post of a
 2-10 chain link fence on the occupied north line of said 5.0 acre tract
 2-11 and a deflection corner of this tract;
 2-12 THENCE N. 76°53'15"W. 349.62 feet with chain link fence on the
 2-13 occupied north line of said 5.0 acre tract to the place of
 2-14 beginning.

2-15 TRACT II:

2-16 A strip of land along and adjacent to the west boundary line
 2-17 of Tract I approximately 200 feet in width, which tract is bounded
 2-18 on its south side by an extension of the south boundary line of
 2-19 Tract I southwesterly along the same course as the south boundary
 2-20 line of Tract I from the southwest corner of Tract I to a point on
 2-21 the original west boundary line of that certain tract known as the
 2-22 Nick Baccaro Tract, which is also the west line of that certain
 2-23 right-of-way easement under instrument executed by Elizabeth B.
 2-24 Baccaro on September 5, 1958, to the State of Texas of record in
 2-25 Vol. 264, Pages 138-139, of the Deed Records of Webb County, Texas;
 2-26 and is bounded on the east side by the west boundary line of Tract I;
 2-27 and is bounded on the north side by an extension of a line parallel
 2-28 with the north boundary line of Tract I hereinabove described, but
 2-29 which commences at the northwest corner of Tract I and extends from
 2-30 said point in a northwesterly direction, being N. 71°10'47"W. to its
 2-31 junction with the original west boundary line of said Nick Baccaro
 2-32 Tract, also the west boundary line of said right-of-way easement to
 2-33 the State of Texas hereinabove referred to; and is bounded on its
 2-34 west side by the original west boundary of said Nick Baccaro Tract
 2-35 and the west line of said right-of-way easement to the State of
 2-36 Texas extending from its junction with the south boundary line
 2-37 hereof and the north boundary line hereof; subject, however, to all
 2-38 rights of the State of Texas and its successors and assigns under
 2-39 right-of-way easement dated September 5, 1958, and recorded in Vol.
 2-40 264, Pages 138-139, of the Deed Records of Webb County, Texas.

2-41 SECTION 4. This Act takes effect immediately if it receives
 2-42 a vote of two-thirds of all the members elected to each house, as
 2-43 provided by Section 39, Article III, Texas Constitution. If this
 2-44 Act does not receive the vote necessary for immediate effect, this
 2-45 Act takes effect September 1, 2009.

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