

1-1 By: Duncan S.B. No. 1652
1-2 (In the Senate - Filed March 10, 2009; March 20, 2009, read
1-3 first time and referred to Committee on Criminal Justice;
1-4 April 22, 2009, reported favorably by the following vote: Yeas 4,
1-5 Nays 0; April 22, 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 Criminal Justice to Mitchell County.

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

1-11 SECTION 1. (a) Not later than the 30th day after the
1-12 effective date of this Act, the Texas Department of Criminal
1-13 Justice shall transfer to Mitchell County the real property
1-14 described by Subsection (e) of this section.

1-15 (b) Mitchell County shall use the property transferred
1-16 under this Act only for a purpose that benefits the public interest
1-17 of the state. If Mitchell County uses the property for any purpose
1-18 other than a purpose that benefits the public interest of the state,
1-19 ownership of the property automatically reverts to the Texas
1-20 Department of Criminal Justice.

1-21 (c) The Texas Department of Criminal Justice shall transfer
1-22 the property by an appropriate instrument of transfer. The
1-23 instrument of transfer must:

1-24 (1) provide that:

1-25 (A) Mitchell County use the property only for a
1-26 purpose that benefits the public interest of the state; and

1-27 (B) ownership of the property will automatically
1-28 revert to the Texas Department of Criminal Justice if Mitchell
1-29 County uses the property for any purpose other than a purpose that
1-30 benefits the public interest of the state; and

1-31 (2) describe the property to be transferred by metes
1-32 and bounds.

1-33 (d) The Texas Department of Criminal Justice shall retain
1-34 custody of the instrument of transfer after the instrument of
1-35 transfer is filed in the real property records of Mitchell County.

1-36 (e) The real property referred to in this section is
1-37 described as follows:

1-38 Tract 1

1-39 221.72 acres of land out of Section 31, Block 26, T&P Rwy. Co
1-40 Surveys, Mitchell County, Texas, and being the middle 1/2 of that
1-41 portion of said Section 31 north of Interstate 20. Described
1-42 further by metes and bounds as follows:

1-43 Beginning: At an iron pin in the north line of said section
1-44 that is N 76° 38' 11" E - 1184.8' from the N.W. corner of said Section
1-45 31

1-46 Thence: N 76° 38' 11" E - 2550.8' along said north line to an
1-47 iron pin

1-48 Thence: S 12° 51' 41" E - 3325.7' to an iron pin in the north
1-49 r/w of Interstate 20

1-50 Thence: S 56° 49' 49" W - 2719.9' along said r/w to an iron pin

1-51 Thence: N 12° 51' 41" W - 4247.3' to the place of beginning and
1-52 containing 221.72 acres of land more or less.

1-53 (f) Mitchell County shall pay any transaction fees
1-54 resulting from the transfer of property under this Act.

1-55 SECTION 2. This Act takes effect immediately if it receives
1-56 a vote of two-thirds of all the members elected to each house, as
1-57 provided by Section 39, Article III, Texas Constitution. If this
1-58 Act does not receive the vote necessary for immediate effect, this
1-59 Act takes effect September 1, 2009.

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