

By: Jackson

S.B. No. 1953

Substitute the following for S.B. No. 1953:

By: Paxton

C.S.S.B. No. 1953

A BILL TO BE ENTITLED

1

AN ACT

2 relating to authorizing the transfer of certain real property held  
3 by the Texas Department of Criminal Justice.

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

5 SECTION 1. AUTHORIZATION FOR TRANSFER. (a) Not later than  
6 January 1, 2010, the Texas Department of Criminal Justice shall  
7 transfer to Brazoria County the real property specified in Section  
8 2 of this Act.

9 (b) Consideration for the transfer authorized by Subsection  
10 (a) of this section shall be in the form of an agreement between the  
11 parties that requires Brazoria County to use the property in a  
12 manner that primarily promotes a public purpose that benefits the  
13 public interest of the state.

14 (c) If Brazoria County fails to use the property in the  
15 manner described by an agreement under Subsection (b) of this  
16 section for more than 180 continuous days, ownership of the  
17 property automatically reverts to the Texas Department of Criminal  
18 Justice.

19 (d) The Texas Department of Criminal Justice shall transfer  
20 the property to Brazoria County by an appropriate instrument of  
21 transfer. The instrument of transfer must include a provision  
22 that:

23 (1) requires Brazoria County to use the property in a  
24 manner that primarily promotes a public purpose that benefits the

1 public interest of the state;

2 (2) indicates that ownership of the property  
3 automatically reverts to the Texas Department of Criminal Justice  
4 if Brazoria County no longer uses the property in a manner that  
5 primarily promotes a public purpose that benefits the public  
6 interest of the state; and

7 (3) excludes from the transfer all mineral interests  
8 in and under the property and prohibits any exploration, drilling,  
9 or other similar intrusion on the property related to mineral  
10 interests.

11 SECTION 2. PROPERTY DESCRIPTION. The Texas Department of  
12 Criminal Justice property to be transferred as provided by Section  
13 1 of this Act consists of approximately 332 acres, more or less,  
14 being part of that 7,424.4 tract or parcel of land conveyed to the  
15 Prison Commission of the State of Texas as recorded in Book 145,  
16 Page 242 of the Deed Records Brazoria County, Texas, said 332 acres,  
17 more or less, being out of the Jared E. Groce grant in Brazoria  
18 County, Texas, near Angleton, Texas, bounded by the Brazoria County  
19 Airport property to the West and State Highway 288 to the East, the  
20 northern boundary being the northern boundary of the said 7,424.4  
21 tract or parcel of land, the southern boundary being the northern  
22 boundary of a tract or parcel of land conveyed to RH Retrieve, Ltd.  
23 as recorded as Document # 2007018866 in the Official Public Records  
24 of Brazoria County, Texas.

25 SECTION 3. AUTHORIZATION FOR TRANSFER. (a) Not later than  
26 October 31, 2010, the Texas Department of Criminal Justice shall  
27 transfer to the City of Houston the real property specified in

1 Section 4 of this Act, including any improvements affixed to the  
2 property.

3 (b) Consideration for the transfer authorized by Subsection  
4 (a) of this section shall be in the form of an agreement between the  
5 parties that requires the City of Houston to use the property in a  
6 manner that primarily promotes a public purpose that benefits the  
7 public interest of the state.

8 (c) If the City of Houston fails to use the property in the  
9 manner described by an agreement under Subsection (b) of this  
10 section for more than 180 continuous days, ownership of the  
11 property automatically reverts to the Texas Department of Criminal  
12 Justice.

13 (d) The Texas Department of Criminal Justice shall transfer  
14 the property to the City of Houston by an appropriate instrument of  
15 transfer. The instrument of transfer must include a provision  
16 that:

17 (1) requires the City of Houston to use the property in  
18 a manner that primarily promotes a public purpose that benefits the  
19 public interest of the state;

20 (2) indicates that ownership of the property  
21 automatically reverts to the Texas Department of Criminal Justice  
22 if the City of Houston no longer uses the property in a manner that  
23 primarily promotes a public purpose that benefits the public  
24 interest of the state; and

25 (3) excludes from the transfer all mineral interests  
26 in and under the property and prohibits any exploration, drilling,  
27 or other similar intrusion on the property related to mineral

1 interests.

2 SECTION 4. PROPERTY DESCRIPTION. The Texas Department of  
3 Criminal Justice property to be transferred as provided by Section  
4 3 of this Act is described as follows:

5 Being a tract or parcel containing 0.0204 acre (888 square  
6 feet) of land situated in the H. Reinerman Survey, Abstract Number  
7 644, City of Houston, Harris County, Texas, being out of and a part  
8 of Tract 1, Block 2 of BROOKHOLLOW/HOUSTON, SECTION ONE, a  
9 subdivision of record in Volume 144, Page 79, Harris County Map  
10 Records (H.C.M.R.), out of and a part of Tract 2, Block 2 of  
11 BROOKHOLLOW/HOUSTON, SECTION TWO, a subdivision of record in Volume  
12 148, Page 33, H.C.M.R., and being out of and a part of a called  
13 197,847 square foot tract conveyed to the State of Texas Department  
14 of Public Safety (State of Texas) by deed recorded under Harris  
15 County Clerks File (H.C.C.F.) Number C580248, said 0.0204 acre  
16 tract being more particularly described as follows (bearings are  
17 oriented to the bearing base reflected in the record plat of said  
18 BROOKHOLLOW/HOUSTON, SECTION ONE):

19 BEGINNING at a mag nail found marking the easterly corner of a  
20 called 0.0650 acre tract conveyed to the City of Houston by deed  
21 recorded under H.C.C.F. Number X311063, said nail marking the  
22 northerly corner of the herein described tract;

23 THENCE, South 44°54'53" East, over and across said 197,847  
24 square foot tract, a distance of 17.50 feet to a PK Nail set marking  
25 the easterly corner of the herein described tract

26 THENCE, South 45°05'07" West, over and across said 197,847  
27 square foot tract, a distance of 50.75 feet to a PK Nail set marking

1 the southerly corner of the herein described tract;

2       THENCE, North 44°54'53" West, over and across said 197,847  
3 square foot tract, a distance of 17.50 feet to a Mag Nail found  
4 marking the southerly corner of said 0.0650 acre tract and marking  
5 the westerly corner of the herein described tract;

6       THENCE, North 45°05'07" East, along the southeasterly line of  
7 said 0.0650 acre tract, a distance of 50.75 feet to the POINT OF  
8 BEGINNING and containing 0.204 acre (888 square feet) of land.

9       SECTION 5. EFFECTIVE DATE.       This Act takes effect  
10 immediately if it receives a vote of two-thirds of all the members  
11 elected to each house, as provided by Section 39, Article III, Texas  
12 Constitution. If this Act does not receive the vote necessary for  
13 immediate effect, this Act takes effect September 1, 2009.