

1-1 By: Jackson S.B. No. 1953
1-2 (In the Senate - Filed March 12, 2009; March 24, 2009, read
1-3 first time and referred to Committee on Criminal Justice;
1-4 April 24, 2009, reported adversely, with favorable Committee
1-5 Substitute by the following vote: Yeas 4, Nays 0; April 24, 2009,
1-6 sent to printer.)

1-7 COMMITTEE SUBSTITUTE FOR S.B. No. 1953 By: Whitmire

1-8 A BILL TO BE ENTITLED
1-9 AN ACT

1-10 relating to authorizing the transfer of certain real property held
1-11 by the Texas Department of Criminal Justice.

1-12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-13 SECTION 1. AUTHORIZATION FOR TRANSFER. (a) Not later than
1-14 January 1, 2010, the Texas Department of Criminal Justice shall
1-15 transfer to Brazoria County the real property specified in Section
1-16 2 of this Act.

1-17 (b) Consideration for the transfer authorized by Subsection
1-18 (a) of this section shall be in the form of an agreement between the
1-19 parties that requires Brazoria County to use the property in a
1-20 manner that primarily promotes a public purpose that benefits the
1-21 public interest of the state.

1-22 (c) If Brazoria County fails to use the property in the
1-23 manner described by an agreement under Subsection (b) of this
1-24 section for more than 180 continuous days, ownership of the
1-25 property automatically reverts to the Texas Department of Criminal
1-26 Justice.

1-27 (d) The Texas Department of Criminal Justice shall transfer
1-28 the property to Brazoria County by an appropriate instrument of
1-29 transfer. The instrument of transfer must include a provision
1-30 that:

1-31 (1) requires Brazoria County to use the property in a
1-32 manner that primarily promotes a public purpose that benefits the
1-33 public interest of the state; and

1-34 (2) indicates that ownership of the property
1-35 automatically reverts to the Texas Department of Criminal Justice
1-36 if Brazoria County no longer uses the property in a manner that
1-37 primarily promotes a public purpose that benefits the public
1-38 interest of the state.

1-39 SECTION 2. PROPERTY DESCRIPTION. The Texas Department of
1-40 Criminal Justice property to be transferred as provided by Section
1-41 1 of this Act consists of approximately 332 acres, more or less,
1-42 being part of that 7,424.4 tract or parcel of land conveyed to the
1-43 Prison Commission of the State of Texas as recorded in Book 145,
1-44 Page 242 of the Deed Records Brazoria County, Texas, said 332 acres,
1-45 more or less, being out of the Jared E. Groce grant in Brazoria
1-46 County, Texas, near Angleton, Texas, bounded by the Brazoria County
1-47 Airport property to the West and State Highway 288 to the East, the
1-48 northern boundary being the northern boundary of the said 7,424.4
1-49 tract or parcel of land, the southern boundary being the northern
1-50 boundary of a tract or parcel of land conveyed to RH Retrieve, Ltd.
1-51 as recorded as Document # 2007018866 in the Official Public Records
1-52 of Brazoria County, Texas.

1-53 SECTION 3. AUTHORIZATION FOR TRANSFER. (a) Not later than
1-54 October 31, 2010, the Texas Department of Criminal Justice shall
1-55 transfer to the City of Houston the real property specified in
1-56 Section 4 of this Act, including any improvements affixed to the
1-57 property.

1-58 (b) Consideration for the transfer authorized by Subsection
1-59 (a) of this section shall be in the form of an agreement between the
1-60 parties that requires the City of Houston to use the property in a
1-61 manner that primarily promotes a public purpose that benefits the
1-62 public interest of the state.

1-63 (c) If the City of Houston fails to use the property in the

2-1 manner described by an agreement under Subsection (b) of this
2-2 section for more than 180 continuous days, ownership of the
2-3 property automatically reverts to the Texas Department of Criminal
2-4 Justice.

2-5 (d) The Texas Department of Criminal Justice shall transfer
2-6 the property to the City of Houston by an appropriate instrument of
2-7 transfer. The instrument of transfer must include a provision
2-8 that:

2-9 (1) requires the City of Houston to use the property in
2-10 a manner that primarily promotes a public purpose that benefits the
2-11 public interest of the state; and

2-12 (2) indicates that ownership of the property
2-13 automatically reverts to the Texas Department of Criminal Justice
2-14 if the City of Houston no longer uses the property in a manner that
2-15 primarily promotes a public purpose that benefits the public
2-16 interest of the state.

2-17 SECTION 4. PROPERTY DESCRIPTION. The Texas Department of
2-18 Criminal Justice property to be transferred as provided by Section
2-19 3 of this Act is described as follows:

2-20 Being a tract or parcel containing 0.0204 acre (888 square
2-21 feet) of land situated in the H. Reinerman Survey, Abstract Number
2-22 644, City of Houston, Harris County, Texas, being out of and a part
2-23 of Tract 1, Block 2 of BROOKHOLLOW/HOUSTON, SECTION ONE, a
2-24 subdivision of record in Volume 144, Page 79, Harris County Map
2-25 Records (H.C.M.R.), out of and a part of Tract 2, Block 2 of
2-26 BROOKHOLLOW/HOUSTON, SECTION TWO, a subdivision of record in Volume
2-27 148, Page 33, H.C.M.R., and being out of and a part of a called
2-28 197,847 square foot tract conveyed to the State of Texas Department
2-29 of Public Safety (State of Texas) by deed recorded under Harris
2-30 County Clerks File (H.C.C.F.) Number C580248, said 0.0204 acre
2-31 tract being more particularly described as follows (bearings are
2-32 oriented to the bearing base reflected in the record plat of said
2-33 BROOKHOLLOW/HOUSTON, SECTION ONE):

2-34 BEGINNING at a mag nail found marking the easterly corner of a
2-35 called 0.0650 acre tract conveyed to the City of Houston by deed
2-36 recorded under H.C.C.F. Number X311063, said nail marking the
2-37 northerly corner of the herein described tract;

2-38 THENCE, South 44°54'53" East, over and across said 197,847
2-39 square foot tract, a distance of 17.50 feet to a PK Nail set marking
2-40 the easterly corner of the herein described tract

2-41 THENCE, South 45°05'07" West, over and across said 197,847
2-42 square foot tract, a distance of 50.75 feet to a PK Nail set marking
2-43 the southerly corner of the herein described tract;

2-44 THENCE, North 44°54'53" West, over and across said 197,847
2-45 square foot tract, a distance of 17.50 feet to a Mag Nail found
2-46 marking the southerly corner of said 0.0650 acre tract and marking
2-47 the westerly corner of the herein described tract;

2-48 THENCE, North 45°05'07" East, along the southeasterly line of
2-49 said 0.0650 acre tract, a distance of 50.75 feet to the POINT OF
2-50 BEGINNING and containing 0.204 acre (888 square feet) of land.

2-51 SECTION 5. EFFECTIVE DATE. This Act takes effect September
2-52 1, 2009.

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