

1-1 By: Averitt S.B. No. 2228
1-2 (In the Senate - Filed March 13, 2009; March 31, 2009, read
1-3 first time and referred to Committee on Criminal Justice;
1-4 April 28, 2009, reported favorably by the following vote: Yeas 7,
1-5 Nays 0; April 28, 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 Coryell County.

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

1-11 SECTION 1. (a) Not later than November 1, 2009, the Texas
1-12 Department of Criminal Justice shall transfer to Coryell County the
1-13 real property described by Subsection (d) of this section.

1-14 (b) Coryell 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 Coryell County no longer uses the property for a purpose
1-17 that benefits the public interest of the state, ownership of the
1-18 property automatically reverts to the Texas Department of Criminal
1-19 Justice.

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

1-23 (1) include a provision that:

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

1-26 (B) indicates that ownership of the property
1-27 automatically reverts to the Texas Department of Criminal Justice
1-28 if Coryell County no longer uses the property for a purpose that
1-29 benefits the 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 real property to which Subsection (a) of this
1-33 section refers is described as follows:

1-34 Field Notes describing a 33.37-acre tract of land in the Henry
1-35 Farley Survey, Abstract Number 352, Coryell County, Texas. Also
1-36 being a portion of a called 117.56-acre tract of land conveyed to
1-37 Texas Department of Criminal Justice - Institutional Division
1-38 (TDCJ), recorded in Volume 579, Page 387 in the Deed Records of
1-39 Coryell County, Texas.

1-40 Beginning at a 5/8" diameter iron pipe found, being the northeast
1-41 corner of said TDCJ tract, the northwest corner of a called First
1-42 Tract (135.41-acres) and in the south line of a called Second Tract
1-43 (217-acres) described in a partition decree (Powell vs. Powell),
1-44 recorded in Volume L, Page 76 in the Civil Minutes, District Court
1-45 Records of Coryell County, Texas, for the northeast corner of the
1-46 herein described tract of land;

1-47 Thence S 24 degrees 20 minutes 00 seconds W - 982.89 feet (*BEARING*
1-48 *BASIS - Deed Call*) with the east line of said TDCJ tract, the west
1-49 line of said Powell First Tract, and generally following a wire
1-50 fence to a railroad tie fence post found for an angle point in the
1-51 herein described tract of land;

1-52 Thence S 13 degrees 13 minutes 26 seconds W - 173.89 feet with the
1-53 east line of said TDCJ tract, the west line of said Powell First
1-54 Tract, and generally following a wire fence to a 1/2" diameter iron
1-55 rod set with cap (LETH #3879), from which a 6" diameter cedar fence
1-56 post found at the southeast corner of said TDCJ tract bears S 13
1-57 degrees 13 minutes 26 seconds W - 1593.57 feet, for the southeast
1-58 corner in the herein described tract of land;

1-59 Thence N 67 degrees 05 minutes 00 seconds W - 1592.81 feet through
1-60 said TDCJ tract to a 1/2" diameter iron rod set with cap (LETH #3879)
1-61 in the west line of said TDCJ tract and in the east line of State
1-62 Farm-To-Market Highway 929 (FM 929), for the southwest corner in
1-63 the herein described tract of land;

1-64 Thence N 18 degrees 24 minutes 39 seconds E - 55.04 feet with the

2-1 west line of said TDCJ tract and the east line of said FM 929 to a
2-2 1/2" diameter iron rod set with cap (LETH #3879) at the beginning of
2-3 a curve to the right for an angle point in the herein described
2-4 tract of land;
2-5 Thence with the west line of said TDCJ tract, the east line of said
2-6 FM 929 and said curve to the right, with a length of 495.28 feet, a
2-7 radius of 914.43 feet, and a chord of N 33 degrees 55 minutes 39
2-8 seconds E, a distance of 489.25 feet to a 1/2" diameter iron rod set
2-9 with cap (LETH #3879) at the point of tangency in the east line of
2-10 said FM 929 for an angle point in the herein described tract of
2-11 land;
2-12 Thence N 49 degrees 26 minutes 39 seconds E - 306.77 feet with the
2-13 west line of said TDCJ tract and the east line of said FM 929 to a
2-14 1/2" diameter iron rod set with cap (LETH #3879) at the southwest
2-15 corner of a called Tract Two (1.99-acres) described in an Affidavit
2-16 of Heirship to Martha Wingate, recorded under Instrument Number
2-17 140336 in the Deed Records of Coryell County, Texas, for the
2-18 northwest corner in the herein described tract of land;
2-19 Thence S 81 degrees 16 minutes 39 seconds E - 1404.58 feet with the
2-20 north line of said TDCJ tract, the south line of said Wingate Tract
2-21 Two, the south line of a called Tract One described in said Wingate
2-22 Affidavit of Heirship, the south line of a called 9.718-acre tract
2-23 conveyed to Martha Wingate, recorded under Instrument Number 130580
2-24 in the Deed Records of Coryell County, Texas, and the south line of
2-25 said Powell Second Tract to the POINT OF BEGINNING and containing
2-26 33.37-acres of land.
2-27 (e) The Texas Department of Criminal Justice shall grant to
2-28 Coryell County certain utility easements to the real property
2-29 described in Subsection (d) of this section. Utility easements
2-30 shall be mutually beneficial and agreed upon by the Texas
2-31 Department of Criminal Justice and Coryell County.
2-32 SECTION 2. This Act takes effect immediately if it receives
2-33 a vote of two-thirds of all the members elected to each house, as
2-34 provided by Section 39, Article III, Texas Constitution. If this
2-35 Act does not receive the vote necessary for immediate effect, this
2-36 Act takes effect September 1, 2009.

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