

House Bill 3202
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

SECTION 1. AUTHORIZATION FOR TRANSFER.

(a) Not later than January 1, 2010, the Texas Department of Criminal Justice shall transfer to Brazoria County the real property specified in Section 2 of this Act.

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

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

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

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

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

SENATE VERSION

SECTION 1. AUTHORIZATION FOR TRANSFER.

(a) Not later than January 1, 2010, the Texas Department of Criminal Justice shall transfer to Brazoria County the real property specified in Section 2 of this Act.

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

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

(d) The Texas Department of Criminal Justice shall transfer the property to Brazoria County by an appropriate instrument of transfer. The instrument of transfer must include:

(1) a provision that:

(A) requires Brazoria County to use the property in a manner that primarily promotes a public purpose that benefits the public interest of the state; and

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

CONFERENCE

House Bill 3202
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION

CONFERENCE

- (2) a provision that:
 - (A) excludes from the transfer all mineral interests in and under the property; and
 - (B) prohibits any exploration, drilling, or other similar intrusion on the property related to mineral interests.

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

Same as House version.

No equivalent provision.

SECTION 3. AUTHORIZATION FOR TRANSFER.
(a) Not later than October 31, 2010, the Texas Department of Criminal Justice shall transfer to the City of Houston the real property specified in Section 4 of this

House Bill 3202
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION

CONFERENCE

Act, including any improvements affixed to the property.

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

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

(d) The Texas Department of Criminal Justice shall transfer the property to the City of Houston by an appropriate instrument of transfer. The instrument of transfer must include:

(1) a provision that:

(A) requires the City of Houston to use the property in a manner that primarily promotes a public purpose that benefits the public interest of the state; and

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

(2) a provision that:

(A) excludes from the transfer all mineral interests in and under the property; and

(B) prohibits any exploration, drilling, or other similar

House Bill 3202
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION

CONFERENCE

intrusion on the property related to mineral interests.

No equivalent provision.

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

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

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

House Bill 3202
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION

CONFERENCE

herein described tract;
THENCE, South 44°54'53" East, over and across said 197,847 square foot tract, a distance of 17.50 feet to a PK Nail set marking the easterly corner of the herein described tract
THENCE, South 45°05'07" West, over and across said 197,847 square foot tract, a distance of 50.75 feet to a PK Nail set marking the southerly corner of the herein described tract;
THENCE, North 44°54'53" West, over and across said 197,847 square foot tract, a distance of 17.50 feet to a Mag Nail found marking the southerly corner of said 0.0650 acre tract and marking the westerly corner of the herein described tract;
THENCE, North 45°05'07" East, along the southeasterly line of said 0.0650 acre tract, a distance of 50.75 feet to the POINT OF BEGINNING and containing 0.204 acre (888 square feet) of land.

SECTION 3. EFFECTIVE DATE. This Act takes effect September 1, 2009.

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