

1-1 By: Schwertner (Senate Sponsor - Ogden) H.B. No. 1235
1-2 (In the Senate - Received from the House April 27, 2011;
1-3 May 2, 2011, read first time and referred to Committee on
1-4 Transportation and Homeland Security; May 17, 2011, reported
1-5 favorably by the following vote: Yeas 6, Nays 0; May 17, 2011,
1-6 sent to printer.)

1-7 A BILL TO BE ENTITLED
1-8 AN ACT

1-9 relating to the transfer of certain state property from the Texas
1-10 Department of Transportation to the Parks and Wildlife Department.

1-11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-12 SECTION 1. (a) Not later than December 31, 2011, the Texas
1-13 Department of Transportation shall transfer to the Parks and
1-14 Wildlife Department the real property described by Subsection (d)
1-15 of this section.

1-16 (b) The consideration for the transfer authorized by
1-17 Subsection (a) of this section is the requirement that the Parks and
1-18 Wildlife Department use the property transferred only for a public
1-19 park, a purpose that benefits the public interest of the state. If
1-20 the Parks and Wildlife Department no longer uses the property for a
1-21 public park, ownership of the property automatically reverts to the
1-22 Texas Department of Transportation.

1-23 (c) The Texas Department of Transportation shall transfer
1-24 the property by an appropriate instrument of transfer, executed on
1-25 its behalf by the commissioner of the General Land Office. The
1-26 instrument of transfer must:

1-27 (1) include a provision that:

1-28 (A) requires the Parks and Wildlife Department to
1-29 use the property for a public park, a purpose that benefits the
1-30 public interest of the state;

1-31 (B) allows the Parks and Wildlife Department to
1-32 lease the property described by Subsection (d) to the Williamson
1-33 County Parks and Recreation Department for use as a public park; and

1-34 (C) indicates that ownership of the property
1-35 automatically reverts to the Texas Department of Transportation if
1-36 the Parks and Wildlife Department no longer uses the property for a
1-37 public park; and

1-38 (2) describe the property to be transferred by metes
1-39 and bounds.

1-40 (d) The real property to which Subsection (a) of this
1-41 section refers is described as follows:

1-42 A tract of land situated in the Damon Survey, Abstract No. 170, in
1-43 Williamson County, Texas, being all of that called 6.180 acre tract
1-44 of land (Tract 7), as shown on that unrecorded plat prepared by KC
1-45 Engineering dated July 18, 1994, on ten (10) tracts of land out of
1-46 that called 780.508 acre tract of land conveyed to the State of
1-47 Texas, State Department of Highways and Public Transportation, by
1-48 instrument recorded in Volume 1723, Page 855, of the Official
1-49 Records of Williamson County, Texas.

1-50 SECTION 2. This Act takes effect immediately if it receives
1-51 a vote of two-thirds of all the members elected to each house, as
1-52 provided by Section 39, Article III, Texas Constitution. If this
1-53 Act does not receive the vote necessary for immediate effect, this
1-54 Act takes effect September 1, 2011.

1-55 * * * * *