

By: Kolkhorst

H.B. No. 2518

Substitute the following for H.B. No. 2518:

By: Oliveira

C.S.H.B. No. 2518

A BILL TO BE ENTITLED

1

AN ACT

2 relating to the transfer of certain state property from the Texas
3 Board of Criminal Justice to the board of regents of The Texas A&M
4 University System for the use and benefit of the Texas Forest
5 Service.

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

7 SECTION 1. (a) Not later than January 1, 2012, the Texas
8 Board of Criminal Justice shall transfer to the board of regents of
9 The Texas A&M University System the real property described by
10 Subsection (e) of this section.

11 (b) The board of regents of The Texas A&M University System
12 shall use the property transferred under this Act only for the use
13 and benefit of the Texas Forest Service. If the board of regents of
14 The Texas A&M University System uses the property for any purpose
15 other than for the use and benefit of the Texas Forest Service,
16 ownership of the property automatically reverts to the Texas Board
17 of Criminal Justice.

18 (c) The Texas Board of Criminal Justice shall transfer the
19 property by an appropriate instrument of transfer. The instrument
20 of transfer must:

21 (1) provide that:

22 (A) the board of regents of The Texas A&M
23 University System use the property only for the use and benefit of
24 the Texas Forest Service; and

1 (B) ownership of the property will automatically
2 revert to the Texas Board of Criminal Justice if the board of
3 regents of The Texas A&M University System uses the property for any
4 purpose other than for the use and benefit of the Texas Forest
5 Service; and

6 (2) describe the property to be transferred by metes
7 and bounds.

8 (d) The board of regents of The Texas A&M University System
9 shall retain custody of the instrument of transfer after the
10 instrument of transfer is filed in the real property records of
11 Walker County.

12 (e) The real property referred to in this section is
13 described as follows:

14 Being 2.536 acres of land, more or less, situated in the City
15 of Huntsville, WARREN BIRDSELL SURVEY, Abstract No. 6 and P. GRAY
16 SURVEY, Abstract No. 24, Walker County, Texas and being all of the
17 following tracts or parcels of land: a). a 0.341 acre tract out of
18 and a part of a called 515 acre tract as described in a Deed from Ed
19 H. Cunningham, et al to the State of Texas (Texas Department of
20 Corrections), dated June 23, 1883 and recorded in Volume Y, Page
21 181, Deed Records; and b). being all of a 2.19 acre tract as
22 described in an Instrument from the Texas Department of Corrections
23 to the Board of Regents of The Texas A & M University System for the
24 use of the Texas Forest Service, as recorded in Volume 84, Page 783,
25 Official Records, said two tracts being more definitely described
26 as one contiguous tract of 2.536 acres as follows:

27 BEGINNING at the northwest corner of said 2.19 acre tract,

1 same being the northeast corner of said 0.341 acre tract and also
2 being the south right-of-way of State Highway 75, as per Volume 209,
3 Page 707, Deed Records, found a 5/8" iron rod;

4 THENCE S75°35'14"E (2.19 acre call-S73°23'00"E-250.00 feet),
5 with the north line of said 2.19 acre tract and the south line of
6 said S. H. 75, for a distance of 250.00 feet to the northeast corner
7 of said 2.19 acre tract, found a 5/8" iron rod;

8 THENCE S14°22'46"W, with the east line of said 2.19 acre
9 tract, for a distance of 453.60 feet to its southeast corner, same
10 being the called and apparent northeast right-of-way line of
11 Interstate Highway 45, as per Deed from the Texas Prison Board to
12 the State of Texas, recorded in Volume 158, Page 177 (Tract No. 1,
13 call 55.13 acres), Deed Records, found a 5/8" iron rod, from which a
14 concrete right-of-way monument, found for reference only, bears
15 S45°57'14"E-0.15 feet;

16 THENCE N45°57'14"W (2.19 acre call-N43°45'00"W-287.70 feet),
17 with the southwest line of said 2.19 acre tract and the called and
18 apparent northeast line of said I.H. 45, at 287.70 feet pass a point
19 for the southwest corner of said 2.19 acre tract, same being the
20 southeast corner of said 0.341 acre tract, continuing for a total
21 distance of 345.23 feet to the southwest corner of said 0.341 acre
22 tract, same being the east line of a 1-1/2 acre tract as described
23 in a Transfer of Title from the Texas Board of Corrections to the
24 Texas Department of Public Safety, recorded in Volume 391, Page
25 724, Deed Records, and further evidenced by an unrecorded survey
26 (called 1.500 acres) by N. B.

27 Davidson, Jr., RPLS No. 2066, dated June, 1982, set a 5/8" iron rod

1 with an orange, plastic cap, marked "RPLS-4066";

2 THENCE N14°22'38"E (1-1/2 acre call-N16°37'E-289.50 feet),
3 with the west line of said 0.341 acre tract and the east line of said
4 1-1/2 acre tract, for a distance of 282.93 feet to the northwest
5 corner of said 0.341 acre tract, same being the northeast corner of
6 said 1-1/2 acre tract, found a 1/2" iron rod in the called south
7 right-of-way of said S.H. 75;

8 THENCE S75°35'14"E, with the north line of said 0.341 acre
9 tract and the called south line of said S.H. 75, for a distance of
10 50.00 feet to the PLACE OF BEGINNING.

11 NOTE: Bearings referenced to the called north line of said
12 2.19 acre tract (S75°35'14'E) in Volume 412, Page 149, Official
13 Records.

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