

1-1 By: Kolkhorst (Senate Sponsor - Ogden) H.B. No. 2518
1-2 (In the Senate - Received from the House April 27, 2011;
1-3 May 3, 2011, read first time and referred to Committee on
1-4 Government Organization; May 18, 2011, reported favorably by the
1-5 following vote: Yeas 5, Nays 0; May 18, 2011, 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 Board of Criminal Justice to the board of regents of The Texas A&M
1-10 University System for the use and benefit of the Texas Forest
1-11 Service.

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

1-13 SECTION 1. (a) Not later than January 1, 2012, the Texas
1-14 Board of Criminal Justice shall transfer to the board of regents of
1-15 The Texas A&M University System the real property described by
1-16 Subsection (e) of this section.

1-17 (b) The board of regents of The Texas A&M University System
1-18 shall use the property transferred under this Act only for the use
1-19 and benefit of the Texas Forest Service. If the board of regents of
1-20 The Texas A&M University System uses the property for any purpose
1-21 other than for the use and benefit of the Texas Forest Service,
1-22 ownership of the property automatically reverts to the Texas Board
1-23 of Criminal Justice.

1-24 (c) The Texas Board of Criminal Justice shall transfer the
1-25 property by an appropriate instrument of transfer. The instrument
1-26 of transfer must:

1-27 (1) provide that:

1-28 (A) the board of regents of The Texas A&M
1-29 University System use the property only for the use and benefit of
1-30 the Texas Forest Service; and

1-31 (B) ownership of the property will automatically
1-32 revert to the Texas Board of Criminal Justice if the board of
1-33 regents of The Texas A&M University System uses the property for any
1-34 purpose other than for the use and benefit of the Texas Forest
1-35 Service; and

1-36 (2) describe the property to be transferred by metes
1-37 and bounds.

1-38 (d) The board of regents of The Texas A&M University System
1-39 shall retain custody of the instrument of transfer after the
1-40 instrument of transfer is filed in the real property records of
1-41 Walker County.

1-42 (e) The real property referred to in this section is
1-43 described as follows:

1-44 Being 2.536 acres of land, more or less, situated in the City
1-45 of Huntsville, WARREN BIRDSELL SURVEY, Abstract No. 6 and P. GRAY
1-46 SURVEY, Abstract No. 24, Walker County, Texas and being all of the
1-47 following tracts or parcels of land: a). a 0.341 acre tract out of
1-48 and a part of a called 515 acre tract as described in a Deed from Ed
1-49 H. Cunningham, et al to the State of Texas (Texas Department of
1-50 Corrections), dated June 23, 1883 and recorded in Volume Y, Page
1-51 181, Deed Records; and b). being all of a 2.19 acre tract as
1-52 described in an Instrument from the Texas Department of Corrections
1-53 to the Board of Regents of The Texas A & M University System for the
1-54 use of the Texas Forest Service, as recorded in Volume 84, Page 783,
1-55 Official Records, said two tracts being more definitely described
1-56 as one contiguous tract of 2.536 acres as follows:

1-57 BEGINNING at the northwest corner of said 2.19 acre tract,
1-58 same being the northeast corner of said 0.341 acre tract and also
1-59 being the south right-of-way of State Highway 75, as per Volume 209,
1-60 Page 707, Deed Records, found a 5/8" iron rod;

1-61 THENCE S75°35'14"E (2.19 acre call-S73°23'00"E-250.00 feet),
1-62 with the north line of said 2.19 acre tract and the south line of
1-63 said S. H. 75, for a distance of 250.00 feet to the northeast corner
1-64 of said 2.19 acre tract, found a 5/8" iron rod;

2-1 THENCE S14°22'46"W, with the east line of said 2.19 acre
2-2 tract, for a distance of 453.60 feet to its southeast corner, same
2-3 being the called and apparent northeast right-of-way line of
2-4 Interstate Highway 45, as per Deed from the Texas Prison Board to
2-5 the State of Texas, recorded in Volume 158, Page 177 (Tract No. 1,
2-6 call 55.13 acres), Deed Records, found a 5/8" iron rod, from which a
2-7 concrete right-of-way monument, found for reference only, bears
2-8 S45°57'14"E-0.15 feet;

2-9 THENCE N45°57'14"W (2.19 acre call-N43°45'00"W-287.70 feet),
2-10 with the southwest line of said 2.19 acre tract and the called and
2-11 apparent northeast line of said I.H. 45, at 287.70 feet pass a point
2-12 for the southwest corner of said 2.19 acre tract, same being the
2-13 southeast corner of said 0.341 acre tract, continuing for a total
2-14 distance of 345.23 feet to the southwest corner of said 0.341 acre
2-15 tract, same being the east line of a 1-1/2 acre tract as described
2-16 in a Transfer of Title from the Texas Board of Corrections to the
2-17 Texas Department of Public Safety, recorded in Volume 391, Page
2-18 724, Deed Records, and further evidenced by an unrecorded survey
2-19 (called 1.500 acres) by N. B.
2-20 Davidson, Jr., RPLS No. 2066, dated June, 1982, set a 5/8" iron rod
2-21 with an orange, plastic cap, marked "RPLS-4066";

2-22 THENCE N14°22'38"E (1-1/2 acre call-N16°37'E-289.50 feet),
2-23 with the west line of said 0.341 acre tract and the east line of said
2-24 1-1/2 acre tract, for a distance of 282.93 feet to the northwest
2-25 corner of said 0.341 acre tract, same being the northeast corner of
2-26 said 1-1/2 acre tract, found a 1/2" iron rod in the called south
2-27 right-of-way of said S.H. 75;

2-28 THENCE S75°35'14"E, with the north line of said 0.341 acre
2-29 tract and the called south line of said S.H. 75, for a distance of
2-30 50.00 feet to the PLACE OF BEGINNING.

2-31 NOTE: Bearings referenced to the called north line of said
2-32 2.19 acre tract (S75°35'14'E) in Volume 412, Page 149, Official
2-33 Records.

2-34 SECTION 2. This Act takes effect immediately if it receives
2-35 a vote of two-thirds of all the members elected to each house, as
2-36 provided by Section 39, Article III, Texas Constitution. If this
2-37 Act does not receive the vote necessary for immediate effect, this
2-38 Act takes effect September 1, 2011.

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