

By: Naishtat

H.B. No. 2604

A BILL TO BE ENTITLED

1 AN ACT
2 relating to the renewal and extension and modification of a 99-year
3 lease of certain state property to the City of Austin.

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

5 SECTION 1. Chapter 34 (H.B. 215), General Laws, Acts of the
6 33rd Legislature, Regular Session, 1913, is amended by amending
7 Section 2 and adding Sections 2A and 2B to read as follows:

8 Sec. 2. That the State of Texas hereby cedes and grants to
9 the City of Austin the plot or square of land described in Section 1
10 of the Act for a period of ninety-nine years beginning on August 15,
11 2016, [~~from the taking effect hereof~~] and said City through its
12 municipal authorities, be and the same is hereby authorized and
13 empowered to establish, operate and maintain upon the land
14 described by Section 1 of this Act [~~said block bounded on the North~~
15 ~~by Fifth street, on the south by Fourth street, on the East by~~
16 ~~Guadalupe street, and on the West by San Antonio street,~~] a
17 municipal auditorium and market, in which auditorium, theatres,
18 operas, concerts, lectures, fairs, shows and public exhibitions and
19 entertainments generally can be conducted with or without pay; and
20 in this market all kinds of produce may be bought and sold either in
21 the open square or in a market house constructed thereon.

22 Sec. 2A. (a) Subject to Section 2B of this Act, the State of
23 Texas grants to the City of Austin for a period of 99 years
24 beginning on August 15, 2016, a lease of the property described as

1 follows:

2 (1) Tract 1. Wooldridge Park. The northwest Public
3 Square now known as Wooldridge Park, bounded on the north by
4 Mulberry Street (now W. 10th Street), on the east by Guadalupe
5 Street, on the south by Ash Street (now W. 9th Street), and on the
6 west by San Antonio Street, and being 276 feet square, as delineated
7 on the map titled "Plan of the City of Austin 1840" filed in the
8 General Land Office; and

9 (2) Tract 2. Brushy Park. The southeast Public Square
10 now known as Brushy Park, bounded on the north by Pine Street (now
11 E. 5th Street), on the east by Neches Street, on the south by Cedar
12 Street (now E. 4th Street), and on the west by Trinity Street, and
13 being 276 feet square as delineated on the map titled "Plan of the
14 City of Austin 1840" filed in the General Land Office.

15 (b) The City of Austin may only use the tracts described by
16 Subsection (a) of this section as municipal parks in which:

17 (1) theatres, operas, concerts, lectures, fairs,
18 shows and public exhibitions and entertainments generally can be
19 conducted with or without pay; and

20 (2) produce may be bought and sold.

21 Sec. 2B. (a) The [~~, provided, however, that the~~] state does
22 not by this Act part with any title, color of title or interest
23 which it now owns in the property described in this Act [~~bill~~],
24 except as granted herein.

25 (b) In the event, however, the City of Austin should fail to
26 use the property [~~plot of land~~] described in Section 1 or 2A(a)(1)
27 or (2) of this Act [~~herein~~] for the purpose or purposes designated,

1 that property [~~the same~~] shall revert to the State as upon breach of
2 condition subsequent.

3 SECTION 2. This Act takes effect August 15, 2016.