

By: Watson
(Naishtat)

S.B. No. 1023

Substitute the following for S.B. No. 1023:

By: Cook

C.S.S.B. No. 1023

A BILL TO BE ENTITLED

AN ACT

relating to the renewal and extension and modification of a 99-year lease of certain state property to the City of Austin.

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

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

Sec. 2. That the State of Texas hereby cedes and grants to the City of Austin the plot or square of land described in Section 1 of the Act for a period of ninety-nine years beginning on August 15, 2016, [~~from the taking effect hereof~~] and said City through its municipal authorities, be and the same is hereby authorized and empowered to:

(1) establish, operate and maintain upon the land described by Section 1 of this Act [~~said block bounded on the North by Fifth street, on the south by Fourth street, on the East by Guadalupe street, and on the West by San Antonio street,~~] a municipal auditorium and market, in which auditorium, theatres, operas, concerts, lectures, fairs, shows and public exhibitions and entertainments generally can be conducted with or without pay; and in this market all kinds of produce may be bought and sold either in the open square or in a market house constructed thereon; and

(2) construct, operate, and maintain public amenities on the land described by Section 1 of this Act.

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

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

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

18 (b) Except as provided by Subsection (c) of this section,
19 the City of Austin may only use the tracts described by Subsection
20 (a) of this section as municipal parks in which:

21 (1) theatres, operas, concerts, lectures, fairs,
22 shows, and public exhibitions and entertainments generally can be
23 conducted with or without pay; and

24 (2) produce may be bought and sold.

25 (c) The City of Austin may construct, operate, and maintain
26 public amenities on the tracts described by Subsection (a) of this
27 section.

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

5 (b) In the event, however, the City of Austin should fail to
6 use the property ~~[plot of land]~~ described in Section 1 or 2A(a)(1)
7 or (2) of this Act ~~[herein]~~ for the purpose or purposes designated,
8 that property ~~[the same]~~ shall revert to the State as upon breach of
9 condition subsequent.

10 (c) The legislature, by concurrence of both houses, may
11 terminate the lease, or a portion thereof, at any time for any
12 reason.

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