

By: Schwertner
(Otto)

S.B. No. 1157

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the transfer of certain state property in Walker County
3 from the Texas Board of Criminal Justice to the board of regents of
4 the Texas State University System.

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

6 SECTION 1. (a) Not later than January 1, 2014, the Texas
7 Board of Criminal Justice shall donate and transfer the real
8 property described by Subsection (e) of this section to the board of
9 regents of the Texas State University System for use by Sam Houston
10 State University.

11 (b) The Texas Board of Criminal Justice shall convey the
12 property by a deed without warranty regarding covenants of title.

13 (c) The deed must include a provision that:

14 (1) requires Sam Houston State University to use the
15 property primarily for a purpose that benefits the public interest
16 of the state; and

17 (2) indicates that ownership of the property will
18 automatically revert to the Texas Board of Criminal Justice if Sam
19 Houston State University fails to use the property primarily for a
20 purpose that benefits the public interest of the state.

21 (d) The Texas Board of Criminal Justice shall retain custody
22 of the deed after the deed is filed in the real property records of
23 Walker County.

24 (e) The real property referred to in this section is

1 described as follows:

2 Being 78.823 acres of land, more or less, situated in the City
3 of Huntsville, P. GRAY SURVEY, Abstract No. 24, Walker County,
4 Texas and being out of and a part of a called 515 acre tract as
5 described in a Deed from Ed H. Cunningham, et al to the State of
6 Texas, dated July 10, 1883 and recorded in Volume Y, Page 181, Deed
7 Records, said 78.823 acre tract being more definitely described as
8 follows:

9 BEGINNING at the northeast corner of a called 5.00 acre
10 tract, out of said 515 acre tract, as described in a Deed from the
11 Texas Board of Criminal Justice, on behalf of the Texas Department
12 of Criminal Justice, to the County of Walker (Veteran's Complex),
13 dated October 29, 2003 and recorded in Volume 595, Page 210,
14 Official Records, found a 5/8" iron rod with a plastic cap in the
15 south right-of-way of State Highway 75, being a 50 foot strip
16 (called 3.78 acres) conveyed to the State of Texas in Volume 209,
17 Page 707, Deed Records, said iron rod having coordinates of
18 N:10263383.58, E:3788833.74 and being the most northerly northwest
19 corner of the herein described tract;

20 THENCE S83°08'57"E, with the south right-of-way of said S.H.
21 75, for a distance of 1245.10 feet to a called angle point of said
22 3.78 acre tract (TxDOT Station 79+76.59), set a 5/8" iron rod, with
23 a plastic cap;

24 THENCE N70°17'06"E, continuing with the south right-of-way of
25 said S.H. 75, for a distance of 95.23 feet to its intersection with
26 the east line of said 515 acre tract, same being the apparent
27 northwest corner of a called 5.51 acre tract as described in a Deed

1 from E. A. Heaton to Carol Joe Heaton, dated February 19, 1966 and
2 recorded in Volume 198, Page 501, Deed Records, set a 5/8" iron rod
3 with a plastic cap for the northeast corner of the herein described
4 tract, from which a 5" square concrete monument, found for the
5 northeast corner of said 515 acre tract, bears $N02^{\circ}32'37''W$ - 551.88
6 feet;

7 THENCE $S02^{\circ}32'37''E$, with the east line of said 515 acre tract
8 and the called west line of said Heaton tract, at 660.0 pass the
9 apparent southwest corner of said Heaton tract, continuing for a
10 total distance of 2649.68 feet to its intersection with the
11 northeast right-of-way of Interstate Highway No. 45, as described
12 in "Tract No. 1 (called 55.13 acres)" in a Right of Way Deed from the
13 Texas Prison Board to the Texas State Highway Commission, dated
14 July 19, 1957 and recorded in Volume 158, Page 177, Deed Records,
15 set a 5/8" iron rod with a plastic cap at a fence corner post for the
16 southeast corner of the herein described tract, from said iron rod a
17 5" square concrete monument, found for the southeast corner of said
18 515 acre tract, bears $S02^{\circ}32'37''E$ - 2574.60 feet;

19 THENCE, with the northeast lines of said I.H. 45, as
20 presently monumented, the following calls:

21 1). $N47^{\circ}43'50''W$ - 1972.52 feet to a found TxDOT concrete
22 monument;

23 2). $N49^{\circ}39'48''W$ - 259.16 feet to a found TxDOT concrete
24 monument;

25 3). $N51^{\circ}28'15''W$ - 258.69 feet to a found TxDOT concrete
26 monument;

27 4). $N53^{\circ}43'57''W$ - 250.31 feet to a found TxDOT concrete

1 monument;

2 and 5). N55°10'12"W, at 356.2 feet pass a point in a creek for
3 the south corner of a right-of-way easement (called 2.744 acres)
4 from the Texas Board of Criminal Justice to the Texas
5 Transportation Commission, dated January 6, 2000 and recorded in
6 Volume 412, Page 149, Official Records, continuing for a total
7 distance of 404.59 feet to a 5/8" iron rod, with a plastic cap, set
8 for the southwest corner of the herein described tract;

9 THENCE N29°54'57"E, crossing said right-of-way easement, at
10 28.58 feet pass a northeasterly line of said easement, same being
11 the south corner of a called 10.01 acre tract, out of said 515 acre
12 tract, as described in a Deed from the County of Walker to the Texas
13 Prison Museum, dated July 16, 2001 and recorded in Volume 466, Page
14 755, Official Records, continuing with the southeast line of said
15 10.01 acre tract, at 171.32 feet pass a point for the west corner of
16 a sanitary sewer, drainage and road easement (called 0.455 acre) as
17 described in a Deed from the Texas Board of Criminal Justice to the
18 County of Walker, dated May 7, 2004 and recorded in Volume 634, Page
19 550, Official Records, continuing with the common line of said
20 10.01 acre and 0.455 acre tracts, for a total distance of 501.32
21 feet to the southwest corner of said County of Walker 5.00 acre
22 tract (Veteran's Complex), same being the northwest corner of said
23 0.455 acre tract, found a 5/8" iron rod with a plastic cap;

24 THENCE S83°08'48"E, with the south line of said 5.00 acre
25 tract (Veteran's Complex), for a distance of 659.91 feet to its
26 southeast corner, set a 5/8" iron rod at a fence corner post;

27 THENCE N06°51'03"E, with the east line of said 5.00 acre

1 tract, for a distance of 375.56 feet to the PLACE OF BEGINNING.

2 SECTION 2. This Act takes effect immediately if it receives
3 a vote of two-thirds of all the members elected to each house, as
4 provided by Section 39, Article III, Texas Constitution. If this
5 Act does not receive the vote necessary for immediate effect, this
6 Act takes effect September 1, 2013.