

1-1 By: Schwertner S.B. No. 1157
1-2 (In the Senate - Filed March 5, 2013; March 12, 2013, read
1-3 first time and referred to Committee on Higher Education;
1-4 April 8, 2013, reported adversely, with favorable Committee
1-5 Substitute by the following vote: Yeas 7, Nays 0; April 8, 2013,
1-6 sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8				
1-9	<u>Seliger</u>	X		
1-10	<u>Watson</u>	X		
1-11	<u>Birdwell</u>	X		
1-12	<u>Duncan</u>	X		
1-13	<u>Patrick</u>	X		
1-14	<u>West</u>	X		
1-15	<u>Zaffirini</u>	X		

1-16 COMMITTEE SUBSTITUTE FOR S.B. No. 1157 By: Watson

1-17 A BILL TO BE ENTITLED
1-18 AN ACT

1-19 relating to the transfer of certain state property in Walker County
1-20 from the Texas Board of Criminal Justice to the board of regents of
1-21 the Texas State University System.

1-22 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-23 SECTION 1. (a) Not later than January 1, 2014, the Texas
1-24 Board of Criminal Justice shall donate and transfer the real
1-25 property described by Subsection (e) of this section to the board of
1-26 regents of the Texas State University System for use by Sam Houston
1-27 State University.

1-28 (b) The Texas Board of Criminal Justice shall convey the
1-29 property by a deed without warranty regarding covenants of title.

1-30 (c) The deed must include a provision that:

1-31 (1) requires Sam Houston State University to use the
1-32 property primarily for a purpose that benefits the public interest
1-33 of the state; and

1-34 (2) indicates that ownership of the property will
1-35 automatically revert to the Texas Board of Criminal Justice if Sam
1-36 Houston State University fails to use the property primarily for a
1-37 purpose that benefits the public interest of the state.

1-38 (d) The Texas Board of Criminal Justice shall retain custody
1-39 of the deed after the deed is filed in the real property records of
1-40 Walker County.

1-41 (e) The real property referred to in this section is
1-42 described as follows:

1-43 Being 78.823 acres of land, more or less, situated in the City
1-44 of Huntsville, P. GRAY SURVEY, Abstract No. 24, Walker County,
1-45 Texas and being out of and a part of a called 515 acre tract as
1-46 described in a Deed from Ed H. Cunningham, et al to the State of
1-47 Texas, dated July 10, 1883 and recorded in Volume Y, Page 181, Deed
1-48 Records, said 78.823 acre tract being more definitely described as
1-49 follows:

1-50 BEGINNING at the northeast corner of a called 5.00 acre
1-51 tract, out of said 515 acre tract, as described in a Deed from the
1-52 Texas Board of Criminal Justice, on behalf of the Texas Department
1-53 of Criminal Justice, to the County of Walker (Veteran's Complex),
1-54 dated October 29, 2003 and recorded in Volume 595, Page 210,
1-55 Official Records, found a 5/8" iron rod with a plastic cap in the
1-56 south right-of-way of State Highway 75, being a 50 foot strip
1-57 (called 3.78 acres) conveyed to the State of Texas in Volume 209,
1-58 Page 707, Deed Records, said iron rod having coordinates of
1-59 N:10263383.58, E:3788833.74 and being the most northerly northwest
1-60 corner of the herein described tract;

1-61 THENCE S83°08'57"E, with the south right-of-way of said S.H.

2-1 75, for a distance of 1245.10 feet to a called angle point of said
2-2 3.78 acre tract (TxDOT Station 79+76.59), set a 5/8" iron rod, with
2-3 a plastic cap;

2-4 THENCE N70°17'06"E, continuing with the south right-of-way of
2-5 said S.H. 75, for a distance of 95.23 feet to its intersection with
2-6 the east line of said 515 acre tract, same being the apparent
2-7 northwest corner of a called 5.51 acre tract as described in a Deed
2-8 from E. A. Heaton to Carol Joe Heaton, dated February 19, 1966 and
2-9 recorded in Volume 198, Page 501, Deed Records, set a 5/8" iron rod
2-10 with a plastic cap for the northeast corner of the herein described
2-11 tract, from which a 5" square concrete monument, found for the
2-12 northeast corner of said 515 acre tract, bears NO2°32'37"W- 551.88
2-13 feet;

2-14 THENCE S02°32'37"E, with the east line of said 515 acre tract
2-15 and the called west line of said Heaton tract, at 660.0 pass the
2-16 apparent southwest corner of said Heaton tract, continuing for a
2-17 total distance of 2649.68 feet to its intersection with the
2-18 northeast right-of-way of Interstate Highway No. 45, as described
2-19 in "Tract No. 1 (called 55.13 acres)" in a Right of Way Deed from the
2-20 Texas Prison Board to the Texas State Highway Commission, dated
2-21 July 19, 1957 and recorded in Volume 158, Page 177, Deed Records,
2-22 set a 5/8" iron rod with a plastic cap at a fence corner post for the
2-23 southeast corner of the herein described tract, from said iron rod a
2-24 5" square concrete monument, found for the southeast corner of said
2-25 515 acre tract, bears S02°32'37"E- 2574.60 feet;

2-26 THENCE, with the northeast lines of said I.H. 45, as
2-27 presently monumented, the following calls:

- 2-28 1). N47°43'50"W- 1972.52 feet to a found TxDOT concrete
- 2-29 monument;
- 2-30 2). N49°39'48"W- 259.16 feet to a found TxDOT concrete
- 2-31 monument;
- 2-32 3). N51°28'15"W- 258.69 feet to a found TxDOT concrete
- 2-33 monument;
- 2-34 4). N53°43'57"W- 250.31 feet to a found TxDOT concrete
- 2-35 monument;

2-36 and 5). N55°10'12"W, at 356.2 feet pass a point in a creek for
2-37 the south corner of a right-of-way easement (called 2.744 acres)
2-38 from the Texas Board of Criminal Justice to the Texas
2-39 Transportation Commission, dated January 6, 2000 and recorded in
2-40 Volume 412, Page 149, Official Records, continuing for a total
2-41 distance of 404.59 feet to a 5/8" iron rod, with a plastic cap, set
2-42 for the southwest corner of the herein described tract;

2-43 THENCE N29°54'57"E, crossing said right-of-way easement, at
2-44 28.58 feet pass a northeasterly line of said easement, same being
2-45 the south corner of a called 10.01 acre tract, out of said 515 acre
2-46 tract, as described in a Deed from the County of Walker to the Texas
2-47 Prison Museum, dated July 16, 2001 and recorded in Volume 466, Page
2-48 755, Official Records, continuing with the southeast line of said
2-49 10.01 acre tract, at 171.32 feet pass a point for the west corner of
2-50 a sanitary sewer, drainage and road easement (called 0.455 acre) as
2-51 described in a Deed from the Texas Board of Criminal Justice to the
2-52 County of Walker, dated May 7, 2004 and recorded in Volume 634, Page
2-53 550, Official Records, continuing with the common line of said
2-54 10.01 acre and 0.455 acre tracts, for a total distance of 501.32
2-55 feet to the southwest corner of said County of Walker 5.00 acre
2-56 tract (Veteran's Complex), same being the northwest corner of said
2-57 0.455 acre tract, found a 5/8" iron rod with a plastic cap;

2-58 THENCE S83°08'48"E, with the south line of said 5.00 acre
2-59 tract (Veteran's Complex), for a distance of 659.91 feet to its
2-60 southeast corner, set a 5/8" iron rod at a fence corner post;

2-61 THENCE N06°51'03"E, with the east line of said 5.00 acre
2-62 tract, for a distance of 375.56 feet to the PLACE OF BEGINNING.

2-63 SECTION 2. This Act takes effect immediately if it receives
2-64 a vote of two-thirds of all the members elected to each house, as
2-65 provided by Section 39, Article III, Texas Constitution. If this
2-66 Act does not receive the vote necessary for immediate effect, this
2-67 Act takes effect September 1, 2013.