

SENATE AMENDMENTS

2nd Printing

By: Bonnen of Brazoria

H.B. No. 2895

A BILL TO BE ENTITLED

1 AN ACT

2 relating to authorizing the sale of certain real property in
3 Brazoria County by the Texas Board of Criminal Justice.

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

5 SECTION 1. AUTHORIZATION FOR SALE. (a) Not later than
6 January 1, 2014, the Texas Board of Criminal Justice shall sell to
7 Brazoria County the real property specified in Section 2 of this Act
8 at fair market value without the requirement of a sealed bid if:

9 (1) the board receives an offer from the county to
10 purchase the property at fair market value; and

11 (2) the county acquires the property for a public
12 purpose.

13 (b) The sale shall exclude all mineral interests in and
14 under the property, and the deed shall contain a provision
15 prohibiting any exploration, drilling, or other similar intrusion
16 on the property related to mineral interests.

17 SECTION 2. PROPERTY DESCRIPTION. The Texas Department of
18 Criminal Justice property to be sold as provided by Section 1 of
19 this Act consists of the following tracts of land:

20 (1) ALL THAT CERTAIN 109.346 ACRE tract of land being out of a
21 called 7424.4 acre tract conveyed to Texas Board of Corrections in
22 Volume 145, Page 242 of the Brazoria County Deed Records, situated
23 in the Jared Groce 5 League Grant, Abstract 66, Brazoria County,
24 Texas, and being more particularly described by metes and bounds

1 using survey terminology which refers to the Texas State Plane
2 Coordinate System, South Central Zone, NAD 83 in which the
3 directions are Lambert grid bearings and the distances are
4 horizontal surface level lengths (SF=0.999870607) as follows:

5 COMMENCING at found concrete monument for the northeast corner of
6 the said Texas Board of Correction called 7424.4 acre tract, same
7 being the northwest corner of the residue of a called 300 acre tract
8 conveyed to Theodore H. Harrison and Phillip G. Harrison as
9 recorded in Volume 1096, Page 605 of the Brazoria County Deed
10 Records, located in the southern boundary line of a called 94.573
11 acre tract conveyed James Henson and Michael Echevarria, as
12 recorded in Clerk's File No. 06-036246 of the Brazoria County
13 Official Records, at position X=3132507.66 and Y=481860.50;

14 THENCE South 87°21'12" West, coincident with the south line of said
15 James Henson and Michael Echevarria called 94.573 acre tract, the
16 south line of a called 5.86 acre tract conveyed to Brazoria County,
17 as recorded in Clerk's File No. 00-015468 of the Brazoria County
18 Official Records, also coincident with the north line of said Texas
19 Board of Correction called 7424.4 acre tract, a distance of 839.72
20 feet to a set 5/8" iron rod with cap for the POINT OF BEGINNING and
21 the northeast corner of the herein described tract at position
22 X=3131668.92 and Y=481821.73;

23 THENCE South 1°48'24" East, a distance of 4965.23 feet to a set 5/8"
24 iron rod with cap for corner, at position X=3131825.43 and
25 Y=476859.61;

26 THENCE South 88°11'38" West, a distance of 960.68 feet to a set 5/8"
27 iron rod with cap for corner, said point being the southeast corner

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1 of a called 22.726 acre tract conveyed to Brazoria County, as
2 recorded in Volume 1645, Page 879 of the Deed Records of Brazoria
3 County, at position X=3130865.35 and Y=476829.33

4 THENCE North 1°48'22" West, coincident with the east boundary line
5 of said called 22.726 acre tract, a distance of 4951.14 feet to a
6 set 5/8" iron rod with cap for the northeast corner of said called
7 22.726 acre tract, at position X=3130709.32 ad Y=481777.37;

8 THENCE North 87°21'12" East, coincident with the south boundary line
9 of said called 5.86 acre tract, a distance of 960.75 feet to the
10 POINT OF BEGINNING, containing 109.346 acres of land, more or less;
11 and

12 (2) ALL THAT CERTAIN 60.147 ACRE tract of land being out of a
13 called 7424.4 acre tract conveyed to Texas Board of Corrections in
14 Volume 145, Page 242 of the Brazoria County Deed Records, situated
15 in the Jared Groce 5 League Grant, Abstract 66, Brazoria County,
16 Texas, and being more particularly described by metes and bounds
17 using survey terminology which refers to the Texas State Plane
18 Coordinate System, South Central Zone, NAD 83 in which the
19 directions are Lambert grid bearings and the distances are
20 horizontal surface level lengths (SF=0.999870607) as follows:

21 BEGINNING at found concrete monument for the northeast corner of
22 the said Texas Board of Correction called 7424.4 acre tract, same
23 being the northwest corner of the residue of a called 300 acre tract
24 conveyed to Theodore H. Harrison and Phillip G. Harrison as
25 recorded in Volume 1096, Page 605 of the Brazoria County Deed
26 Records, located in the southern boundary line of a called 94.573
27 acre tract conveyed James Henson and Michael Echevarria, as

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1 recorded in Clerk's File No. 06-036246 of the Brazoria County
2 Official Records, for the northeast corner of the herein described
3 tract, at position X=3132507.66 and Y=481860.50;
4 THENCE South 3°24'29" East, coincident with western boundary line of
5 said residue of a called 300 acre tract, a distance of 428.14 feet
6 to a set 5/8" iron rod with cap for an angle point, located in the
7 western right-of-way line of State Highway 288, conveyed to the
8 State of Texas as recorded in Volume 1239, Page 933 of the Brazoria
9 County Deed Records, at position X=3132533.10 and Y=481433.17;
10 THENCE South 5°08'56" West, coincident with the western
11 right-of-way line of said State Highway 288, a distance of 1952.17
12 feet to a set 5/8" iron rod for a point of curvature, at position
13 X=3132357.93 and Y=479489.13, from which a concrete monument found
14 disturbed bears South 72°36'37" West, a distance of 0.54 feet;
15 THENCE in a southerly direction, coincident with the western
16 right-of-way line of said State Highway 288, and along a curve to
17 left, having a radius of 11669.16 feet, a central angle of 8°33'05",
18 for an arc length of 1741.60 feet, the chord of said curve having a
19 bearing of South 0°52'23" West, and a chord distance of 1740.00 feet
20 to set 5/8" iron rod with cap for corner, at position X=3132331.42
21 and Y=477749.55, from which a concrete monument found disturbed
22 bears South 72°14'12" West, a distance of 0.86 feet;
23 THENCE South 3°24'09" East, coincident with the western
24 right-of-way line of said State Highway 288, a distance of 874.01
25 feet to a set 5/8" iron rod with cap for corner, at position
26 X=3132383.29 and Y=476877.20;
27 THENCE South 88°11'38" West, a distance of 438.21 feet to a set 5/8"

1 iron rod for corner, at position X=3131945.36 and Y=476863.39
2 THENCE North 1°48'24" West, a distance of 4966.99 feet to a set 5/8"
3 iron rod for corner, said point being the southeast corner of a
4 called 5.86 acre tract conveyed to Brazoria County, as recorded in
5 Clerk's File No. 00-015468 of the Brazoria County Official Records
6 and the southwest corner of said called 94.573 acre tract, at
7 position X=3131788.79 and Y=481827.27;
8 THENCE North 87° 21'12" East, coincident with the southern boundary
9 line of said called 94.573 acre tract, a distance of 719.72 feet to
10 the POINT OF BEGINNING, containing 60.147 acres of land, more or
11 less.

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

ADOPTED

MAY 22 2013

Atty Gen
Secretary of the Senate

By: *Larry Taylor*

H.B. No. 2895

Substitute the following for H.B. No. 2895:

By: *E. Wilson*

C.S. H.B. No. 2895

A BILL TO BE ENTITLED

AN ACT

relating to authorizing the sale of certain real property in Brazoria County by the Texas Board of Criminal Justice.

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

SECTION 1. AUTHORIZATION FOR SALE. (a) Not later than January 1, 2014, the Texas Board of Criminal Justice shall sell to Brazoria County the real property specified in Section 2 of this Act at fair market value without the requirement of a sealed bid if:

(1) the board receives an offer from the county to purchase the property at fair market value; and

(2) the county acquires the property for a public purpose.

(b) The sale shall include public or private easements or rights-of-way benefiting or burdening the property, as necessary.

(c) The sale shall exclude all mineral interests in and under the property, and the deed shall contain a provision prohibiting any exploration, drilling, or other similar intrusion on the property related to mineral interests.

SECTION 2. PROPERTY DESCRIPTION. The Texas Department of Criminal Justice property to be sold as provided by Section 1 of this Act consists of the following land:

ALL THAT CERTAIN 183.174 ACRE tract of land being out of a called 7424.4 acre tract conveyed to Texas Board of Corrections in Volume 145, Page 242 of the Brazoria County Deed Records, situated in the

1 Jared Groce 5 League Grant, Abstract 66, Brazoria County, Texas,
2 and being more particularly described by metes and bounds using
3 survey terminology which refers to the Texas State Plane Coordinate
4 System, South Central Zone, NAD 83 in which the directions are
5 Lambert grid bearings and the distances are horizontal surface
6 level lengths (SF=0.999870607) as follows:
7 BEGINNING at found concrete monument for the northeast corner of
8 the said Texas Board of Correction called 7424.4 acre tract, same
9 being the northwest corner of the residue of a called 300 acre tract
10 conveyed to Theodore H. Harrison and Phillip G. Harrison as
11 recorded in Volume 1096, Page 605 of the Brazoria County Deed
12 Records, located in the southern boundary line of a called 94.573
13 acre tract conveyed James Henson and Michael Echevarria, as
14 recorded in Clerk's File No. 06-036246 of the Brazoria County
15 Official Records, for the northeast corner of the herein described
16 tract, at position X=3132507.66 and Y=481860.50;
17 THENCE South 3°24'29" East, coincident with western boundary line of
18 said residue of a called 300 acre tract, a distance of 428.14 feet
19 to a set /58" iron rod with cap for an angle point, located in the
20 western right-of-way line of State Highway 288, conveyed to the
21 State of Texas as recorded in Volume 1239, Page 933 of the Brazoria
22 County Deed Records, at position X=3132533.10 and Y=481433.17;
23 THENCE South 5°08'56" West, coincident with the western
24 right-of-way line of said State Highway 288, a distance of 1952.17
25 feet to a point of curvature, at position X=3132357.93 and
26 Y=479489.13, from which a concrete monument found disturbed bears
27 South 72°36'37" West, a distance of 0.54 feet;

1 THENCE in a southerly direction, coincident with the western
2 right-of-way line of said State Highway 288, and along a curve to
3 left, having a radius of 11669.16 feet, a central angle of 8°33'05",
4 for an arc length of 1741.60 feet, the chord of said curve having a
5 bearing of South 0°52'23" West, and a chord distance of 1740.00 feet
6 to a point for corner, at position X=3132331.42 and Y=477749.55,
7 from which a concrete monument found disturbed bears South 72°14'12"
8 West, a distance of 0.86 feet;

9 THENCE South 3°24'09" East, coincident with the western
10 right-of-way line of said State Highway 288, a distance of 874.01
11 feet to a set 5/8" iron rod with cap for corner, at position
12 X=3132383.29 and Y=476877.20;

13 THENCE South 88°11'38" West, a distance of 1518.89 feet to a set 5/8"
14 iron rod for corner, said point being the southeast corner of a
15 called 22.726 acre tract conveyed to Brazoria County, as recorded
16 in Volume 1645, Page 879 of the Deed Records of Brazoria County, at
17 position X=3130865.35 and Y=476829.33

18 THENCE North 1°48'22" West, coincident with the east boundary line
19 of said called 22.726 acre tract, a distance of 4951.14 feet to a
20 set 5/8" iron rod with cap for the northeast corner of said called
21 22.726 acre tract, at position X=3130709.32 and Y=481777.37;

22 THENCE North 87°21'12" East, coincident with the south boundary line
23 of a called 5.86 acre tract conveyed to Brazoria County, as recorded
24 in Clerk's File No. 00-015468 of the Brazoria County Official
25 Records and with the south boundary line of said called 94.573 acre
26 tract a distance of 1800.49 feet to the POINT OF BEGINNING,
27 containing 183.174 acres of land, more or less.

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

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 83RD LEGISLATIVE REGULAR SESSION

May 23, 2013

TO: Honorable Joe Straus, Speaker of the House, House of Representatives

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB2895 by Bonnen, Dennis (Relating to authorizing the sale of certain real property in Brazoria County by the Texas Board of Criminal Justice.), **As Passed 2nd House**

No significant fiscal implication to the State is anticipated.

The bill would require the Texas Board of Criminal Justice to sell to Brazoria County real property as described under the provisions of the bill. The Texas Department of Criminal Justice and General Land Office have determined that the bill would not result in a significant fiscal impact to the State. The bill would take effect immediately upon receiving a two-thirds majority vote in each house, otherwise the bill would take effect September 1, 2013.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies: 305 General Land Office and Veterans' Land Board, 696 Department of Criminal Justice

LBB Staff: UP, SD, KJo, ESi, AI, JN, KKR

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 83RD LEGISLATIVE REGULAR SESSION

May 16, 2013

TO: Honorable Judith Zaffirini, Chair, Senate Committee on Government Organization

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB2895 by Bonnen, Dennis (Relating to authorizing the sale of certain real property in Brazoria County by the Texas Board of Criminal Justice.), **Committee Report 2nd House, Substituted**

No significant fiscal implication to the State is anticipated.

The bill would require the Texas Board of Criminal Justice to sell to Brazoria County real property as described under the provisions of the bill. The Texas Department of Criminal Justice and General Land Office have determined that the bill would not result in a significant fiscal impact to the State. The bill would take effect immediately upon receiving a two-thirds majority vote in each house, otherwise the bill would take effect September 1, 2013.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies: 305 General Land Office and Veterans' Land Board, 696 Department of Criminal Justice

LBB Staff: UP, KJo, ESi, AI, JN, KKR

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 83RD LEGISLATIVE REGULAR SESSION

May 10, 2013

TO: Honorable Judith Zaffirini, Chair, Senate Committee on Government Organization

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB2895 by Bonnen, Dennis (Relating to authorizing the sale of certain real property in Brazoria County by the Texas Board of Criminal Justice.), **As Engrossed**

<p>No significant fiscal implication to the State is anticipated.</p>
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The bill would require the Texas Board of Criminal Justice to sell to Brazoria County real property as described under the provisions of the bill. The Texas Department of Criminal Justice and General Land Office have determined that the bill would not result in a significant fiscal impact to the State. The bill would take effect immediately upon receiving a two-thirds majority vote in each house, otherwise the bill would take effect September 1, 2013.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies: 305 General Land Office and Veterans' Land Board, 696 Department of Criminal Justice

LBB Staff: UP, KJo, ESi, AI, JN, KKR

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 83RD LEGISLATIVE REGULAR SESSION

April 25, 2013

TO: Honorable Tan Parker, Chair, House Committee on Corrections

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB2895 by Bonnen, Dennis (Relating to authorizing the sale of certain real property in Brazoria County by the Texas Board of Criminal Justice.), **Committee Report 1st House, Substituted**

<p>No significant fiscal implication to the State is anticipated.</p>
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The bill would require the Texas Board of Criminal Justice to sell to Brazoria County real property as described under the provisions of the bill. The Texas Department of Criminal Justice and General Land Office have determined that the bill would not result in a significant fiscal impact to the State. The bill would take effect immediately upon receiving a two-thirds majority vote in each house, otherwise the bill would take effect September 1, 2013.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies: 305 General Land Office and Veterans' Land Board, 696 Department of Criminal Justice

LBB Staff: UP, ESi, AI, JN, KKR

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 83RD LEGISLATIVE REGULAR SESSION

April 2, 2013

TO: Honorable Tan Parker, Chair, House Committee on Corrections

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB2895 by Bonnen, Dennis (Relating to authorizing the sale of certain real property in Brazoria County by the Texas Board of Criminal Justice.), **As Introduced**

<p>No significant fiscal implication to the State is anticipated.</p>
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The bill would require the Texas Board of Criminal Justice to sell to Brazoria County real property as described under the provisions of the bill. The Texas Department of Criminal Justice and General Land Office have determined that the bill would not result in a significant fiscal impact to the State. The bill would take effect immediately upon receiving a two-thirds majority vote in each house, otherwise the bill would take effect September 1, 2013.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies: 305 General Land Office and Veterans' Land Board, 696 Department of Criminal Justice

LBB Staff: UP, ESi, AI, JN, KKR

LEGISLATIVE BUDGET BOARD
Austin, Texas

CRIMINAL JUSTICE IMPACT STATEMENT

83RD LEGISLATIVE REGULAR SESSION

April 25, 2013

TO: Honorable Tan Parker, Chair, House Committee on Corrections

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB2895 by Bonnen, Dennis (Relating to authorizing the sale of certain real property in Brazoria County by the Texas Board of Criminal Justice.), **Committee Report 1st House, Substituted**

No significant impact on the programs and workload of state corrections agencies or on the demand for resources and services of those agencies is anticipated from any provisions of this bill that authorize or require a change in the sanctions applicable to adults convicted of felony crimes.

Source Agencies:

LBB Staff: UP, ESi

LEGISLATIVE BUDGET BOARD
Austin, Texas

CRIMINAL JUSTICE IMPACT STATEMENT

83RD LEGISLATIVE REGULAR SESSION

March 28, 2013

TO: Honorable Tan Parker, Chair, House Committee on Corrections

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB2895 by Bonnen, Dennis (Relating to authorizing the sale of certain real property in Brazoria County by the Texas Board of Criminal Justice.), **As Introduced**

No significant impact on the programs and workload of state corrections agencies or on the demand for resources and services of those agencies is anticipated from any provisions of this bill that authorize or require a change in the sanctions applicable to adults convicted of felony crimes.

Source Agencies:

LBB Staff: UP, ESi