

1-1 By: Paddie (Senate Sponsor - Nichols) H.B. No. 1617  
1-2 (In the Senate - Received from the House April 20, 2015;  
1-3 May 4, 2015, read first time and referred to Committee on Criminal  
1-4 Justice; May 21, 2015, reported favorably by the following vote:  
1-5 Yeas 7, Nays 0; May 21, 2015, sent to printer.)

1-6 COMMITTEE VOTE

| 1-7  |           | Yea | Nay | Absent | PNV |
|------|-----------|-----|-----|--------|-----|
| 1-8  | Whitmire  | X   |     |        |     |
| 1-9  | Huffman   | X   |     |        |     |
| 1-10 | Burton    | X   |     |        |     |
| 1-11 | Creighton | X   |     |        |     |
| 1-12 | Hinojosa  | X   |     |        |     |
| 1-13 | Menéndez  | X   |     |        |     |
| 1-14 | Perry     | X   |     |        |     |

1-15 A BILL TO BE ENTITLED  
1-16 AN ACT

1-17 relating to authorizing certain real property transactions  
1-18 involving the Department of Public Safety of the State of Texas.

1-19 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-20 SECTION 1. (a) Subject to Subsections (b) and (c) of this  
1-21 section, the Department of Public Safety of the State of Texas may  
1-22 convey the real property described by Section 2 of this Act to the  
1-23 First United Pentecostal Church, Center, Texas, in exchange for the  
1-24 real property described by Section 3 of this Act conveyed by the  
1-25 First United Pentecostal Church to the Department of Public Safety  
1-26 of the State of Texas.

1-27 (b) The real property described by Section 2 of this Act may  
1-28 not be conveyed by the Department of Public Safety of the State of  
1-29 Texas to the First United Pentecostal Church unless the fair market  
1-30 value of the real property described by Section 3 of this Act is  
1-31 equal to or greater than the fair market value of the real property  
1-32 described by Section 2 of this Act. The fair market value of the  
1-33 real property must be established by an independent appraisal  
1-34 obtained by the asset management division of the General Land  
1-35 Office.

1-36 (c) In connection with the conveyance of the real property  
1-37 described by Section 2 of this Act, the state shall reserve:

1-38 (1) the state's interest in all oil, gas, and other  
1-39 minerals in and under the real property described by Section 2 of  
1-40 this Act;

1-41 (2) the state's right to remove from the real property  
1-42 described by Section 2 of this Act any oil, gas, and other minerals  
1-43 in and under the real property; and

1-44 (3) the state's right to grant a lease held by the  
1-45 state before a conveyance of the real property described by Section  
1-46 2 of this Act relating to the removal of oil, gas, and other  
1-47 minerals in and under the real property.

1-48 (d) The Department of Public Safety of the State of Texas  
1-49 and the First United Pentecostal Church, Center, Texas, shall each  
1-50 reimburse the General Land Office for an amount equal to one-half of  
1-51 the fees and expenses incurred by the General Land Office in  
1-52 connection with each conveyance of real property under this Act.

1-53 (e) Sections [31.1571](#), [31.158](#), and [31.159](#), Natural Resources  
1-54 Code, do not apply to the exchange of real property authorized by  
1-55 this Act.

1-56 SECTION 2. The real property held by the Department of  
1-57 Public Safety of the State of Texas is land being situated in Shelby  
1-58 County, Texas, and more particularly described as follows:

1-59 BEING 3.167 acres of land, more or less, out of the J. AMASON  
1-60 Survey, Abstract No. 10, in Shelby County, Texas, and also being a  
1-61 portion of and the same tract as described in a deed to the State of  
1-62 Texas acting through the State Highway Commission from Dr. J. M.

2-1 Rogers and wife Cora M. Rogers, dated April 19, 1950, recorded in  
 2-2 Volume 292, Page 513, Deed Records of Shelby County, Texas; said  
 2-3 3.167 acres of land, more or less, is more particularly described by  
 2-4 metes and bounds as follows, to-wit:

2-5 BEGINNING at a junction of the East right of way line of the  
 2-6 new location of U. S. Highway 96 and the line between the tract  
 2-7 herein conveyed and a tract owned by L. F. Holder. Said junction  
 2-8 being N 74 deg. 16 min. E, 61.00 feet from Centerline Station  
 2-9 2481+39 of said U. S. Highway 96;

2-10 THENCE N 74 deg. 16 min. E, along said Holder line, 226.60  
 2-11 feet to a point for a corner, said point being the Northwest corner  
 2-12 of Mrs. Katheryn Walker's 2 acre tract;

2-13 THENCE S 13 deg. 02 min. E, along the West boundary line of  
 2-14 Mrs. Katheryn Walker and of the Stalling place 446.00 feet to a  
 2-15 point for a corner, said point being the Southwest corner of the  
 2-16 Stalling place;

2-17 THENCE S 18 deg. 44 min. W, 175.00 feet along fence to a point  
 2-18 for corner;

2-19 THENCE S 07 deg. 33 min. W, 81.00 feet along fence to a point  
 2-20 for a corner on Ewell Samford's North boundary line;

2-21 THENCE N 68 deg. 03 min. W, 154.99 feet along said Samford's  
 2-22 North line, to a point for a corner on the East right of way line of  
 2-23 said U. S. Highway 96, said point being S 68 deg. 03 min. E, 75.00  
 2-24 feet from Centerline Station 2476+18 of said highway;

2-25 THENCE N 10 deg. 54 min. W, 571.5 feet along the East right of  
 2-26 way line of said Highway to the place of beginning.

2-27 Said tract containing 3.167 acres of land.

2-28 SECTION 3. The real property held by the First United  
 2-29 Pentecostal Church is:

2-30 All that certain tract of land situated in Shelby County,  
 2-31 Texas, in the JESSE AMASON SURVEY, A-10, being all that land  
 2-32 conveyed from B. H. McCoy & wife, Archie Myrl McCoy to First United  
 2-33 Pentecostal Church in Center, Texas, Inc. and recorded in Volume  
 2-34 561 Page 745 of the Deed Records of Shelby County, Texas, and being  
 2-35 more particularly described as follows.

2-36 Note: in the following description

2-37 Bearings refer to Grid North of the Texas Coordinate System of 1983  
 2-38 (Central Zone 4203).

2-39 BEGINNING at a 5/8" Iron Rod set with cap stamped "FSE  
 2-40 ENGINEERING CENTER, TX" from which a Concrete Right-of-Way marker  
 2-41 bears S 28° 16' 09" E a distance of 466.04 feet, said 5/8" Iron Rod  
 2-42 also being the southwest corner of this property;

2-43 THENCE N 14° 21' 20" W with east right-of-way of U.S. Highway  
 2-44 96 a distance of 400.00 feet to a 5/8" Iron Rod set with cap stamped  
 2-45 "FSE ENGINEERING CENTER, TX";

2-46 THENCE N 71° 36' 30" E with the south line of the SECOND TRACT  
 2-47 conveyed to Lowell C. Hufferd and recorded in Volume 948 Page 608 of  
 2-48 the Official Public Records of Shelby County, Texas, at 308.20 feet  
 2-49 pass a 5/8" Iron Rod set for reference with cap stamped "FSE  
 2-50 ENGINEERING CENTER, TX" and at a total distance of 324.18 feet to a  
 2-51 point for corner in the centerline of County Road 2205;

2-52 THENCE S 19° 29' 22" E with the centerline of County Road 2205  
 2-53 a distance of 300.00 feet to a point for corner from which a 5/8"  
 2-54 Iron Rod set for reference with cap stamped "FSE ENGINEERING  
 2-55 CENTER, TX" bears S 56° 08' 40" W a distance of 30.29 feet;

2-56 THENCE S 56° 08' 40" W with the north line of a called 0.41  
 2-57 acre tract conveyed to Harold Bennet and recorded in Volume 1080  
 2-58 Page 103 of the Official Public Records of Shelby County, Texas, and  
 2-59 the north line of a called 3.5108 acre tract conveyed to Thomas  
 2-60 Howard and recorded in Volume 800 Page 652 of the Real Property  
 2-61 Records of Shelby County, Texas, a distance of 371.53 feet to the  
 2-62 Point of Beginning being 2.724 acres more or less.

2-63 SECTION 4. 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, 2015.

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