

By: Miller of Fort Bend

H.B. No. 1982

Substitute the following for H.B. No. 1982:

By: Cook

C.S.H.B. No. 1982

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to the transfer of certain state property from the Texas  
3 Department of Transportation to the University of Houston.

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

5 SECTION 1. (a) In this section, "utility infrastructure"  
6 includes any facility owned by an electric or gas utility, as  
7 defined by Section 31.002, 101.003, or 121.001, Utilities Code.

8 (b) As soon as practicable after obtaining the necessary  
9 federal approval, the Texas Department of Transportation shall  
10 donate and transfer to the University of Houston the real property  
11 described by Subsection (f) of this section.

12 (c) The University of Houston may use the property  
13 transferred under this Act only for a purpose that benefits the  
14 public interest of the state. If the University of Houston uses the  
15 property for any purpose other than a purpose described by this  
16 subsection, ownership of the property automatically reverts to the  
17 Texas Department of Transportation.

18 (d) The Texas Department of Transportation shall transfer  
19 the property by an appropriate instrument of transfer. The  
20 instrument of transfer must:

21 (1) provide that:

22 (A) the University of Houston may use the  
23 property only for a purpose that benefits the public interest of the  
24 state;

1           (B) ownership of the property will automatically  
2 revert to the Texas Department of Transportation if the University  
3 of Houston uses the property for any purpose other than a purpose  
4 described by Paragraph (A) of this subdivision;

5           (C) if a relocation of utility infrastructure  
6 located within the property is requested, the relocation costs are  
7 paid by the requesting party; and

8           (D) the property is subject to an easement  
9 created for all existing utility infrastructure located within the  
10 property; and

11           (2) describe the property to be transferred by metes  
12 and bounds.

13           (e) The Texas Department of Transportation shall retain  
14 custody of the instrument of transfer after the instrument of  
15 transfer is filed in the real property records of Fort Bend County.

16           (f) The real property referred to in this section consists  
17 of the following three tracts of land:

18           (1) Being a tract of land containing 5.000 acres  
19 (217,800 square feet), located in the Alexander Hodges Survey,  
20 Abstract-32, in Fort Bend County, Texas; being a portion of a called  
21 1093.65 acre tract recorded in the name of the State of Texas, State  
22 Department of Highways and Public Transportation in Volume 2329,  
23 Page 50 of the Fort Bend County Deed Records, and being all of a call  
24 5.000 acre tract recorded as Tract 5 Part 3 of the State of Texas  
25 Department of Transportation Tract 5 Partition Plat, a plat of  
26 record in Slide Numbers 1655B and 1656A of the Plat Records of Fort  
27 Bend County; said 5.000 acre tract being more particularly

1 described by metes and bounds as follows (all bearings referenced  
2 to said Tract 5 partition plat):

3 Beginning at a TxDOT disk found at the northwest corner of a  
4 said 5.000 acre tract, and being on the southeasterly Right-Of-Way  
5 (R.O.W.) line of U.S. Highway 59 (width varies), from which a TxDOT  
6 disk found for an angle point in said southeasterly R.O.W. line  
7 bears South 52 degrees 29 minutes 36 seconds West, a distance of  
8 453.80 feet;

9 Thence, with the lines common to said 5.000 acre tract and the  
10 southeasterly R.O.W. line of said U.S. Highway 59, the following  
11 two (2) courses:

12 1. North 52 degrees 29 minutes 44 seconds East, a distance  
13 of 400.00 feet to a TxDOT disk found for an angle point;

14 2. North 76 degrees 03 minutes 27 seconds East, a distance  
15 of 339.25 feet to a TxDOT disk found at the northeast corner of said  
16 5.000 acres and the northwest corner of a call 8.000 acre tract  
17 recorded as Tract 5, Part 4 of said Tract 5 partition plat, for the  
18 northeast corner of the herein described tract;

19 Thence, with the line common to said 5.000 acre and said 8.000  
20 acre tracts, South 04 degrees 10 minutes 00 seconds East, a distance  
21 of 436.38 feet to a TxDOT disk found at the southeast corner of said  
22 5.000 acre tract and being a northeasterly corner of The Board of  
23 Regents of the University of Houston System Tract 5, Part 2 (U of H)  
24 recorded in Fort Bend County Clerk's File Number 98103479, for the  
25 southeast corner of the herein described tract;

26 Thence, with the lines common to said U of H tract and said  
27 5.000 acre tract, the following two (2) courses:

1           1. South 85 degrees 50 minutes 00 seconds West, a distance  
2 of 563.90 feet to a TxDOT disk found at the southwest corner of said  
3 5.000 acre and the herein described tract;

4           2. North 37 degrees 31 minutes 00 seconds West, a distance  
5 of 190.28 feet to the Point of Beginning and containing 5.000 acres  
6 (217,800 square feet) of land;

7           (2) Being a tract of land containing 3.194 acres  
8 (139,131 square feet), located in the Alexander Hodges Survey,  
9 Abstract-32, in Fort Bend County, Texas; being a portion of a call  
10 105.505 acre tract of land Parcel Number 121 dedicated as the  
11 Right-Of-Way of U.S. Highway 59 (width varies) recorded in Volume  
12 460, Page 73 of the Fort Bend County Deed Records; said 3.194 acre  
13 tract being more particularly described by metes and bounds as  
14 follows (all bearings referenced to the State of Texas Department  
15 of Transportation Tract 5 Partition Plat, a plat of record in Slide  
16 Numbers 1655B and 1656A of the Plat Records of Fort Bend County,  
17 Texas):

18           Commencing at a TxDOT disk found at the westerly northwest  
19 corner of a call 5.000 acre tract recorded as Tract 5, Part 3 of said  
20 Tract 5 partition plat, and being on the southeasterly R.O.W. line  
21 of said U.S. Highway 59, from which a TxDOT disk found for an angle  
22 point in said southeasterly R.O.W. line bears South 52 degrees 29  
23 minutes 36 seconds West, a distance of 453.80 feet;

24           Thence, with the lines common to said 5.000 acre tract and the  
25 southeasterly R.O.W. line of U.S. Highway 59, North 52 degrees 29  
26 minutes 44 seconds East, a distance of 400.00 feet to a TxDOT disk  
27 found for the southwest corner and Point of Beginning of the herein

1 described tract;

2 Thence, through and across said 105.505 acre tract and with  
3 the proposed south R.O.W. line of said U.S. Highway 59, and the  
4 proposed west R.O.W. line of University Boulevard, the following  
5 five (5) courses:

6 1. North 52 degrees 29 minutes 44 seconds East, a distance  
7 of 409.89 feet to a 5/8-inch iron rod with a Miller Survey Group  
8 (MSG) cap set for an angle point;

9 2. North 56 degrees 50 minutes 07 seconds East, a distance  
10 of 97.35 feet to a 5/8-inch iron rod with a MSG cap set for an angle  
11 point;

12 3. North 52 degrees 29 minutes 44 seconds East, a distance  
13 of 274.54 feet to a 5/8-inch iron rod with a MSG cap set for an angle  
14 point;

15 4. South 72 degrees 43 minutes 47 seconds East, a distance  
16 of 83.12 feet to a 5/8-inch iron rod with a MSG cap set at the  
17 northeast corner of the herein described tract and being at the  
18 intersection of the proposed southeast R.O.W. line of proposed U.S.  
19 Highway 59 and the projection of the west R.O.W. line of University  
20 Boulevard;

21 5. South 04 degrees 10 minutes 00 seconds East, a distance  
22 of 362.11 feet to a 5/8-inch iron rod with a MSG cap set at the  
23 northeast corner of a call 8.000 acre tract recorded as Tract 5,  
24 Part 4 of said Tract 5 partition plat, and being on the present  
25 southeast R.O.W. line of said U.S. Highway 59, for the southeast  
26 corner of the herein described tract;

27 Thence, with the southeast R.O.W. line of U.S. Highway 59 and

1 the north lines of said 8.000 acre and 5.000 acre tracts, the  
2 following three (3) courses:

3 1. North 49 degrees 10 minutes 00 seconds West, a distance  
4 of 35.51 feet to a 5/8 inch iron Rod with a MSG cap set for an angle  
5 point;

6 2. South 86 degrees 05 minutes 07 seconds West, a distance  
7 of 374.89 feet to a TxDOT disk found for the northwest corner of  
8 said 8.000 acre tract and the northeast corner of said 5.000 acre  
9 tract;

10 3. South 76 degrees 03 minutes 27 seconds West, a distance  
11 of 339.25 feet to the Point of Beginning and containing 3.194 acres  
12 (139,131 square feet) of land; and

13 (3) Being a tract of land containing 8.000 acres  
14 (348,480 square feet), located in the Alexander Hodges Survey,  
15 Abstract-32, in Fort Bend County, Texas; being all of a call 8.000  
16 acre tract recorded in the name of the State of Texas, State  
17 Department of Highways and Public Transportation in Volume 1821,  
18 Page 993 of the Fort Bend County Deed Records, and platted as Tract  
19 5 Part 4 of the State of Texas Department of Transportation Tract 5  
20 Partition Plat, a plat of record in Slide Numbers 1655B and 1656A of  
21 the Plat Records of Fort Bend County; said 8.000 acre tract being  
22 more particularly described by metes and bounds as follows (all  
23 bearings referenced to said Tract 5 partition plat):

24 Commencing at a TxDOT disk found at the northwest corner of a  
25 call 5.000 acre tract recorded as Tract 5, Part 3 of said Tract 5  
26 partition plat, and being on the southeasterly Right-Of-Way  
27 (R.O.W.) line of U.S. Highway 59 (width varies), from which a TxDOT

1 disk found for an angle point in said southeasterly R.O.W. line  
2 bears South 52 degrees 29 minutes 36 seconds West, a distance of  
3 453.80 feet;

4 Thence, with the lines common to said 5.000 acre tract and the  
5 southeasterly R.O.W. line of said U.S. Highway 59, the following  
6 four (4) courses:

7 1. North 52 degrees 29 minutes 44 seconds East, a distance  
8 of 400.00 feet to a TxDOT disk found for an angle point;

9 2. North 76 degrees 03 minutes 27 seconds East, a distance  
10 of 339.25 feet to a TxDOT disk found at the northeast corner of said  
11 5.000 acre tract and the northwest corner of said 8.000 acre tract  
12 and Point of Beginning of the herein described tract;

13 3. North 86 degrees 05 minutes 07 seconds East, a distance  
14 of 374.89 feet to a 5/8-inch iron rod with a "Miller Survey Group"  
15 (MSG) cap set for an angle point;

16 4. South 49 degrees 10 minutes 00 seconds East, a distance  
17 of 35.51 feet to a 5/8-inch iron rod with a MSG cap set on the west  
18 R.O.W. line of University Boulevard (width varies per said Tract 5  
19 partition plat), for the northeast corner of said 8.000 acre and the  
20 herein described tract;

21 Thence, with the west R.O.W. line of said University  
22 Boulevard, and the east line of said 8.000 acre tract, South 04  
23 degrees 10 minutes 00 seconds East, a distance of 846.11 feet to an  
24 "X" cut in concrete set at the southeast corner of said 8.000 acre  
25 tract and being an easterly northeast corner of The Board of Regents  
26 of the University of Houston System Tract 5, Part 2 (U of H)  
27 recorded in Fort Bend County Clerk's File Number 98103479, for the

1 southeast corner of the herein described tract;

2 Thence, with the lines common to said U of H tract and said  
3 8.000 acre tract, South 85 degrees 50 minutes 00 seconds West, a  
4 distance of 400.00 feet to an "X" cut in concrete set at the  
5 southwest corner of said 8.000 acre and the herein described tract;

6 Thence, with the west line of said 8.000 acre tract, a  
7 northeast line of said U of H tract and the east line of said 5.000  
8 acre tract, North 04 degrees 10 minutes 00 seconds West, at a  
9 distance of 436.49 feet pass a TxDOT disk found at the southeast  
10 corner of said 5.000 acre tract and continue in all a total distance  
11 of 872.87 feet to the Point of Beginning and containing 8.000 acres  
12 (348,480 square feet) of land.

13 SECTION 2. This Act takes effect September 1, 2015.