

House Bill 1982
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

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

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

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

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

(1) provide that:

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

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

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

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

SENATE VERSION (CS)

SECTION 1.

~~No equivalent provision.~~

(a) Not later than December 31, 2015, the Texas Department of Transportation shall donate and transfer to the University of Houston the real property described by Subsection (e) of this section.

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

(c) The Texas Department of Transportation shall transfer the property by an appropriate instrument of transfer. The instrument of transfer must:

(1) provide that:

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

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

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

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

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

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

(1) Being a tract of land containing 5.000 acres (217,800 square feet), located in the Alexander Hodges Survey, Abstract-32, in Fort Bend County, Texas; being a portion of a called 1093.65 acre tract recorded in the name of the State of Texas, State Department of Highways and Public Transportation in Volume 2329, Page 50 of the Fort Bend County Deed Records, and being all of a call 5.000 acre tract recorded as Tract 5 Part 3 of the State of Texas Department of Transportation Tract 5 Partition Plat, a plat of record in Slide Numbers 1655B and 1656A of the Plat Records of Fort Bend County; said 5.000 acre tract being more particularly described by metes and bounds as follows (all bearings referenced to said Tract 5 partition plat):

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

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

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

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

(1) Being a tract of land containing 5.000 acres (217,800 square feet), located in the Alexander Hodges Survey, Abstract-32, in Fort Bend County, Texas; being a portion of a called 1093.65 acre tract recorded in the name of the State of Texas, State Department of Highways and Public Transportation in Volume 2329, Page 50 of the Fort Bend County Deed Records, and being all of a call 5.000 acre tract recorded as Tract 5 Part 3 of the State of Texas Department of Transportation Tract 5 Partition Plat, a plat of record in Slide Numbers 1655B and 1656A of the Plat Records of Fort Bend County; said 5.000 acre tract being more particularly described by metes and bounds as follows (all bearings referenced to said Tract 5 partition plat):

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

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

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

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

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

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

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

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

(2) Being a tract of land containing 3.194 acres (139,131 square feet), located in the Alexander Hodges Survey, Abstract-32, in Fort Bend County, Texas; being a portion of a call 105.505 acre tract of land Parcel Number 121 dedicated as the Right-Of-Way of U.S. Highway 59 (width varies) recorded in Volume 460, Page 73 of the Fort Bend County Deed Records; said 3.194 acre tract being more particularly described by metes and bounds as follows (all bearings referenced to the State of Texas Department of Transportation

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

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

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

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

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

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

(2) Being a tract of land containing 3.194 acres (139,131 square feet), located in the Alexander Hodges Survey, Abstract-32, in Fort Bend County, Texas; being a portion of a call 105.505 acre tract of land Parcel Number 121 dedicated as the Right-Of-Way of U.S. Highway 59 (width varies) recorded in Volume 460, Page 73 of the Fort Bend County Deed Records; said 3.194 acre tract being more particularly described by metes and bounds as follows (all bearings referenced to the State of Texas Department of Transportation

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Tract 5 Partition Plat, a plat of record in Slide Numbers 1655B and 1656A of the Plat Records of Fort Bend County, Texas):
Commencing at a TxDOT disk found at the westerly northwest corner of a call 5.000 acre tract recorded as Tract 5, Part 3 of said Tract 5 partition plat, and being on the southeasterly R.O.W. line of said U.S. Highway 59, from which a TxDOT disk found for an angle point in said southeasterly R.O.W. line bears South 52 degrees 29 minutes 36 seconds West, a distance of 453.80 feet;
Thence, with the lines common to said 5.000 acre tract and the southeasterly R.O.W. line of U.S. Highway 59, North 52 degrees 29 minutes 44 seconds East, a distance of 400.00 feet to a TxDOT disk found for the southwest corner and Point of Beginning of the herein described tract;
Thence, through and across said 105.505 acre tract and with the proposed south R.O.W. line of said U.S. Highway 59, and the proposed west R.O.W. line of University Boulevard, the following five (5) courses:
1. North 52 degrees 29 minutes 44 seconds East, a distance of 409.89 feet to a 5/8-inch iron rod with a Miller Survey Group (MSG) cap set for an angle point;
2. North 56 degrees 50 minutes 07 seconds East, a distance of 97.35 feet to a 5/8-inch iron rod with a MSG cap set for an angle point;
3. North 52 degrees 29 minutes 44 seconds East, a distance of 274.54 feet to a 5/8-inch iron rod with a MSG cap set for an angle point;
4. South 72 degrees 43 minutes 47 seconds East, a distance of 83.12 feet to a 5/8-inch iron rod with a MSG cap set at the northeast corner of the herein described tract and being at the intersection of the proposed southeast R.O.W. line of proposed U.S. Highway 59 and the projection of the west

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Tract 5 Partition Plat, a plat of record in Slide Numbers 1655B and 1656A of the Plat Records of Fort Bend County, Texas):
Commencing at a TxDOT disk found at the westerly northwest corner of a call 5.000 acre tract recorded as Tract 5, Part 3 of said Tract 5 partition plat, and being on the southeasterly R.O.W. line of said U.S. Highway 59, from which a TxDOT disk found for an angle point in said southeasterly R.O.W. line bears South 52 degrees 29 minutes 36 seconds West, a distance of 453.80 feet;
Thence, with the lines common to said 5.000 acre tract and the southeasterly R.O.W. line of U.S. Highway 59, North 52 degrees 29 minutes 44 seconds East, a distance of 400.00 feet to a TxDOT disk found for the southwest corner and Point of Beginning of the herein described tract;
Thence, through and across said 105.505 acre tract and with the proposed south R.O.W. line of said U.S. Highway 59, and the proposed west R.O.W. line of University Boulevard, the following five (5) courses:
1. North 52 degrees 29 minutes 44 seconds East, a distance of 409.89 feet to a 5/8-inch iron rod with a Miller Survey Group (MSG) cap set for an angle point;
2. North 56 degrees 50 minutes 07 seconds East, a distance of 97.35 feet to a 5/8-inch iron rod with a MSG cap set for an angle point;
3. North 52 degrees 29 minutes 44 seconds East, a distance of 274.54 feet to a 5/8-inch iron rod with a MSG cap set for an angle point;
4. South 72 degrees 43 minutes 47 seconds East, a distance of 83.12 feet to a 5/8-inch iron rod with a MSG cap set at the northeast corner of the herein described tract and being at the intersection of the proposed southeast R.O.W. line of proposed U.S. Highway 59 and the projection of the west

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R.O.W. line of University Boulevard;

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

Thence, with the southeast R.O.W. line of U.S. Highway 59 and the north lines of said 8.000 acre and 5.000 acre tracts, the following three (3) courses:

1. North 49 degrees 10 minutes 00 seconds West, a distance of 35.51 feet to a 5/8 inch iron Rod with a MSG cap set for an angle point;
2. South 86 degrees 05 minutes 07 seconds West, a distance of 374.89 feet to a TxDOT disk found for the northwest corner of said 8.000 acre tract and the northeast corner of said 5.000 acre tract;
3. South 76 degrees 03 minutes 27 seconds West, a distance of 339.25 feet to the Point of Beginning and containing 3.194 acres (139,131 square feet) of land; and

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

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R.O.W. line of University Boulevard;

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

Thence, with the southeast R.O.W. line of U.S. Highway 59 and the north lines of said 8.000 acre and 5.000 acre tracts, the following three (3) courses:

1. North 49 degrees 10 minutes 00 seconds West, a distance of 35.51 feet to a 5/8 inch iron Rod with a MSG cap set for an angle point;
2. South 86 degrees 05 minutes 07 seconds West, a distance of 374.89 feet to a TxDOT disk found for the northwest corner of said 8.000 acre tract and the northeast corner of said 5.000 acre tract;
3. South 76 degrees 03 minutes 27 seconds West, a distance of 339.25 feet to the Point of Beginning and containing 3.194 acres (139,131 square feet) of land; and

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

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

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

1. North 52 degrees 29 minutes 44 seconds East, a distance of 400.00 feet to a TxDOT disk found for an angle point;
2. North 76 degrees 03 minutes 27 seconds East, a distance of 339.25 feet to a TxDOT disk found at the northeast corner of said 5.000 acre tract and the northwest corner of said 8.000 acre tract and Point of Beginning of the herein described tract;
3. North 86 degrees 05 minutes 07 seconds East ,a distance of 374.89 feet to a 5/8-inch iron rod with a "Miller Survey Group" (MSG) cap set for an angle point;
4. South 49 degrees 10 minutes 00 seconds East, a distance of 35.51 feet to a 5/8-inch iron rod with a MSG cap set on the west R.O.W. line of University Boulevard (width varies per said Tract 5 partition plat), for the northeast corner of said 8.000 acre and the herein described tract;

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

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

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

1. North 52 degrees 29 minutes 44 seconds East, a distance of 400.00 feet to a TxDOT disk found for an angle point;
2. North 76 degrees 03 minutes 27 seconds East, a distance of 339.25 feet to a TxDOT disk found at the northeast corner of said 5.000 acre tract and the northwest corner of said 8.000 acre tract and Point of Beginning of the herein described tract;
3. North 86 degrees 05 minutes 07 seconds East ,a distance of 374.89 feet to a 5/8-inch iron rod with a "Miller Survey Group" (MSG) cap set for an angle point;
4. South 49 degrees 10 minutes 00 seconds East, a distance of 35.51 feet to a 5/8-inch iron rod with a MSG cap set on the west R.O.W. line of University Boulevard (width varies per said Tract 5 partition plat), for the northeast corner of said 8.000 acre and the herein described tract;

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

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described tract;

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

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

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

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described tract;

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

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

SECTION 2. Same as House version.

CONFERENCE