86R10484 PMO-F

By:  Hinojosa H.B. No. 3653

A BILL TO BE ENTITLED

AN ACT

relating to authorizing the sale of certain real property by the Texas Facilities Commission on behalf of the state.

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

SECTION 1.  (a) Subject to Subsections (b), (c), and (d) of this section, the Texas Facilities Commission on behalf of the state may convey the real property described by Section 2 of this Act.

(b)  The real property described by Section 2 of this Act may not be conveyed by the Texas Facilities Commission on behalf of the state for an amount less than the fair market value of the real property. The fair market value of the real property must be established by an independent appraisal obtained by the asset management division of the General Land Office.

(c)  A local government entity with eminent domain authority within which the real property described by Section 2 of this Act is located shall have the first option to purchase the real property. The School Land Board shall have the second option to purchase the real property.

(d)  If the real property described by Section 2 of this Act is not conveyed as authorized by Subsection (c) of this section, the conveyance of the real property shall be by sealed bid or by public auction. The General Land Office shall negotiate and close a transaction under this subsection on behalf of the Texas Facilities Commission under Section 31.158, Natural Resources Code.

SECTION 2.  The real property is situated in Travis County, Texas, and more particularly described as follows:

(i)  the tracts or parcels of land described in Austin, Travis County, Texas, described in Exhibit I, attached hereto, including all improvements on or under the land and all Grantor's right, title and interest in and to adjacent streets, alleys and rights-of-way, and adjacent strips and gores of real estate, and all rights, titles, and interests appurtenant to the land and improvements;

(ii)  all licenses and rights, if any, whether surface, subterranean, or aerial, pertinent to use of the land, improvements or personalty, including, without limitation, the licenses described in Exhibit II attached hereto and made a part hereof;

subject to zoning laws, regulations and ordinances of municipal and other governmental authorities, if any, affecting the above described Property and all the exceptions described in Exhibit III attached hereto and made a part hereof, hereinafter called the "Permitted Exceptions."

EXHIBIT I

TRACT ONE:

Lots 1-12, Block 27, of the Original City of Austin, in Travis County, Texas, according to the map or plat of the Original City filed in the General Land Office of the State of Texas, together with the adjoining alley, vacated in Vol. 4026, Page 1564, of the Deed Records of Travis County, Texas. Said Lots 7-12, also known as the Resubdivision of North Half of Block 27, a subdivision in Travis County, Texas, according to map or plat of record in Volume 3, Page 47, of the Plat Records of Travis County, Texas, and being the same property more fully described in the attached Exhibit I-A.

TRACT TWO:

All of that certain tract or parcel of land situated in Travis County, in the City of Austin, same being that certain lot or parcel of land situated within the city limits of Austin, Travis County, Texas, being approximately 275 feet east and west and 270 feet north and south, lying directly West of Guadalupe St., north of Third St., south of West Fourth St. and east of San Antonio St., commonly known and designated on the official map of the City of Austin as the Old Court House and Jail Block, as provided by Chapter 60, Acts 41st Legislature approved March 20, 1930, and being the same property more fully described in the attached Exhibit I-B.

EXHIBIT I-A

METES AND BOUNDS DESCRIPTION

BEING ALL OF BLOCK 27 OF THE ORIGINAL CITY OF AUSTIN, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at an "X" found cut in concrete at the intersection of the south r.o.w. line of West 4th Street with the east r.o.w. line of Guadalupe Street for the northwest corner and PLACE OF BEGINNING hereof;

THENCE with the south r.o.w. line of West 4th Street, S 70° 56' 34" E 277.20 feet to an "X" found cut in concrete for the northeast corner hereof;

THENCE with the west r.o.w. line of Lavaca Street, S 18° 58' 53" W 276.48 feet to a punch hole set in the concrete surface of a trap door for the southeast corner corner;

THENCE with the north r.o.w. line of West 3rd Street, N 70° 57' 34" W 277.42 feet to a concrete nail set in concrete for the southwest corner hereof;

THENCE with the east r.o.w. line of Guadalupe Street, N 19° 01' 37" E 276.56 feet to the PLACE OF BEGINNING and containing 1.76 acres of land, more or less.

EXHIBIT I-B

METES AND BOUNDS DESCRIPTION

BEING ALL OF THE "OLD COURT HOUSE AND JAIL BLOCK" OF THE ORIGINAL CITY OF AUSTIN, BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a 1/2" rebar found at the intersection of the south r.o.w. line of West 4th Street with the west r.o.w. line of Guadalupe Street for the northeast corner and PLACE OF BEGINNING hereof;

THENCE with the west r.o.w. line of Guadalupe Street, S 19° 00' 12" W 276.61 feet to a 1/2" rebar found for the southeast corner hereof;

THENCE with the north r.o.w. line of West 3rd Street, N 70° 59' 47" W 279.03 feet to a 60D nail found in concrete for the southwest corner hereof;

THENCE with the east r.o.w. line of San Antonio Street, N 18° 59' 20" E 276.64 feet to a 1/2" rebar found for the northwest corner hereof;

THENCE with the south r.o.w. line of West 4th Street, S 70° 59' 25" E 279.10 feet to the PLACE OF BEGINNING and containing 1.772 acres of land, more or less.

EXHIBIT II

1.  License Agreement dated May 3, 1977, by and between the City of Austin, Licensor and the Austin American-Statesman, Licensee of record in Volume 5819, Page 1801, of the Deed Records of Travis County, Texas. (Tracts One and Two).

2.  License Agreement dated February 11, 1983, by and between the City of Austin, Licensor and John P. Watson, Trustee, Licensee of record in Volume 8039, Page 113, and in Volume 8027, Page 572, of the Deed Records of Travis County, Texas, said agreement having been modified by instrument recorded in Volume 8304, Page 865, Real Property Records of Travis County, Texas and having been transferred by instrument recorded in Volume 8632, Page 946, Real Property Records of Travis County, Texas. (Tract One).

EXHIBIT III

1.  Sidewalk easement granted to the City of Austin, as described and located by instrument recorded in Volume 10027, Page 673, Real Property Records of Travis County, Texas. (Tract One)

2.  All terms, conditions and provisions of that certain License Agreement dated May 3, 1977 by and between the City of Austin, Licensor and the Austin American-Statesman, Licensee and recorded in Volume 5819, Page 1801, Deed Records of Travis County, Texas. (Tracts One and Two)

3.  All terms, conditions and provisions of that certain License Agreement dated February 11, 1983 by and between the City of Austin, Licensor and John P. Watson, Trustee, Licensee and recorded in Volume 8039, Page 113 and Volume 8027, Page 572 of the the Real Property Records of Travis County, Texas. Said agreement having been modified by instrument recorded in Volume 8304, Page 865, Real Property Records of Travis County, Texas. Said agreement having been transferred by instrument recorded in Volume 8632, Page 946, Real Property Records of Travis County, Texas. (Tract One)

4.  Steps protruding into a portion of West Third Street and Lavaca Street and fire hydrant valve caps located in the extreme southerly corner of subject property as shown on survey dated November 16, 1990, revised December 20, 1990, prepared by James M. Grant, RPS. (Tract One)

5.  Electric riser and electric manhole as shown on survey dated November 16, 1990, revised December 19, 1990, prepared by Ralph W. Harris, RPS. (Tract Two)

6.  Outside face of exterior wall of parking structure below grade protruding into Lavaca Street a maximum of 0.35 feet receeding to no protrusion along the East face of the exterior wall of the parking structure as shown on survey dated November 16, 1990, revised December 20, 1990, prepared by James M. Grant, RPS. (Tract One)

SECTION 3.  This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2019.