

By: Guillen

H.B. No. 1053

A BILL TO BE ENTITLED

AN ACT

relating to the disposition of real property interests by the Willacy County Navigation District.

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

SECTION 1. Chapter 404, Acts of the 53rd Legislature, Regular Session, 1953, is amended by adding Section 11 to read as follows:

Sec. 11. (a) The District may sell, exchange, or lease real property or any interest in real property owned by it, whether the real property was acquired by gift or purchase, in settlement of any litigation, controversy, or claim in behalf of the District, or in any other manner, except that lands or flats heretofore purchased from the State of Texas under former Article 8225, Revised Civil Statutes of Texas, 1925, or granted by the State of Texas in any general or special act, may be sold only to the State of Texas or exchanged with the State of Texas for other lands or exchanged for adjacent littoral land as authorized by Section 61.117, Water Code. The District may impose restrictions on the development, use, and transfer of any real property or interest in real property, other than lands or flats purchased from the State of Texas under former Article 8225, Revised Civil Statutes of Texas, 1925, or granted by the State of Texas in any general or special act, in connection with its sale or exchange under this section.

(b) Except as provided by Subsection (d) of this section,

1 before the District may sell or exchange real property, the Board  
2 shall determine by resolution that the land is no longer needed for  
3 use by the District in connection with the development of a  
4 navigation project.

5 (c) Except as provided by Subsection (d), (e), or (f) of  
6 this section, a sale or exchange of real property shall be made as  
7 provided by Sections 60.040-60.042, Water Code.

8 (d) The District may donate, exchange, convey, sell, or  
9 lease land, improvements, easements, or any other interests in real  
10 property to promote a public purpose related to the development of  
11 the District. The District shall determine the terms and  
12 conditions of the transaction so as to:

13 (1) achieve the public purpose; and

14 (2) be consistent with the requirements of Title 2,  
15 Utilities Code.

16 (e) The District may donate, exchange, convey, sell, or  
17 lease a real property interest under Subsection (d) of this section  
18 for less than its fair market value and without complying with the  
19 notice and bidding requirements of Sections 60.040-60.042, Water  
20 Code.

21 (f) Narrow strips of real property resulting from boundary  
22 or surveying conflicts or similar causes, or from insubstantial  
23 encroachments by abutting real property owners, or real property of  
24 larger configuration that has been subject to encroachments by  
25 abutting real property owners for more than 25 years may be  
26 abandoned, released, exchanged, or transferred to such abutting  
27 owners on terms and conditions considered appropriate or

1 advantageous to the District. The District may convey real  
2 property under this subsection for less than its fair market value  
3 and without complying with the notice and bidding requirements of  
4 Sections 60.040-60.042, Water Code.

5 (g) The District may grant easements over or on its real  
6 property on terms and conditions the Board determines to be  
7 advantageous to the District.

8 (h) The authority granted to the District by this section to  
9 dispose of interests in real property is in addition to any  
10 authority granted by Chapter 272, Local Government Code, and a  
11 disposition of an interest in real property under this section is  
12 exempt from the notice, bidding, and other requirements of Chapter  
13 272, Local Government Code.

14 SECTION 2. This Act takes effect immediately if it receives  
15 a vote of two-thirds of all the members elected to each house, as  
16 provided by Section 39, Article III, Texas Constitution. If this  
17 Act does not receive the vote necessary for immediate effect, this  
18 Act takes effect September 1, 2019.