

By: Darby

H.B. No. 2641

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the release of a reversionary interest in certain real
3 property by the Health and Human Services Commission and conditions
4 related to that release.

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

6 SECTION 1. (a) Subject to Subsections (b) and (c) of this
7 section and not later than February 1, 2021, the Health and Human
8 Services Commission shall execute an appropriate instrument to
9 release and nullify the right of reverter to which the real property
10 described by Section 2 of this Act is subject under the deed filed
11 in the Deed Records of Howard County, Texas, at Volume 795, Pages
12 141-143.

13 (b) The Health and Human Services Commission shall by
14 appropriate instrument release the right of reverter described by
15 Subsection (a) of this section only if:

16 (1) the West Texas Centers for Mental Health and
17 Mental Retardation transfers by appropriate instrument of
18 conveyance to Cap Rock Holdings, LLC, a Texas limited liability
19 company, real property described by Section 2 of this Act in
20 exchange for the real property described by Section 3 of this Act
21 transferred by appropriate instrument of conveyance by Cap Rock
22 Holdings, LLC, a Texas limited liability company, to West Texas
23 Centers for Mental Health and Mental Retardation;

24 (2) the fair market value of the real property

1 described by Section 3 of this Act is equal to or greater than the
2 fair market value of the real property described by Section 2 of
3 this Act as established by an independent appraisal obtained by the
4 asset management division of the General Land Office; and

5 (3) the real property described by Section 3 of this
6 Act is conveyed to the West Texas Centers for Mental Health and
7 Mental Retardation by Cap Rock Holdings, LLC, a Texas limited
8 liability company, by appropriate instrument of conveyance that
9 includes a provision that imposes as a condition on title to the
10 real property that the title will automatically vest in the Health
11 and Human Services Commission if the West Texas Centers for Mental
12 Health and Mental Retardation discontinues using the property for
13 the purpose of providing community-based mental health and
14 intellectual disability services for more than 180 continuous days.

15 (c) The Health and Human Services Commission may execute the
16 instrument releasing the right of reverter described by Subsection
17 (a) of this section to nullify the right of reverter and clear the
18 right of reverter from the title of the real property described by
19 Section 2 of this Act only if the General Land Office has verified
20 that the conditions described by Subsection (b) of this section
21 have been satisfied.

22 SECTION 2. The real property title to which is held by the
23 West Texas Centers for Mental Health and Mental Retardation is
24 situated in Howard County, Texas, and more particularly described
25 as follows:

26 Lots 5, 6 and 7, Block 19, Original Town Site, Big Spring, Howard
27 County, Texas and further described as being a +/- 0.48-acre tract

1 in a deed to the State recorded at Volume 642, Page 480, of the Deed
2 Records of Howard County, Texas.

3 SECTION 3. The real property title to which is held by Cap
4 Rock Holdings, LLC, a Texas limited liability company, is situated
5 in Howard County, Texas, and more particularly described as
6 follows:

7 400 Nolan, Big Spring, TX

8 Acres 0.257, LT 1 & N/30 of LT 2 BK 31 Original Town 80X140 0535 ACQ
9 062211 BLK/TRACT 31 0.257 acres

10 401 Johnson (7-11) Big Spring, TX

11 Acre 0.321, Lts 11-12 Blk 31 Original Town 100x140 0545 Blk/Tract 31
12 0.321 acres

13 Store #508

14 SECTION 4. 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.