

AN ACT

relating to granting an easement to the City of Austin.

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

SECTION 1. (a) Subject to Subsection (b) of this section, as soon as practicable after the effective date of this Act, the General Land Office on behalf of the State of Texas shall grant to the City of Austin, by an appropriate instrument of conveyance, a permanent easement in the property owned by the State of Texas and described by Subsection (d) of this section.

(b) Consideration for the easement to be granted under Subsection (a) of this section is the requirement that the City of Austin use the easement primarily to promote a public purpose of the state by using the easement primarily as a sidewalk, trail, and recreation easement and thereby promoting public health and general welfare and providing recreation, beautification, and civic improvement. The easement automatically terminates if the City of Austin:

(1) uses the easement in a manner that fails to promote a public purpose of the state described by this subsection of this section; or

(2) sells or transfers all or any part of the easement.

(c) The City of Austin shall reimburse the General Land Office for the expenses incurred by the General Land Office in connection with granting the easement under this section of this

1 Act.

2 (d) The easement referred to in this section is in the  
3 property described as follows:

4 DESCRIPTION OF A 0.667 OF ONE ACRE TRACT OF LAND  
5 LOCATED IN THE GEORGE W. SPEAR SURVEY, ABSTRACT NO.  
6 697, TRAVIS COUNTY, TEXAS, BEING A PORTION OF THAT  
7 TRACT OF LAND CONVEYED TO S. ROSS, GOVERNOR OF THE  
8 STATE OF TEXAS AND HIS SUCCESSORS IN OFFICE FOR THE USE  
9 AND BENEFIT OF THE STATE OF TEXAS AS RECORDED IN VOLUME  
10 76, PAGE 225, OF THE DEED RECORDS OF TRAVIS COUNTY,  
11 TEXAS; SAID TRACT OF LAND BEING MORE PARTICULARLY  
12 DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

13 BEGINNING, at a 60d nail found in the north line of that 1.51 acre  
14 tract of land conveyed to the City of Austin in a Gift Deed Of Land  
15 recorded in Volume 5154, Page 2230, of said Deed Records, same being  
16 a corner in the easterly line of THE GROVE AT SHOAL CREEK, according  
17 to the map or plat thereof recorded in Document No. 201800146, of  
18 the Official Public Records of said County, and the northwest  
19 corner of the herein described tract, from which a 1/2 inch iron rod  
20 found for the northwest corner of said 1.51 acre tract, bears North  
21 62°26'39" West, a distance of 41.93 feet;

22 THENCE, North 01°22'52" East (bearing basis), with said easterly  
23 line of THE GROVE AT SHOAL CREEK, a distance of 151.80 feet to the  
24 northwest corner of the herein described tract, from which a, X mark  
25 in rock found for a corner in said easterly line bears, North  
26 01°22'52" East, a distance of 362.51 feet;

27 THENCE, departing said easterly line and over and across said State

1 of Texas tract the following four (4) courses and distances:

2 1. South 85°36'10" East,, a distance of 130.18 feet;

3 2. South 01°22'52" West, a distance of 149.86 feet to the to  
4 the beginning of a curve to the left;

5 3. With said curve to the left, having a radius of 50.00  
6 feet, an arc length of 55.70 feet, a delta angle of 63°49'31", and a  
7 chord which bears South 30°31'53 East, a distance of 52.86 feet to  
8 the end of said curve;

9 4. South 62°26'39" East, a distance of 191.49 feet to the  
10 northeast corner of the herein described tract, being in the  
11 curving west right-of-way line of Shoal Creek Boulevard (80'  
12 right-of-way - no dedication found), from which a 1/2 inch iron rod  
13 found for the common west corner of Lot 1 and Lot 2, SHOAL CREEK  
14 VILLAGE, according to the map or plat thereof recorded in Volume 97,  
15 Page 35, of said Plat Records, bears South 83°30'05' East a distance  
16 of 84.97 feet;

17 THENCE, with said west right-of-way line and with said non-tangent  
18 curve to the left, having a radius of 318.41 feet, an arc length of  
19 25.15 feet, a delta angle of 04°31'32", and a chord which bears South  
20 21°25'26" West, a distance of 25.14 feet to the southeast corner of  
21 the herein described tract, same being the northeast corner of Lot  
22 5, SHOAL COURTS, according to the map or plat thereof recorded in  
23 Volume 6, Page 280, of said Plat Records;

24 THENCE, North 62°26'39" West, with the north line of said Lot 5,  
25 passing a 1/2 inch iron rod found in a concrete retaining wall for  
26 the northwest corner of said Lot 5 and the northeast corner of said  
27 1.51 acre tract at a distance of 155.49 (record 155.75) feet and

1 continuing for a total distance of 357.88 feet the POINT OF  
2 BEGINNING containing 0.667 of one acre of land within these metes  
3 and bounds.

4 Subject tract described herein is an easement. No monumentation set  
5 for corners.

6 Bearing Basis: Easterly line of said THE GROVE AT SHOAL CREEK. North  
7 01°22'52" East

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

---

President of the Senate

---

Speaker of the House

I certify that H.B. No. 2978 was passed by the House on May 3, 2019, by the following vote: Yeas 140, Nays 0, 2 present, not voting; and that the House concurred in Senate amendments to H.B. No. 2978 on May 24, 2019, by the following vote: Yeas 118, Nays 23, 2 present, not voting.

---

Chief Clerk of the House

I certify that H.B. No. 2978 was passed by the Senate, with amendments, on May 22, 2019, by the following vote: Yeas 30, Nays 1.

---

Secretary of the Senate

APPROVED: \_\_\_\_\_

Date

---

Governor