

By: Hinojosa

H.B. No. 3653

A BILL TO BE ENTITLED

1 AN ACT

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

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

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

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

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

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

1 Commission under Section 31.158, Natural Resources Code.

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

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

11 (ii) all licenses and rights, if any, whether surface,  
12 subterranean, or aerial, pertinent to use of the land, improvements  
13 or personalty, including, without limitation, the licenses  
14 described in Exhibit II attached hereto and made a part hereof;  
15 subject to zoning laws, regulations and ordinances of municipal and  
16 other governmental authorities, if any, affecting the above  
17 described Property and all the exceptions described in Exhibit III  
18 attached hereto and made a part hereof, hereinafter called the  
19 "Permitted Exceptions."

20 EXHIBIT I

21 TRACT ONE:

22 Lots 1-12, Block 27, of the Original City of Austin, in Travis  
23 County, Texas, according to the map or plat of the Original City  
24 filed in the General Land Office of the State of Texas, together  
25 with the adjoining alley, vacated in Vol. 4026, Page 1564, of the  
26 Deed Records of Travis County, Texas. Said Lots 7-12, also known as  
27 the Resubdivision of North Half of Block 27, a subdivision in Travis

1 County, Texas, according to map or plat of record in Volume 3, Page  
2 47, of the Plat Records of Travis County, Texas, and being the same  
3 property more fully described in the attached Exhibit I-A.

4 TRACT TWO:

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

15 EXHIBIT I-A

16 METES AND BOUNDS DESCRIPTION

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

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

23 THENCE with the south r.o.w. line of West 4th Street, S 70° 56'  
24 34" E 277.20 feet to an "X" found cut in concrete for the northeast  
25 corner hereof;

26 THENCE with the west r.o.w. line of Lavaca Street, S 18° 58'  
27 53" W 276.48 feet to a punch hole set in the concrete surface of a



1 acres of land, more or less.

2 EXHIBIT II

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

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

15 EXHIBIT III

16 1. Sidewalk easement granted to the City of Austin, as  
17 described and located by instrument recorded in Volume 10027, Page  
18 673, Real Property Records of Travis County, Texas. (Tract One)

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

24 3. All terms, conditions and provisions of that certain  
25 License Agreement dated February 11, 1983 by and between the City of  
26 Austin, Licensor and John P. Watson, Trustee, Licensee and recorded  
27 in Volume 8039, Page 113 and Volume 8027, Page 572 of the the Real

1 Property Records of Travis County, Texas. Said agreement having  
2 been modified by instrument recorded in Volume 8304, Page 865, Real  
3 Property Records of Travis County, Texas. Said agreement having  
4 been transferred by instrument recorded in Volume 8632, Page 946,  
5 Real Property Records of Travis County, Texas. (Tract One)

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

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

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

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