

By: Hinojosa, et al.
(Herrero)

S.B. No. 782

A BILL TO BE ENTITLED

AN ACT

1
2 relating to authorizing the sale of certain real property by the
3 State of Texas to the Port of Corpus Christi Authority of Nueces
4 County, Texas.

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

6 SECTION 1. (a) The real property described by Section 2 of
7 this Act was originally submerged land purchased by the Port of
8 Corpus Christi from the State of Texas in 1956 under former Article
9 8225, Revised Statutes. Following the conveyance, the submerged
10 land was artificially filled and subsequently leased to a third
11 party for non-navigation-related purposes. Following litigation
12 between the port and the State of Texas, the parties entered into a
13 settlement agreement pursuant to which the real property was
14 conveyed back to the state. The port now wishes to use the real
15 property for navigation-related purposes.

16 (b) Subject to Subsections (c), (d), and (e) of this
17 section, the State of Texas shall convey the real property
18 described by Section 2 of this Act to the Port of Corpus Christi
19 Authority of Nueces County, Texas, to be used by the port only for
20 purposes reasonably related to the promotion of navigation as
21 defined by Section 61.116(b), Water Code.

22 (c) The real property described by Section 2 of this Act may
23 not be conveyed by the State of Texas to the Port of Corpus Christi
24 Authority of Nueces County, Texas, for an amount less than the fair

1 market value of the real property. The fair market value of the
2 real property must be established by an independent appraisal
3 obtained by the asset management division of the General Land
4 Office.

5 (d) The proceeds from the sale of real property authorized
6 by this Act must be paid to the State of Texas for the benefit of the
7 permanent school fund. The state shall reserve for the benefit of
8 the permanent school fund the state's interest in all oil, gas, and
9 other minerals in and under the real property described by Section 2
10 of this Act.

11 (e) The conveyance of the real property described by Section
12 2 of this Act shall be made subject to all valid covenants,
13 conditions, reservations, restrictions, rights-of-way, easements,
14 and leases, if any, that are recorded or apparent by visual
15 inspection.

16 (f) The port may not:

17 (1) lease the real property described by Section 2 of
18 this Act for a use that is not reasonably related to the promotion
19 of navigation as defined by Section [61.116\(b\)](#), Water Code; or

20 (2) dispose of the real property except to sell the
21 real property to the State of Texas or exchange the real property
22 with the State of Texas in accordance with Section [61.117\(f\)](#), Water
23 Code.

24 (g) Sections [31.1571](#), [31.158](#), and [31.159](#), Natural Resources
25 Code, do not apply to the sale of real property authorized by this
26 Act.

27 SECTION 2. The real property held by the State of Texas is

1 submerged and filled submerged land being 33.26 acres of real
2 property, more or less, located in Nueces County, Texas, and more
3 particularly described by metes and bounds as follows:
4 BEGINNING at a 5/8" steel rod found to replace the original corner
5 "P" marking the original meanders of Nueces Bay as shown on said map
6 recorded in Volume 1251, Page 340, Deed Records, Nueces County,
7 Texas, said corner having coordinates of N 17194856.64, E
8 1344097.53, Texas South Zone 4205, NAD 83, combined scale factor
9 1.000005016, for an exterior corner in the south line of this tract;
10 THENCE, S-66°-42'-47"-W, along said original shoreline meander, a
11 distance of 254.92v, 708.10' to a 5/8" steel rod set to replace
12 called corner "O" for the most southerly corner of this tract;
13 THENCE, N-53°-59'-13"-W, continuing along original shoreline
14 meanders, a distance of 147.38v, 409.40' to a point which falls in
15 the water for an interior corner in the south line of this tract;
16 THENCE, S-85°-15'-47"-W, continuing along original shoreline
17 meanders, a distance of 44.86v, 124.60' to a point which falls in
18 the water at the intersection of said shoreline meanders with the
19 southeast bulkhead line of Canal B as shown on said map for the west
20 corner of this tract;
21 THENCE, N-31°-34'-47"-E, a distance of 577.00v, 1602.79' to a point
22 in the water at the intersection of said Canal B bulkhead line with
23 the Rincon Canal bulkhead line for the north corner of this tract;
24 THENCE, S-58°-25'-13"-E, a distance of 504.00v, 1400.00' to a point
25 in the water at the intersection of said Rincon Canal bulkhead line
26 with the Canal A bulkhead line for the east corner of this tract;
27 THENCE, S-31°-34'-47"-W, a distance of 142.04v, 394.57' to a point

1 in the water at the intersection of said Canal A bulkhead line with
2 the original shoreline meanders for the southeast corner of this
3 tract;

4 THENCE, N-47°-19'-13"-W, along said original shoreline, a distance
5 of 204.22v, 567.29' to a 5/8" steel rod set to replace called corner
6 "Q" for an interior corner of this tract:

7 THENCE, S-25°-36'-47"-W, along said original shoreline, a distance
8 of 252.00v, 700.00' to the POINT OF BEGINNING and containing
9 33.26-acres of land, more or less.

10 SECTION 3. This Act takes effect immediately if it receives
11 a vote of two-thirds of all the members elected to each house, as
12 provided by Section 39, Article III, Texas Constitution. If this
13 Act does not receive the vote necessary for immediate effect, this
14 Act takes effect September 1, 2021.