

By: Hinojosa

S.B. No. 782

A BILL TO BE ENTITLED

1 AN ACT
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 pursuant to Article
9 8225, Revised Civil Statutes of Texas. Following the conveyance,
10 the submerged land was artificially filled and subsequently leased
11 to a third party for non-navigation related purposes. Following
12 litigation between the port and the State of Texas, the parties
13 entered into a settlement agreement pursuant to which the real
14 property was conveyed back to the State. The port now wishes to use
15 the real property for navigation-related purposes.

16 (b) Accordingly, subject to subsections (c), (d), and (e) of
17 this 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 under 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 real
2 property must be established by an independent appraisal obtained
3 by the asset management division of the General Land Office.

4 (d) The proceeds from the sale of real property authorized
5 by this Act must be paid to the State of Texas for the benefit of the
6 permanent school fund, including royalties in all oil, gas, and
7 other minerals in and under the real property described by Section 2
8 of this Act.

9 (e) The conveyance of the real property described by Section
10 2 of this Act shall be made subject to all covenants, conditions,
11 reservations, restrictions, rights of way, easements and leases, if
12 any, that are valid, in existence, and of record, or are apparent by
13 visual inspection.

14 (f) The port may not lease the real property described by
15 Section 2 of this Act for a use which is not reasonably related to
16 the promotion of navigation as defined under Section 61.116(b),
17 Water Code, and may not dispose of the real property except to sell
18 or exchange such property with the State of Texas in accordance with
19 Section 61.117(f), Water Code.

20 (g) Sections 31.1571, 31.158, and 31.159, Natural Resources
21 Code, do not apply to the sale of real property authorized by this
22 Act.

23 SECTION 2. The real property held by the State of Texas is
24 submerged and filled submerged land being 33.26 acres of real
25 property, more or less, located in Nueces County, Texas, and more
26 particularly described by metes and bounds as follows:

27 BEGINNING at a 5/8" steel rod found to replace the original

1 corner "P" marking the original meanders of Nueces Bay as
2 shown on said map recorded in Volume 1251, Page 340, Deed
3 Records, Nueces County, Texas, said corner having
4 coordinates of N 17194856.64, E 1344097.53, Texas South Zone
5 4205, NAD 83, combined scale factor 1.000005016, for an
6 exterior corner in the south line of this tract;

7 THENCE, S-66°-42'-47"-W, along said original shoreline
8 meander, a distance of 254.92v, 708.10' to a 5/8" steel rod
9 set to replace called corner "O" for the most southerly
10 corner of this tract;

11 THENCE, N-53°-59'-13"-W, continuing along original shoreline
12 meanders, a distance of 147.38v, 409.40' to a point which
13 falls in the water for an interior corner in the south line of
14 this tract;

15 THENCE, S-85°-15'-47"-W, continuing along original shoreline
16 meanders, a distance of 44.86v, 124.60' to a point which
17 falls in the water at the intersection of said shoreline
18 meanders with the southeast bulkhead line of Canal B as shown
19 on said map for the west corner of this tract;

20 THENCE, N-31 °-34'-47"-E, a distance of 577.00v, 1602.79' to a
21 point in the water at the intersection of said Canal B
22 bulkhead line with the Rincon Canal bulkhead line for the
23 north corner of this tract;

24 THENCE, S-58°-25'-13"-E, a distance of 504.00v, 1400.00' to a
25 point in the water at the intersection of said Rincon Canal
26 bulkhead line with the Canal A bulkhead line for the east
27 corner of this tract;

1 THENCE, S-31°-34'-47"-W, a distance of 142.04v, 394.57' to a
2 point in the water at the intersection of said Canal A
3 bulkhead line with the original shoreline meanders for the
4 southeast corner of this tract;

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

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

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