

AN ACT

relating to authorizing the transfer of certain real property held by the Texas Department of Criminal Justice.

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

SECTION 1. AUTHORIZATION FOR TRANSFER. (a) Not later than January 1, 2010, the Texas Department of Criminal Justice shall transfer to Brazoria County the real property specified in Section 2 of this Act.

(b) Consideration for the transfer authorized by Subsection (a) of this section shall be in the form of an agreement between the parties that requires Brazoria County to use the property in a manner that primarily promotes a public purpose that benefits the public interest of the state.

(c) If Brazoria County fails to use the property in the manner described by an agreement under Subsection (b) of this section for more than 180 continuous days, ownership of the property automatically reverts to the Texas Department of Criminal Justice.

(d) The Texas Department of Criminal Justice shall transfer the property to Brazoria County by an appropriate instrument of transfer. The instrument of transfer must include:

(1) a provision that:

(A) requires Brazoria County to use the property in a manner that primarily promotes a public purpose that benefits

1 the public interest of the state; and

2 (B) indicates that ownership of the property
3 automatically reverts to the Texas Department of Criminal Justice
4 if Brazoria County no longer uses the property in a manner that
5 primarily promotes a public purpose that benefits the public
6 interest of the state; and

7 (2) a provision that:

8 (A) excludes from the transfer all mineral
9 interests in and under the property; and

10 (B) prohibits any exploration, drilling, or
11 other similar intrusion on the property related to mineral
12 interests.

13 SECTION 2. PROPERTY DESCRIPTION. The Texas Department of
14 Criminal Justice property to be transferred as provided by Section
15 1 of this Act consists of approximately 332 acres, more or less,
16 being part of that 7,424.4 tract or parcel of land conveyed to the
17 Prison Commission of the State of Texas as recorded in Book 145,
18 Page 242 of the Deed Records Brazoria County, Texas, said 332 acres,
19 more or less, being out of the Jared E. Groce grant in Brazoria
20 County, Texas, near Angleton, Texas, bounded by the Brazoria County
21 Airport property to the West and State Highway 288 to the East, the
22 northern boundary being the northern boundary of the said 7,424.4
23 tract or parcel of land, the southern boundary being the northern
24 boundary of a tract or parcel of land conveyed to RH Retrieve, Ltd.
25 as recorded as Document # 2007018866 in the Official Public Records
26 of Brazoria County, Texas.

27 SECTION 3. AUTHORIZATION FOR TRANSFER. (a) Not later than

1 October 31, 2010, the Texas Department of Criminal Justice shall
2 transfer to the City of Houston the real property specified in
3 Section 4 of this Act, including any improvements affixed to the
4 property.

5 (b) Consideration for the transfer authorized by Subsection
6 (a) of this section shall be in the form of an agreement between the
7 parties that requires the City of Houston to use the property in a
8 manner that primarily promotes a public purpose that benefits the
9 public interest of the state.

10 (c) If the City of Houston fails to use the property in the
11 manner described by an agreement under Subsection (b) of this
12 section for more than 180 continuous days, ownership of the
13 property automatically reverts to the Texas Department of Criminal
14 Justice.

15 (d) The Texas Department of Criminal Justice shall transfer
16 the property to the City of Houston by an appropriate instrument of
17 transfer. The instrument of transfer must include:

18 (1) a provision that:

19 (A) requires the City of Houston to use the
20 property in a manner that primarily promotes a public purpose that
21 benefits the public interest of the state; and

22 (B) indicates that ownership of the property
23 automatically reverts to the Texas Department of Criminal Justice
24 if the City of Houston no longer uses the property in a manner that
25 primarily promotes a public purpose that benefits the public
26 interest of the state; and

27 (2) a provision that:

1 (A) excludes from the transfer all mineral
2 interests in and under the property; and

3 (B) prohibits any exploration, drilling, or
4 other similar intrusion on the property related to mineral
5 interests.

6 SECTION 4. PROPERTY DESCRIPTION. The Texas Department of
7 Criminal Justice property to be transferred as provided by Section
8 3 of this Act is described as follows:

9 Being a tract or parcel containing 0.0204 acre (888 square
10 feet) of land situated in the H. Reinerman Survey, Abstract Number
11 644, City of Houston, Harris County, Texas, being out of and a part
12 of Tract 1, Block 2 of BROOKHOLLOW/HOUSTON, SECTION ONE, a
13 subdivision of record in Volume 144, Page 79, Harris County Map
14 Records (H.C.M.R.), out of and a part of Tract 2, Block 2 of
15 BROOKHOLLOW/HOUSTON, SECTION TWO, a subdivision of record in Volume
16 148, Page 33, H.C.M.R., and being out of and a part of a called
17 197,847 square foot tract conveyed to the State of Texas Department
18 of Public Safety (State of Texas) by deed recorded under Harris
19 County Clerks File (H.C.C.F.) Number C580248, said 0.0204 acre
20 tract being more particularly described as follows (bearings are
21 oriented to the bearing base reflected in the record plat of said
22 BROOKHOLLOW/HOUSTON, SECTION ONE):

23 BEGINNING at a mag nail found marking the easterly corner of a
24 called 0.0650 acre tract conveyed to the City of Houston by deed
25 recorded under H.C.C.F. Number X311063, said nail marking the
26 northerly corner of the herein described tract;

27 THENCE, South 44°54'53" East, over and across said 197,847

1 square foot tract, a distance of 17.50 feet to a PK Nail set marking
2 the easterly corner of the herein described tract

3 THENCE, South 45°05'07" West, over and across said 197,847
4 square foot tract, a distance of 50.75 feet to a PK Nail set marking
5 the southerly corner of the herein described tract;

6 THENCE, North 44°54'53" West, over and across said 197,847
7 square foot tract, a distance of 17.50 feet to a Mag Nail found
8 marking the southerly corner of said 0.0650 acre tract and marking
9 the westerly corner of the herein described tract;

10 THENCE, North 45°05'07" East, along the southeasterly line of
11 said 0.0650 acre tract, a distance of 50.75 feet to the POINT OF
12 BEGINNING and containing 0.204 acre (888 square feet) of land.

13 SECTION 5. EFFECTIVE DATE. This Act takes effect
14 immediately if it receives a vote of two-thirds of all the members
15 elected to each house, as provided by Section 39, Article III, Texas
16 Constitution. If this Act does not receive the vote necessary for
17 immediate effect, this Act takes effect September 1, 2009.

President of the Senate

Speaker of the House

I certify that H.B. No. 3202 was passed by the House on April 22, 2009, by the following vote: Yeas 149, Nays 0, 1 present, not voting; and that the House concurred in Senate amendments to H.B. No. 3202 on May 29, 2009, by the following vote: Yeas 141, Nays 0, 1 present, not voting.

Chief Clerk of the House

I certify that H.B. No. 3202 was passed by the Senate, with amendments, on May 26, 2009, by the following vote: Yeas 31, Nays 0.

Secretary of the Senate

APPROVED: _____

Date

Governor