

1-1 By: Paddie (Senate Sponsor - Nichols) H.B. No. 1617
 1-2 (In the Senate - Received from the House April 20, 2015;
 1-3 May 4, 2015, read first time and referred to Committee on Criminal
 1-4 Justice; May 21, 2015, reported favorably by the following vote:
 1-5 Yeas 7, Nays 0; May 21, 2015, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7				
1-8	X			
1-9	X			
1-10	X			
1-11	X			
1-12	X			
1-13	X			
1-14	X			

1-15 A BILL TO BE ENTITLED
 1-16 AN ACT

1-17 relating to authorizing certain real property transactions
 1-18 involving the Department of Public Safety of the State of Texas.

1-19 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-20 SECTION 1. (a) Subject to Subsections (b) and (c) of this
 1-21 section, the Department of Public Safety of the State of Texas may
 1-22 convey the real property described by Section 2 of this Act to the
 1-23 First United Pentecostal Church, Center, Texas, in exchange for the
 1-24 real property described by Section 3 of this Act conveyed by the
 1-25 First United Pentecostal Church to the Department of Public Safety
 1-26 of the State of Texas.

1-27 (b) The real property described by Section 2 of this Act may
 1-28 not be conveyed by the Department of Public Safety of the State of
 1-29 Texas to the First United Pentecostal Church unless the fair market
 1-30 value of the real property described by Section 3 of this Act is
 1-31 equal to or greater than the fair market value of the real property
 1-32 described by Section 2 of this Act. The fair market value of the
 1-33 real property must be established by an independent appraisal
 1-34 obtained by the asset management division of the General Land
 1-35 Office.

1-36 (c) In connection with the conveyance of the real property
 1-37 described by Section 2 of this Act, the state shall reserve:

1-38 (1) the state's interest in all oil, gas, and other
 1-39 minerals in and under the real property described by Section 2 of
 1-40 this Act;

1-41 (2) the state's right to remove from the real property
 1-42 described by Section 2 of this Act any oil, gas, and other minerals
 1-43 in and under the real property; and

1-44 (3) the state's right to grant a lease held by the
 1-45 state before a conveyance of the real property described by Section
 1-46 2 of this Act relating to the removal of oil, gas, and other
 1-47 minerals in and under the real property.

1-48 (d) The Department of Public Safety of the State of Texas
 1-49 and the First United Pentecostal Church, Center, Texas, shall each
 1-50 reimburse the General Land Office for an amount equal to one-half of
 1-51 the fees and expenses incurred by the General Land Office in
 1-52 connection with each conveyance of real property under this Act.

1-53 (e) Sections 31.1571, 31.158, and 31.159, Natural Resources
 1-54 Code, do not apply to the exchange of real property authorized by
 1-55 this Act.

1-56 SECTION 2. The real property held by the Department of
 1-57 Public Safety of the State of Texas is land being situated in Shelby
 1-58 County, Texas, and more particularly described as follows:

1-59 BEING 3.167 acres of land, more or less, out of the J. AMASON
 1-60 Survey, Abstract No. 10, in Shelby County, Texas, and also being a
 1-61 portion of and the same tract as described in a deed to the State of
 1-62 Texas acting through the State Highway Commission from Dr. J. M.

2-1 Rogers and wife Cora M. Rogers, dated April 19, 1950, recorded in
2-2 Volume 292, Page 513, Deed Records of Shelby County, Texas; said
2-3 3.167 acres of land, more or less, is more particularly described by
2-4 metes and bounds as follows, to-wit:

2-5 BEGINNING at a junction of the East right of way line of the
2-6 new location of U. S. Highway 96 and the line between the tract
2-7 herein conveyed and a tract owned by L. F. Holder. Said junction
2-8 being N 74 deg. 16 min. E, 61.00 feet from Centerline Station
2-9 2481+39 of said U. S. Highway 96;

2-10 THENCE N 74 deg. 16 min. E, along said Holder line, 226.60
2-11 feet to a point for a corner, said point being the Northwest corner
2-12 of Mrs. Katheryn Walker's 2 acre tract;

2-13 THENCE S 13 deg. 02 min. E, along the West boundary line of
2-14 Mrs. Katheryn Walker and of the Stalling place 446.00 feet to a
2-15 point for a corner, said point being the Southwest corner of the
2-16 Stalling place;

2-17 THENCE S 18 deg. 44 min. W, 175.00 feet along fence to a point
2-18 for corner;

2-19 THENCE S 07 deg. 33 min. W, 81.00 feet along fence to a point
2-20 for a corner on Ewell Samford's North boundary line;

2-21 THENCE N 68 deg. 03 min. W, 154.99 feet along said Samford's
2-22 North line, to a point for a corner on the East right of way line of
2-23 said U. S. Highway 96, said point being S 68 deg. 03 min. E, 75.00
2-24 feet from Centerline Station 2476+18 of said highway;

2-25 THENCE N 10 deg. 54 min. W, 571.5 feet along the East right of
2-26 way line of said Highway to the place of beginning.

2-27 Said tract containing 3.167 acres of land.

2-28 SECTION 3. The real property held by the First United
2-29 Pentecostal Church is:

2-30 All that certain tract of land situated in Shelby County,
2-31 Texas, in the JESSE AMASON SURVEY, A-10, being all that land
2-32 conveyed from B. H. McCoy & wife, Archie Myrl McCoy to First United
2-33 Pentecostal Church in Center, Texas, Inc. and recorded in Volume
2-34 561 Page 745 of the Deed Records of Shelby County, Texas, and being
2-35 more particularly described as follows.

2-36 Note: in the following description
2-37 Bearings refer to Grid North of the Texas Coordinate System of 1983
2-38 (Central Zone 4203).

2-39 BEGINNING at a 5/8" Iron Rod set with cap stamped "FSE
2-40 ENGINEERING CENTER, TX" from which a Concrete Right-of-Way marker
2-41 bears S 28° 16' 09" E a distance of 466.04 feet, said 5/8" Iron Rod
2-42 also being the southwest corner of this property;

2-43 THENCE N 14° 21' 20" W with east right-of-way of U.S. Highway
2-44 96 a distance of 400.00 feet to a 5/8" Iron Rod set with cap stamped
2-45 "FSE ENGINEERING CENTER, TX";

2-46 THENCE N 71° 36' 30" E with the south line of the SECOND TRACT
2-47 conveyed to Lowell C. Hufferd and recorded in Volume 948 Page 608 of
2-48 the Official Public Records of Shelby County, Texas, at 308.20 feet
2-49 pass a 5/8" Iron Rod set for reference with cap stamped "FSE
2-50 ENGINEERING CENTER, TX" and at a total distance of 324.18 feet to a
2-51 point for corner in the centerline of County Road 2205;

2-52 THENCE S 19° 29' 22" E with the centerline of County Road 2205
2-53 a distance of 300.00 feet to a point for corner from which a 5/8"
2-54 Iron Rod set for reference with cap stamped "FSE ENGINEERING
2-55 CENTER, TX" bears S 56° 08' 40" W a distance of 30.29 feet;

2-56 THENCE S 56° 08' 40" W with the north line of a called 0.41
2-57 acre tract conveyed to Harold Bennet and recorded in Volume 1080
2-58 Page 103 of the Official Public Records of Shelby County, Texas, and
2-59 the north line of a called 3.5108 acre tract conveyed to Thomas
2-60 Howard and recorded in Volume 800 Page 652 of the Real Property
2-61 Records of Shelby County, Texas, a distance of 371.53 feet to the
2-62 Point of Beginning being 2.724 acres more or less.

2-63 SECTION 4. This Act takes effect immediately if it receives
2-64 a vote of two-thirds of all the members elected to each house, as
2-65 provided by Section 39, Article III, Texas Constitution. If this
2-66 Act does not receive the vote necessary for immediate effect, this
2-67 Act takes effect September 1, 2015.

2-68 * * * * *