

1-1 By: Miller of Fort Bend (Senate Sponsor - Kolkhorst) H.B. No. 2547
1-2 (In the Senate - Received from the House May 4, 2015;
1-3 May 5, 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				
1-7		Yea	Nay	Absent	PNV
1-8	Whitmire	X			
1-9	Huffman	X			
1-10	Burton	X			
1-11	Creighton	X			
1-12	Hinojosa	X			
1-13	Menéndez	X			
1-14	Perry	X			

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

1-17 relating to the transfer of certain state property from the Texas
1-18 Department of Criminal Justice to Fort Bend County.

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

1-20 SECTION 1. (a) In this Act:

1-21 (1) "Utility" means:

1-22 (A) an electric utility, as defined by Section
1-23 31.002, Utilities Code; or

1-24 (B) a gas utility, as defined by Section 101.003
1-25 or 121.001, Utilities Code.

1-26 (2) "Utility infrastructure" means any facility owned
1-27 by a utility.

1-28 (b) Not later than December 31, 2015, the Texas Board of
1-29 Criminal Justice shall donate and transfer to Fort Bend County the
1-30 real property described by Subsection (i) of this section.

1-31 (c) Fort Bend County may use the property transferred under
1-32 this Act only for a public road and utility right-of-way. If Fort
1-33 Bend County uses the property for any purpose other than a public
1-34 road and utility right-of-way, ownership of the property
1-35 automatically reverts to the Texas Department of Criminal Justice.

1-36 (d) The Texas Board of Criminal Justice shall transfer the
1-37 property by an appropriate instrument of transfer. The instrument
1-38 of transfer must:

1-39 (1) provide that:

1-40 (A) Fort Bend County may use the property only
1-41 for a public road and utility right-of-way;

1-42 (B) ownership of the property will automatically
1-43 revert to the Texas Department of Criminal Justice if Fort Bend
1-44 County uses the property for any purpose other than a purpose
1-45 described by Paragraph (A) of this subdivision;

1-46 (C) if a relocation of utility infrastructure
1-47 located within the property is requested, the relocation costs are
1-48 paid by the requesting party; and

1-49 (D) the property is subject to an easement
1-50 created for all existing utility infrastructure located within the
1-51 property; and

1-52 (2) describe the property to be transferred by metes
1-53 and bounds.

1-54 (e) The Texas Department of Criminal Justice shall retain
1-55 custody of the instrument of transfer after the instrument of
1-56 transfer is filed in the real property records of Fort Bend County.

1-57 (f) Fort Bend County shall identify and convert Texas
1-58 Department of Criminal Justice utilities located along and within
1-59 the existing roadway to public utilities of the county as necessary
1-60 without disruption in service or cost to the Texas Department of
1-61 Criminal Justice.

(g) Fort Bend County shall identify and preserve all existing access locations to Texas Department of Criminal Justice properties and facilities.

(h) Fort Bend County shall grant all easements, without reservation, to the Texas Department of Criminal Justice as necessary to maintain utility infrastructure retained by the Texas Department of Criminal Justice.

(i) The real property referred to in this section consists of the following two tracts of land:

(1) Being 10.58 acres (460,792 square feet) of land, out of the Remainder of a called 5656.65 acres, conveyed to the State of Texas, by deed recorded under Volume 152, Page 423 Deed Records of Fort Bend County, Texas (D.R. F.B.C.T.), said 10.58 acre tract lying in the Jane Wilkins Survey, Abstract 96 and being more particularly described by metes and bounds as follows;

COMMENCING at a found 5/8 inch iron rod with cap in the east right-of-way of Harlem Road, Public R.O.W. varies, being 70' east at a right angle of station point 109+40.00, also being the west line of said Remainder;

THENCE South 03°33'12" East, a distance of 426.05 feet to a set 5/8 inch iron rod with cap, marking the west corner of a Proposed Owens Road and the POINT OF BEGINNING;

THENCE South 48°12'05" East, a distance of 35.57 feet to a set 5/8 inch iron rod with cap, marking an angle point of the herein described tract;

THENCE North 87°09'03" East, a distance of 243.73 feet to a set 5/8 inch iron rod with cap, marking a point of curvature of the herein described tract;

THENCE along a curve to the left, having a radius of 810.00 feet, an internal angle of 37°07'53", a chord bearing of North 68°35'06" East, a distance of 515.79 feet, an arc length of 524.93 feet to a point of tangency of the herein described tract;

THENCE North 50°01'10" East, a distance of 149.90 feet to a set 5/8 inch iron rod with cap, marking a point of curvature of the herein described tract;

THENCE along a curve to the right, having a radius of 900.00 feet, an internal angle of 36°18'06", a chord bearing of North 68°10'13" East, a distance of 560.74 feet, an arc length of 570.23 feet to a point of tangency of the herein described tract;

THENCE North 86°19'16" East, a distance of 956.53 feet to a set 5/8 inch iron rod with cap, marking a point of curvature of the herein described tract;

THENCE along a curve to the right, having a radius of 1650.00 feet, an internal angle of 31°15'05", a chord bearing of South 78°05'07" East, a distance of 888.85 feet, an arc length of 899.98 feet to a point of tangency of the herein described tract;

THENCE South 61°03'29" East, a distance of 1158.75 feet to a set 5/8 inch iron rod with cap in the west line of called Tract IV, 143.287 acres, Grand Parkway 1358, LP by deed recorded under County Clerk's File Number (C.F.) 2014037769 Official Public Records of Fort Bend County, Texas (O.P.R. F.B.C.T.), marking the northeast corner of the herein described tract;

THENCE South 03°00'25" East, along said west line, a distance of 117.85 feet to a found 5/8 inch iron rod with cap, marking the southeast corner of the herein described tract;

THENCE North 61°03'29" West, a distance of 1221.11 feet to a set 5/8 inch iron rod with cap, marking a point of curvature of the herein described tract;

THENCE along a curve to the left, having a radius of 1550.00 feet, an internal angle of 31°09'47", a chord bearing of North 78°08'01" West, a distance of 832.69 feet, an arc length of 843.04 feet to a point of tangency of the herein described tract;

THENCE South 86°19'16" West, a distance of 956.53 feet to a set 5/8 inch iron rod with cap, marking a point of curvature of the herein described tract;

THENCE along a curve to the left, having a radius of 800.00 feet, an internal angle of 36°18'06", a chord bearing of South 68°10'13" West, a distance of 498.3 feet, an arc length of 506.87 feet to a point of tangency of the herein described tract;

3-1 THENCE South 50°01'10" West, a distance of 173.14 feet to a set 5/8
 3-2 inch iron rod with cap, marking a point of curvature of the herein
 3-3 described tract;
 3-4 THENCE along a curve to the right, having a radius of 900.00 feet,
 3-5 an internal angle of 37°07'53", a chord bearing of South 68°35'06"
 3-6 West, a distance of 573.11 feet, an arc length of 583.26 feet to a
 3-7 point of tangency of the herein described tract;
 3-8 THENCE South 87°09'03" West, a distance of 229.86 feet to a set 5/8
 3-9 inch iron rod with cap, marking an angle point of the herein
 3-10 described tract;
 3-11 THENCE South 41°47'55" West, a distance of 35.14 feet to a set 5/8
 3-12 inch iron rod with cap in said west line of said Harlem Road,
 3-13 marking the southwest corner of the herein described tract;
 3-14 THENCE North 03°33'12" West, along said west R.O.W., a distance of
 3-15 162.01 feet to the POINT OF BEGINNING and containing a computed
 3-16 10.58 acres (460,792 square feet) of land.
 3-17 (2) Being 7.24 acres (315,413 square feet) of land,
 3-18 out of the Remainder of a called 5656.65 acres, conveyed to the
 3-19 State of Texas, by deed recorded under Volume 152, Page 423 Deed
 3-20 Records of Fort Bend County, Texas (D.R. F.B.C.T.) and all of a
 3-21 called 5.076 acres, conveyed to said State of Texas, by deed
 3-22 recorded under County Clerk's File Number (C.F.) 20100011358
 3-23 Official Public Records of Fort Bend County, Texas (O.P.R. F.B.T.),
 3-24 said 7.24 acre tract lying in the Jane Wilkins Survey, Abstract 96
 3-25 and the Jesse H. Cartwright Survey, Abstract 16 and being more
 3-26 particularly described by metes and bounds as follows;
 3-27 BEGINNING at a found 3/4 inch iron rod with cap, Texas State Plane
 3-28 Coordinates, Texas South Central, Y: 13788421.417 & X: 3022318.446,
 3-29 in the west right-of-way (R.O.W.) of F.M. 1464, Public R.O.W.
 3-30 varies, marking the northeast corner of the Remainder of a called
 3-31 151.20 acres, conveyed to LRI Investments Group, LTD. by deed
 3-32 recorded under C.F. 2008008821 O.P.R. F.B.C.T. and the southeast
 3-33 corner of said 5.076 acres, also being the southeast corner of a
 3-34 Proposed Owens Road and the herein described tract;
 3-35 THENCE North 68°11'14" West, along the north line of said remainder
 3-36 of a called 151.20 acres, a distance of 2220.51 feet to a found 3/4
 3-37 inch iron rod with cap, marking an angle point of the herein
 3-38 described tract, from which a found 1/2 inch iron rod with cap bears
 3-39 North 24°29'19" East, a distance of 10.05 feet;
 3-40 THENCE North 61°02'45" West, along the north line of said remainder
 3-41 of a called 151.20 acres, a distance of 1012.92 feet to a found 3/4
 3-42 inch iron rod with cap, marking an angle point of the herein
 3-43 described tract;
 3-44 THENCE North 61°20'20" West, along the north line of said remainder
 3-45 of a called 151.20 acres, a distance of 1411.48 feet to a found 3/4
 3-46 inch iron rod with cap in the east line of Grand Parkway (Highway
 3-47 99), marking the southwest corner of the herein described tract,
 3-48 from which a found 5/8 inch iron rod with cap, bears North 73°21'42"
 3-49 East, a distance of 13.99 feet;
 3-50 THENCE North 23°17'56" West, along said Grand Parkway, passing at a
 3-51 distance of 76.28 feet to a spike nail, marking the common corner of
 3-52 said Remainder of a called 151.20 acres and said 5.076 acres and
 3-53 continuing for a total distance of 110.53 feet to a set 5/8 inch
 3-54 iron rod with cap, marking the northwest corner of the herein
 3-55 described tract;
 3-56 THENCE South 61°20'24" East, a distance of 1525.67 feet to a set 5/8
 3-57 inch iron rod with cap, marking an angle point of the herein
 3-58 described tract;
 3-59 THENCE South 61°02'49" East, a distance of 860.17 feet to a set 5/8
 3-60 inch iron rod with cap, marking a point of curvature of the herein
 3-61 described tract;
 3-62 THENCE along a curve to the left, having a radius 1950.00 feet, an
 3-63 internal angle of 07°08'18", a chord bearing of South 64°36'58" East,
 3-64 a distance of 242.79 feet, arc distance of 242.95 feet to a set 5/8
 3-65 inch iron rod with cap, marking an point of tangency of the herein
 3-66 described tract;
 3-67 THENCE South 68°11'07" East, a distance of 2007.90 feet to a found
 3-68 alum disk in said west R.O.W. of F.M. 1464, marking the northeast
 3-69 corner of the herein described tract;

4-1 THENCE South 21°59'27" West, along said west R.O.W., a distance of
4-2 57.11 feet to a found alum disk to an internal corner of the herein
4-3 described tract;
4-4 THENCE South 68°01'33" East, along said west R.O.W., a distance of
4-5 80.02 feet to a point for corner, marking an external corner of the
4-6 herein described tract;
4-7 THENCE South 00°27'54" East, along said west R.O.W., a distance of
4-8 18.26 feet to the POINT OF BEGINNING and containing a computed 7.24
4-9 acres (315,413 square feet) of land.
4-10 SECTION 2. This Act takes effect September 1, 2015.

4-11

* * * * *