

1-1 By: Howard (Senate Sponsor - Watson) H.B. No. 2978
 1-2 (In the Senate - Received from the House May 6, 2019;
 1-3 May 13, 2019, read first time and referred to Committee on Business
 1-4 & Commerce; May 20, 2019, reported adversely, with favorable
 1-5 Committee Substitute by the following vote: Yeas 8, Nays 0;
 1-6 May 20, 2019, sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8				
1-9	X			
1-10	X			
1-11	X			
1-12			X	
1-13	X			
1-14	X			
1-15	X			
1-16	X			
1-17	X			

1-18 COMMITTEE SUBSTITUTE FOR H.B. No. 2978 By: Nichols

1-19 A BILL TO BE ENTITLED
 1-20 AN ACT

1-21 relating to granting an easement to the City of Austin.
 1-22 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:
 1-23 SECTION 1. (a) Subject to Subsection (b) of this section, as
 1-24 soon as practicable after the effective date of this Act, the
 1-25 General Land Office on behalf of the State of Texas shall grant to
 1-26 the City of Austin, by an appropriate instrument of conveyance, a
 1-27 permanent easement in the property owned by the State of Texas and
 1-28 described by Subsection (d) of this section.
 1-29 (b) Consideration for the easement to be granted under
 1-30 Subsection (a) of this section is the requirement that the City of
 1-31 Austin use the easement primarily to promote a public purpose of the
 1-32 state by using the easement primarily as a sidewalk, trail, and
 1-33 recreation easement and thereby promoting public health and general
 1-34 welfare and providing recreation, beautification, and civic
 1-35 improvement. The easement automatically terminates if the City of
 1-36 Austin:
 1-37 (1) uses the easement in a manner that fails to promote
 1-38 a public purpose of the state described by this subsection of this
 1-39 section; or
 1-40 (2) sells or transfers all or any part of the easement.
 1-41 (c) The City of Austin shall reimburse the General Land
 1-42 Office for the expenses incurred by the General Land Office in
 1-43 connection with granting the easement under this section of this
 1-44 Act.
 1-45 (d) The easement referred to in this section is in the
 1-46 property described as follows:
 1-47 DESCRIPTION OF A 0.667 OF ONE ACRE TRACT OF LAND
 1-48 LOCATED IN THE GEORGE W. SPEAR SURVEY, ABSTRACT
 1-49 NO. 697, TRAVIS COUNTY, TEXAS, BEING A PORTION OF THAT
 1-50 TRACT OF LAND CONVEYED TO S. ROSS, GOVERNOR OF THE
 1-51 STATE OF TEXAS AND HIS SUCCESSORS IN OFFICE FOR THE USE
 1-52 AND BENEFIT OF THE STATE OF TEXAS AS RECORDED IN VOLUME
 1-53 76, PAGE 225, OF THE DEED RECORDS OF TRAVIS COUNTY,
 1-54 TEXAS; SAID TRACT OF LAND BEING MORE PARTICULARLY
 1-55 DESCRIBED BY METES AND BOUNDS AS FOLLOWS:
 1-56 BEGINNING, at a 60d nail found in the north line of that 1.51 acre
 1-57 tract of land conveyed to the City of Austin in a Gift Deed Of Land
 1-58 recorded in Volume 5154, Page 2230, of said Deed Records, same being
 1-59 a corner in the easterly line of THE GROVE AT SHOAL CREEK, according
 1-60 to the map or plat thereof recorded in Document No. 201800146, of

2-1 the Official Public Records of said County, and the northwest
2-2 corner of the herein described tract, from which a 1/2 inch iron rod
2-3 found for the northwest corner of said 1.51 acre tract, bears North
2-4 62°26'39" West, a distance of 41.93 feet;
2-5 THENCE, North 01°22'52" East (bearing basis), with said easterly
2-6 line of THE GROVE AT SHOAL CREEK, a distance of 151.80 feet to the
2-7 northwest corner of the herein described tract, from which a, X mark
2-8 in rock found for a corner in said easterly line bears, North
2-9 01°22'52" East, a distance of 362.51 feet;
2-10 THENCE, departing said easterly line and over and across said State
2-11 of Texas tract the following four (4) courses and distances:
2-12 1. South 85°36'10" East,, a distance of 130.18 feet;
2-13 2. South 01°22'52" West, a distance of 149.86 feet to the to
2-14 the beginning of a curve to the left;
2-15 3. With said curve to the left, having a radius of 50.00
2-16 feet, an arc length of 55.70 feet, a delta angle of 63°49'31", and a
2-17 chord which bears South 30°31'53 East, a distance of 52.86 feet to
2-18 the end of said curve;
2-19 4. South 62°26'39" East, a distance of 191.49 feet to the
2-20 northeast corner of the herein described tract, being in the
2-21 curving west right-of-way line of Shoal Creek Boulevard (80'
2-22 right-of-way - no dedication found), from which a 1/2 inch iron rod
2-23 found for the common west corner of Lot 1 and Lot 2, SHOAL CREEK
2-24 VILLAGE, according to the map or plat thereof recorded in Volume 97,
2-25 Page 35, of said Plat Records, bears South 83°30'05' East a distance
2-26 of 84.97 feet;
2-27 THENCE, with said west right-of-way line and with said non-tangent
2-28 curve to the left, having a radius of 318.41 feet, an arc length of
2-29 25.15 feet, a delta angle of 04°31'32", and a chord which bears South
2-30 21°25'26" West, a distance of 25.14 feet to the southeast corner of
2-31 the herein described tract, same being the northeast corner of Lot
2-32 5, SHOAL COURTS, according to the map or plat thereof recorded in
2-33 Volume 6, Page 280, of said Plat Records;
2-34 THENCE, North 62°26'39" West, with the north line of said Lot 5,
2-35 passing a 1/2 inch iron rod found in a concrete retaining wall for
2-36 the northwest corner of said Lot 5 and the northeast corner of said
2-37 1.51 acre tract at a distance of 155.49 (record 155.75) feet and
2-38 continuing for a total distance of 357.88 feet the POINT OF
2-39 BEGINNING containing 0.667 of one acre of land within these metes
2-40 and bounds.
2-41 Subject tract described herein is an easement. No monumentation set
2-42 for corners.
2-43 Bearing Basis: Easterly line of said THE GROVE AT SHOAL CREEK. North
2-44 01°22'52" East
2-45 SECTION 2. This Act takes effect immediately if it receives
2-46 a vote of two-thirds of all the members elected to each house, as
2-47 provided by Section 39, Article III, Texas Constitution. If this
2-48 Act does not receive the vote necessary for immediate effect, this
2-49 Act takes effect September 1, 2019.

2-50

* * * * *