

By: Jackson

S.B. No. 1953

A BILL TO BE ENTITLED

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 a provision
that:

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

1 public interest of the state;

2 (2) 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 (3) excludes from the transfer all mineral interests
8 in and under the property and prohibits any exploration, drilling,
9 or other similar intrusion on the property related to mineral
10 interests.

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

25 SECTION 3. AUTHORIZATION FOR TRANSFER. (a) Not later than
26 October 31, 2010, the Texas Department of Criminal Justice shall
27 transfer to the City of Houston the real property specified in

1 Section 4 of this Act, including any improvements affixed to the
2 property.

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

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

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

17 (1) requires the City of Houston to use the property in
18 a manner that primarily promotes a public purpose that benefits the
19 public interest of the state;

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

25 (3) excludes from the transfer all mineral interests
26 in and under the property and prohibits any exploration, drilling,
27 or other similar intrusion on the property related to mineral

1 interests.

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

5 Being a tract or parcel containing 0.0204 acre (888 square
6 feet) of land situated in the H. Reinerman Survey, Abstract Number
7 644, City of Houston, Harris County, Texas, being out of and a part
8 of Tract 1, Block 2 of BROOKHOLLOW/HOUSTON, SECTION ONE, a
9 subdivision of record in Volume 144, Page 79, Harris County Map
10 Records (H.C.M.R.), out of and a part of Tract 2, Block 2 of
11 BROOKHOLLOW/HOUSTON, SECTION TWO, a subdivision of record in Volume
12 148, Page 33, H.C.M.R., and being out of and a part of a called
13 197,847 square foot tract conveyed to the State of Texas Department
14 of Public Safety (State of Texas) by deed recorded under Harris
15 County Clerks File (H.C.C.F.) Number C580248, said 0.0204 acre
16 tract being more particularly described as follows (bearings are
17 oriented to the bearing base reflected in the record plat of said
18 BROOKHOLLOW/HOUSTON, SECTION ONE):

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

23 THENCE, South 44°54'53" East, over and across said 197,847
24 square foot tract, a distance of 17.50 feet to a PK Nail set marking
25 the easterly corner of the herein described tract

26 THENCE, South 45°05'07" West, over and across said 197,847
27 square foot tract, a distance of 50.75 feet to a PK Nail set marking

1 the southerly corner of the herein described tract;

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

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

9 SECTION 5. APPROVAL BY TEXAS BOARD OF CRIMINAL JUSTICE.
10 This Act is contingent upon approval by formal resolution of the
11 Texas Board of Criminal Justice.

12 SECTION 6. EFFECTIVE DATE. This Act takes effect
13 immediately if it receives a vote of two-thirds of all the members
14 elected to each house, as provided by Section 39, Article III, Texas
15 Constitution. If this Act does not receive the vote necessary for
16 immediate effect, this Act takes effect September 1, 2009.