

By: Miller of Fort Bend

H.B. No. 2547

Substitute the following for H.B. No. 2547:

By: Tinderholt

C.S.H.B. No. 2547

A BILL TO BE ENTITLED

AN ACT

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

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

SECTION 1. (a) In this Act:

(1) "Utility" means:

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

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

(2) "Utility infrastructure" means any facility owned by a utility.

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

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

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

(1) provide that:

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

3 (B) ownership of the property will automatically
4 revert to the Texas Department of Criminal Justice if Fort Bend
5 County uses the property for any purpose other than a purpose
6 described by Paragraph (A) of this subdivision;

7 (C) if a relocation of utility infrastructure
8 located within the property is requested, the relocation costs are
9 paid by the requesting party; and

10 (D) the property is subject to an easement
11 created for all existing utility infrastructure located within the
12 property; and

13 (2) describe the property to be transferred by metes
14 and bounds.

15 (e) The Texas Department of Criminal Justice shall retain
16 custody of the instrument of transfer after the instrument of
17 transfer is filed in the real property records of Fort Bend County.

18 (f) Fort Bend County shall identify and convert Texas
19 Department of Criminal Justice utilities located along and within
20 the existing roadway to public utilities of the county as necessary
21 without disruption in service or cost to the Texas Department of
22 Criminal Justice.

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

26 (h) Fort Bend County shall grant all easements, without
27 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;

1 THENCE North 50°01'10" East, a distance of 149.90 feet to a set 5/8
2 inch iron rod with cap, marking a point of curvature of the herein
3 described tract;
4 THENCE along a curve to the right, having a radius of 900.00 feet,
5 an internal angle of 36°18'06", a chord bearing of North 68°10'13"
6 East, a distance of 560.74 feet, an arc length of 570.23 feet to a
7 point of tangency of the herein described tract;
8 THENCE North 86°19'16" East, a distance of 956.53 feet to a set 5/8
9 inch iron rod with cap, marking a point of curvature of the herein
10 described tract;
11 THENCE along a curve to the right, having a radius of 1650.00 feet,
12 an internal angle of 31°15'05", a chord bearing of South 78°05'07"
13 East, a distance of 888.85 feet, an arc length of 899.98 feet to a
14 point of tangency of the herein described tract;
15 THENCE South 61°03'29" East, a distance of 1158.75 feet to a set 5/8
16 inch iron rod with cap in the west line of called Tract IV, 143.287
17 acres, Grand Parkway 1358, LP by deed recorded under County Clerk's
18 File Number (C.F.) 2014037769 Official Public Records of Fort Bend
19 County, Texas (O.P.R. F.B.C.T.), marking the northeast corner of
20 the herein described tract;
21 THENCE South 03°00'25" East, along said west line, a distance of
22 117.85 feet to a found 5/8 inch iron rod with cap, marking the
23 southeast corner of the herein described tract;
24 THENCE North 61°03'29" West, a distance of 1221.11 feet to a set 5/8
25 inch iron rod with cap, marking a point of curvature of the herein
26 described tract;
27 THENCE along a curve to the left, having a radius of 1550.00 feet,

1 an internal angle of 31°09'47", a chord bearing of North 78°08'01"
2 West, a distance of 832.69 feet, an arc length of 843.04 feet to a
3 point of tangency of the herein described tract;
4 THENCE South 86°19'16" West, a distance of 956.53 feet to a set 5/8
5 inch iron rod with cap, marking a point of curvature of the herein
6 described tract;
7 THENCE along a curve to the left, having a radius of 800.00 feet, an
8 internal angle of 36°18'06", a chord bearing of South 68°10'13" West,
9 a distance of 498.3 feet, an arc length of 506.87 feet to a point of
10 tangency of the herein described tract;
11 THENCE South 50°01'10" West, a distance of 173.14 feet to a set 5/8
12 inch iron rod with cap, marking a point of curvature of the herein
13 described tract;
14 THENCE along a curve to the right, having a radius of 900.00 feet,
15 an internal angle of 37°07'53", a chord bearing of South 68°35'06"
16 West, a distance of 573.11 feet, an arc length of 583.26 feet to a
17 point of tangency of the herein described tract;
18 THENCE South 87°09'03" West, a distance of 229.86 feet to a set 5/8
19 inch iron rod with cap, marking an angle point of the herein
20 described tract;
21 THENCE South 41°47'55" West, a distance of 35.14 feet to a set 5/8
22 inch iron rod with cap in said west line of said Harlem Road,
23 marking the southwest corner of the herein described tract;
24 THENCE North 03°33'12" West, along said west R.O.W., a distance of
25 162.01 feet to the POINT OF BEGINNING and containing a computed
26 10.58 acres (460,792 square feet) of land.

27 (2) Being 7.24 acres (315,413 square feet) of land,

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1 out of the Remainder of a called 5656.65 acres, conveyed to the
2 State of Texas, by deed recorded under Volume 152, Page 423 Deed
3 Records of Fort Bend County, Texas (D.R. F.B.C.T.) and all of a
4 called 5.076 acres, conveyed to said State of Texas, by deed
5 recorded under County Clerk's File Number (C.F.) 20100011358
6 Official Public Records of Fort Bend County, Texas (O.P.R. F.B.T.),
7 said 7.24 acre tract lying in the Jane Wilkins Survey, Abstract 96
8 and the Jesse H. Cartwright Survey, Abstract 16 and being more
9 particularly described by metes and bounds as follows;

10 BEGINNING at a found 3/4 inch iron rod with cap, Texas State Plane
11 Coordinates, Texas South Central, Y: 13788421.417 & X: 3022318.446,
12 in the west right-of-way (R.O.W.) of F.M. 1464, Public R.O.W.
13 varies, marking the northeast corner of the Remainder of a called
14 151.20 acres, conveyed to LRI Investments Group, LTD. by deed
15 recorded under C.F. 2008008821 O.P.R. F.B.C.T. and the southeast
16 corner of said 5.076 acres, also being the southeast corner of a
17 Proposed Owens Road and the herein described tract;

18 THENCE North 68°11'14" West, along the north line of said remainder
19 of a called 151.20 acres, a distance of 2220.51 feet to a found 3/4
20 inch iron rod with cap, marking an angle point of the herein
21 described tract, from which a found 1/2 inch iron rod with cap bears
22 North 24°29'19" East, a distance of 10.05 feet;

23 THENCE North 61°02'45" West, along the north line of said remainder
24 of a called 151.20 acres, a distance of 1012.92 feet to a found 3/4
25 inch iron rod with cap, marking an angle point of the herein
26 described tract;

27 THENCE North 61°20'20" West, along the north line of said remainder

1 of a called 151.20 acres, a distance of 1411.48 feet to a found 3/4
2 inch iron rod with cap in the east line of Grand Parkway (Highway
3 99), marking the southwest corner of the herein described tract,
4 from which a found 5/8 inch iron rod with cap, bears North 73°21'42"
5 East, a distance of 13.99 feet;
6 THENCE North 23°17'56" West, along said Grand Parkway, passing at a
7 distance of 76.28 feet to a spike nail, marking the common corner of
8 said Remainder of a called 151.20 acres and said 5.076 acres and
9 continuing for a total distance of 110.53 feet to a set 5/8 inch
10 iron rod with cap, marking the northwest corner of the herein
11 described tract;
12 THENCE South 61°20'24" East, a distance of 1525.67 feet to a set 5/8
13 inch iron rod with cap, marking an angle point of the herein
14 described tract;
15 THENCE South 61°02'49" East, a distance of 860.17 feet to a set 5/8
16 inch iron rod with cap, marking a point of curvature of the herein
17 described tract;
18 THENCE along a curve to the left, having a radius 1950.00 feet, an
19 internal angle of 07°08'18", a chord bearing of South 64°36'58" East,
20 a distance of 242.79 feet, arc distance of 242.95 feet to a set 5/8
21 inch iron rod with cap, marking an point of tangency of the herein
22 described tract;
23 THENCE South 68°11'07" East, a distance of 2007.90 feet to a found
24 alum disk in said west R.O.W. of F.M. 1464, marking the northeast
25 corner of the herein described tract;
26 THENCE South 21°59'27" West, along said west R.O.W., a distance of
27 57.11 feet to a found alum disk to an internal corner of the herein

1 described tract;

2 THENCE South 68°01'33" East, along said west R.O.W., a distance of
3 80.02 feet to a point for corner, marking an external corner of the
4 herein described tract;

5 THENCE South 00°27'54" East, along said west R.O.W., a distance of
6 18.26 feet to the POINT OF BEGINNING and containing a computed 7.24
7 acres (315,413 square feet) of land.

8 SECTION 2. This Act takes effect September 1, 2015.