

By: Paddie

H.B. No. 1617

Substitute the following for H.B. No. 1617:

By: Cook

C.S.H.B. No. 1617

A BILL TO BE ENTITLED

AN ACT

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

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

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

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

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

(1) the state's interest in all oil, gas, and other minerals in and under the real property described by Section 2 of

1 this Act;

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

5 (3) the state's right to grant a lease held by the
6 state before a conveyance of the real property described by Section
7 2 of this Act relating to the removal of oil, gas, and other
8 minerals in and under the real property.

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

14 (e) Sections [31.1571](#), [31.158](#), and [31.159](#), Natural Resources
15 Code, do not apply to the exchange of real property authorized by
16 this Act.

17 SECTION 2. The real property held by the Department of
18 Public Safety of the State of Texas is land being situated in Shelby
19 County, Texas, and more particularly described as follows:

20 BEING 3.167 acres of land, more or less, out of the J. AMASON
21 Survey, Abstract No. 10, in Shelby County, Texas, and also being a
22 portion of and the same tract as described in a deed to the State of
23 Texas acting through the State Highway Commission from Dr. J. M.
24 Rogers and wife Cora M. Rogers, dated April 19, 1950, recorded in
25 Volume 292, Page 513, Deed Records of Shelby County, Texas; said
26 3.167 acres of land, more or less, is more particularly described by
27 metes and bounds as follows, to-wit:

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

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

9 THENCE S 13 deg. 02 min. E, along the West boundary line of
10 Mrs. Katheryn Walker and of the Stalling place 446.00 feet to a
11 point for a corner, said point being the Southwest corner of the
12 Stalling place;

13 THENCE S 18 deg. 44 min. W, 175.00 feet along fence to a point
14 for corner;

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

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

21 THENCE N 10 deg. 54 min. W, 571.5 feet along the East right of
22 way line of said Highway to the place of beginning.

23 Said tract containing 3.167 acres of land.

24 SECTION 3. The real property held by the First United
25 Pentecostal Church is:

26 All that certain tract of land situated in Shelby County,
27 Texas, in the JESSE AMASON SURVEY, A-10, being all that land

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conveyed from B. H. McCoy & wife, Archie Myrl McCoy to First United Pentecostal Church in Center, Texas, Inc. and recorded in Volume 561 Page 745 of the Deed Records of Shelby County, Texas, and being more particularly described as follows.

Note: in the following description

Bearings refer to Grid North of the Texas Coordinate System of 1983 (Central Zone 4203).

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

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

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

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

THENCE S 56° 08' 40" W with the north line of a called 0.41 acre tract conveyed to Harold Bennet and recorded in Volume 1080 Page 103 of the Official Public Records of Shelby County, Texas, and

1 the north line of a called 3.5108 acre tract conveyed to Thomas
2 Howard and recorded in Volume 800 Page 652 of the Real Property
3 Records of Shelby County, Texas, a distance of 371.53 feet to the
4 Point of Beginning being 2.724 acres more or less.

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