

## CHAPTER 792

## S.B. No. 192

An Act relating to the conveyance of certain state-owned real property by the Texas Board of Corrections and to disposition of the proceeds.

*Be it enacted by the Legislature of the State of Texas:*

**SECTION 1. CONVEYANCE OF PROPERTY.** (a) Except as otherwise provided in this section, the chairman of the Texas Board of Corrections may convey on behalf of the Texas Board of Corrections and this state all of the interest of the state except mineral rights in the real property described in Sections 2 and 3 of this Act. The board may combine or divide the tracts as it considers appropriate to make a sale of any part or all of the land.

(b) The Texas Board of Corrections may sell the property only after advertising the sale in at least two issues of a newspaper of general circulation in Bexar, Dallas, El Paso, Fort Bend, Harris, Tarrant, and Travis counties, and in a business-oriented newspaper of national circulation that is published at least five days a week, such as *The Wall Street Journal*. The first advertisement must be published at least 30 days before the date the property is sold. Each advertisement shall describe the land to be sold and call for sealed bids on the property. The board shall either sell the property to the highest bidder or reject all bids and reoffer the property for sale. The board may not sell the property for less than the current appraised value.

(c) If Sections 31.158 and 31.159, Natural Resources Code, are added by Senate Bill 43, Acts of the 69th Legislature, Regular Session, 1985, the property shall be conveyed in accordance with those sections. However, notwithstanding the provisions of Senate Bill 43, Acts of the 69th Legislature, Regular Session, 1985, the asset management division of the General Land Office may not take possession of the property authorized for sale by this Act without the approval of the Texas Board of Corrections.

**SECTION 2. DESCRIPTION OF PROPERTY.** The real property to be conveyed under this Act consists of 19 tracts of land amounting to 1,278.9 acres, more or less, out of the Texas Department of Corrections Central Unit, 2,023.4 acres, more or less, out of the Texas Department of Corrections Jester Unit, 22,097 acres, more or less, located in Fort Bend County, Texas, and 296.82 acres, more or less, in Harris County, which are more particularly described as follows:

*Tract 1:* Being 76.3 acres more or less of the Central State Farm and located in the A. Hodge League, Fort Bend County, Texas. Said tract is bounded on the north by U.S. Highway 90A, and on the west by Texas Highway 6.

*Tract 2:* Being 201.6 acres more or less of the Central State Farm and located in the A. Hodge League, Fort Bend County, Texas. Said tract is bounded on the west by Texas Highway 6, and on the south by Oyster Creek.

*Tract 3:* Being 226.4 acres more or less of the Central State Farm and located in the A. Hodge League, Fort Bend County, Texas. Said tract is bounded on the north by Voss Road, on the west by Texas Highway 6, and on the south by Oyster Creek.

*Tract 4a:* Being 70 acres more or less of the Central State Farm and located in the A. Hodge League, Fort Bend County, Texas. Said tract being bounded on the north by U.S. Highway 59.

*Tract 7:* Being 129.7 acres more or less of the Central State Farm and located in the A. Hodge League, Fort Bend County, Texas. Said tract is bounded on the north by Tract 3, and on the west by Texas Highway 6.

*Tract 8a:* Being 65 acres more or less of the Central State Farm and located in the A. Hodge League, Fort Bend County, Texas. Said tract is bounded on the south by U.S. Highway 59 and on the west by Flanagan Road.

*Tracts 8b and 8c:* Being 191.1 acres more or less of the Central State Farm and located in the A. Hodge League, Fort Bend County, Texas. Said tracts are bounded on the south by Tract 8a and on the west by Flanagan Road and on the north by Tract 8d.

*Tract 8d:* Being 100 acres more or less of the Central State Farm and located in the A. Hodge League, Fort Bend County, Texas. Said tract is bounded on the south by Tract 8c and on the west by Flanagan Road and on the north by Tract 9d.

*Tract 9d:* Being 73.8 acres more or less of the Central State Farm and located in the A. Hodge League, Fort Bend County, Texas. Said tract is bounded on the south by Tract 8d and on the west by Flanagan Road and on the north by Tracts 9a, 9b, and 9c.

*Tracts 9a, 9b, and 9c:* Being 72.2 acres more or less of the Central State Farm and located in the A. Hodge League, Fort Bend County, Texas. Said tracts are bounded on the north by Texas Highway 6 and on the west by Flanagan Road and on the south by Tract 9d.

*Tract 14:* Being 72.8 acres more or less of the Central State Farm and located in the A. Hodge League. Said tract is bounded on the west by Tract 15b and on the east by Texas Highway 6.

*Tract 1j:* Being 1,087.6 acres more or less of the Jester State Farm and located in the Andrew M. Clopper Survey and the Jesse J. Cartwright League, Fort Bend County, Texas. Said tract is bounded on the north by Madden Road and on the east by F.M. 1464 and on the west by a state prison road which is the common boundary for Tracts 1j and 2j.

*Tract 2j:* Being 518 acres more or less of the Jester State Farm and located in the Andrew M. Clopper Survey and the Jesse H. Cartwright League, Fort Bend County, Texas. Said tract is bounded partially on the north by Madden Road, on the west by Harlem Road and on the east by Tract 1j.

*Tract 3j:* Being 417.8 acres more or less of the Jester State Farm and located in the William Morton 1-1/2 League Grant, Fort Bend County, Texas. Said tract is bounded on the north by Morton Road and on the east by Harlem Road.

*Tract, Blue Ridge:* Being 296.82 acres more or less and located in the C. W. Adams Survey, A-101 Harris County, Texas. Said tract is partially bounded on the west by Hillcroft Street and Blue Ridge Road and on the north by Sims Bayou.

*Tract, Friedenhas:* Being 22.097 acres more or less and located in the E. Friedenhas Survey A-513, Fort Bend County, Texas. Said tract is bounded on the south by F.M. 2234 (McHard Road).

**SECTION 3. AUTHORIZATION OF ADDITIONAL CONVEYANCE OF PROPERTY.** The Texas Department of Corrections with the assistance of the General Land Office shall develop a plan for the orderly conveyance of the entire Texas Department of Corrections Central Unit. The plan shall consider the economic interests of the state and provide for an orderly disposition and relocation of the operations of the Central Unit. In addition to the tracts described in Section 2 of this Act, the Texas Board of Corrections is authorized to convey any part or all of the remaining acreage of the Central Unit if it is determined that the acreage may be sold without undue disruption of the Texas Department of Corrections operations. Sales of additional acreage under this section must conform to the provisions for sale included in Section 1 of this Act.

**SECTION 4. APPRAISAL AND PLAN.** The property authorized to be sold by this Act may be sold only after an appraisal and plan for disposition has been prepared by the General Land Office and has been accepted by the Texas Board of Corrections.

**SECTION 5. DISPOSITION OF PROCEEDS.** (a) Except as otherwise provided in this section, proceeds from a conveyance under this Act shall be deposited in the General Revenue Fund of the state for appropriation only to the Texas Department of Corrections for use in acquiring other land or for the construction or improvement of facilities of the department.

(b) If Section 31.158, Natural Resources Code, is added by Senate Bill 43, Acts of the 69th Legislature, Regular Session, 1985, proceeds from a conveyance under this Act shall be deposited in the capital trust fund. In such event, it is the intent of the legislature that proceeds from the conveyance authorized by this Act, not to exceed \$125,000,000 as appropriated by House Bill 20, Acts of the 69th Legislature, Regular Session, are set aside to finance acquisition of land necessary for the Texas Department of Corrections or necessary construction, repairs, or renovations of facilities of the Texas Department of Corrections.

**SECTION 6. ENACTMENT OF OTHER LEGISLATION.** If Senate Bill 43, Acts of the 69th Legislature, Regular Session, 1985, is enacted and if it will take effect after the effective date of this Act, the proceeds from a conveyance made under this Act and made before the effective date of Senate Bill 43 shall be deposited in a special fund in the State Treasury and shall be transferred to the capital trust fund on the effective date of Senate Bill 43.

**SECTION 7. EMERGENCY.** The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended, and this rule is hereby suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted.

Passed the Senate on April 9, 1985, by the following vote: Yeas 30, Nays 0; May 25, 1985, Senate refused to concur in House amendments and requested appointment of Conference Committee; May 26, 1985, House granted request of the Senate; May 27, 1985, Senate adopted Conference Committee Report by the following vote: Yeas 31, Nays 0; passed the House, with amendments, on May 23, 1985, by the following vote: Yeas 140, Nays 0, one present not voting; May 26, 1985, House granted request of the Senate for appointment of Conference Committee; May 27, 1985, House adopted Conference Committee Report by the following vote: Yeas 144, Nays 0, one present not voting.

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**69th LEGIS—REGULAR SESSION**

Approved: June 15, 1985

Effective: Immediately