

**CHAPTER 427**

**H.B. No. 866**

**AN ACT**

relating to the conveyance of certain state-owned real property in Wilson County.

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

**SECTION 1. CONVEYANCES REQUIRED.** (a) The Parks and Wildlife Department shall convey, on behalf of the state, all of the interest of the state in the real property described by Section 2 of this Act to the federal government for administration by the National Park Service as a national park.

(b) The conveyances required by this section are contingent on the written agreement of the federal government to grant the Parks and Wildlife Department, on behalf of the state, a right of first refusal to the real property described by Section 2 of this Act should the federal government decide to convey the property.

(c) The conveyances required by this section must be completed by special warranty deed. Any expenses incurred by a party to the conveyances shall be borne by that party.

(d) The conveyances required by this section must be completed not later than the 60th day after the date on which the Parks and Wildlife Department receives from the secretary of the interior a written request for conveyance of both tracts of land described by Section 2 of this Act.

(e) Section 31.158, Natural Resources Code, does not apply to the conveyances required by this Act.

(f) The conveyance of this real property interest from the state to the federal government shall provide for the prohibition of development of all minerals under the land from the surface estate of the real property as described in Section 2 of this Act and conveyed by this Act.

**SECTION 2. PROPERTY DESCRIPTION.** The real property required to be conveyed by Section 1 of this Act is:

(1) A 55.180 acre tract described as all of that certain tract or parcel of land out of the Maria Calvillo Two League Survey No. 22, Wilson County, Texas, and being 55.180 acres of land out of that certain 200 acre tract of land conveyed by Viola George Shives, et vir, to Winston L. Southern, et ux, by deed dated September 22, 1970, and recorded in Volume 432 on pages 17-19 of the Deed Records of Wilson County, Texas, and described more particularly by metes and bounds as follows:

FROM the South corner of the Maria Calvillo Two League Survey No. 22;

THENCE N. 37° 43' W. 7,920.5 feet to an iron pin and corner post in the East line of a County Road, set for the South corner of that certain 171 acre tract of land conveyed by Ed. J. Kneupper, et ux, to Henry W. Krueger, Jr., et ux, by deed dated January 20, 1975 and recorded in Volume 472 on page 772 of the Deed Records of Wilson County, Texas, for the West corner of the above described Winston L. Southern, et ux, 200 acre tract, for the West corner and POINT OF BEGINNING of the herein described 55.180 acre tract;

THENCE with the fence, the Southeast line of the said Henry W. Krueger, Jr., et ux, 171 acre tract, the Northwest line of the above said Winston L. Southern, et ux, 200 acre tract, N. 48° 31' E. 3,711.06 feet and N. 48° 46' E. 1,055.30 feet to an iron pin and corner post in the Southwest line of that certain 265 acre tract of land conveyed by Troy E. Talley, et ux, to Egon A. Schneider by deed dated February 3, 1962 and recorded in Volume 353 on page 438 of the Deed Records of Wilson County, Texas, set for the East corner of the above said Henry W. Krueger, Jr., et ux, 171 acre tract, for the North corner of the said Winston L. Southern, et ux, 200 acre tract, for the West corner of a 43.972 acre tract of land to be conveyed by Egon A. Schneider to the State of Texas, for the North corner of this tract;

THENCE with the common line between the said Egon A. Schneider, 265 acre tract and the Winston L. Southern, et ux, 200 acre tract, the common line between the said 43.972 acre tract and this 55.180 acre tract, S. 21° 21' E. 1,434.50 feet to an iron pin and angle post, and S. 67° 20' E. 179.90 feet to an iron pin in the West bank of Picoso Creek, the North bank of the San Antonio River, set for the Northernmost East corner of the said Winston L. Southern, et ux, 200 acre tract, the South corner of the said Egon A. Schneider 265 acre tract, the South corner of the said 43.972 acre tract, the Northernmost East corner of this tract;

THENCE with the West bank and water's edge of the San Antonio River, S. 24° 18' W. 205.30 feet, and S. 05° 53' 30" E. 278.03 feet to a point, the North corner of that certain 120 acre tract of land conveyed by S. W. Seale, et ux, to Elizabeth Anne Seale Woolsey, et vir, by deed dated October 30, 1974 and recorded in Volume 470 on pages 541-543 of the Deed

Records of Wilson County, Texas, for the Southernmost East corner of the said Winston L. Southern, et ux, 200 acre tract, for the Southernmost East corner of this tract;

THENCE with the common line between the said Elizabeth Anne Seale Woolsey, et vir, 120 acre tract and the said Winston L. Southern, et ux, 200 acre tract, S. 46° 46' W. 88.64 feet to an iron pin set on the Northwest side of an 18' Elm;

THENCE with the fence, the common line between the said Elizabeth Anne Seale Woolsey, et vir, 120 acre tract and the said Winston L. Southern, et ux, 200 acre tract, S. 46° 46' W. 346.0 feet, and S. 48° 23' W. 632.11 feet to a point, the Northernmost South corner of this 55.180 acre tract;

THENCE severing the land of the subject owner, N. 18° 37' W., at 471.17 feet to an iron pin and corner post, and with the fence, a total distance of 1,886.45 feet to a point, a re-entrant corner of this tract, said point being 100 feet from the Northwest line of the said Winston L. Southern, et ux, 200 acre tract;

THENCE parallel with and at a distance of 100.0 feet from the Northwest line of the said Winston L. Southern, et ux, 200 acre tract, S. 48° 31' W. 3,712.15 feet to a point, in the East line of the afore said County Road, the West line of the said Winston L. Southern, et ux, 200 acre tract, the Southernmost South corner of this tract;

THENCE with the East line of the said County Road, the West line of the said Winston L. Southern, et ux, 200 acre tract, N. 17° 53' W. 109.13 feet to the place of beginning; and

(2) A 43.972 acre tract described as all of that certain tract or parcel of land out of the Maria Calvillo Two League Survey No. 22, Wilson County, Texas, and being 43.972 acres of land out of that certain 265 acre tract of land conveyed by Troy E. Talley, et ux, to Egon A. Schneider by deed dated February 3, 1962, and recorded in Volume 353 on page 438 of the Deed Records of Wilson County, Texas, and described more particularly by metes and bounds as follows:

BEGINNING at a concrete monument in the West bank of Picoso Creek, the North bank of the San Antonio River, set for the Northernmost East corner of that certain 200 acre tract of land conveyed by Viola George Shives, et vir, to Winston L. Southern, et ux, by deed dated September 22, 1970 and recorded in Volume 432 on pages 17-19 of the Deed Records of Wilson County, Texas, for the Northernmost East corner of a 55.180 acre tract of land to be conveyed by Winston L. Southern, et ux, to the State of Texas, for the South corner of the herein described 43.972 acre tract;

THENCE with the fence, the common line between the said Winston L. Southern, et ux, 200 acre tract and the said Egon A. Schneider 265 acre tract, the common line between the said 55.180 acre tract and this tract, N. 67° 20' W., at 169.90 feet a brass disc in concrete marked RC5, in all a total distance of 179.90 feet to an iron pin and corner post, and N. 21° 21' W. 1,434.50 feet to an iron pin and corner post set for the East corner of the Henry W. Krueger, Jr. et ux, 171 acre tract of land, for the North corner of the said Winston L. Southern, et ux, 200 acre tract, for the West corner of this tract;

THENCE severing the land of the subject owner, S. 87° 51' E., at 10.0 feet a brass disc in concrete marked RC1, at 1,043.09 feet a concrete monument, in all a total distance of 1,630.49 feet to a concrete monument in the South bank and water's edge of the San Antonio River, the North line of the Egon A. Schneider 265 acre tract, set for the North corner of this tract;

THENCE with the Westerly bank and water's edge of the San Antonio River, the Easterly line of the said Egon A. Schneider 265 acre tract, downstream as follows: S. 71° 02' E. 203.0 feet, S. 81° 17' 30" E. 136.73 feet, S. 53° 39' 30" E. 142.64 feet, S. 38° 04' 30" E. 92.27 feet, S. 17° 04' 30" E. 103.70 feet, S. 06° 31' 30" E. 70.39 feet, S. 17° 20' W. 70.60 feet, S. 37° 15' W. 157.80 feet, S. 45° 29' W. 54.71 feet, S. 64° 48' W. 518.15 feet, S. 57° 10' W. 94.59 feet, S. 56° 13' W. 174.60 feet, S. 64° 44' W. 256.37 feet, S. 65° 39' W. 90.42 feet, S. 59° 01' W. 138.26 feet, S. 61° 27' W. 144.32 feet, and S. 57° 47' 30" W. 82.68 feet to the place of beginning.

SECTION 3. 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 by the House on May 11, 1993, by a non-record vote; passed by the Senate on May 24, 1993: Yeas 31, Nays 0.

Approved June 6, 1993.

Effective Aug. 30, 1993, 90 days after date of adjournment.