

CHAPTER 171

S.B. No. 1183

AN ACT

relating to publication of notice relating to certain real property transactions by political subdivisions.

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

SECTION 1. Section 2, Chapter 455, Acts of the 61st Legislature, Regular Session, 1969, as amended (Article 5421c-12, Vernon's Texas Civil Statutes), is amended to read as follows:

Sec. 2. Bid procedures and publication requirements as set forth in Section 1 of this Act shall not be applicable in the sale or disposal of real property interests belonging to a political subdivision in the following circumstances:

(1) narrow strips of land, or land so shaped or so small as to be incapable of being used independently as zoned or under applicable subdivision or other development control ordinances, in which event such land may be sold to the abutting property owner or owners in proportion to their abutting ownership, such division between owners to be made in an equitable manner;

(2) streets or alleys, whether owned in fee or used by easement, in which event such land or interest may be sold to the abutting owner or owners in proportion to their abutting ownership, such division between owners to be made in an equitable manner;

(3) all types of easements where the abutting property owner or owners also own the underlying fee simple title, in which event such land or interest may be sold to the abutting property owner or owners in proportion to their abutting ownership, such division between owners to be made in an equitable manner;

(4) any land or interest therein which was originally acquired for the purpose of streets, rights-of-way or easements which the political subdivision chooses to trade or exchange as consideration for other land acquired for streets, rights-of-way or easements, including transactions which may be partly for cash and partly by trade or exchange;

(5) land owned by a political subdivision which it desires to have developed by contract with an independent foundation; ~~or~~

(6) any interest in land that is conveyed by a political subdivision to a governmental entity having the power of eminent domain; *or*

(7) *land that is owned or acquired by a city or town in a reinvestment zone designated as provided by law and that the city or town desires to have developed pursuant to a project plan for the zone adopted by the city or town.*

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SECTION 2. *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 24, 1987, by the following vote: Yeas 26, Nays 2. Passed the House on May 15, 1987, by a non-record vote.

Approved May 25, 1987.

Effective Aug. 31, 1987, 90 days after date of adjournment.