

SUBJECT: Consolidating Pleasure Island land patents for City of Port Arthur

COMMITTEE: Land and Resource Management — committee substitute recommended

VOTE: 7 ayes — Bosse, B. Turner, Crabb, Howard, Jackson, Mowery, Staples

0 nays

2 absent — Hamric, Krusee

WITNESSES: None

BACKGROUND : Pleasure Island, located southeast of Beaumont in Sabine Lake, was created in the early 1900s with the spoils gathered from digging the intercoastal waterway. By 1969, the state turned over to the City of Port Arthur rights to all the land on the island, except one tract, which is owned by the U.S. Army Corps of Engineers, and the mineral rights, which have been retained by the state.

DIGEST: CSHB 2914 would require the General Land Office to issue a new land patent consolidating all of the patents previously transferred from the state to the city of Port Arthur. The city would pay into the permanent school fund \$25,000 for the rights conveyed in the new patent.

The state would relinquish all rights, titles and interest in Pleasure Island except the ownership of oil, gas and other minerals on or beneath the property. The state would retain the right to lease, explore and develop the property on behalf of the permanent school fund.

CSHB 2914 would allow the city to use and sell any part of the land free of any public use restrictions, but would carry over all easements. A court finding that any section of the bill was unconstitutional would not affect the rest of the bill.

The bill would take immediate effect if finally approved by a two-thirds majority record vote of the membership in each house.

**SUPPORTERS SAY:** CSHB 2914 would establish one clear and legal description of the tracts of land Port Arthur owns on Pleasure Island. It would not provide the city with any additional property or rights that it does not already own.

The city has acquired different tracts over an extended period of time. Some of these are encumbered by restrictions that are no longer relevant, and others are defined differently in different documents. This legal morass requires a clean sweep so that the city of Port Arthur can better plan for development on the island. A single patent, clear descriptions, and uniform requirements across all tracts would allow the city council and planning commission to undertake comprehensive development efforts.

**OPPONENTS SAY:** No apparent opposition.

**NOTES:** The committee substitute added a severability and savings clause; specified the amount to be paid to the General Land Office for the new patent; and replaced descriptions of the tracts of land with patent descriptions from the General Land Office.

A similar bill, SB 1072 by Parker, was enacted during the 74th Legislative session to convey clear title to the land but did not reconcile differences in tract descriptions.