SEC. 3. (a) The legal notice of the intention to introduce this Act, setting forth the general substance of this Act, has been published as provided by law, and the notice and a copy of this Act have been furnished to all persons, agencies, officials, or entities to which they are required to be furnished under Section 59, Article XVI, Texas Constitution, and Chapter 313, Government Code.

(b) The governor, one of the required recipients, has submitted the notice and Act to the Texas Commission on Environmental Quality.

(c) The Texas Commission on Environmental Quality has filed its recommendations relating to this Act with the governor, the lieutenant governor, and the speaker of the house of representatives within the required time.

(d) All requirements of the constitution and laws of this state and the rules and procedures of the legislature with respect to the notice, introduction, and passage of this Act are fulfilled and accomplished.

SEC. 4. This Act takes effect September 1, 2009.

Passed by the House on May 15, 2009: Yeas 144, Nays 0, 1 present, not voting; passed by the Senate on May 27, 2009: Yeas 31, Nays 0.

Approved June 19, 2009.

Effective September 1, 2009.

CHAPTER 423

H.B. No. 2039

AN ACT

relating to the transfer of certain state property from the Department of Aging and Disability Services to certain community mental health and mental retardation centers.

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

SEC. 1. (a) The Department of Aging and Disability Services may transfer to community centers described by Section 534.001(b)(3), Health and Safety Code, and as specifically designated in Section 2 of this Act, all or part of the real property as specified in Section 2 of this Act:

(1) including improvements to the property; and

(2) excluding the mineral interests in and under the property.

(b) Consideration for the transfers authorized by Subsection (a) of this section shall be in the form of an agreement between the Department of Aging and Disability Services and each community center that requires the community center to use the property in a manner that primarily promotes a public purpose of the state by using the property to provide community-based mental health or mental retardation services.

(c) If a community center fails to use the property in the manner described by an agreement under Subsection (b) of this section for more than 180 continuous days, ownership of the property automatically reverts to the Department of Aging and Disability Services.

(d) The Department of Aging and Disability Services shall transfer each property by a deed that:

(1) is without warranties regarding covenants of title; and

(2) includes a provision that:

(A) requires the community center to use the property in a manner that primarily promotes a public purpose of the state by using the property to provide community-based mental health and mental retardation services; and

(B) indicates that ownership of the property automatically reverts to the Department of Aging and Disability Services if the community center fails to use the property as described by Subsection (b) of this section for more than 180 continuous days.
(e) The state reserves:

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

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

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

(f) Sections 533.084 and 533.087, Health and Safety Code, and Sections 31.1571 and 31.158, Natural Resources Code, do not apply to a transfer of real property authorized by this Act.

SECTION 2. The Department of Aging and Disability Services shall transfer to:

(1) Anderson Cherokee Community Enrichment Services d/b/a ACCESS the real property described as follows:

Bein approximately 0.543 acres of land in Block 27 & 28 (called 28 & 29 in error in prior description), TIMMONS ADDITION, JOHN HUNDLEY SURVEY, A-341, Cherokee County, Texas, out of two tracts described in deed from Paul H. Copeland and wife Delores R. Copeland to Mrs. Ellen Hill Copeland, June 29, 1960, recorded in volume 502, page 57, Deed Records of Cherokee County, Texas, (hereinafter shown as volume/page DR or LR for land records) — from Paul H. Copeland and Joann Copeland Sessions to Waymon Daniels, April 4, 1991, 1149/212, LR and from Waymon Daniels to Waymon and Dorothy Daniels Trust, East Texas National Bank, Trustee, April 11, 1991, 1149/216, LR, Bearings based on deed call along East 4th Street or Highway 69 Rusk Loop and more commonly known as 619 East Fourth Street, Rusk, Texas 75785.

BEING ALL OF LOTS 10 and 11 of FORREST HILLS ESTATES, according to the Map as recorded in Vol. 3, Page 35, now Plat Cabinet “A”, Sheet 157–A, Plat Records of Cherokee County, Texas and more commonly known as 803 Sharon Street, Rusk, Texas 75785.

(2) Border Region Mental Health Mental Retardation Community Center the real property described as follows:

Situated in Webb County, Texas, and being THE SURFACE ONLY, of Lots Number THIRTEEN (13) and FOURTEEN (14), in Block Number six (6), of the SCHOOL VIEW ACRES SUBDIVISION, a subdivision situated in the City of Laredo, Webb County, Texas as per Plat recorded in Volume 3, page 70, Webb County Plat Records and more commonly known as 1436 Los Ebanos Drive, Laredo, Texas 78041.

Situated in Webb County, Texas and being THE SURFACE ONLY of Lots Number Twelve (12) and Thirteen (13), in Block Number Fourteen (14), LOS PRESIDENTES SUBDIVISION, UNIT II, a subdivision in the City of Laredo, Webb County, Texas, as per Plat of record in Volume 8, Pages 29–30 of the Plat Records of Webb County, Texas and more commonly known as 3702 Pine Street, Laredo, Texas 78046.

THE SURFACE ONLY of Lots Number One Hundred Seven (107), and One Hundred Eight (108), in Block Number One (1), “THE PLAZA”, SOUTHGATE II, UNIT I, a subdivision situated in the City Of Laredo as per Replat recorded in Volume 4, Page 95, Webb County Plat Records and more commonly known as 8101 Columbia Dr., Laredo, Texas 78046.

(3) Bexar County Board of Trustees for Mental Health Mental Retardation Services d/b/a The Center for Health Care Services the real property described as follows:

A 1.277 acre tract of land, more or less, out of the Richard Buschel Survey No. 325, County Block 5053, Bexar County, Texas and more commonly known as 8155 and 8165 Lone Shadow Trail, Converse, Texas 78109.

Lots 7 And 8, Block J, LINKWOOD ADDITION, in the City Of Leon Valley, Bexar County, Texas, according to plat thereof, recorded In Volume 5580, Page 114, Deed And Plat Records Of Bexar County, Texas and more commonly known as 7822 Linkside Drive, Leon Valley, Texas 78240.

Lot 16, Block 2, New City Block 13819, TERRACE NORTH SUBDIVISION, in the City of San Antonio, Bexar County, Texas, according to plat thereof recorded in Volume 5580, Page
260, Deed And Plat Records Of Bexar County, Texas and more commonly known as 2927 Eisenhauer Road, San Antonio, Texas 78209.

Lots 34, and 35, Block 1, WOODLAKE, UNIT 7E, Bexar County, Texas, according to plat thereof recorded in Volume 9503, pages 151-152, Deed and Plat Records of Bexar County, Texas and more commonly known as 6722 Calm Lake Road, San Antonio, Texas 78244.

(4) Heart of Texas Region Mental Health Mental Retardation Center the real property described as follows:

All that certain lot, tract or parcel of land situated in Freestone County, Texas, and being all of Lots Number Seven (7) and Eight (8) of Block Number Seventy-one (71) of the City of Teague, Freestone County, Texas, as shown in Cabinet A, Envelope 7A and 7B, Plat Records, Freestone County, Texas and more commonly known as 521 Ash Street (701 N. 6th), Teague, Texas 76661.

Lot 2, Block 5, Durham Addition, Unit #1, City of Groesbeck, in Limestone, Texas, according to the map of said addition of record in Vol. 3, Page 27, Plat Records of Limestone County, Texas, more commonly known as 103 Jane Drive, Groesbeck, Texas 76642.

BEING Lots 6 and 7, Block 3, Parkview Addition, City of Groesbeck, Limestone County, Texas according to the official plat of Parkview Addition recorded in Vol. 2, page 93, re-indexed as Plat No. 529-530, Plat Records of Limestone County, Texas, being the same Lots 6 and 7, Block 3, Parkview Addition described in deed dated September 13, 1988 from Patricia Ann Keeney, Guardian of Doris Harris Keris, to Charles E. Rhodes, Jr., et ux, recorded in Vol. 39, page 529, Deed Records of Limestone County, Texas, and more commonly known as 612 Parkside, Groesbeck, Texas 76642.

(5) Hill Country Community Mental Health Mental Retardation Center the real property described as follows:

SITUATED in Val Verde County, Texas, and being Lot Three (3) and the Northeast One-Half (1/2) of Lot 2, in Block “A”, Franki Estates to the City of Del Rio, Texas, according to plat of record in Volume 2, Page 48, of the Map Records of Val Verde County, Texas, and more commonly known as 212 Bolner Lane, Del Rio, Texas 78840.

(6) Lakes Regional Mental Health Mental Retardation Center the real property described as follows:

All that certain lot, tract or parcel of land being known and designated as Lot 2, Block 18, Town Addition to the City of Waxahachie, Ellis County, Texas, according to the Plat of record in Cabinet C, Slide 61, Plat Records of Ellis County, Texas and more commonly known as 102 West Parks Avenue, Waxahachie, Texas 75165.

Lot 4, Block 3 of the Nora Alexander Subdivision of part of Block 278, City of Waxahachie, Ellis County, Texas, according to the plat of record in vol. 176, page 443, Deed Records of Ellis County, Texas and more commonly known as 206 Joseph Street, Waxahachie, Texas 75165.

BEING LOT 4, BLOCK 6, NORTHGATE ADDITION, UNIT TWO, WAXAHACHIE, ELLIS COUNTY, TEXAS, ACCORDING TO THE PLAT RECORDED IN CABINET A, SLIDE 664, PLAT RECORDS ELLIS COUNTY, TEXAS and more commonly known as 407 Johnston Blvd., Waxahachie, Texas 75165.

BEING all of Lot 22, FERRIS FIRST ADDITION, Waxahachie, Ellis County, Texas, plat recorded in Cabinet A, Slide 37, Plat Records, Ellis County, Texas, and being more commonly known as 408 Royal Street, Waxahachie, Texas 75165.

Lot Eleven (11) in Block “F” of the NORTH PARK ESTATES ADDITION, No. 2, within the corporate limits of the City of Paris, a part of the JOSEPH LEACH SURVEY, according to plat of such Addition of record in Envelope 231-D, Lamar County Plat Records, and being the same property described in deed to David Hutson and wife, Mary Hutson, dated April 15, 1017.

Situated within the Corporate Limits of the City of Paris, County of Lamar, and State of Texas, a part of the Hiram Williams Survey #1003, and being Lot 7, 8, in Block 8, TOWN NORTH ESTATES #2, and more commonly known as 2875 Kessler, Paris, Texas 75460.

Being part of Lot 2, Block 373, REVISED MAP OF THE CITY OF TERRELL, and more commonly known as 209 N. Park Street, Terrell, Texas 75160.

Being all that certain lot, tract or parcel of land situated in the Corporate Limits of the City of Terrell, Kaufman County, Texas being Block No. 590 of The Revised Map of The City of Terrell and more commonly known as 407 9th Street, Terrell, Texas 75160.

(7) Mental Health Mental Retardation of Tarrant County the real property described as follows:

Lot D-1, of the subdivision of Lot D of the revision of Lots 5, 6, and 7, F.R. CHILCOAT SUBDIVISION, to the City of Fort Worth, Tarrant County, Texas, according to plat recorded in Volume 388-J, Page 33, Deed Records of Tarrant County, Texas and more commonly known as 2620 Meaders Avenue, Fort Worth, Texas 76112.

Part of Lot 1, Block 4, of DALWORTHINGTON GARDENS, Tarrant County, Texas, according to the Plat recorded in Volume 388-A, Page 105, Plat Records, Tarrant County, Texas, and being more commonly known as 2812 California Lane, Dalworthington, Texas 76015.

LOT 44, BLOCK 1, SANDY RIDGE ESTATES, an Addition to the City of Fort Worth, Tarrant County, Texas, according to the plat recorded in Volume 388-139, Page 64, Plat Records, Tarrant County, Texas and more commonly known as 701 Sandy Lane, Fort Worth, Texas 76120.

Being a portion of Lot 8, Block 1, FRANK M. ANDERSON SUBDIVISION of the S. B. Hopkins Survey and part of the G. Wilson Survey, Tarrant County, Texas, according to Plat recorded in Volume 1255, Page 306, Plat Records, Tarrant County, Texas, and being the same property described in deeds recorded in Volume 1810, Page 407 and Volume 9833, Page 1577, Deed Records, Tarrant County, Texas, and being more commonly known as 1136 Williams Rd., Fort Worth, Texas 76120.

LOTS 1, 2, AND 3, BLOCK 1, SIGLER ADDITION TO THE CITY OF FOREST HILL, TARRANT COUNTY, TEXAS, ACCORDING TO THE PLAT RECORDED IN VOLUME 388-212, PAGE 27, PLAT RECORDS, TARRANT COUNTY, TEXAS and being more commonly known as 3313 Shamrock Lane, Forest Hill, Texas 76119.

(8) Texana Center the real property described as follows:

THE SURFACE ONLY of a tract of land containing 26.814 acres out of the original George Foundation call 435.561 acre tract in the John Little Survey, Abstract No. 52, City of Richmond, Fort Bend County, Texas, and more commonly known as 1818 Collins Road, Richmond, Texas 77469.

Lots Four (4) and Five (5), Block Nine (9), Replat of Skrabanek Meadows, Section Two (2), a subdivision in Fort Bend County, Texas, according to the map or plat thereof recorded under the Clerk's Slide No. 687/A and more commonly known as 3618 Beasley Street, Needville, Texas 77461.

The North East One-half (NE 1/2) of Lot Four (4), all of Lots Five (5), Six (6), and Seven (7), all in Block Two (2), of Re-subdivision of Raska–Stavinoha Subdivision, in Section 27, H.&T.C. R. R. Co. Survey, Abstract 219, Fort Bend County, Texas, according to the plat of said re-subdivision recorded in Volume 6, Page 16, Plat Records, Fort Bend County, Texas and more commonly known as 2902 North Street, Needville, Texas 77461.

(9) Texas Panhandle Mental Health Mental Retardation the real property described as follows:

Lot No. Twenty-three (23), in Block No. Twenty-one (21), Sleepy Hollow Unit No. 27 Amended, an addition to the City of Amarillo, Randall County, Texas, according to the map or plat thereof, of record in Volume 853, Page 76 of the Deed Records of Randall County, Texas,
reference to which is here made for all purposes and more commonly known as 3508 Van Tassel, Amarillo, Texas 79121.

Lot No. Forty-one (41), in Block No. One (1), Quail Creek Addition, Unit No. Two (2) amended, an addition to the City of Amarillo, Potter County, Texas, according to the map or plat thereof, of record in Volume 1468, Page 548, of the Deed Records of Potter County, Texas and more commonly known as 6801 Club Meadows, Amarillo, Texas 79124.

All of Lot No. 42 and the West portion of Lot No. 41, Block No. 7, South Side Estates Unit No. 7, an Addition to the City of Amarillo, Randall County, Texas, according to the recorded Plat thereof, recorded in Volume 597, Page 417 and 418 of the Deed Records of Randall County, Texas and more commonly known as 5407 Camp Lane, Amarillo, Texas 79110.

Lot No. Thirty-one (31), in Block No. Five (5), Westcliff Park, an addition to the City of Amarillo, Potter County, Texas, according to the map or plat thereof, of record in Volume 1200, Page 181, of the Deed Records of Potter County, Texas, reference to which is here made for all purposes, and more commonly known as 2305 Cedar Creek, Amarillo, Texas 79124.

(10) West Texas Centers for Mental Health Mental Retardation the real property described as follows:

SURFACE ESTATE ONLY—Lots Seven (7) and Eight (8) and the East half (E/2) of Lots Nine (9), Ten (10), Eleven (11) and Twelve (12), in block Twenty-eight (28) of the Original Town of Seminole, Gaines County, Texas—Deed 1 and The West one-half (W/2) of Lots 9, 10, 11 and 12, in Block 28, Original Town of Seminole, Gaines County, Texas—Deed 2, more commonly known as Seminole Vo-Tech Resource Center, 208 E. Ave. A, Seminole, Texas 79360.

All of Lot ONE (1) and the South twenty-five feet (S25') of abandoned East Nineteenth Street, Block ELEVEN (11) of the NANCYE SUBDIVISION to the City of Monahans, Ward County, Texas, according to a map or plat filed for record in the office of the County Clerk of Ward County, Texas recorded in Volume 3, Page 73, Map Records, Ward County, Texas and more commonly known as Main Street Home, 1900 S. Main, Monahans, Texas 79756.

Lots Seven (7) and Eight (8), Block One (1), DOUGLASS ADDITION to the City of Big Spring in Howard County, Texas, according to proper plat of said addition recorded in Plat Records of said County and more commonly known as Hamilton Home, 3801-03 Hamilton, Big Spring, Texas 79720.

Being Lot No. Three (3), out of the North Half of Block No. Thirty-three (33), COLLEGE PARK ESTATES NO. 6, an Addition to the City of Big Spring, out of Section 45, Block 32, T-1-N, T. & P. RR. Co. Survey, Howard County, Texas, according to the map or plat of record in Envelope 131/A, Plat Records in the office of the county clerk of Howard County, Texas and more commonly known as Fordham Home, 3304 Fordham, Big Spring, Texas 79720.

Lots 4 and 5, Block 5, County Village Addition to the City of Sweetwater, Nolan County, Texas and more commonly known as Towncreek Home, 1207 Town Creek Drive, Sweetwater, Texas 79556.

SECTION 3. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2009.

Passed by the House on April 24, 2009: Yeas 138, Nays 0, 1 present, not voting; passed by the Senate on May 20, 2009: Yeas 29, Nays 0.

Approved June 19, 2009.