

AUSTIN, CITY OF—ACQUISITION OF LANDS

CHAPTER 44

H. B. No. 21

An Act to grant, sell and convey to the City of Austin, the two (2) tracts of land marked "Reserve" on the map of the City of Austin, according to a survey by Sandusky in 1840, which is on file in the General Land Office, and also the bed, banks of the Colorado River and the islands in said River, within the present city limits of the City of Austin, fixing the consideration for said grant; reserving all of the oil, gas and sulphur therein to the State; setting up certain requirements in event of resale of tracts and/or the sale of sand and gravel therefrom; and declaring an emergency.

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

Section 1. By this Act, the Legislature of the State of Texas, for and in consideration of the sum of Ten Thousand Dollars (\$10,000) cash, (which sum shall be considered a token payment without any attempt to determine the true value thereof); and the further consideration of the protection of the public health, sanitation, civic improvement and police protection in and along the Colorado River within the corporate limits of the City of Austin, and for the general welfare (which is hereby declared and determined to be full and adequate consideration) hereby grants, sells and conveys, and by this Act does grant, sell and convey unto the City of Austin, a municipal corporation situated in Travis County, Texas, all those certain tracts or parcels of land situated in Travis County, Texas, and described as follows, to wit:

First Tract: Seventy-seven (77) acres of land more or less, commonly known as "Reserve", bounded on the North by Outlots 1 and 11, Division "Z", City of Austin, as established by a survey made by William H. Sandusky under an Act of Congress of the Republic of Texas, passed January 5, 1840; on the East by West Avenue as located by the said survey; on the South by the Colorado River; and on the West by the East line of the George W. Spear League; said tract being marked "Reserve" on the Sandusky map above referred to.

Second Tract: Sixty-seven (67) acres of land, more or less, bounded on the North by Outlots Numbers 62, 63, 66, 67, 68, 69, 70 and 71 in Division "O" in the City of Austin, shown by the Sandusky map above referred to; bounded on the East by the Colorado River; bounded on the South by the Colorado River, and on the West by East Avenue and the Colorado River.

Third: All land in the Colorado River, within the city limits of the City of Austin, including the bed and banks thereof and islands therein.

Sec. 1A. The grant hereby made to the City of Austin is made for public purposes and in the event of sale by the City of Austin, of the property herein granted, all parts thereof so sold shall revert to the State.

Sec. 2. The above lands are sold to the City of Austin with an express reservation of all of the oil, gas, and sulphur in and under said land, and said lands or any part thereof may be leased for the development of said minerals by the Commissioner of the General Land Office and the School Land Board, under the laws applicable thereto.

Sec. 3. The consideration for this land shall be paid to the Commissioner of the General Land Office of the State of Texas for the benefit of the Permanent Public Free School Fund; and a patent to said lands shall be issued to the City of Austin by the Governor and the Commis-

sioner of the General Land Office of the State of Texas. Upon the payment of the said consideration and the issuance of said patent, the title of the City of Austin to the said lands shall become absolute, subject to the reservations herein made.

Sec. 3A. In the event the City of Austin shall sell sand and gravel from the lands hereby granted, all such sales in excess of the first Five Thousand Dollars (\$5,000) derived therefrom shall belong to and be payable to the State of Texas, for which purpose the City of Austin is required to report all the receipts from that source to the Commissioner of the General Land Office of the State of Texas for the benefit of the Permanent Public Free School Fund and keep a perfect account thereof which shall be open to inspection of the Commissioner of the General Land Office and/or his representative at all times.

Sec. 4. The fact that the water supply of the City of Austin is being endangered by operations in the Colorado River bed and postponement of the effective date of this Act would hazard such water supply, creates an emergency, and an imperative public necessity that the Constitutional Rule which requires bills to be read on three several days in each House be suspended, and that the same become effective from and after its passage, and it is so enacted.

Passed the House, March 8, 1945: Yeas 117, Nays 5; House refused to concur in Senate amendments, March 15, 1945, and requested appointment of Conference Committee to consider differences between two Houses; House adopted Conference Committee Report, March 21, 1945: Yeas 122, Nays 6; passed the Senate, as amended, March 15, 1945: Yeas 25, Nays 1; at request of House, Senate appointed Conference Committee to consider differences between the two Houses; Senate adopted Conference Committee Report, March 20, 1945: Yeas 29, Nays 0.

Approved March 23, 1945.

Effective March 23, 1945.

STATE BOARD OF CONTROL—SALE OF LANDS

CHAPTER 45

H. B. No. 53

An Act authorizing and instructing the State Board of Control to sell two (2) tracts of land situated in Wichita County, Texas, aggregating forty-three and twelve one-hundredths (43.12) acres more or less; providing that abstracts or title insurance may be secured; and reserving a one-sixteenth (1/16) free royalty mineral interest; providing that the Chairman of the State Board of Control may execute a deed of conveyance; providing for disposition of funds; and declaring an emergency.

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

Section 1. WHEREAS the State of Texas heretofore acquired title to certain lands out of and being a part of the J. A. Scott Survey No. 7, Abstract No. 295 in Wichita County, Texas, for the purpose of establishing and maintaining the Wichita Falls State Hospital; and

WHEREAS a part of the lands so acquired is located in two (2) irregularly shaped tracts of thirty-three and eighty-six one-hundredths (33.86) acres more or less, and nine and twenty-six one-hundredths (9.26) acres more or less respectively, aggregating forty-three and twelve one-hundredths (43.12) acres more or less, which two (2) tracts are cut off by a paved county highway from the lands used by said hospital, and