

1 The second tract of land is situated in Smith County, Texas,
2 north of Tyler and is bounded as follows: on the north and west by
3 the S. Leeper A-559, the Frost Thorn Four League Grant A-3, A-9,
4 A-7, A-19, and the H. Jacobs A-504 and on the south and east by the
5 following surveys: John Carver A-247, A. Loverly A-609, J. Gimble
6 A-408, R. Conner A-239, N.J. Blythe A-88, N.J. Blythe A-89, J.
7 Choate A-195, Daniel Minor A-644, William Keys A-527, James H.
8 Thomas A-971, Seaborn Smith A-899, and Samuel Leeper A-559.

9 (b) This section does not apply to:

10 (1) any public right-of-way, including a public road
11 right-of-way, or related interest owned by a governmental entity;

12 (2) any navigable waterway or related interest owned
13 by a governmental entity; or

14 (3) any land owned by a governmental entity and
15 reserved for public use, including a park, recreation area,
16 wildlife area, scientific area, or historic site.

17 (c) This section is self-executing.

18 SECTION 2. This proposed constitutional amendment shall be
19 submitted to the voters at an election to be held November 8, 2005.
20 The ballot shall be printed to permit voting for or against the
21 proposition: "The constitutional amendment providing for the
22 clearing of land titles by relinquishing and releasing any state
23 claim to sovereign ownership or title to interest in certain land in
24 Upshur County and in Smith County."

David Suohurst
President of the Senate

Jim Cradick
Speaker of the House

I hereby certify that S.J.R. No. 40 was adopted by the Senate on April 14, 2005, by the following vote: Yeas 31, Nays 0.

Latseny Spaw
Secretary of the Senate

I hereby certify that S.J.R. No. 40 was adopted by the House on May 9, 2005, by the following vote: Yeas 143, Nays 0, two present not voting.

FILED IN THE OFFICE OF THE
SECRETARY OF STATE
9:45 AM O'CLOCK

Roger Williams
Secretary of State

Robert Hamey
Chief Clerk of the House