



**THE ATTORNEY GENERAL  
OF TEXAS**

**AUSTIN 11, TEXAS**

**PRICE DANIEL**  
ATTORNEY GENERAL

November 29, 1951

Hon. Gordon K. Shearer  
Executive Secretary  
Texas State Parks Board  
Austin, Texas

Opinion No. V-1358

Re: Authority of the Texas  
State Parks Board to  
transfer King's State  
Park to the City of Re-  
fugio.

Dear Sir:

You have requested our opinion as to whether the Board's authority to dispose of land under Article 6068, V.C.S., extends to the various parks which were placed under its control by Article 6067a, V.C.S. Specifically, you have asked whether this authority extends to King's State Park, a deed to which has been requested by the City of Refugio.

Article 6067a provides in part as follows:

"All State parks and all historical parks now designated as State parks or historical parks, which specifically includes . . . King's State Park, . . . now under the control and custody of the State Board of Control, . . . shall be and are hereby placed under the control and custody of the State Parks Board under the authority conferred upon such Board by Article 6067 . . .; Article 6068 . . .; Article 6069 . . .; and other Statutes specifically setting out and defining the rights, powers and duties of the State Parks Board."

Article 6068 authorizes the Board to solicit donations of park sites and accept title thereto, and to dispose of title when deemed unsuitable for a State park and "where the land has been donated by a city, . . . to transfer title to such city . . . where they wish the site returned to them." This

article deals primarily with the procedure under which the Board may dispose of park sites no longer deemed suitable for State park purposes.

In our opinion, the reference in Article 6067a to Article 6068 could only have been for the purpose of relating the Board's power of disposal under Article 6068 to the parks covered by Article 6067a.

It is clear from Acts 47th Leg., R.S. 1941, ch. 428, p. 687, the Act accepting title to King's State Park, that this park was donated to the State by the City of Refugio, although, as shown by the emergency clause, the deed by the City to the State has been lost. The park site being a donation by the City to the State, the Parks Board has authority, under Article 6068, to reconvey it to the City of Refugio.

SUMMARY

The State Parks Board has authority under Article 6068, V.C.S., to reconvey King's State Park to the City of Refugio, such park having been donated by the City to the State and the control and custody of the park having been transferred to the Parks Board by Article 6067a, V.C.S.

Yours very truly,

APPROVED:

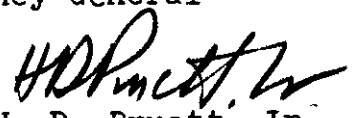
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By

  
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